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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

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() Action Required

(X) Informational

BULLETIN NO. 035-21 STUDENT ENGAGEMENT AND SUPPORT

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers
School District Homeless Liaisons
School Counselors
School Nurses

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Informed Consent for Health Care and COVID-19 Vaccinations for Students
Experiencing Homelessness

CONTACT: Keith Woodruff, Program Supervisor, Education of Homeless Children and Youth
360-725-6505, homelessed@k12.wa.us

PURPOSE

Staff members from multiple school districts and community partners recently reported to the Office of Superintendent of Public Instruction (OSPI) that unaccompanied homeless youth continue to face barriers to receiving medical care, particularly COVID-19 vaccines. This bulletin provides 1) a refresher on existing state law that empowers school district staff to provide informed consent for health care, and 2) new guidance from the Washington State Department of Health (DOH) on vaccinating minors, including youth experiencing homelessness.

Informed Consent for Unaccompanied Homeless Youth

Through [RCW 7.70.065\(2\)\(b\)\(i\)](#) school nurses, school counselors, and (McKinney-Vento) homeless student liaisons are authorized to provide consent for health care for unaccompanied homeless students. In situations where informed consent is necessary due to the age of the student, the authorized school personnel may provide that consent for *“nonemergency outpatient primary care services, including physical examinations, vision examinations and eyeglasses, dental examinations, hearing examinations, and hearing aids, **immunizations**, treatments for illnesses and conditions, and routine follow-up care customarily provided by a*

health care provider in an outpatient setting, excluding elective surgeries.” Health services may also include outpatient treatment for mental health and substance abuse.

When service is provided, the school district staff authorizing health care must give the provider written notice of exemption from liability for care or payment of care, both for the staff member themselves and their employer, the Local Educational Agency (LEA).

Attachment 1 contains a [sample notification form](#) that can be adapted to suit the needs of the LEA. This form is only one example and use of this specific sample form is not required. It may be helpful to attach a copy of the RCW to the notification form for the health care providers’ information.

New Department of Health Guidance on Vaccinating Minors

DOH recently updated its COVID-19 Vaccine Toolkit and Resources for Enrolled Providers to include guidance on vaccinating minors, which includes references to both students experiencing homelessness and the Mature Minor Doctrine. Visit the [COVID-19 Vaccine Information for Health Care Providers](#) website and click on *Considerations for Vaccinating Minors under the Washington Guidance Statements* heading.

The entire DOH guidance document is important, and two sections highlight students experiencing homelessness specifically:

*“The following adults are authorized to consent for a minor... A school nurse, school counselor, or homeless student liaison for a **homeless youth or young adult** who is not under the supervision or control of a parent, custodian, or legal guardian, and is not in the care and custody of the Department of Social and Health Services” (DOH, 2021, paragraph 6).*

*“**Homeless minors:** If a minor has been identified by their school as homeless under the McKinney-Vento Act, the minor may access routine non-emergency medical care with the consent of the school homeless youth liaison, school nurse, or school counselor. Some homeless minors may qualify to provide their own consent; see the next section for details on which situations these include.” (DOH, 2021, paragraph 7).*

Please reference this language when communicating with students experiencing homelessness, community partners, and local healthcare providers regarding COVID-19 vaccines and other lifesaving immunizations.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Keith Woodruff, Program Supervisor, Education of Homeless Children and Youth, at 360-725-6505 or email homelessed@k12.wa.us. The OSPI TTY number is 360-664-3631.

BULLETIN NO. 035-21 SES

May 25, 2021

Page 3

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Michaela W. Miller, Ed.D., NBCT
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Student Engagement and Support

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Attachment 1: [Sample Informed Consent for Health Care authorization form](#)

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