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CCHF Establishes Model State Legislation Library to Protect Patient Rights

First of Five Proposals Offers Protection in Declared Emergencies

ST. PAUL, Minn. — Citizens’ Council for Health Freedom (CCHF) announces the creation of a patient-centered Model State Legislation Library, starting with model legislation that protects patient rights during a declared emergency. State legislators can use the library to adopt legislative proposals in whole, or adapt the published proposals as necessary to implement state-based protections for individuals and patients.

CCHF has published five ready-to-implement legislative proposals:

1. Individual Rights in Declared Emergencies
   Provides limitations on what the government can require during a state of emergency (such as mandating vaccinations, treatments, data collection, and more). It also requires that states notify individuals of their right to refuse, and the state’s right to quarantine or isolate individuals if they refuse. This protection currently exists in Minnesota.

2. Non-Coercive Patient Consent Required
   Requires full patient consent for the sharing of patient health information unless the sharing is already authorized by state law, typically only in emergency-based situations or for specific communicable conditions. This language also prohibits requiring patients to share data as a prerequisite for receiving care.

   Provides transparency and accountability in state prescription monitoring programs. This language requires random audits of the program, prohibits access by former employees, and allows patients to see who is viewing their sensitive data. It also limits access by law enforcement. Citizens’ Council for Health Freedom secured this protection in Minnesota.

4. Universal Patient Data Consent Form
   Creates a standardized patient consent form for data sharing that all health care providers would be required to use. The form prevents health care facilities from using coercive, single-
signature consent forms and gives patients the right to consent or refuse to consent to as much or as little sharing of their data as they prefer, without it affecting their ability to receive care.

5. Direct Primary Care Protection (DPC)

Provides protections for Direct Primary Care (DPC) practices, allowing private contracts between patients and doctors, and prohibiting these medical clinics from being classified and regulated as “health insurance.” Several states have enacted similar laws to protect DPC.

The Model State Legislation Library can be accessed here

“State legislatures are responsible for protecting their patients’ freedom to choose independent practices and their right to keep private medical data private,” said Twila Brase, president and co-founder of CCHF.

“This initial roster of model legislation ensures that patients, their data and their health are put first and foremost. We created the Model State Legislation Library to give state legislatures, concerned citizens, and others ready access to language that can be used to protect the rights of individuals. Each state is unique, so the legislation serves as a template that can be adopted as is, or tailored to each state’s specific needs,” she added.

“The COVID-19 emergency has been used, in the case of the CARES Act, to establish a federal public health surveillance and analytics system. New public-private partnerships for surveillance are also emerging. It will be up to state legislators to protect and restore the privacy and patient rights of their citizens.” she concluded.

CCHF maintains a patient-centered, privacy-focused, free-market perspective. CCHF has worked in its home state of Minnesota and at the national level for more than 20 years to protect health care choices, individualized patient care, and medical and genetic privacy rights. In 2016, CCHF launched The Wedge of Health Freedom, an online directory of direct-pay practices (JointheWedge.com)

Twila Brase, RN, PHN has been named by Modern Healthcare as one of the “100 Most Powerful People in Health Care.” She is the host of the daily Health Freedom Minute radio program heard by over 5 million weekly listeners on more than 800 radio stations nationwide, and the author of the four-time award-winning book, Big Brother in the Exam Room: The Dangerous Truth About Electronic Health Records."

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