
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.

9 (i) Notwithstanding any other law to the contrary, no
10 healthy individual or asymptomatic carrier of an illness shall
11 be excluded from public or private activities based on the
12 individual's decision not to receive or use a medical
13 intervention during an outbreak or public health emergency.

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.

8 (b) This chapter shall apply at all times and shall not be
9 suspended, nullified, or otherwise disregarded during a declared
10 emergency; public health crisis; state of emergency issued by
11 any local, state, or federal authority; or any assertion of
12 authority by a global entity.

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."



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

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

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

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

INTRODUCED BY:

James M. Shimizu
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.

