
DIGEST

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HB 1041 Reengrossed

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 further creates an exception for a healthcare facility, licensed healthcare provider, or healthcare employer.

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 a 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 dissent to receiving an immunization.

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

Proposed law creates an exception to proposed law for child welfare laws, present law provisions relative to tuberculosis treatment and prevention, and healthcare providers.

(Adds R.S. 40:1300.81-1300.86)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Add exceptions to proposed law for child welfare laws, tuberculosis treatment and prevention, and healthcare providers.
2. Remove provision repealing present law relative to school procedures for unvaccinated children.

The House Floor Amendments to the engrossed bill:

1. Limit the exception to proposed law to healthcare entities.
2. Provide for the requirements for schools and other learning institutions to comply with proposed law.
3. Make technical changes.