

## Doctor's Note

Date \_\_\_\_\_

Regarding Patient: \_\_\_\_\_

DOB: \_\_\_\_\_

To whom it may concern:

\_\_\_\_\_ is a patient of mine. I am a primary care physician. Based on my knowledge of his/her health and medical conditions, I am recommending he/she be medically exempt from the following

Face coverings (All forms)

PCR Testing

Further information will require a HIPPA release of medical information affidavit from my patient \_\_\_\_\_. While I am not a lawyer, I do possess a basic awareness of the Americans with Disabilities Act (ADA), which as I understand it requires retail establishments, schools, and businesses to make reasonable accommodations for those with a disability such as this. My understanding is this is referenced in Civil Code Sec. 51.7(a) and 51.7(b). Students who have an IEP do not need an exemption for face coverings.

The following Federal and State Laws continue to protect my patient in numerous ways; including medical conditions, disability, or other unstated condition. My patient is furthered protected by, but not limited to, the Rehabilitation Act (including the requirement for reasonable accommodations and non-discrimination, based on disability, as well as strict rules about employer-mandated or employer-led medical examinations and inquiries), Genetic Information Nondiscrimination Act, Age Discrimination in Employment Act (which prohibits discrimination based on age, 40 or older).

I am also aware that the Local and State Departments of Public Health have stated medical exemptions are allowed and necessary for some people including “those with a medical condition, mental health condition, or disability.”

**In the case of students, asymptomatic testing is illegal, according to the CDC, and cannot be forced on students as a condition of in-person education.** CDC guidance on testing in school settings, as of December 4, 2020, states:

“If a school is implementing a testing strategy [i.e. testing healthy and sick, not based on symptoms,] testing should be offered on a voluntary basis. It is **unethical and illegal** to test someone who does not want to be tested, including students whose parents or guardians do not want them to be tested.”

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-testing.html>

Many persons have disabilities, unseen mental health issues, and other serious ailments. Please let me know if you need further clarification or information about my patient’s exemption.

Sincerely,

\_\_\_\_\_, M.D.

\_\_\_\_\_ Date