

Child Welfare Practice Guidance during COVID-19 Crisis- COVID-19 Vaccination Guidance for Children and Youth in the Custody of Local Departments of Social Services

Purpose

The purpose of this document is to ensure that child welfare workers are provided guidance regarding the COVID-19 vaccine as it pertains to vaccine eligible youth in foster care.

Currently (as of May,2021), Pfizer COVID-19 vaccine is available to everyone 12 years and above for free, whether or not they have health insurance. The Pfizer vaccine requires two shots separated by 21 days and is the only vaccine authorized at this time for youth who are 12 years of age and older. Those who receive the vaccine will get a vaccine card and will need to return at least 3 weeks later for the second dose. A person is considered fully vaccinated two weeks after they receive their last dose of a vaccine series.

As of May 15, 2021, CDC has not changed its guidance for schools, even though a vaccine is available to persons aged 12 and above, and continues to recommend use of safety measures related to COVID-19 including wearing a mask, practicing social distancing, avoiding crowds, and washing hands often. Per the American Academy of Pediatrics (AAP) and the Centers for Disease Control and Prevention (CDC), it's important for everyone to continue using all the tools available to help stop this pandemic as we learn more about how COVID-19 vaccines work in real-world conditions. It will be some time before everyone receives a vaccine, and more time is needed to fully understand how the vaccine affects the transmission of the virus. Until then, established public health measures should remain. And as not everyone is vaccinated, things are not yet returning to "normal." However, an individual who is fully vaccinated (as above) does not have to quarantine if they have had no symptoms after being a close contact to someone with COVID-19, and they do not live in a congregate setting. Please consult the CDC for updates to guidance as it becomes available

There is not yet a COVID-19 vaccine authorized for children/youth under the age of 12 years. Younger children will only be able to be vaccinated once the vaccine is authorized for their age group.

Guidance for Permanency Planning

Currently, youth in foster care age 12 years of age and above are eligible to receive the Pfizer COVID-19 vaccine. The COVID-19 vaccine is not required by state immunization rules or laws for children, youth, or adults.

Vaccine Consent

Informed consent must be obtained prior to anyone being vaccinated with any of the COVID-19 vaccines. That consent can be verbal or in writing.

NC General Statute 90-21.5 gives minors who have the decisional capacity to consent the legal authority to consent for the prevention, diagnosis and treatment of reportable communicable disease, and COVID-19 is a reportable disease under NC General Statute 130A-135 pursuant to rules of the Public Health Commission (10A NCAC 41A .0101 and .0107). Therefore, NC General Statute 90-21.5 allows a minor with decisional capacity to give consent for a COVID-19 vaccine. Decisional capacity is a person's ability to understand their health and health care needs and options, and to make decisions about them. As part of normal development most youth are able to make these kinds of decisions like an adult at some point before the age of 18. There is no one age at which this always occurs; it varies from adolescent to adolescent.

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As outlined under NC General Statute 90-21.5, a minor may give consent to a physician licensed to practice medicine in North Carolina. Local DSS child welfare staff will need to consult with the minor's medical provider(s) to determine if the minor has decisional capacity to consent and to determine individual health risks associated with the vaccine.

If a Department of Social Services wants to consent to a COVID-19 vaccine or help arrange for the vaccination of a child in its custody then it should review NC General Statute 7B-505.1 and consult with its attorney to determine if any legal action should be taken.

Prior to giving consent for a COVID-19 vaccine for a child in its custody, a Department of Social Services must consult with the child's treating health care provider for medical advice prior to vaccine administration to determine if there are any considerations associated for the youth based upon the youth's individual medical history. Departments of Social Services should provide the Fact Sheet for Recipients and Caregivers, which includes essential information about the vaccine, to the child and caregiver. This required fact sheet for recipients and caregivers is available on the Pfizer and FDA websites: [Fact Sheet for Recipients and Caregivers](#)¹. North Carolina's [COVID-19 Vaccines: Take your best shot against COVID-19](#)² and <https://covid19.ncdhhs.gov/vaccines/frequently-asked-questions-about-covid-19-vaccinations> also contain helpful information about the vaccine for youth and birth parents. A Department of Social Services will need to be prepared to provide the necessary information to complete the [CDC pre-vaccination checklist](#) for the covid-19 vaccine in order to consent to the vaccine.

For children in residential care settings that are in the custody of a Department of Social Services, a blanket authorization for medical treatment and services should not be executed by a Department of Social Services. A Department of Social Services should only authorize for the arrangement and consent to the administration of a COVID-19 vaccine once it has the legal authority.

Accessing the COVID-19 Vaccine

Here are strategies for how to locate a COVID-19 vaccination;

- The best place is to look at the NC DHHS Find A Vaccine Portal: <https://myspot.nc.gov/for-locations-near-you>.
- **You can also call the NC DHHS COVID-19 Vaccine Help Center 1-888-675-4567.** It's a free call.
- Another place to contact is the local county health department. There are also vaccines available at local pharmacies and more primary care offices are starting to carry COVID-19 vaccine.
- **A local vaccine provider can help a youth get his/her/their shot.**
- Please confirm that the vaccination site has Pfizer COVID-19 vaccine available for those individuals under 18 years of age.

Private child placing agency and Residential Child Care Provider Guidance

To ensure all protocols in the Guidance for Permanency Planning section above are followed, private child placing agency and residential child care providers should communicate any requests made for the eligible minor to be vaccinated with the child welfare worker assigned to the child from the Department of Social Services so that it can be determined if the Department of Social Services can consent to the vaccine. Documentation of receipt of consent for the COVID-19 vaccine and discussion with the youth's health care provider must be documented in the youth's (client's)

¹ <https://www.cvdvaccine.com/>

² [download \(ncdhhs.gov\)](#)

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record.

Resources

[COVID-19 Vaccine Information | NC DHHS COVID-19 NC Vaccine Finder](#)

Additional Considerations

It is expected that for most teens, information about vaccination is shared with parents and guardians and parental/guardian consent will be obtained for COVID-19 vaccination for youth under age 18 in cases where the parents retain their parental rights. As above, it is required to communicate with the minor's health care provider for medical advice to determine considerations associated with the vaccine based on the minor's individual medical history. If appropriate, parents should be invited to participate in the COVID-19 vaccination appointment.