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Vermont Senate Committee on Health and Welfare

S.151 Section 7 “§1107 Consent to preventative services by minors”

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Vermont Family Alliance strongly advises the Senate Committee on Health and Welfare to strike Section 7 from S.151; repeal 18 V.S.A. § 4226 and for the Vermont General Assembly take up parental rights legislation to reassert parents’ rights to direct their children’s upbringing, including healthcare, education, and access to educational resources, free from State interference.

Vermont Family Alliance’s concerns with *adding a statute to allow minors 12+ to consent to STI* (sexually transmitted infections) *preventative services* as well as preserving 18 V.S.A. § 4226 which allows minors 12+ to consent to *treatments for STIs* when the minor is infected:

1. S.151, Section 7 minor consent to preventative STI services violates [42 U.S. Code § 300 aa-26-Vaccine Information](#), a federal law that requires healthcare providers to provide Vaccine Information Statements to the legal representatives of children and to any individual to whom the provider intends to administer a vaccine.
2. Section 7 makes legislators aid and abet the sexual exploitation of minors by codifying legislation that serves to facilitate and cover up the sexual abuse of minors aged 12+ by allowing them to consent to STD Prevention and Treatment services without parental knowledge and consent.

[Stop It Now](#) statistics state the average age for a minor to enter the sex trade is 12 – 14, and that, “in as many as 93 percent of child sexual cases, the child knows the person that commits the abuse; 60% of children who are sexually abused do not disclose; and that most [sexual abusers] are acquaintances but as many as 47% are family or extended family.”

3. Section 7 also usurps both parents’ and legal guardians’ rights to direct their children’s healthcare. Currently, [parents are suing the Rockford, Michigan School district for socially transitioning their child without parental knowledge and consent](#), a violation of both the First and Fourteenth Amendments of the [U.S. Constitution; the supreme law of the land](#). **Vermont S.151 Section 7** presents the same usurpations.
4. Legislators that vote “yea” on S.151 *with Section 7 included* would be violating their oaths of office under **Chapter II, § 16 and §17** of the [Constitution of the State of](#)

Vermont by enacting legislation that *lessens and abridges citizens' rights* to *direct* their children's health care in the manner they determine to be appropriate under **Chapter 1: Article 1** certain natural, inherent, and unalienable rights; **Article 3** Freedom in religion; **Article 6** Officers are servants of the people; **Article 18** Regard to fundamental principles and virtues necessary to preserve liberty.

5. State legislators' disregard for the U.S. and State Constitutions, and federal law can result in lawsuits that burden the taxpayers of Vermont with legal costs associated with the State's defense of unconstitutional legislation. To enact legislation that is known to violate both the U.S. and State Constitutions is irresponsible and reckless governance, and dereliction of duty.
6. In a constitutional republic, there is a limited majority rule. This means that even *if* the entire legislative body were to agree, and even *if* the majority of the People agree, **S151 Section 7 would infringe on the rights of the People to parent their children in the manner they determine to be appropriate, free from State interference, even if that minority is one. In this regard, the consensus of medical professionals and organizations is irrelevant.**
7. Preventative services for STIs include HPV and hepatitis B vaccines, both of which have known risks. Merck & Co. is charged with, "obtaining FDA approval for Gardasil in 2006 based on deceptive research and clinical trials that misrepresented the vaccine's efficacy while concealing its safety risks and side effects" in a [Class Action Lawsuit](#).
8. There is a sentence in both [18 V.S.A. § 4226 \(a\)\(1\)](#) and [S.151, Section 7](#), "Consent under this section shall not be subject to [disaffirmance](#) due to minority of the individual consenting," that binds the consenting minor with full responsibility for the consequences of their consent. Section 7 would allow minors aged 12+ to consent to these vaccines without the guidance and consent of parents and without the capacity to fully understand the risks. The minors themselves, and their parents or guardians are the ones that bear the burden and expense if their adolescent experiences complications from treatment or is injured by a vaccine.

Other questions this bill raises:

- Who would be the person transporting a minor aged 12+ to acquire preventative care and treatment services?
- Can a minor 12+ receive STI prevention and treatments at school?
- Who is providing these vaccines and treatments to minors 12+?
- Who is covering the costs associated with STI preventative care and treatments, complications from treatments, and vaccine reactions and injuries performed without parental knowledge and consent?

- Who is responsible for the minor aged 12+ if complications and reactions from preventative and treatment services performed without parental knowledge and consent become severe?
- What if the minor is afraid to tell their parents they are experiencing a reaction to a treatment or vaccine that they received without their parents' knowledge or consent, and end up experiencing more severe complications and injuries as a result of a lack of prompt medical attention?

One has to wonder who is benefiting from S.151, Section 7. Certainly, parents' rights are being usurped, and the sexual abuse of minors aged 12+ would be facilitated and concealed under Section 7.

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Further, legislators that work for The People must be transparent. Any legislation on the oversight of minors must be presented as its own bill, not buried within another bill.

Documents:

- 1. S151 STI prevention VFA testimony FINAL**
- 2. Letter from Siri-Glimstad**

<https://definitions.uslegal.com/d/disaffirmance/>

Disaffirmance Law and Legal Definition

Disaffirmance is the denial or nullification of the existence of something or repudiation of an earlier transaction. It can also refer to a declaration that a voidable contract is void. In other words, it is an act by which a person who enters into a voidable contract declares that s/ he will not abide by it. For example, an infant declaring that s/he will not abide by a voidable contract.

Disaffirmance may be express or implied. It is express when declaration is made in terms that the party will not abide by the contract. It is implied, when one does an act which plainly manifests that person's determination not to abide by it. For example, where an infant made a deed for his/her land and on coming of age made a deed for the same land to another. Disaffirmance of judgment is the annulment of a decision by a superior tribunal.