

Date: June 11, 2021

To: Illinois Governor's Office,
Illinois Department of Public Health,
Illinois Department of Human Services,
Illinois State Board of Education,
Cook County Department of Public Health,
Chicago Department of Public Health,
Chicago Public Schools

To Whom It May Concern:

Chicago Coalition for the Homeless (CCH) is deeply concerned about unaccompanied homeless youth who are under 18 being able to access all COVID-19 vaccines as the roll out begins for younger individuals. Currently, only the Pfizer vaccine has been approved for young people, but the concerns raised here apply to all COVID-19 vaccines if they become approved for use in young people.

Unaccompanied homeless youth have a legal right to access the COVID-19 vaccines, including Pfizer which is currently approved for use. Due to the barriers to health care faced by unaccompanied homeless youth, in 2014, Illinois passed the [Consent by Minors to Health Care Services Act \(410/ILCS 210/1.5\)](#). If a young person is at least 14 but not yet 18 and not living with a parent or legal guardian, they can [consent](#) to most primary care services.¹ "Primary care services" means health care services that include screening, counseling, immunizations, medication, and treatment of illness and conditions customarily provided by licensed health care professionals in and out-patient setting.

Under Illinois' minor consent law, unaccompanied homeless youth bring a letter or form identifying them as "minor seeking care" from one of the following people to a medical appointment:

- an adult relative;
- a representative of a homeless service agency that receives federal, State, county, or municipal funding to provide those services or that is otherwise sanctioned by a local continuum of care;
- an attorney licensed to practice law in Illinois;
- a public school homeless liaison or school social worker;

¹ Under the minor consent law, a "minor seeking care" are defined as "a person at least 14 years of age but less than 18 years of age who is living separate and apart from his or her parents or legal guardian, whether with or without the consent of a parent or legal guardian who is unable or unwilling to return to the residence of a parent, and is managing his or her own personal affairs." "Minor seeking care" does not include minors who are under the protective custody, temporary custody, or guardianship of the Department of Children and Family Services.

- a social service agency providing services to at risk, homeless, or runaway youth; or
- a representative of a religious organization.

The Illinois State Board of Education developed a form that can be used to identify a youth as a minor seeking care. (<https://www.isbe.net/Documents/83-04T-MKV-cert-minor-health-form.pdf>).

A health care professional providing primary care services to unaccompanied homeless youth will not incur civil or criminal liability for failure to obtain valid consent or professional discipline for failure to obtain valid consent if he or she relied in good faith on the representations made by the minor.

Due to the impact and severity of COVID-19 on individuals experiencing homelessness, we the undersigned recommend the following action steps to ensure that barriers are removed for unaccompanied homeless youth to access the COVID-19 vaccines:

- creating and distributing informational material to community service providers and health care providers that are providing the COVID-19 vaccine about the legal rights and requirements of unaccompanied homeless youth to access the vaccine;
- providing a training for community service providers and health care workers on removal of barriers for unaccompanied homeless youth to access the COVID-19 vaccine;
- distributing public notice in locations unaccompanied homeless youth might frequent about their rights and how to access the COVID-19 vaccine;
- correcting inaccurate information on agency websites and communicating with external entities such as Zocdoc to correct information; and
- collaborating across state, city, and county agencies, including schools and the Illinois State Board of Education, to ensure prompt access of the COVID-19 vaccine to eligible young people.

Community organizations that serve youth experiencing homelessness report that unaccompanied homeless youth under 18 years old are being denied appointments and access to the Pfizer vaccine. On the Chicago Department of Public Health (CDPH) website it states, “Individuals under the age of 18 seeking vaccination need to be accompanied by a parent or legal guardian.” On the ZocDoc website to book a vaccine appointment those under 18 must have a parent or guardian make the appointment. Despite Illinois law clearly allowing unaccompanied youth who are minors to consent to their own health care, young people are being turned away since they do not have a parent or guardian to make the appointment or accompany them to the appointment.

It is critical that unaccompanied homeless youth have access to the COVID-19 vaccine, without the requirement of a parent or guardian present. Unaccompanied homeless youth are a particularly vulnerable population and those vulnerabilities make them more at risk of getting and spreading COVID-19. Young people experiencing homelessness often live in congregate living situations, including shelters or sharing housing of others that is often overcrowded. In addition, their living situations are often transient with young people moving from place to place

frequently. Further the subpopulation of youth who are parenting or pregnant are vulnerable not only for themselves for their children who are not eligible for vaccination. Their living situations both expose them to more people who may have the virus and make them more likely to transmit it to more people.

In addition, many young people live in situations that make it difficult to follow public health guidance including social distancing and they may face barriers accessing masks, hand washing, and hand sanitizers. Young people who are homeless often do not have consistent adult support or medical care. In addition to potential exposure through their living situations, unaccompanied youth travel on public transportation to attend work and school and to seek shelter, food, and services. As COVID-19 restrictions are lifted throughout the state, these young people will face greater risks.

As in-person learning resumes, young people who are eligible for vaccination but unable to access the vaccine are at risk in schools. During the 2019-2020 school year Chicago Public School identified 1,205 unaccompanied homeless youth. This number does not completely represent of the number of actual unaccompanied homeless youth in Chicago. The COVID-19 pandemic has caused difficulties with identifying students experiencing homelessness. Especially for unaccompanied homeless youth who faced many barriers to accessing and engaging in their education during the pandemic. It is important to create the safest return to in-person learning as possible, so unaccompanied students can connect with their teachers and classmates. If eligible young people are turned away from getting the vaccine due to lack of parental consent, a return to in-person learning which would benefit students academically and emotionally, will be less safe.

Vaccinating eligible young people is critical to an equitable reopening of schools. Communities of color have been disproportionately impacted by the pandemic and students of color, especially Black students, are disproportionately impacted by homelessness. Students of color make up 98% of the CPS homeless student population with Black students comprising 77% of CPS' homeless students. By comparison, Black students make up only 36% of the overall student population in CPS.

The Law Project of CCH is able and willing to assist with outreach and training efforts to community service providers, health care workers and youth. For questions, please contact the Law Project at 1-800-940-1119 or email at aphillips@chicagohomeless.org.

Best,

Aids Foundation Chicago

Chicago Coalition for the Homeless

The Night Ministry

Start Early