



## COVID-19 VACCINATION

# Handling consent refusal by people presenting for vaccination

This factsheet provides guidance for vaccination providers on handling consent refusal by people presenting for vaccination. This may occur, for example, where a person requires vaccination for their employment.

### Background

**Vaccine providers have reported some people have requested vaccination but have refused to provide informed consent.** It can be associated with behaviour that includes, but is not limited to:

- aggressive, abusive, apologetic, blame shifting, quiet and loud behaviour;
- offering bribes or gifts to falsify consent documentation;
- changing words on consent forms (e.g. crossing out consent and replacing with 'coerced' or 'forced'); and
- trying to engage in political debate or discussion including 'violation of rights' and 'personal freedoms'.

### What is informed consent and why is it important?

**Informed consent is an individual's voluntary decision to agree to a healthcare treatment, procedure or intervention**, such as a COVID-19 vaccination, in its entirety, after the individual has been provided understandable, sufficient, appropriate and reliable information about the intervention, including the potential risks and benefits. Consent can be verbal or written.

As a health professional you:

- require informed consent from a patient prior to providing them with a vaccination; and
- have a duty of care to ensure patients are making educated and informed decisions about vaccination.

It is not your role as a health professional to debate topics or change a patient's opinion. Patients may be hesitant for a range of reasons such as their beliefs about vaccination, bad experience with previous vaccination, needle phobia or misinformation.

### **Can I vaccinate a patient if they are mandated to receive a vaccination?**

**A patient must provide informed consent prior to vaccination.**

If a patient has not provided informed consent, you **should not** vaccinate them, even if they are mandated to receive a COVID-19 vaccination to perform particular roles or enter certain settings.

### **What should I do if a patient is aggressive or I feel threatened?**

**Staff safety is a priority and you do not have to tolerate aggressive behaviour.** If a patient is being aggressive, you can:

- request the patient to leave the clinic; or
- if you do not feel comfortable to request a patient to leave, and if able, remove yourself from the situation and escalate to a supervisor.

The following page provides some suggested talking points to assist you to have conversations with patients who do not provide informed consent.

### **Resources**

- The Australian Technical Advisory Group on Immunisation has released information for providers on [COVID-19 Vaccination Consent & FAQ](#)
- Healthdirect has published information about [Informed Consent](#)
- The Australian Immunisation Handbook has information about [Preparing for Vaccination](#), including obtaining valid consent
- [Consent form for COVID-19 vaccination](#)

# Talking points for patients who exhibit vaccine consent refusal

## Key questions to ask the patient to confirm consent

- I am about to vaccinate you with [name of vaccine]. Do you consent to receiving this vaccine? **The answer must be YES.**

## Patient expresses that they feel like they are being forced into a COVID-19 vaccination

- This must be a difficult situation for you. Would you like to discuss your concerns with me?
- It sounds like you have some concerns about getting vaccinated today. Would you like to go over this together and I can provide you with some information about the COVID-19 vaccines?

## Patient wants to debate topics around vaccines and vaccination

- I cannot engage in this conversation with you in a professional capacity.
- If you would like to receive a COVID-19 vaccination, you must provide informed consent.

## Patient informs you they must get vaccinated to remain employed but do not provide informed consent

- As a health professional, I cannot comment on vaccine mandates.
- I suggest that you should have this conversation with your employer.
- I cannot vaccinate you without your informed consent.

## Patient asks you to report, or offers you a bribe, to report that you have administered a COVID-19 vaccine and falsify records

- It is against the law for me to report a vaccine that I have not administered or sighted evidence for.
- It is against the law for me to accept a bribe to falsify a document, I can lose my licence to practice, face criminal charges and even receive jail time.
- I cannot be involved in the falsification of vaccination status or medical exemptions as I can be subject to civil penalties, criminal convictions and possibly even jail time.