



**Allowing STD Vaccinations to be Provided to Minors
Without Parental Involvement
(Bill S.762-A-Krueger/A.276-B-Paulin)
Memorandum of Opposition**

Bill S.762-A-Krueger/A.276-B-Paulin would allow minors to be vaccinated against the human papillomavirus (HPV) and other sexually transmitted diseases (STDs) without parental involvement. This legislation would also empower certain non-physicians to provide STD vaccinations and STD treatment to minors without parental involvement.

Specifically, this bill would authorize physicians to provide minor patients with “health care related to the prevention of a sexually transmissible disease, including administering vaccines,” without parental knowledge or consent. Furthermore, this legislation would permit physician assistants, nurse practitioners, and midwives acting within their lawful scope of practice to vaccinate minors against STDs and to provide treatment to minors who have contracted STDs. The bill would require each minor patient to consent to this health care, and would require each minor patient to possess “the capacity to consent to the care.” As noted in the bill memorandum, a Cuomo-era regulation from 2017 (10 NYCRR 23.4) already allows health care practitioners to provide STD vaccinations and treatment to minors without parental involvement. According to the bill’s sponsors, this legislation is intended to codify that regulation.

New Yorkers for Constitutional Freedoms (NYCF) opposes this bill. By describing this bill as a codification of an existing regulation, the bill’s sponsors have tacitly acknowledged that the existing regulation has no basis in law; if it did, there would be no need to pass a law codifying it. Implementing a state regulation that lacks legal authority is an executive overreach. The Legislature should not reward these types of overreaches by passing laws that codify them.

In addition, this legislation infringes upon parental rights. The state of New York has no business authorizing non-physicians—or anyone else—to keep parents in the dark about their children’s vaccinations. Measures like this endanger the health of young people. Children and teenagers have parents for a reason, and the state should respect parents’ unique role in their children’s lives.