

Office of Child Welfare Programs

Stacey Ayers, Program Manager for the Child
Safety Unit

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Number: CW-IM-17-003

Issue date: 4/25/2017

Updated: 4/26/2017

Topic: Screening & CPS Assessments

Subject: Parents' Decisions Regarding Vaccinations

Applies to (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Child Welfare |
| <input type="checkbox"/> County DD Program Managers | |

Message:

The purpose of this memorandum is to clarify the Department's position regarding a parents' decision to vaccinate their child.

A parents' decision to delay or decline vaccination of their child alone does not constitute an allegation of child abuse or neglect regardless of who is reporting the information. In the absence of other abuse or neglect allegations -- such as other mitigating medical information -- a report of a parent choosing against vaccinating, or delaying vaccination, will not be assigned for a Child Protective Services assessment, and will be closed at screening.

Currently, Oregon Administrative Rules (OAR) 413-015-1000(3)(d)(B) on CPS assessment dispositions defines medical neglect and provides a specific direction regarding immunizations or routine well-child care:

(B) Medical neglect is a refusal or failure to seek, obtain, or maintain necessary medical, dental, or mental health care. Medical neglect includes withholding medically indicated treatment from infants who have disabilities and life-threatening conditions. **However, failure to provide the child with immunizations or routine well-child care alone does not constitute medical neglect.** When the CPS worker is making a determination of medical neglect, this determination must be consistent with medical findings.

Link to Child Protective Services Rule 413-015-1000:

http://www.dhs.state.or.us/policy/childwelfare/manual_1/division_15.pdf

If additional clarification or guidance is needed, please contact the Child Safety Consultant assigned to your district.

If you have any questions about this information, contact:

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|--------------------|--|-------------|--|
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