



## **Legislative Concerns - 2021 Pennsylvania Legislative Session**

The Pennsylvania Coalition for Informed Consent works to preserve the vital personal freedom and human right to informed consent, privacy, and choice for medical procedures in Pennsylvania. We urge Pennsylvania legislators to support these fundamental rights by taking action on the following bills:

### **HOUSE BILLS TO SUPPORT:**

#### **HB1478 - COVID-19 Vaccine Antidiscrimination Act, introduced by Representative Heffley**

Will prohibit the use of COVID-19 vaccine information on identification cards and proof of receipt of COVID-19 vaccine; and provide for civil cause of action.

#### **HB262 - Right to Refuse Act, introduced by Representative Diamond**

Employers would not be able to require vaccines or invasive medical tests as a condition of employment, and would not be able to discriminate against those declining vaccines or tests. Drug testing would still be allowed, except for marijuana. Testing mandated by state or federal law, or required for OSHA safety standards would be exempt.

Individuals who are fired or discriminated against for declining vaccines/testing could sue, and would be entitled to 3x their wages/benefits and legal fees.

#### **HB286 - Informed Consent Protection Act, introduced by Representative Metcalfe**

HB286 would prohibit medical discrimination in pediatric offices, ending the unethical trend of pediatric offices refusing medical care to families who do not follow the CDC vaccine schedule exactly. This trend is fueled by insurance incentives. HB286 was originally introduced in the 2019-20 legislative session and received a lot of support and attention. With medical discrimination taking center-stage in the 2021 political sphere, we expect this bill to gain even more support.

#### **HB1439 - Vaccine Freedom Act, introduced by Representative Metcalfe**

This upcoming bill would protect residents from coerced vaccination and discrimination based on vaccine status. It would prohibit vaccine mandates in PA, including during a declared emergency, and would prevent a government entity from using vaccine status as a condition to participate in or receive any government service, benefit or incentive. This bill would also prevent a business entity or ticketing agent from refusing admission or service due to vaccine status. It would make isolation or quarantine based solely on vaccine status illegal. This bill is in the House Health Committee.

#### **HB1380 - COVID-19 Vaccine Personal Information Privacy Act, introduced by Representative Piscittano**

This bill would require COVID-19 vaccine providers to delete the personal information of individuals who register to receive a COVID-19 vaccine with the provider, but do not receive a vaccine within 6

months. This would apply to information collected during the COVID-19 vaccination appointment process. HB1380 is in the House Health Committee.

### **HB261 - School Vaccination Exemption Announcements, introduced by Representative Diamond**

Formerly HB2037, this act would require schools to disclose vaccine exemption information whenever vaccination policies for school attendance are communicated. Every school year, notices of the school's vaccine requirements are announced to parents via school websites, emails, and letters. Even though [Pennsylvania State Law](#) guarantees both medical and religious exemptions from vaccination for school admission, most PA schools do not and have never informed parents of their rights. Many even deliberately and repeatedly refused to tell parents about them. School nurses have even admitted that they purposely withheld this information.

### **SENATE BILLS TO SUPPORT:**

#### **SB471- Medical Freedom Act, introduced by Senator Mastriano**

This Act would provide full protection against discrimination of individuals based on vaccine status. It would prohibit any state agency from requiring vaccines as a condition of employment, access to education, the ability to travel, or for entry to a public place. In order for individuals to receive a vaccine as part of a mass vaccination program, they would need to receive informed consent including vaccine ingredients, risks, and benefits, without coercion. It would protect employees by prohibiting adverse action against employees who decline vaccination. It would also prohibit businesses and medical providers from denying entrance, service, opportunity to purchase goods, and medical care to unvaccinated individuals. Individuals would not be able to be forced or coerced into signing a vaccination waiver that does not align with their beliefs.

#### **SB633 - Right To Know Reform, introduced by Senator Mastriano**

This bill would force the PA health department to share information requested through Right-to-Know Requests that currently are being blocked due to the Disease Prevention & Control Law of 1955. HIPAA laws would cover these privacy concerns. SB633 would amend section 15 of this old law to remove the existing standards and indicate that the Right-To-Know law applies in their place.

#### **SB618 - Prohibiting Vaccine Passports in PA, introduced by Senator Phillips-Hill**

This Act would prohibit any government entity from requiring proof of vaccination against COVID-19 to use any service, enter any building, or undertake any activity within the territorial limits or the jurisdiction of the government entity. We would prefer to see businesses included in the requirements of this bill, but even as is, it's a move in the right direction.

### **BILLS TO AMEND:**

#### **HB1225 - COVID Freedom Act, introduced by Representative Keefer**

This bill would prohibit a government entity from requiring vaccines unless the individual works in health care, a nursing home, or a school. PCIC cannot support any bill that requires an employee to take an unwanted vaccine. We are requesting that the statement excepting these workers be removed from the bill so that all employees would be able to maintain both bodily autonomy and equal opportunity to employment. The positive aspects of this bill are that it would prevent a

business entity or ticket issuer from denying admission or service to an individual based on vaccine status. A government entity could not require vaccination as a condition for benefits, services, licenses, permits, admittance, transportation, privileges or incentives. A government entity would not be permitted to interfere with worship services by restricting, suspending, regulating or limiting them. The PA Capitol Building, legislative meetings, House and Senate would remain open to the public without arbitrary restrictions. A government entity would not be able to prevent a business entity from providing its products or services to the public for more than 30 days during an emergency, and any business regulation could be terminated by a majority vote of either chamber of the general assembly. During an emergency, a government entity could not enact stay at home orders or curfew orders.

### **HB958 - Immunization Freedom Act, introduced by Representative Zimmerman**

The proposed bill's attempt to solve the deplorable problem of pediatric medical discrimination is not achieved as written. The requirement that a child receive one vaccine per year must be removed from the bill text in order for this to effectively end medical discrimination against children whose families decline vaccination for religious or other reasons. If amended, the bill would prevent doctors from being able to kick patients out of their office for refusing vaccines, and insurance companies would not be able to bonus doctors for giving vaccines, or be able to kick clients off health insurance plans for refusing vaccines. It would also allow doctors to schedule meetings with parents/ patients to talk about vaccines, but they can't charge or bill for the meeting (so it probably won't happen), and doctors can choose to have two separate waiting rooms for the unvaccinated/ vaccinated.

### **HOUSE BILLS TO OPPOSE:**

#### **HB182 - Equipping Parents to Make Informed Choices (School Shaming), introduced by Representative Kozierowski**

Formerly HB1767, this legislation would require all PA school districts to publish on their website the number of vaccinated and unvaccinated enrolled students. This bill would open the door for, and even encourage, bullying and discrimination towards children and families who decline vaccines. This bill is not likely to move, so while we do oppose it, no action is required at this time.

#### **Memo - Protecting Children from Disease Outbreak (Forced government propaganda), proposed by Representative Frankel**

Formerly HB1771, this bill is being reintroduced and it would require parents wanting to use a vaccine exemption to schedule an educational session with a health professional before being permitted to use an exemption. This bill violates constitutional protection of religious beliefs. It did not move at all the last time it was introduced, and we don't expect it will again. We are watching it, but no action is required at this time.

#### **Memo - Lowering the Age of Consent for Vaccines (Minor Consent), proposed by Senator Cappelletti**

This bill would allow minors 14 years and older to consent to CDC recommended vaccinations, including COVID-19 vaccines, without parental consent or knowledge. Parents and guardians would not be able to override a child's consent. We have urged Senator Cappelletti to retract her memo, but she declined. We are watching this, but no further action is required at this time.