
DIGEST

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HB 579 Original

2021 Regular Session

Amedee

Abstract: Provides for rights of individuals to bodily autonomy and to make healthcare decisions, prohibits the state and its political subdivisions from interfering with such rights, and authorizes enforcement actions to protect those rights.

Proposed law provides that the legislative intent of proposed law is to recognize the rights of each individual to bodily autonomy, to make his own healthcare decisions, and to be free to accept or refuse any health service or medical testing, medical intervention, medical treatment, or vaccine based on his own religious, philosophical, or personal beliefs.

Proposed law provides that, notwithstanding any provision of present law to the contrary, all agencies, boards, commissions, licensing authorities, institutions, facilities, schools, and instrumentalities of this state and its political subdivisions are prohibited from denying, restricting, infringing upon, or imposing conditions on any of the following rights of individuals:

- (1) The right of an individual to bodily autonomy.
- (2) The right of an individual to make his own healthcare decisions.
- (3) The right of an individual to be free to accept or refuse any health service or medical testing, medical intervention, medical treatment, or vaccine based on his own religious, philosophical, or personal beliefs.

Proposed law provides that its prohibitions on infringement of individuals' rights include not denying, restricting, infringing upon, or imposing conditions on any of the following based in whole or in part on the individual's exercise of his right to refuse any medical testing, medical intervention, medical treatment, or vaccine based on his own religious, philosophical, or personal beliefs:

- (1) Employment.
- (2) Travel.
- (3) Education.
- (4) Child care.
- (5) Religion.

- (6) Benefits.
- (7) Insurance.
- (8) Participation in any of the following:
 - (a) Sports.
 - (b) Camps.
 - (c) Other recreation.
- (9) The individual's right to enter a governmental office or other publicly owned facility or property.

Proposed law provides that, notwithstanding any provision of present law to the contrary, including laws and rules addressing an outbreak, epidemic, or potential outbreak or epidemic of a contagious, infectious, or communicable disease, and notwithstanding any law or rule that may be enacted or promulgated in response to an emergency, including a national security emergency, statewide emergency, local emergency, public health emergency, or peacetime emergency, each individual shall retain the following rights:

- (1) The right to bodily autonomy.
- (2) The right to make his own healthcare decisions.
- (3) The right to be free to accept or refuse any health service or medical testing, medical intervention, medical treatment, or vaccine based on his own religious, philosophical, or personal beliefs.

Proposed law authorizes any individual who suffers damage, loss, or injury as a result of any conduct prohibited by proposed law to bring legal action against the entity that engaged in the conduct for injunctive relief, compensatory and punitive damages, costs and reasonable attorney fees, and other appropriate relief.

(Adds R.S. 40:1177.1-1177.3)