

SENATE BILL NO. 169

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

0885S.02I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 191 and 292, RSMo, by adding thereto two new sections relating to refusal of medical procedures or treatment.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 191 and 292, RSMo, are amended by
2 adding thereto two new sections, to be known as sections 191.230
3 and 292.648, to read as follows:

191.230. 1. No public body, as defined in section
2 290.210, political subdivision, public school district,
3 state department or agency, public official, peace officer,
4 or any person appointed by the governor acting in an
5 official and public capacity under such appointment shall:

6 (1) Require any person to receive a COVID-19
7 vaccination;

8 (2) Condition any personal right or public service
9 based on whether an individual has received a COVID-19
10 vaccination; or

11 (3) Impose any fine, tax, or criminal or civil penalty
12 based on whether an individual has received a COVID-19
13 vaccination.

14 2. Any order issued by a body or official described in
15 subsection 1 of this section that violates the provisions of
16 this section shall be unenforceable.

292.648. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Employer", the same meaning given to the term in
4 section 213.010;

5 (2) "Medical treatment", any drug, medicine, synthetic
6 substance, or therapy, whether therapeutic or preventive,
7 that is fully approved or granted an emergency use
8 authorization by the U.S. Food and Drug Administration
9 (FDA), or pending approval by the FDA, or that would require
10 approval from the FDA to be sold or prescribed to the
11 general public.

12 2. An employee shall be exempt from an employer's
13 requirement to receive medical treatment as a condition of
14 employment and shall not be subject to adverse action by the
15 employer, including loss of pay or termination of
16 employment, for declining to receive the medical treatment
17 if:

18 (1) The employee holds a sincerely held religious
19 belief that forbids the employee from receiving the medical
20 treatment and the reasonable accommodation of such belief
21 would not pose an undue hardship on the employer; or

22 (2) The employee has received a recommendation, based
23 on the employee's unique and individual medical situation,
24 from a physician licensed to practice medicine in the state
25 of Missouri, advising the employee not to receive the
26 required medical treatment on the basis that the medical
27 treatment is likely to be harmful to the employee or is not
28 in the best medical interest of the employee for other
29 specified reasons.

30 3. An employee whose rights are violated by this
31 section and who would otherwise be eligible for workers'
32 compensation shall be eligible for workers' compensation to
33 address any injuries sustained as a result of the employer's
34 requirement for medical treatment.

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