
DIGEST

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HB 866 Engrossed

2024 Regular Session

Amedee

Abstract: Provides for equal treatment of individuals who refuse medical services.

Proposed law defines "political subdivision", "public official", and "state agency".

Proposed law provides that no business, employer, person, political subdivision, public official, state agency, healthcare provider, or any other entity shall do any of the following based on a person's refusal to receive certain medical services:

- (1) Deny or terminate employment.
- (2) Deny a service, including a public service, to the individual.
- (3) Deny access to commerce.
- (4) Segregate the person.
- (5) Penalize the person or use financial coercion.
- (6) Discriminate against a person, including any imposition, requirement, or burden.

Proposed law provides that if a violation of proposed law occurs, there shall be a fine not to exceed \$1,000 and a petition for injunctive relief or declaratory judgment may be filed.

Proposed law provides that in a petition for injunctive relief or declaratory judgment, the court may award court costs and reasonable attorney fees.

Proposed law does not apply to hospitals or nursing facilities if the Centers for Medicare and Medicaid Services mandate or require that patient care employees receive any biologic, vaccine, drug, pharmaceutical, medical device, gene therapy, DNA- based product, or RNA- based product which has been Authorized for Emergency Use.

(Adds R.S. 40:1159.7.1)

Summary of Amendments Adopted by House

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

original bill:

1. Make technical changes.
2. Add an exception for hospitals and nursing facilities if the Centers for Medicare and Medicaid Services mandate that patient care employees receive any biologic, vaccine, drug, pharmaceutical, medical device, gene therapy, DNA-based product or RNA-based product which has been Authorized for Emergency Use.
3. Remove treble damages and provide that if a violation of proposed law occurs, there shall be a fine not to exceed \$1,000 and a petition for injunctive relief or declaratory judgment may be filed.