

Foundation Files Suit to Halt DC Minor Consent Law

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Parental Rights Foundation

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WASHINGTON -- Today the Parental Rights Foundation, in conjunction with Children's Health Defense, filed suit in federal court on behalf of four DC parents to halt enforcement of DC's Minor Consent to Vaccination Act of 2020. According to the complaint, the new law circumvents the legal and constitutional right of parents to make medical decisions for their minor children.

Passed by the DC Council on a 10-3 vote last November and allowed to pass into law by Mayor Muriel Bowser in December, the Minor Consent Act would allow a medical provider to administer vaccines to any child aged 11 or older if the medical provider decides the minor is mature enough to provide informed consent and if the vaccine is on the list of vaccines recommended by the United States Advisory Committee on Immunization Practices (ACIP).

According to the complaint, this violates the fundamental liberty interest of parents in the welfare of their child as protected under the Fifth Amendment's Due Process Clause. It also violates federal law, including the National Childhood Vaccine Injury and Compensation Act of 1986 and the Religious Freedom Restoration Act of 1993.

"The Supreme Court settled long ago that parents, not government officials, have the authority to make informed medical decisions for their children," says Jim Mason, president of the Parental Rights Foundation and lead counsel on the suit. "This law is a poorly disguised end-around to circumvent that right and give the district the outcome it wants, even over parental objection."

What's more, says the complaint, the district won't even notify parents when these parental rights have been terminated. The law prohibits the vaccine provider and the insurance carrier from informing the parent of their child's vaccination status, leaving the parent to assume (or hope) their opt-out decision is still being enforced. Even the family's primary care physician will not receive word of a vaccination received outside their office.

"Under DC law the government gives parents the right to opt out on the one hand, and then sets up

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children to be pressured into surrendering that right on the other, with neither the parent nor the family's physician being any the wiser," Mason explained. "Sneaking behind the back of fit and loving parents will put DC's children at risk."
By Parental Rights Foundation
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