

To: COVID-19 Vaccinating Partners
From: Michelle Fiscus, MD FAAP
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Subject: Tennessee “Mature Minor” Doctrine and Co-Administration of COVID-19 and routine immunizations

Given the May 12, 2021 vote by the Advisory Committee on Immunization Practices to recommend the use of Pfizer’s COVID-19 vaccine in children ages 12 through 15 years of age, I thought it would be helpful to share Tennessee’s “mature minor” doctrine with our vaccinating partners.

The “mature minor” doctrine in Tennessee permits healthcare providers to treat certain minors without parental consent, according to the “Rule of Sevens.” (See *Cardwell v. Bechtol*, 724 S.W.2d. 739 (Tenn. 1987)).

- Under the age of 7 there is no capacity, and the physician must have parental consent to treat (unless a statutory exception applies).
- Between the ages of 7 and 14, there is a rebuttable presumption that there is no capacity, and a physician generally should get parental consent before treating (unless a statutory exception applies).
- Between the ages of 14 and 18, there is a rebuttable presumption of capacity, and the physician may treat without parental consent unless the physician believes that the minor is not sufficiently mature to make his or her own health care decisions.

Certain statutes also explicitly permit the treatment of minors for specific conditions without parental consent, including treatment of juvenile drug abusers (T.C.A § 63-6-220), emergency situations (T.C.A § 63-6-222), treatment for STDs (T.C.A § 68-10-104(c), providing contraception (T.C.A § 68-34-107), and providing prenatal care (T.C.A § 63-6-223). In the case of abortion, however, the legislature has made clear that no minor may obtain an abortion without either parental consent or a court order in exceptional circumstances.

Tennessee county health departments follow Tennessee law and provide medical treatment and vaccinations to patients as young as 14 without parental consent if the individual provider determines that the patient meets the definition of a “mature minor” in accordance with Tennessee law. The Pfizer COVID-19 vaccine is currently the only COVID-19 vaccine authorized by the FDA for persons ages 12-17 years of age.

There is no federal, legal requirement for parent or caregiver consent for COVID-19, or any other, vaccine.

Additionally, COVID-19 vaccines and other vaccines may now be administered without regard to timing. This includes simultaneous administration of COVID-19 vaccines and other vaccines on the same day, as well as co-administration within 14 days. It should be noted that it is unknown



whether reactogenicity is increased with coadministration, including with other vaccines known to be more reactogenic, such as adjuvanted vaccines. When deciding whether to co-administer with COVID-19 vaccines, providers should consider whether the patient is behind or at risk of becoming behind on recommended vaccines and the reactogenicity profile of the vaccines being co-administered.

Thank you for all you're doing to protect Tennesseans—including our adolescents!