PREEMPTING PUBLIC HEALTH INTERVENTIONS:

THE GROUND WE LOST IN 2022

ARIZONA RURAL HEALTH CONFERENCE

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PUBLIC HEALTH EMERGENCY AUTHORITY

• **SB 1009** GREATLY RESTRICTS THE PUBLIC HEALTH EMERGENCY AUTHORITY OF FUTURE GOVERNORS & STATE HEALTH DIRECTORS

• **Current governor enjoyed 700+ days of public health emergency authority (A.R.S. § 26-303)**

• **Future governors will only have 120 days of public health emergency authority — after which the legislature must approve extensions in 30-day increments**

• **Future ADHS directors will be limited to 120 days of A.R.S. § 36-787 authority unless extended by legislature**
UNIVERSAL CLASSROOM MASKING PROHIBITED

- **HB2616** PERMANENTLY TAKES UNIVERSAL CLASSROOM MASKING AWAY AS A PUBLIC HEALTH INTERVENTION

- PARENTS MUST GIVE EXPRESSED WRITTEN CONSENT FOR THEIR CHILD TO WEAR A MASK IN THE CLASSROOM

- THERE WILL BE PARENTS THAT ARE UNWILLING TO GIVE THEIR CONSENT (OR ARE UNABLE OR DON’T UNDERSTAND OR FORGET)

- CLASSROOM MASKING ONLY WORKS WHEN IT’S UNIVERSAL - SIMPLE MASKS CHILDREN WEAR ARE GOOD AT STOPPING PARTICLES FROM ENTERING THE ROOM BUT ARE POOR FILTERS
POLITICAL JURISDICTIONS CAN’T REQUIRE MASKS

- **HB2453** Prohibits the state or any political subdivision from requiring anybody to wear a mask or face covering on the governmental entity's premises.

- Exemptions for places where long-standing workplace safety and infection control measures that are unrelated to COVID-19 may be required (e.g. UA Medical Center/Valleywise)
ADHS CAN’T REQUIRE THE COVID-19 VACCINE FOR SCHOOL

- **HB2086** Prohibits the ADHS from requiring the COVID-19 vaccine (or its ancestors) from being required for school attendance.

- The process for adding vaccines to the school-required list has been in place for decades & works well
  - ADHS has always had to do a rulemaking w/ lots of public input & complete an economic impact evaluation. It takes about 18 months & requires GRRC approval.
CITIES CAN’T REQUIRE STAFF TO GET VACCINATED FOR COVID-19

• **HB2498** Prohibits a government entity from requiring anybody to receive a vaccination for COVID-19 (including staff & ancestor vaccines)
INTERVENTION LIMITATIONS AT RELIGIOUS SERVICES DURING A PUBLIC HEALTH EMERGENCY

- **HB2507** Prohibits state/local government from directly or indirectly requiring or enforcing anything that ‘adversely affects a religious organization’ during a public health emergency, including ‘exclusion, restriction, segregation, limitation, refusal or denial’

- Prohibited interventions could include capacity limits, making, ventilation etc.

- Declares religious services to be essential during a state of emergency