

2026 Regular Session

HOUSE BILL NO. 1041

BY REPRESENTATIVE GALLE

HEALTH/MEDICAL TREATMENT: Prohibits certain entities from prohibiting access based on a person's medical intervention status

1 AN ACT

2 To enact Part IX of Chapter 5-G of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:1300.81 through 1300.86, and to repeal R.S. 17:170(F), relative
4 to medical interventions; to provide for a short title; to provide for legislative intent;
5 to provide definitions; to prohibit conditioning access to certain business and
6 governmental entities based on medical intervention status; to provide for
7 exceptions; to provide for enforcement; to repeal requirements relative to
8 immunization and school attendance; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part IX of Chapter 5-G of Title 40 of the Louisiana Revised Statutes of
11 1950, comprised of R.S. 40:1300.81 through 1300.86, is hereby enacted to read as follows:

12 PART IX. LOUISIANA MEDICAL FREEDOM ACT

13 §1300.81. Short title

14 This Part shall be known and may be cited as the "Louisiana Medical
15 Freedom Act".

16 §1300.82. Purpose

17 The purpose of this Part is to protect the right of individuals to make
18 autonomous decisions regarding medical interventions without discrimination,
19 coercion, or exclusion by public entities.

1 §1300.83. Definitions

2 As used in this Section, the following terms have the meanings ascribed to
3 them:

4 (1) "Business entity" means any individual or group engaged in any activity,
5 profession, or enterprise for gain, benefit, or livelihood, whether for-profit or
6 nonprofit, including self-employed individuals, corporations, partnerships, limited
7 liability companies, trusts, or any entity registered, licensed, or authorized to operate
8 in this state.

9 (2) "Government entity" means any state, parish, municipal, or local
10 government or any political subdivision, including but not limited to any department,
11 agency, authority, commission, board, council, committee, office, task force,
12 working group, or other body established by or in accordance with the authority of
13 the laws of such entity.

14 (3) "Medical intervention" means a medical procedure, treatment, device,
15 drug, injection, medication, or medical action taken to monitor, diagnose, prevent,
16 treat, or cure a disease or alter the health or biological function of a person. Medical
17 interventions include but are not limited to vaccines, biologics, swabs, and tests,
18 including genetic and genomic testing, pills, capsules, creams, sprays, liquids,
19 injections, chips, devices, and monitors.

20 (4) "School" means any public, private, or parochial educational institution,
21 including preschools and daycares, schools, and postsecondary institutions including
22 trade schools, colleges, and universities.

23 §1300.84. Prohibition of medical mandates

24 A. A business entity shall not deny, restrict, or otherwise penalize any
25 individual's access to services, products, venues, education, training, trade, or
26 transportation based on the individual's refusal of a medical intervention.

27 B. A business entity shall not require a medical intervention as a condition
28 of employment.

1 C. A ticket issuer shall not discriminate against or deny access to any person
2 at an event based on his status with respect to any medical intervention.

3 D.(1) A school, daycare, or institution of learning shall not mandate a
4 medical intervention for any person to attend, enter campus or buildings, or be
5 employed, or to participate in any extracurricular activities, including but not limited
6 to clubs, performances, arts, or athletics.

7 (2) A school, daycare, or institution of learning complies with the provisions
8 of this Part if the school, daycare, or institution of learning complies with the
9 immunization requirements of R.S. 17:170. No additional medical intervention
10 requirement shall be imposed in excess of the requirements of R.S. 17:170.

11 E. A government entity or official shall not require a medical intervention
12 for any of the following:

13 (1) Access to government services.

14 (2) Use of public buildings, facilities, infrastructure, or transportation.

15 (3) Employment by government entities.

16 F. An individual shall not receive differential compensation, benefits, or
17 treatment based on their refusal of a medical intervention. However, an employer
18 may permit an employee to take time off, at his discretion, to voluntarily obtain
19 medical interventions.

20 G. Any requirements for medical interventions which are allowed, in
21 accordance with this Part, shall remain subject to any applicable laws or legal
22 precedents providing for or protecting exemptions and reasonable accommodations.

23 H. Personal protective equipment may be required as part of occupational
24 safety standards, if such requirements are consistent with adopted federal and state
25 workplace and occupational safety regulations, and do not discriminate based on
26 medical intervention status. An individual shall not be compelled to wear or
27 otherwise be subjected to personal protective equipment for a specific purpose that
28 is authorized solely under an emergency use authorization or any similar emergency,

1 provisional, temporary, or expedited authorization that is contingent upon a declared
2 emergency or waiver of standard approval requirements.

3 §1300.85. Enforcement and remedies

4 Violations of this Part may be prosecuted by the attorney general or
5 appropriate parish or municipal prosecutor. If a violation is proven, attorney's fees
6 and court costs may be awarded.

7 §1300.86. Non-exclusion of healthy individuals

8 Under no circumstance shall a healthy individual or alleged asymptomatic
9 carrier of an illness be excluded from public activities based on the individual having
10 declined a medical intervention during an outbreak or public health emergency.

11 Section 2. R.S. 17:170(F) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1041 Original

2026 Regular Session

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Abstract: Prohibits denial of access or discriminatory practices against a person based on his medical intervention status.

Proposed law provides that proposed law shall be known and may be cited as the "Louisiana Medical Freedom Act". Proposed law further provides the legislative purpose behind proposed law.

Proposed law provides for definitions.

Proposed law prohibits a state, parish, or local government entity or official in this state from requiring a person to receive or use a medical intervention as a condition of employment, entry into a public building, service, public assistance or aid, or licensure.

Proposed law prohibits a business entity operating in this state from requiring a medical intervention as a term of employment. Proposed law further prohibits a business entity operating in this state from denying services, products, admission, or transportation based solely on a person's medical intervention status.

Proposed law prohibits a public or private trade school, college, or university from mandating a medical intervention, such as a vaccine or other drug, as a condition of entering the building or otherwise participating in activities.

Proposed law prohibits a person from taking an adverse action or imposing any penalty against an individual lawfully residing in this state for the individual's refusal or failure to obtain a medical intervention.

Proposed law authorizes the use of personal protective equipment as part of occupational safety, but prohibits compelling a person to wear personal protective equipment as a result of an emergency.

Proposed law provides that if the business or governmental entity is found to violate the provisions proposed law, the attorney general may be awarded attorney's fees and costs incurred pursuing the enforcement action.

Present law requires students entering a school within the state to obtain immunizations and provide proof of immunization prior to attending school.

Present law provides that student is not required to obtain an immunization or provide proof of any immunization if the student or his parents or guardian submits either a written statement from a physician stating that the immunization is contraindicated for medical reasons or the student or guardian submits a written to dissent to receiving an immunization.

Proposed law provides that a school shall be in compliance with proposed law if it is in compliance with present law regarding immunizations.

Present law authorizes the administrators of an educational institution or facility, upon recommendation of the office of public health during an outbreak of a vaccine-preventable disease, to exclude unimmunized students or clients from attendance until the incubation period has expired or proof of immunization is provided.

Proposed law repeals present law.

(Adds R.S. 40:1300.81-1300.86; Repeals R.S. 17:170(F))