NC DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Social Services

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
SUSAN OSBORNE • Assistant Secretary for County Operations for Human Services

May 25, 2021

DEAR COUNTY DIRECTORS OF SOCIAL SERVICES
DEAR EXECUTIVE DIRECTORS OF CHILD PLACING AGENCIES

ATTENTION: CHILD WELFARE PROGRAM ADMINISTRATORS, MANAGERS, SUPERVISORS, AND/OR TRAINING STAFF

SUBJECT: COVID-19 Vaccination Guidance for Children and Youth in the Custody of Local Departments of Social Services

REQUIRED ACTION: ☐ Information Only ☐ Time Sensitive ☒ Immediate

The NC Division of Social Services (NC DSS) is committed to providing counties with guidance and resources to support them meeting the healthcare needs of children and youth in foster care. The recent approval of vaccinations for COVID-19 in children and youth age twelve and older has resulted in the need to develop guidance for the counties specific to children and youth in foster care.

The attached *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* was developed in collaboration with pediatricians, legal staff, and reviewed by the epidemiological team at the Department of Health and Human Services to ensure it included information needed for local Departments of Social Services determine the legal and health considerations necessary when determining how best to approach the decision to vaccinate a youth in their legal custody.

It is important to note that the attached guidance includes reference to two statutes, NC General Statute 7B-505.1 Consent for Medical Care for a Juvenile placed in Nonsecure Custody of a Department of Social services. and 90-21.5. Minor's Consent Sufficient for Certain Medical Health Services. This is relevant to this guidance as COVID-19 is a reportable disease under NC General Statute 130A-135 5 pursuant to rules of the Public Health Commission (10A NCAC 41A .0107).

Therefore, NC General Statute 90-21.5 allows a minor with decisional capacity to give consent to a physician licensed to practice medicine in North Carolina.

In addition, there is specific guidance that local Departments of Social Services do not provide a blanket authorization for the vaccination of children and youth in residential settings.

Lastly, private child placing agencies 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 to determine the steps necessary before the vaccine can be administered.

Please contact the Regional Child Welfare Consultant assigned to your county with any questions.

Sincerely,



Lisa Tucker Cauley, MSW
Senior Director for Child, Family and Adult Services
Division of Social Services
North Carolina Department of Health and Human Services

Cc: Susan G. Osborne, Assistant Secretary for County Operations
Teresa Strom, Section Chief for County Operations
Carla McNeill Section Chief for Licensing and Regulatory
Kathy Stone, Section Chief for Child Protective Services and Prevention
Linda Waite, Section Chief for Regulatory and Licensing

CWS-16-2021

Attachment (1): 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