**Preservation of Bodily Autonomy and Civil Liberties Proposed Executive Order**

**Preservation of Bodily Autonomy Central to Civil Liberty**

Civil Rights and Liberties are proclaimed in the Declaration of Independence, the Nuremberg Code (Informed Consent) and protected in the Constitution, should ensure our unalienable rights to bodily autonomy. Medical ethicists have long maintained that a patient who has been coerced to consent to injection of biotechnology or a medical procedure, due to fear of losing access to basic necessities (i.e. food, medical care, education, employment, travel, freedom) should **not**be presumed to have provided lawful informed consent to the injection or medical procedure.  Medical mandates and coercion violate the Nuremberg code and our unalienable rights to bodily autonomy.  The American people must retain their ability to make their own medical decision through education, informed consent, with equitable alternatives. Liability free products must be offered without mandates, coercion and restrictions of freedom placed upon the U.S. citizens. We must learn from our history or be doomed to repeat the great injustices of our past.  Please protect the American people from another potential great civil and human rights travesty.

**We hereby propose the following executive order/law/legislation:**

**Preservation of the Bodily Autonomy Central to Civil Liberty**

No state party shall, even in the time of emergency threatening the life of the nation, derogate from the *BILL OF RIGHTS/CONSTITUTION* (COVENANT’S) guarantees of the right to freedom of speech and assembly; right to life, liberty, and pursuit of happiness; right to retain livelihood; freedom from torture, cruel inhuman or degrading treatment or punishment, and freedom from mandated medical or scientific experimentation without free consent; freedom from slavery or involuntary servitude; the right not to be imprisoned for contractual debt; the right not to be convicted or sentenced to a heavier penalty by virtue of retroactive criminal legislation; the right to recognition as a person before the law; and freedom of thought, conscience and religion. These rights are not derogable under any conditions even for the asserted purpose of preserving the life of the nation. *(Based on Excerpts from “The Siracusa principles on the limitation and derogation provisions in the International Covenant on Civil and Political Rights” and Universal Declaration of Human Rights)*

All Government, Public and Private institutions/agencies/business/entities/actors and state parties are **prohibited** from any form of coercion or restrictions such as but not limited to: discriminating, withholding services, refuse entry, imprison, fine or detain, deny commerce, deny access to basic necessities (i.e. food, travel, medical care, education, and employment.), restriction of freedom, deny access to participate in societal activities based on vaccination status or refusal to take a medical intervention.

**Declarations and Definitions as follows:**

1. Individuals have a fundamental right to make their own health decisions and to be free and independent and safeguard and maintain their inalienable right of self-determination.

2. Prohibit Restrictions and Coercion. Notwithstanding laws, rules, orders, or directives made or promulgated in response to an emergency, including but not limited to a national security emergency, state-wide emergency, local or other health emergency, or any peacetime emergency, and notwithstanding existing laws and rules addressing outbreaks or potential outbreaks or epidemics of a contagious, infectious, or communicable disease.

(a) the government or its designees, or other employers, businesses, non-profits, institutions, schools, churches, travel carriers, or other public or private entities, may not infringe upon, put conditions on, restrict, or take away a person’s fundamental right to make health decisions for themselves and/or their dependents, or their ability to fully participate in necessary and important services, lifestyle choices and preferences including but not limited to education, daycare, employment, travel, religion, hobbies, entertainment, sports, and lifestyle preferences, based on a person choosing to decline recommended responsive countermeasures.

(b) The term countermeasures includes but is not limited to:

1. Medical treatments or procedures;

2. Testing;

3. Physical or mental examination;

4. Drugs or Vaccination; No medical or scientific experimentation without free “informed consent” (Nuremberg Code)

5. Experimental procedures and protocols;

6. Collection of specimens;

7. Participation in tracking or tracing programs, or permanent digital footprints, Digital Health PASS;

8. The wearing of PPE, i.e. masks or anything that restricts airflow (if not at risk);

9. Stay-at-home recommendations or the maintaining of measured distance from other humans and animals that is not otherwise unlawful;

10. Involuntary sharing of personal data or medical information; and

3. Preserve and/or Restore Religious/Personal Belief Exemptions in all states. Federal Funding shall be withheld from any state violating the fundamental rights of the order.

4. Civil Rights, Liberties and the Constitution shall not be superseded by edicts of public health officials.

**Prohibit Discrimination and Right of Access Restrictions and Access to Public and Private Education Based on Vaccine Status or Proof of Immunity, Amend Civil Rights Code ( ) Education Code ( )**

Discrimination Prohibited

No person shall be discriminated against on the basis of their vaccination or immunity status by any public accommodation by:

(a) providing any disposition, service, financial aid, or benefit to an individual which is different, or is provided in a different manner, from that provided to other members of the general public;

(b) subjecting any individual to segregation or separate treatment in any matter related to that individual’s receipt of any disposition, service, financial aid, or benefit provided to other members of the general public;

(c) restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any disposition, service, financial aid, or benefit provided to other members of the general public;

(d) treating an individual differently from others in determining whether that individual satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided any disposition, service, financial aid, function, or benefit available to other members of the general public; and

(e) denying an individual an opportunity to participate in a program through the provision of service or otherwise afford that individual an opportunity to do so which is different from that afforded to other members of the general public.

**Prohibit Discrimination and Right of Access Restrictions for Travel**

Discrimination Prohibited

No person shall be discriminated against on the basis of their vaccination or immunity status by any public accommodation by:

(a) providing any disposition, service, financial aid, or benefit to an individual which is different, or is provided in a different manner, from that provided to other members of the general public;

(b) subjecting any individual to segregation or separate treatment in any matter related to that individual’s receipt of any disposition, service, financial aid, or benefit provided to other members of the general public;

(c) restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any disposition, service, financial aid, or benefit provided to other members of the general public;

(d) treating an individual differently from others in determining whether that individual satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided any disposition, service, financial aid, function, or benefit available to other members of the general public; and

(e) denying an individual an opportunity to participate in a program through the provision of service or otherwise afford that individual an opportunity to do so which is different from that afforded to other members of the general public.

(f) denying an individual the right to travel via airline, train, bus, boat, etc.

**Employment Protection: Prevent Vaccine Mandates by Employers, Amend Employment or Labor Code ( )**

Employee Protection, Right to Object

An employer commits an unlawful employment practice if the employer fails or refuses to hire, discharges, penalizes or otherwise discriminates against an individual with respect to compensation or the terms, conditions, or privileges of employment:

(a) on the basis of the individual’s vaccination history; or

(b) because of the refusal of the individual to receive a vaccine or provide proof of immunity. (HIPPA laws)

Medical Provider Protection, Right to Object

(a) A physician, nurse, staff member, or employee of a hospital or other health care facility who objects to receiving a vaccine shall not be required to be vaccinated as a condition of employment.

(b) A hospital or health care facility shall not discriminate against any employee including a physician, nurse, staff member, or an applicant who refuses to receive a vaccine.

(c) A licensing authority may not deny an application for an occupational license, suspend, revoke, or refuse to renew an occupational license, or take any other disciplinary action against a license holder based on the vaccination history of the license applicant or license holder.

Remedies

A person whose rights under this chapter are violated may sue an employer, hospital, or health care facility in district court in the county where the hospital, facility, or institution is located for:

(a) an injunction against any further violation;

(b) appropriate affirmative relief, including, but not limited to, admission or reinstatement of employment with back pay plus 10 percent interest; and any other legal fees

(c) any other relief necessary to ensure compliance with this chapter.

**Insurance Protection: Prevent Vaccine Mandates by Health and Life Insurance Plans, Amend State Insurance Code ( )**

Use of Vaccination Status by Insurers and Those Who Rate Insurers Prohibited

(a) A group health benefit plan or life insurance plan issuer may not use vaccination status information to reject, deny, limit, cancel, refuse to renew, increase the premiums for, limit the amount, extent, or kind of coverage available to the individual, or otherwise adversely affect eligibility for, or deny a claim or any portion thereof under the group health benefit plan.

(b) A group health benefit plan issuer may not use the vaccination status of the patients of a health care provider as a qualification or requirement for contracting with the provider or as a basis for terminating the contract with the provider.

(c) It is prohibited to utilize the vaccination status of individuals covered by a group health plan as a factor in the rating of a group health benefit plan that provides coverage in this state.

(d) It is prohibited to utilize the vaccination status of individuals covered by a group health plan as a factor in terms of providing financial incentives or financial or other penalties on a participating provider.

Cease and Desist Order, Sanctions, or Administrative Penalty

*Utilize existing sanctions or administrative penalties for violations already codified in state law for other violations.*

**Prohibiting the Connection of Vaccination or Immunity Status to a government issued Passport, State Issued Driver’s License or State Identification, Amend Transportation Code ( )**

Any business or any government entity using a state issued identification or a state driver’s license for identification purposes, driving or travelling privileges shall not:

(a) connect vaccination status or proof of immunity to driver’s license or state identification records;

(b) require a vaccination or proof of immunity; or

(c) discriminate, deny services or access, or otherwise penalize anyone for not receiving a vaccination or providing proof of immunity.

**Prohibit Forced Inclusion or Assumed Consent Vaccine Tracking, Amend Health Code ( )**

*Amend state vaccine tracking system legislation to require:*

*1. written opt-in informed consent for participation in a vaccine tracking system;*

*2. written opt-in informed consent to vaccine providers and health plans in order to share vaccination status or vaccination refusal to a vaccine tracking system;*

*3. and a provision for an individual or a parent or guardian in the case of a minor child to remove previously granted consent which would trigger the deletion of all vaccination records from the registry and other agency files.*

**Health Care: Prevent Vaccine Mandates by Health Care Providers, Health Care Facilities, and Long-Term Care and Assisted Living Facilities, Amend State Medical Practice Act**

Discrimination by a Health Care Provider or Health Care Facility Based on Vaccination Status Prohibited

(a) A health care provider or health care facility shall not refuse to provide any health care services to a patient because a patient has or has not received a vaccination.

(b) A health care facility providing clinical experience to satisfy a student’s degree requirements shall not discriminate against a student or prohibit admission, enrollment, or employment as a student, intern, or resident because of the student’s vaccination status.

(c) A health care provider or health care facility that violates this section is not eligible to receive money from the state for services provided to patients.

Discrimination by Long-Term Care and Assisted Living Facilities Based on Vaccination Status Prohibited

(a) A long-term care or assisted living facility shall not refuse to provide services to a resident because a patient has or has not received a vaccine.

(b) A long-term care or assisted living facility that violates this section is not eligible to receive money from the state for services provided to patients.

Cease and Desist Order, Sanctions, or Administrative Penalty

*Utilize existing sanctions or administrative penalties for violations already codified in state law for other violations.*

The provisions of this section shall prevail over any conflicting provisions in a general law, present or future, to the extent of the conflict; but if any such general law contains a specific exemption from this section, including a specific reference to this section, such general law shall prevail, but only to the extent of the exemption.

***STATE Specific Legislative proposals:***

**Employment Protection: Prevent Vaccine Mandates by Employers, Amend State Employment or Labor Code ( )**

Employee Protection, Right to Object

An employer commits an unlawful employment practice if the employer fails or refuses to hire, discharges, penalizes or otherwise discriminates against an individual with respect to compensation or the terms, conditions, or privileges of employment:

(a) on the basis of the individual’s vaccination history; or

(b) because of the refusal of the individual to receive a vaccine or provide proof of immunity.

Medical Provider Protection, Right to Object

(a) A physician, nurse, staff member, or employee of a hospital or other health care facility who objects to receiving a vaccine shall not be required to be vaccinated as a condition of employment.

(b) A hospital or health care facility shall not discriminate against any employee including a physician, nurse, staff member, or an applicant who refuses to receive a vaccine.

(c) A licensing authority may not deny an application for an occupational license, suspend, revoke, or refuse to renew an occupational license, or take any other disciplinary action against a license holder based on the vaccination history of the license applicant or license holder.

Remedies

A person whose rights under this chapter are violated may sue an employer, hospital, or health care facility in district court in the county where the hospital, facility, or institution is located for:

(a) an injunction against any further violation;

(b) appropriate affirmative relief, including, but not limited to, admission or reinstatement of employment with back pay plus 10 percent interest; and

(c) any other relief necessary to ensure compliance with this chapter.

**Insurance Protection: Prevent Vaccine Mandates by Health and Life Insurance Plans, Amend State Insurance Code ( )**

Use of Vaccination Status by Insurers and Those Who Rate Insurers Prohibited

(a) A group health benefit plan or life insurance plan issuer may not use vaccination status information to reject, deny, limit, cancel, refuse to renew, increase the premiums for, limit the amount, extent, or kind of coverage available to the individual, or otherwise adversely affect eligibility for, or deny a claim or any portion thereof under the group health benefit plan.

(b) A group health benefit plan issuer may not use the vaccination status of the patients of a health care provider as a qualification or requirement for contracting with the provider or as a basis for terminating the contract with the provider.

(c) It is prohibited to utilize the vaccination status of individuals covered by a group health plan as a factor in the rating of a group health benefit plan that provides coverage in this state.

(d) It is prohibited to utilize the vaccination status of individuals covered by a group health plan as a factor in terms of providing financial incentives or financial or other penalties on a participating provider.

Cease and Desist Order, Sanctions, or Administrative Penalty

*Utilize existing sanctions or administrative penalties for violations already codified in state law for other violations.*

**Children and Students: Prevent Vaccine Mandates by the State, Public and Private Schools, and Child Care Facilities, Amend State Education and Child Care Code**

*Add a prohibition of vaccine mandates for children by executive order or agency rule.*

*Amend existing state vaccine exemption laws for school and child care to add conscientious and religious exemptions where missing and remove any existing exclusions of the exemptions during a time of emergency or epidemic declared by the governor, health commissioner, or other state or local health officers.*

*or*

*Remove childhood vaccine mandates statewide, for schools, and for child care.*

**No Vaccine Mandates by Emergency Powers or Agency Rule, Amend Government Code ( )**

*Add a prohibition of a vaccine mandate by executive order of the governor, health commissioner, board of health, or any other authority.*

*Prohibit a vaccine mandate by agency rule.*

*Prohibit any discrimination, civil or criminal penalties for refusing a vaccine.*

**Prohibit Discrimination and Right of Access Restrictions Based on Vaccine Status or Proof of Immunity, Amend State Civil Rights Code ( )**

Discrimination Prohibited

No person shall be discriminated against on the basis of their vaccination or immunity status by any public accommodation by:

(a) providing any disposition, service, financial aid, or benefit to an individual which is different, or is provided in a different manner, from that provided to other members of the general public;

(b) subjecting any individual to segregation or separate treatment in any matter related to that individual’s receipt of any disposition, service, financial aid, or benefit provided to other members of the general public;

(c) restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any disposition, service, financial aid, or benefit provided to other members of the general public;

(d) treating an individual differently from others in determining whether that individual satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided any disposition, service, financial aid, function, or benefit available to other members of the general public; and

(e) denying an individual an opportunity to participate in a program through the provision of service or otherwise afford that individual an opportunity to do so which is different from that afforded to other members of the general public.

**Prohibiting the Connection of Vaccination or Immunity Status to a State Issued Driver’s License or State Identification, Amend State Transportation Code**

Any business or any government entity using a state issued identification or a state driver’s license for identification purposes, driving or travelling privileges shall not:

(a) connect vaccination status or proof of immunity to driver’s license or state identification records;

(b) require a vaccination or proof of immunity; or

(c) discriminate, deny services or access, or otherwise penalize anyone for not receiving a vaccination or providing proof of immunity.

**Prohibit Forced Inclusion or Assumed Consent Vaccine Tracking, Amend Health Code**

*Amend state vaccine tracking system legislation to require:*

*1. written opt-in informed consent for participation in a vaccine tracking system;*

*2. written opt-in informed consent to vaccine providers and health plans in order to share vaccination status or vaccination refusal to a vaccine tracking system;*

*3. and a provision for an individual or a parent or guardian in the case of a minor child to remove previously granted consent which would trigger the deletion of all vaccination records from the registry and other agency files.*

**Health Care: Prevent Vaccine Mandates by Health Care Providers, Health Care Facilities, and Long-Term Care and Assisted Living Facilities, Amend State Medical Practice Act**

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(a) A health care provider or health care facility shall not refuse to provide any health care services to a patient because a patient has or has not received a vaccination.

(b) A health care facility providing clinical experience to satisfy a student’s degree requirements shall not discriminate against a student or prohibit admission, enrollment, or employment as a student, intern, or resident because of the student’s vaccination status.

(c) A health care provider or health care facility that violates this section is not eligible to receive money from the state for services provided to patients.

Discrimination by Long-Term Care and Assisted Living Facilities Based on Vaccination Status Prohibited

(a) A long-term care or assisted living facility shall not refuse to provide services to a resident because a patient has or has not received a vaccine.

(b) A long-term care or assisted living facility that violates this section is not eligible to receive money from the state for services provided to patients.

Cease and Desist Order, Sanctions, or Administrative Penalty

*Utilize existing sanctions or administrative penalties for violations already codified in state law for other violations.*

**Prevailing Clause Should Be Added to Each Section of Each Bill**

The provisions of this section shall prevail over any conflicting provisions in a general law, present or future, to the extent of the conflict; but if any such general law contains a specific exemption from this section, including a specific reference to this section, such general law shall prevail, but only to the extent of the exemption.