



MEDICAL RIGHTS FOR NEW PARENTS IN TEXAS



For more information about vaccine safety and your rights in Texas, please visit: texansforvaccinechoice.com/get-answers



This information is for general purposes only and does not constitute legal or medical advice.



Welcoming a new baby comes with many important decisions. Inside, you'll find a general overview of Texas laws protecting a parent's right to make informed medical choices regarding newborn interventions, vaccine tracking, state services, and school or childcare exemptions.

What procedures do hospitals recommend for newborns?

Many hospitals have standing orders related to standard post-birth interventions for newborns. Regardless of these standing orders, Texas parents are not breaking any laws by declining any of these interventions.

- Declining the Hepatitis B and RSV-mAB vaccines is covered by Health & Safety Code 161.004
- Declining the eye ointment is covered by Texas Administrative Code 97.13
- Declining the newborn screening blood test is covered by Texas Health & Safety Code 33.012
- There is no law regarding Vitamin K injections

If you wish to decline any newborn intervention, be sure to review all hospital forms, policies and procedures before signing. You might also want to consider a written birth plan and newborn care plan that includes the understanding by staff of your choices.

Are vaccinations recorded and tracked by government agencies in Texas?

ImmTrac, the Texas Immunization Registry, is a no-cost service offered by the Texas Department of State Health Services (DSHS) that stores immunization information from multiple sources electronically in one centralized system. By Texas law, enrollment in ImmTrac is optional and requires written consent. If you prefer to not enroll, it is recommended that you leave the Texas Immunization Registry Newborn Registration Form entirely blank.

What does Texas law say about not vaccinating in terms of CPS involvement?

There are two places in the Family Code that specifically address this issue. The codes make it clear that not vaccinating is not grounds for terminating parental rights or removing the child from the home. The Government Code also addresses this issue, prohibiting any agency under HHS authority from taking punitive actions against guardians for declining vaccines for their children. *Source: Family Codes 161.001(c)(5) and 262.116(a)(5); Government Code § 531.0335*



How can I safeguard my family if CPS knocks on my door?

TFVC is proud to partner with Family Freedom Project (FFP) to provide families with peace of mind through a discounted FFP membership.

Learn more about the benefits of this program:



Are vaccines required for state services such as Medicaid, CHIP, TANF, SNAP, and WIC?

MEDICAID/CHIP: Eligibility criteria includes factors such as income, age, Texas residency, citizenship status, and being uninsured. There is no mention of vaccination status as a condition for eligibility in statute. *Source: Texas Administrative Code Chapter 370, Division 4*

Additionally, providers who contract with Medicaid/CHIP may not refuse to see Medicaid/CHIP patients based on vaccination status. *Source: Government Code Sec. 531.02119, Medicaid: 15 TAC §354.1006, CHIP: 15 TAC §370.456*

TANF/SNAP: Enrolled children must comply with the Texas Health Steps requirements, but vaccine exemptions are accepted. *Source: Texas Administrative Code Rule §372.1154(c)(2)*

WIC: Eligibility criteria does not mention vaccines at all. *Source: Texas Administrative Code Rule §366.3*

How do exemptions work for enrollment in Texas childcare/preschool facilities and K-12 schools?

All childcare facilities, daycare centers and preschools that are regulated by the state accept enrollment exemptions. *Source: Human Resources Code Sec. 42.043*

All Texas K-12 public schools, including charter schools, are required to accept the exemption form. K-12 private schools that accept any state funding must also accept the exemption form.

