

28 [34A-12-102](#), Utah Code Annotated 1953
 29 [34A-12-201](#), Utah Code Annotated 1953
 30 [34A-12-202](#), Utah Code Annotated 1953



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **34A-12-101** is enacted to read:

33 **CHAPTER 12. EMPLOYEE MEDICAL PROCEDURE PROTECTION ACT**

34 **34A-12-101. Title.**

35 This chapter is known as the "Employee Medical Procedure Protection Act."

36 Section 2. Section **34A-12-102** is enacted to read:

37 **34A-12-102. Definitions.**

38 As used in this chapter:

39 (1) (a) "Employer" means, except as provided in Subsection (1)(b), the same as that
40 term is defined in Section [34A-2-103](#).

41 (b) "Employer" does not include a person who employs an individual who works:

42 (i) at a health care facility, as defined in Section [26-21-2](#); or

43 (ii) in a position within the health care industry in which there is a significant risk of
44 exposure to bodily fluids or communicable disease, as defined in Section [26-6-2](#).

45 (2) "Blood relative" means the same as that term is defined Section [26-45-102](#).

46 (3) "Medical procedure" means a treatment, procedure, therapy, medicine, drug,
47 immunization, or other action intended to affect or alter the physical or mental health of the
48 individual.

49 Section 3. Section **34A-12-201** is enacted to read:

50 **34A-12-201. Employer prohibitions.**

51 ~~§~~ ~~→~~ ~~[An]~~ (1) **Except as provided in Subsection (2), an** ~~←~~ ~~§~~ employer may not require any
52a of the following to accept or decline a medical
53 procedure:

54 ~~§~~ ~~→~~ ~~[(1)]~~ (a) ~~←~~ ~~§~~ an employee;

55 ~~§~~ ~~→~~ ~~[(2)]~~ (b) ~~←~~ ~~§~~ a prospective employee; or

56 ~~§~~ ~~→~~ ~~[(3)]~~ (c) ~~←~~ ~~§~~ a blood relative of an employee or prospective employee.

56a ~~§~~ ~~→~~ (2) **A governmental entity, as defined in [63D-2-102](#), may require an employee to receive a**
56b **vaccine, if the employee is:**

56c **(a) acting in a public health or medical setting; and**

56d **(b) required to receive a vaccine in order to perform the employee's assigned duties and**
56e **responsibilities.** ~~←~~ ~~§~~

57 Section 4. Section **34A-12-202** is enacted to read:

58 **34A-12-202. Employer liability.**