

POLICY: Immunization – Obtaining and Documenting Informed Consent

Program Area: Public Health-Healthy Living

Section: General

Reference Number: CLI.6210.PL.002

Approved by: Regional Lead – Community & Continuing Care

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PURPOSE:

To ensure informed consent is obtained prior to immunization and documented appropriately, as defined in the provincial [Informed Consent Guidelines for Immunization](#).

BOARD POLICY REFERENCE:

Executive Limitation (EL-2) Treatment of Clients
Executive Limitation (EL-1) Treatment of Staff
Executive Limitation (EL-7) Asset Protection and Risk Management

POLICY:

It is the role of the regulated health professional who is offering immunization to obtain informed consent prior to administration of vaccine and document appropriately.

DEFINITIONS:

Consent – Permissions for something to happen or be done.

Regulated Health Professional – Health care provider who is licensed/registered with a professional governing body, and for whom immunization is within their scope of practice i.e. nurse (RN or LPN), physician assistant, physician, midwife, nurse practitioner, pharmacist.

Mature Minor – A mature minor is an individual, under the age of 18 years, who has the capacity to fully appreciate the nature and consequences of a proposed health assessment and/or treatment and is capable of giving informed consent. Designation of a mature minor is not based on age but on capacity to understand and to make decisions.

Exercising one's own rights – Includes consent to, or refusal to consent to, assessments and/or treatments; consent to, or refusal to consent to the collection, use and disclosure of personal information and personal health information or other consents as may be required (i.e. photograph).

Minors with capacity who wish to make their own decisions – If the minor has this capacity, the minor’s consent is both necessary and sufficient. Consent of the parent is not required, nor can it override the minor’s decision.

Temporary Custody – A person who has temporary custody of a minor (i.e. foster parent, teacher or babysitter) has no authority to act as an alternate decision maker unless they have received written authorization from the parent or legal guardian.

Child in Care – A child who is legally in the care of Child & Family Services (CFS) and as such it is CFS who is the legal guardian and must provide consent. CFS may choose to consult with the child’s biological parent(s).

Non-custodial parent – Under *The Family Maintenance Act*, unless a court order states otherwise, a non-custodial parent retains the same right as a custodial parent to obtain personal health information related to their child. This right is limited to information and does not give the non-custodial parent any right to be consulted about or participate in making decisions for the child.

PHIMS – Personal health information monitoring system.

IMPORTANT POINTS TO CONSIDER:

The need to obtain informed consent prior to an immunization is based on the principle that a client is autonomous and has the right to determine what happens or does not happen to them. Information, comprehension and willingness to participate (voluntariness) are fundamental elements of the informed consent document.

PROCEDURE:

Child Health Clinics/Well Child Clinics

- Parents/legal guardians make appointments for their children on a voluntary basis which could imply consent for immunization, however it is vital that criteria for informed consent be met. A signed paper consent form is not required. Documentation of verbal consent is made on Child Health Record along with direct entry into PHIMS. Include the name of the individual (first and last name) who provided consent, relationship to the child and date of consent.

School-based immunization programs

- In Manitoba, a youth of age 16 or older is generally considered to be a mature minor unless there is evidence to the contrary, whereas a youth under 16 years of age is NOT considered to be a mature minor, unless there is evidence to the contrary. School-based immunization programs may target students up to and including Grade 9, thus the age of student is typically 14 or 15 years.
- Therefore, school-based immunization programs require hard copy of the Child Immunization Consent Form to be forwarded to parents/legal guardians to review along with access to the applicable vaccine fact sheet(s) in order to provide written consent for

immunization as they will not be present at school when the immunization occurs. Consent is for the series of vaccine doses as indicated on the form and effective for one year from the date consent is given. It is important to document the effective from and to dates in PHIMS. Verbal consent can only be received and documented by a regulated health professional i.e. nurse (clerks cannot receive nor document consent).

Seasonal Influenza Clinics

- **Adults** - Adults presenting at flu clinics do so on a voluntary basis which could imply consent for immunization, however it is vital that criteria for informed consent be met. The client can provide verbal consent to the staff administering the vaccination and this will be documented on the input working form. This information on this form will be inputted into PHIMS. If the client is from out of province a legal signed consent is required.
- **Minors** - Parents/legal guardians who bring their child to a flu clinic are doing so on a voluntary basis which could imply consent for immunization, however it is vital that criteria for informed consent be met. Verbal consent can be received from the child's parent(s) and this will be documented on the input working form that will be inputted into PHIMS. If the minor is brought by an alternative decision maker or if the child is registered for health benefits outside of Manitoba then a legal signed consent is required.
 - If two doses of vaccine are required as per vaccine recommendations, the consent is valid for the series of vaccine doses.
 - A mature minor can also provide informed consent for immunization without a parent/legal guardian present. The nurse must assess whether the minor fully understands the risks and benefits of immunization. Assess capacity for health care decision making using CLI.4110.PL.001.FORM.02 Minors Rights to Demonstrate Capacity for Health Care Decision Making Tool. Obtain written consent from the mature minor on the Child Adolescent Immunization Consent Form or COVID 19, Influenza, and Pneumococcal Immunization Consent Form at the clinic when administration of vaccine is not directly entered into PHIMS.
- **Child in Care** – We are required to obtain informed consent from the legal guardian of a child in care as per The Child & Family Services Act of Manitoba, thus it is the foster parent's responsibility to forward the consent form to their designated social worker as CFS is the legal guardian of the child in care. Where a consent form has been returned signed by the foster parent, it is the responsibility of the nurse to advise the foster parent of the requirement for social worker or biological parent to consent.
- **Adult Immunization** – Adults presenting for immunization do so on a voluntary basis which could imply consent for immunization, however it is vital that criteria for informed consent be met. Obtain consent and document directly into PHIMS. If the adult is not competent to consent, obtain consent from the person authorized to provide consent i.e. proxy, public trustee, substitute decision-maker.

SUPPORTING DOCUMENTS:

[Child Adolescent Immunization Consent Form](#)

[Child Adolescent Immunization Consent Form – French](#)

[COVID 19, Influenza, and Pneumococcal Immunization Consent Form](#)

[COVID 19, Influenza, and Pneumococcal Immunization Consent Form – French](#)

REFERENCES:

- [CLI.4110.PL.001](#) Consent for Procedures, Treatment and Investigations
[CLI.4110.PL.001.FORM.02](#) Minors Rights to Demonstrate Capacity for Health Care Decision Making Tool
[Informed Consent Guidelines for Immunization](#) – Manitoba Health – Public Health Branch Consent Guidelines
The Personal Health Information Act (PHIA)
The Family Maintenance Act
The Child & Family Services Act of Manitoba
Canadian Immunization Guide, Evergreen Edition [Canadian Immunization Guide - Canada.ca](#)