
DIGEST

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HB 53 Engrossed

2022 Regular Session

Frieman

Abstract: Adds the right of Louisiana citizens to accept or reject any form of health care to the Constitution of Louisiana.

Proposed constitutional amendment adds the fundamental right to autonomy with respect to healthcare decisions including palliative care, medical treatments, surgical procedures, vaccinations, or any other forms of medicine.

Proposed constitutional amendment provides an exception in the case of present constitution provision that nothing in the constitution shall be construed to secure or protect a right to abortion or require the funding of abortion.

Proposed constitutional amendment provides an exception in the case of requirements imposed by a healthcare provider enrolled in Medicare or Medicaid who is subject to fines or penalties for noncompliance with federal rules or regulations, but only to the extent that the provider is subject to a valid and enforceable Medicare or Medicaid condition of participation that imposes a requirement contrary to proposed constitutional amendment.

Proposed constitutional amendment requires that any adverse treatment or denial of the right shall be subject to strict scrutiny.

Proposed constitutional amendment states that any person adversely affected by a violation of this right shall have standing to raise its illegality in the appropriate court.

Provides for submission of the proposed amendment to the voters at the statewide election to be held on Nov. 8, 2022.

(Adds Const. Art. I, §28)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Provide an exception for a present constitutional provision regarding abortion.
2. Provide an exception for certain healthcare providers.

3. Change the ballot language.