

1 H.182

2 Introduced by Representatives Higley of Lowell and Wilson of Lyndon

3 Referred to Committee on

4 Date:

5 Subject: Health; health care decision making; bodily autonomy

6 Statement of purpose of bill as introduced: This bill proposes to recognize and
7 to prohibit any interference with an individual's rights to bodily autonomy, to
8 make the individual's own health care decisions, and to be free to accept or
9 refuse any health or medical intervention, testing, treatment, or vaccine based
10 on the individual's own religious, conscientious, or personal beliefs.

11 An act relating to bodily autonomy and health care decision making

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 18 V.S.A. chapter 15 is added to read:

14 CHAPTER 15. RIGHTS TO BODILY AUTONOMY AND

15 HEALTH CARE DECISION MAKING

16 § 851. STATEMENT OF POLICY

17 The State of Vermont recognizes the rights of each individual to bodily
18 autonomy, to make the individual's own health care decisions, and to be free to
19 accept or refuse any health or medical intervention, testing, treatment, or

1 vaccine based on the individual's own religious, conscientious, or personal
2 beliefs.

3 § 852. COERCION AND INTERFERENCE PROHIBITED

4 (a)(1) Notwithstanding any provision of law to the contrary, the State of
5 Vermont; its agencies, subdivisions, instrumentalities, and designees; and all
6 other employers, businesses, nonprofit organizations, institutions, facilities,
7 schools, churches and other places of worship, travel carriers, licensing
8 authorities, and other individuals and public and private and entities shall not
9 deny, restrict, infringe upon, or impose conditions on an individual's rights to
10 bodily autonomy, to make the individual's own health care decisions, and to be
11 free to accept or refuse any health or medical intervention, testing, treatment,
12 or vaccine based on the individual's own religious, conscientious, or personal
13 beliefs.

14 (2) The prohibitions set forth in subdivision (1) of this subsection
15 include not denying, restricting, infringing upon, or imposing conditions on an
16 individual's employment, travel, education, child care, religion, benefits,
17 insurance, or participation in sports, camps, or other recreation based in whole
18 or in part on the exercise of an individual's right to refuse any medical
19 intervention, testing, treatment, or vaccine based on the individual's own
20 religious, conscientious, or personal beliefs.

1 (b) Notwithstanding any provision of statute or rule to the contrary,
2 including a statute or rule addressing an outbreak, epidemic, or potential
3 outbreak or epidemic of a contagious, infectious, or communicable disease,
4 and notwithstanding any statute, rule, order, or directive that may be adopted
5 or promulgated in response to an emergency, including a national security
6 emergency, statewide emergency, local emergency, public health emergency,
7 or peacetime emergency, each individual shall retain the rights to bodily
8 autonomy, to make the individual's own health care decisions, and to be free to
9 accept or refuse any health or medical intervention, testing, treatment, or
10 vaccine based on the individual's own religious, conscientious, or personal
11 beliefs.

12 § 853. ENFORCEMENT

13 Any individual who suffers damage, loss, or injury as a result of any
14 conduct prohibited by section 852 of this chapter may bring an action in
15 Superior Court against the individual or entity that engaged in the conduct for
16 injunctive relief, compensatory and punitive damages, costs and reasonable
17 attorney's fees, and other appropriate relief.

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect on passage.