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# A BILL FOR AN ACT

RELATING TO MEDICAL FREEDOM.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. The purpose of this Act is to affirm and  
2 protect the right of individuals to make autonomous decisions  
3 regarding medical interventions without discrimination,  
4 coercion, or exclusion by public or private entities.

5 SECTION 2. The Hawaii Revised Statutes is amended by  
6 adding a new chapter to title 19 to be appropriately designated  
7 and to read as follows:

8 **"CHAPTER**

9 **HAWAII MEDICAL FREEDOM ACT**

10 **§ -1 Definitions.** For the purposes of this chapter,  
11 unless the context requires otherwise:

12 "Business entity" means any person or group of persons  
13 performing or engaging in any activity, enterprise, profession,  
14 or occupation for gain, benefit, advantage, or livelihood.

15 "Business entity" includes any self-employed individual;  
16 corporation; partnership; limited partnership; limited liability  
17 company; nonprofit organization; foreign corporation; foreign



1 limited partnership; foreign limited liability company; business  
2 trust; business entity that possesses a business license,  
3 permit, certificate, approval, registration, charter, or a  
4 similar form of authorization issued by the State; business  
5 entity exempt by law from obtaining a business license; and  
6 business entity operating unlawfully without a business license.

7 "Foreign jurisdiction" means any commonwealth, country,  
8 nation, or state outside the State of Hawaii.

9 "Government entity" means any state, county, municipal, or  
10 local government, or any political subdivision thereof,  
11 including any department, agency, authority, commission, board,  
12 council, committee, office, task force, working group, or other  
13 body established by or under the authority of the laws of the  
14 government or subdivision.

15 "Medical intervention" means a medical procedure,  
16 treatment, device, drug, injection, medication, or medical  
17 action taken to diagnose, prevent, or cure a disease or alter  
18 the health or biological functions of a person.

19 "Medical intervention" includes a mask; vaccine; biologic;  
20 swab; test, including genetic and genomic tests; pill; capsule;  
21 cream; spray; liquid; injection; chip; device; or monitor.



1        "School" means any public, private, or parochial preschool;  
2        kindergarten, elementary, or secondary school; postsecondary  
3        institute of education, including a trade school, college, or  
4        university; or any other institute of primary, secondary, or  
5        higher learning operating in the State.

6        "Ticket issuer" means an individual or entity providing  
7        tickets to an entertainment event, including:

- 8            (1) The operator of a venue where an entertainment event  
9                is occurring;
- 10           (2) The sponsor or promoter of an entertainment event;
- 11           (3) A sports team participating in an entertainment event  
12                or a league whose teams are participating in an  
13                entertainment event;
- 14           (4) A theater company, musical group, or similar  
15                participant in an entertainment event; or
- 16           (5) An agent of any individual or entity described in this  
17                subsection.

18        **§ -2 Medical mandates; prohibited.** (a) No business  
19        entity doing business in the State shall refuse to provide any  
20        service, product, admission to a venue, or transportation to a



1 person based on whether the person has received or used a  
2 medical intervention.

3 (b) No business entity doing business in the State shall  
4 require a medical intervention as a term of employment unless:  
5 (1) Required by federal law;  
6 (2) The terms of employment include travel to a foreign  
7 jurisdiction that requires a medical intervention as  
8 the only means of entry; or  
9 (3) The terms of employment require entry into a place of  
10 business or facility in a foreign jurisdiction and the  
11 place of business or facility requires a medical  
12 intervention as the only means of entry.

13 (c) If an employee is required to obtain or use a medical  
14 intervention pursuant to subsection (b), the requirement shall  
15 either be included in a valid written employment contract  
16 between the employer and the employee or, if a written  
17 employment contract does not exist, advance written notice shall  
18 be provided to the impacted employee no less than fourteen days  
19 prior to the employee being required to receive or use the  
20 medical intervention; provided that an business entity that



1 receives medicare or medicaid funding shall be exempt from the  
2 requirements of this subsection.

3 (d) No ticket issuer shall penalize, discriminate against,  
4 or deny a ticket holder access to an entertainment event based  
5 on whether the ticket holder has received or used a medical  
6 intervention.

7 (e) No school or daycare shall require a medical  
8 intervention as a condition for attending school, being on  
9 campus, entering campus buildings, or being employed.

10 (f) Unless required by federal law, no state, county, or  
11 local government entity or official shall require any person to  
12 receive or use a medical intervention as a condition for:

13 (1) Receiving any government benefit;  
14 (2) Receiving any government services;  
15 (3) Receiving any government-issued license or permit;  
16 (4) Entering into any public building;  
17 (5) Using of public transportation; or  
18 (6) Gaining or maintaining employment; provided that an  
19 entity that receives medicare or medicaid funding  
20 shall be exempt from the requirements of this  
21 paragraph.



1 (g) No state, county, local government entity, or business  
2 entity in the State shall provide or offer any differential  
3 salary, hourly wage, or other ongoing compensation or benefit to  
4 an employee based on whether the employee has received or used a  
5 medical intervention.

6 (h) No state agency shall adopt any policy, administrative  
7 rule, or regulation that conflicts with the provisions of this  
8 chapter.

14       § -3 **Exceptions; limitations.** (a) This chapter shall  
15      not apply to any situation in which personal protective  
16      equipment, items, or clothing are required by a business entity  
17      in the public or private sector based on traditional and  
18      accepted industry standards or federal law; provided that the  
19      business entity may not require vaccines, masks, or other  
20      medical interventions introduced during the coronavirus disease  
21      2019 (COVID-19) pandemic.



1 (b) Any authority to require a medical intervention under  
2 this chapter is subject to other statutory or constitutional  
3 provisions regarding requests for medical interventions and  
4 requirements to provide reasonable accommodations.

5        **§ -4 Supremacy of this chapter.** (a) No state law,  
6 administrative rule, regulation, or policy shall contradict this  
7 chapter. In the case of a conflict, this chapter shall prevail.

13        **§ -5 Enforcement.** This chapter may be enforced and  
14        injunctive relief may be requested by either the attorney  
15        general or the prosecuting attorney for the county where a  
16        violation occurs. If a business entity or state, county, city,  
17        or local government entity in the State is found to have  
18        violated the provisions of this chapter, the attorney general or  
19        prosecuting attorney, as applicable, shall be awarded attorney's  
20        fees and costs incurred in pursuing the enforcement action."



1 SECTION 3. (a) No later than , the department  
2 of health shall amend its rules relating to any required  
3 immunizations, physical examinations, medical testing, and other  
4 compulsory medical procedures, consistent with this Act.

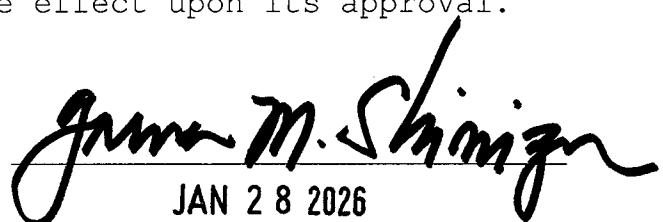
5 (b) No later than twenty days prior to the convening of  
6 the regular session of 2027, the department of health shall  
7 submit a report to the legislature identifying and recommending  
8 amendments to any provisions of the Hawaii Revised Statutes that  
9 are inconsistent with this Act, including provisions requiring  
10 immunizations, physical examinations, medical testing, or other  
11 compulsory medical procedures.

12 SECTION 4. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15 SECTION 5. This Act shall take effect upon its approval.

16

INTRODUCED BY:

  
JAN 28 2026



# H.B. NO. 2512

**Report Title:**

DOH; Medical Treatment; Health Care Decisions; Freedom; Rights; Report

**Description:**

Protects the right of individuals to make autonomous decisions regarding medical interventions without discrimination, coercion, or exclusion by public or private entities. Requires the Department of Health to amend its rules. Requires a report to the Legislature.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

