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Bill: 22RS2356
Position: Neutral

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Special Committee on Government Overreach and the Impact of COVID-19 Mandates

Chairman Erickson and Committee Members,

While I support this bill I believe this falls short of what needs to be done to protect the citizens of Kansas. Personal Autonomy has been a protected natural right that holds precedent in the Kansas Supreme Court and should be protected under the same laws that protect against discrimination due to race, gender or religious beliefs.

It appears that Senate Bill SB212 attempted to do this with respect to employment with the language that states ***“It is an unlawful employment practice to engage in any adverse employment action against a person because of such person’s decision to receive or not receive a particular immunization.”***

I strongly believe that these protections need to be clarified in discrimination law due to the growing efforts to restrict commerce and employment due to injection status. Imagine being a graduating college student who has chosen to not get injected and has no intention of being injected being restricted from seeking employment due to their status. This is where we are at and we should not abandon the efforts to provide these protections.

However, I understand the political aspects associated with calling the special session and either getting the governor to sign a bill or coming up with the vetoproof vote. Time is of the essence. At a minimum I believe the following should be added to the specific medical exemption language.

- No physician shall be restricted from providing Medical Exemptions including providing exemptions that are not listed by the CDC as an acceptable condition sufficient for exemption. Any medical group, employer or certifying association found to be discriminating against doctors providing said exemption letters shall be subject to a \$50,000 fine for each offense.
- All pregnant women or women anticipating pregnancy are automatically medically exempt without a physician letter.
- All employees with natural immunity are automatically medically exempt without a physician letter.

Finally, outside of the exemptions:

- Employers must give ALL EMPLOYEES (exempt or not) the option to choose testing, PPE, or work from home where applicable as an option to taking the vaccine at no cost to employees.
- No educational institution may require the injections. Period. There are no protections afforded to students as currently drafted.

- No physician shall be restricted from providing medical treatment including administering Hydroxychloroquine and Ivermectin while practicing inside of any hospitals, urgent care facilities or emergency rooms. Any medical group, employer or certifying association found to be discriminating against or restricting doctors from providing said medical treatment shall be subject to a \$100,000 fine for each offense.
- Patients being treated within hospitals, urgent care facilities or emergency rooms shall be afforded the “Right to Try” any drug that has proven safe regardless of other health considerations.

To incentivize employers to follow these additional protections

- Employers who violate these provisions will be fined: \$10,000 per violation for small businesses (under 100 folks), or \$50,000 per violation for large businesses.

I trust that while all of these may not be able to be addressed in the special session, they will be considered when the regular session begins.

Thank you.