

# **MEDICAL FREEDOM ACT**

## **SECTION 1. SHORT TITLE.**

This Act shall be known and may be cited as the "[STATE] Medical Freedom Act."

## **SECTION 2. PURPOSE.**

To affirm and protect the right of individuals to make autonomous decisions regarding medical interventions without discrimination, coercion, or exclusion by public or private entities.

## **SECTION 3. DEFINITIONS.**

As used in this Act:

- (1) "Business entity" means any individual or group engaged in any activity, profession, or enterprise for gain, benefit, or livelihood, whether for-profit or nonprofit, including self-employed individuals, corporations, partnerships, limited liability companies, trusts, or any entity registered, licensed, or authorized to operate in the state.
- (2) "Government entity" means any state, county, municipal, or local government, or any political subdivision thereof, including, but not limited to, any department, agency, authority, commission, board, council, committee, office, task force, working group, or other body established by or under the authority of the laws of such government or subdivision.
- (3) "Medical intervention" means a medical procedure, treatment, device, drug, injection, medication, or medical action taken to monitor, diagnose, prevent, treat, or cure a disease or alter the health or biological function of a person. Medical interventions include but are not limited to masks, vaccines, biologics, swabs, tests, pills, capsules, creams, sprays, liquids, injections, chips, devices, monitors, etc.
- (4) "School" means any educational institution including public, private, and parochial preschools and daycares; K-12 schools; and postsecondary institutions including trade schools, colleges, and universities.
- (5) "Ticket issuer" means an individual or entity providing access to an entertainment or public event, including venues, promoters, sports teams, performers, and their agents.

## **SECTION 4. PROHIBITION OF MEDICAL MANDATES.**

- (1) No business entity shall deny services, products, venue access, or transportation to any individual based on their use of a medical intervention.
- (2) A business entity shall not require a medical intervention as a condition of employment, except where:
  - (a) Required by federal law or United States Code;
- (3) No ticket issuer may discriminate against or deny access to any person at an event based on their status with respect to any medical intervention.
- (4) No school, daycare, or institution of learning may mandate a medical intervention for any person to attend, enter campus or buildings, or be employed, except where:
  - (a) Required by federal law or United States Code;
- (5) No government entity or official may require a medical intervention for any purpose, including:
  - (a) Access to government services;
  - (b) Receipt of licenses, permits, or benefits;
  - (c) Use of public buildings, facilities, infrastructure, or transportation;
  - (d) Employment by government entities except where:
    - (1) Required by federal law or United States Code;
- (6) No individual shall receive differential compensation, benefits, or treatment based on their decision to accept or decline a medical intervention. However, employers may permit employees to take time off, at their discretion, to voluntarily obtain medical interventions.
- (7) Any requirements for medical interventions which are allowed under this law remain subject to any applicable laws or legal precedents providing for or protecting exemptions and reasonable accommodations.
- (8) Personal protective equipment may be required as part of occupational safety standards, provided such requirements are consistent with adopted federal and state workplace and occupational safety regulations, and do not discriminate based on medical intervention status.
  - (a) No individual shall be compelled to wear or otherwise be subjected to personal protective equipment (PPE) for a specific purpose that is authorized solely under an Emergency Use Authorization (EUA).
- (9) Nothing in this Act shall be construed to prevent minors in the custody of the state, including those in foster care, from receiving emergency medical care.

## **SECTION 5. ENFORCEMENT AND REMEDIES.**

Violations of this Act may be prosecuted by the state's Attorney General or appropriate county or municipal prosecutor. If a violation is proven, attorney's fees and court costs may be awarded.

## **SECTION 6. POLICY SUPREMACY.**

- (1) No administrative rule, regulation, or policy may contradict this Act. In any case of conflict, the provisions of this Act shall prevail.
- (2) The provisions of this Act shall apply at all times and shall not be suspended, nullified, or otherwise disregarded during any declared emergency, public health crisis, or state of emergency issued by any local, state, or federal authority.

## **SECTION 7. NON-EXCLUSION OF HEALTHY INDIVIDUALS.**

Under no circumstance may a healthy individual be excluded from public or private activities solely based on the individual having declined a medical intervention during an outbreak or public health emergency.

## **SECTION 8. SEVERABILITY.**

If any provision of this Act is held invalid, the remainder shall remain in force.