Regular Session, 2013

HOUSE BILL NO. 429

BY REPRESENTATIVE HOLLIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE: (Constitutional Amendment) Provides relative to prohibiting mandatory participation in a health care system

1   A JOINT RESOLUTION

2   Proposing to add Article I, Section 28 of the Constitution of Louisiana, to prohibit

3   mandatory participation in a health care system; to provide for submission of the

4   proposed amendment to the electors; and to provide for related matters.

5   Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members

6   elected to each house concurring, that there shall be submitted to the electors of the state of

7   Louisiana, for their approval or rejection in the manner provided by law, a proposal to add

8   Article I, Section 28 of the Constitution of Louisiana, to read as follows:

9   §28. Freedom to Choose Health Care

10   Section 28.(A) In order to preserve the freedom of all residents of Louisiana

11   to provide for their own health care, no law or rule shall compel, directly or

12   indirectly, any person, employer, or health care provider to participate in a health

13   care system.

14   (B)(1) A person or employer may pay directly for health care services and

15   shall not be required to pay penalties or fines for paying directly for lawful health

16   care services.

17   (2) A health care provider may accept direct payment for lawful health care

18   services and shall not be required to pay penalties or fines for accepting direct

19   payment from a person or employer for lawful health care services.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1   (C) The purchase or sale of health insurance in private health care systems

2   shall not be prohibited by law or rule.

3   Section 2. Be it further resolved that this proposed amendment shall be submitted

4   to the electors of the state of Louisiana at the statewide election to be held on November 4,

5   2014.

6   Section 3. Be it further resolved that on the official ballot to be used at the election,

7   there shall be printed a proposition, upon which the electors of the state shall be permitted

8   to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as

9   follows:

10   Do you support an amendment to prohibit any law or administrative rule

11   requiring any person, employer, or health care provider to participate in a

12   health care system? (Adds Article I, Section 28)

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Prohibits any law or administrative rule requiring any person, employer, or health care provider to participate in a health care system.

Proposed constitutional amendment prohibits a law or rule from compelling, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

Proposed constitutional amendment authorizes a person or employer to pay directly for health care services and provides that the person or employer shall not be required to pay penalties or fines for paying directly for lawful health care services.

Proposed constitutional amendment authorizes a health care provider to accept direct payment for lawful health care services and provides that the health care provider shall not be required to pay penalties or fines for accepting direct payment from a person or employer for lawful health care services.

Proposed constitutional amendment provides that the purchase or sale of health insurance in private health care systems shall not be prohibited by law or rule.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 4, 2014.

(Adds Const. Art I, §28)