

Emergency Health Powers and Procedures - The General Assembly of Pennsylvania - introduced by Representative Ken Smith

by Samuel J. Granata III,

October 13, 2009: Forced Vaccinations - HB 492 - The General Assembly of Pennsylvania - Session of 2009 - Emergency Health Powers and Procedures - authorizes on the basis of one man's opinion - the governor - forced medical examinations, forced isolations and quarantines, forced relocations, prohibitions of firearms, and forced vaccinations...

"The public health authority may, for such period as the state of public health emergency exists, compel a person to be vaccinated." - HB 492, Pg. 28, Line 29 to Pg. 29, Line 3

"A person who fails to comply with this section commits a misdemeanor of the third degree." - HB 492, Pg. 29, Lines 20-21

"The public health authority shall have the power to enforce the provisions of this article through the imposition of fines and penalties, the issuance of orders and such other remedies as are provided by law." - HB 492, Pg. 36, Lines 22-25

Based on the above, it appears that a patient who refuses vaccination may be incarcerated and fined under the above provisions. Further, scientific evidence is now clear that vaccines can and have done harm to the patient and have even caused death. If the vaccination actually harms the patient, government officials and health care providers are exempt from civil damages except in cases of gross negligence or willful misconduct, facts very difficult to prove.

"State immunity - Neither the Commonwealth, its political subdivisions, nor, except in cases of gross negligence or willful misconduct, the Governor, the public health authority or any other State official referenced in this article shall be liable for the death of or any injury to persons or damage to property as a result of complying with or attempting to comply with this article or any rule or regulations promulgated pursuant to this article." - HB 492, Pg. 38, Lines 5-12

"During a state of public health emergency, no private person, firm or corporation and employees and agents of such person, firm or corporation in the performance of a contract with and under the direction of the Commonwealth or its political subdivisions under the provisions of this article shall be civilly liable for causing the death of or injury to any person or damage to any property except in the event of gross negligence or willful misconduct." - HB 492, Pg. 38, Line 25 to Pg. 39 Line 2

The State also assumes the power to destroy property and, as was just referenced, the Commonwealth nor any of its agents can be held accountable or liable for damages. This provision violates the clear rule that private property cannot be taken for public use without just compensation.

"The public health authority shall, for examination purposes, close, evacuate or decontaminate any facility or decontaminate or destroy any material when the authority reasonably suspects that such facility or material may endanger the public health." - HB 492, Pg. 12, Lines 3-7

The State's emergency powers further include the power . . .

"to control, restrict and regulate by rationing and using quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale, dispensing, distribution or transportation of food, fuel, clothing and other commodities, alcoholic beverages, firearms, explosives and combustibles" - HB 492, Pg. 18, Lines 18-24

Similar legislation was introduced in Massachusetts, made national news and has met with much resistance.