

2022 Regular Session

HOUSE BILL NO. 594

BY REPRESENTATIVE AMEDEE

HEALTH CARE: Provides for rights of individuals to bodily autonomy and to make healthcare decisions

1 AN ACT

2 To enact Subpart E of Part IV of Subchapter A of Chapter 5-D of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 40:1177.1 through 1177.3, relative to rights
4 of persons with respect to bodily autonomy and to healthcare decisions; to provide
5 for the right to accept or refuse any health service including any vaccine and any
6 medical testing, intervention, or treatment; to prohibit coercion and interference with
7 respect to such rights by the state and its political subdivisions; to authorize certain
8 enforcement actions to protect such rights; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Subpart E of Part IV of Subchapter A of Chapter 5-D of the Louisiana
11 Revised Statutes of 1950, comprised of R.S. 40:1177.1 through 1177.3, is hereby enacted
12 to read as follows:

13 SUBPART E. RIGHTS TO BODILY AUTONOMY AND
14 TO MAKE HEALTH CARE DECISIONS

15 §1177.1. Legislative intent

16 A. The intent of the legislature in enacting this Subpart is to recognize the
17 rights of each individual to bodily autonomy, to make his own healthcare decisions,
18 and to be free to accept or refuse any health service or medical testing, medical
19 intervention, medical treatment, or vaccine based on his own religious, philosophical,
20 or personal beliefs.

1 B. This provision shall not be construed to conflict with any prohibition or
2 restriction on abortion provided in R.S. 40:1061 et. seq.

3 §1177.2. Coercion and interference prohibited

4 A. Notwithstanding any provision of law to the contrary, all agencies,
5 boards, commissions, licensing authorities, institutions, facilities, schools, and
6 instrumentalities of this state and its political subdivisions are hereby prohibited from
7 denying, restricting, infringing upon, or imposing conditions on any of the following
8 rights of individuals:

9 (1) The right of an individual to bodily autonomy.

10 (2) The right of an individual to make his own healthcare decisions.

11 (3) The right of an individual to be free to accept or refuse any health service
12 or medical testing, medical intervention, medical treatment, or vaccine based on his
13 own religious, philosophical, or personal beliefs.

14 B. The prohibitions provided in Subsection A of this Section include not
15 denying, restricting, infringing upon, or imposing conditions on an individual's
16 employment, travel, education, child care, religion, benefits, insurance, or
17 participation in sports, camps, or other recreation, or the individual's right to enter
18 a governmental office or other publicly owned facility or property, based in whole
19 or in part on the individual's exercise of his right to refuse any medical testing,
20 medical intervention, medical treatment, or vaccine based on his own religious,
21 philosophical, or personal beliefs.

22 §1177.3. Enforcement

23 Any individual who suffers damage, loss, or injury as a result of any conduct
24 prohibited by R.S. 40:1177.2 may bring an action in any court of competent
25 jurisdiction against the entity that engaged in the conduct for injunctive relief,
26 compensatory and punitive damages, costs and reasonable attorney fees, and other
27 appropriate relief.

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)]

HB 594 Original

2022 Regular Session

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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 shall not conflict with any restrictions or prohibitions on abortion in present law.

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 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)