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HEALTHCARE DECISION-MAKING. INITIATIVE STATUTE.

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December 24, 2015

RECEIVED

DEC 28 2015

INITIATIVE COORDINATOR
 ATTORNEY GENERAL'S OFFICE

Initiative Coordinator
 Office of the Attorney General
 State of California
 1300 I Street 17th Floor
 Sacramento, CA 95814

Dear Ashley Johansson:

Pursuant to Article II, Section 10(d) of the California Constitution, I am submitting the attached proposed statewide ballot measure to your office and request that you prepare a circulating title and summary of the measure as provided by law. Also enclosed is my check # 5772 in the amount of \$200.00 made payable to the State of California.

My statement pursuant to California Elections Code section 9001 is:

I, Mitchell Jameson Pearce, declare under penalty of perjury that I am a citizen of the United States, 18 years of age or older, and a resident of Santa Clara County, California. My public contact information is:

Address: 1591 Williamsport Drive, San Jose, CA 95131-3327
 Phone Number: 408-293-3883
 Email: drpearce@betterhealer.com

Signature: *Mitchell Jameson Pearce* Date: 12/24/2015

My statement pursuant to California Elections Code section 9608 is:

I, Mitchell Jameson Pearce, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willingly allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Mitchell Jameson Pearce Signature of Proponent Dated this 24th day of December 2015

Sincerely,

Mitchell Jameson Pearce
 Mitchell J. Pearce, D.C., M.S., L.Ac., D.A.C.B.N.

AN ACT TO PROTECT THE PRIVACY OF HEALTH CARE DECISIONS

Having included in the California Constitution Article Section 1 which reads:

All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.

we, the people of California, find, declare, and enact as a new section of the Health and Safety Code:

a) Decisions regarding whether, how, or when to treat, prevent, manage, or end; and from which licensed health practitioner to seek such treatment, management, end, or prevention of an illness or medical condition are the private decision of the individual if he or she has reached the age of majority or is an emancipated minor, or the individual's parent or legal guardian if the individual is a minor.

b) No person may be deprived of a public right, benefit, privilege, service, or immunity; or refused service, accommodation, employment, or compensation by any business, or compensation by any employer, because of his or her choice or choices concerning his or her health care unless the person is infected with a communicable disease, regardless of whether the person is exhibiting signs or symptoms of the disease, that may cause permanent injury or death to a healthy individual; is a danger to himself or others; is of unsound mind; has lost his civil rights as a result of being convicted of a crime; or is addicted to any substance, including but not limited to alcohol, that interferes with maintaining a healthy mind and/or body. Unless applied to persons who've lost their civil rights through due process of law, any such deprivation must be limited to only the purpose of protecting public health and safety and minimized to the extent practicable.

c) For purposes of this act, a healthy person is one who has no symptoms or signs of disease, is not addicted to or dependant on any substance that alters normal physiology, and is not infected with a communicable disease.

d) Any person infected with a communicable disease that must be reported to public health authorities does not lose the right to decide on treatment of the disease upon reporting the disease, but must obey public health authorities' orders, such as quarantine orders, that are for the purpose of preventing spread of the disease. No infected person subject to such orders owes any liability to any entity or other person who knowingly violates those orders.

e) Nothing in this act shall expand or reduce any obligations of the public or any business under any previous act of the legislature or Congress concerning accommodating persons with diseases or disabilities. Nor shall any provision of this act expand or reduce any rights guaranteed by the California or United States Constitutions.

f) If any provision of this act or part thereof is found to be in conflict with the California Constitution or United States Constitution, the remaining provisions and parts shall remain in full force and effect, and to this end the provisions of this act are severable.

g) Any statute, law, regulation, or executive order contrary to or in conflict with this initiative act is null and void upon passage of this act.

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

HEALTHCARE DECISION-MAKING. INITIATIVE STATUTE. States that healthcare decisions for adults are their private decisions, and that healthcare decisions for minors are private decisions for their parents or legal guardians. Prohibits discrimination in areas of public rights and benefits, business services, or employment based on a person's healthcare choices, unless person has certain illnesses, has lost his/her civil rights due to a criminal conviction, or has an addiction to any substance. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Highly uncertain fiscal effects on state and local governments, as these depend on how broadly the measure is interpreted by the courts. Potential fiscal effects could therefore range from minor to significant, but indeterminate, costs on state and local governments.** (15-0123.)