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HOUSE BILL NO. 10

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Commerce and Labor)

(Patrons Prior to Substitute—Delegates Marshall, R.G., Cole [HB 576] and Peace [HB 722])

House Amendments in [] - February 10, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 38.2-302.1, relating to a person's participation in a health care system or plan; Virginia Health Care Freedom Act.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 38.2-302.1 as follows:

§ 38.2-302.1. Virginia Health Care Freedom Act.

No law shall restrict an individual's natural right and power of contract [~~to secure the blessings of~~ and the] liberty to choose private health care systems or private plans. No law shall interfere with the right of an individual to pay for lawful medical services to preserve life or health, nor shall any law impose a penalty, tax, fee, or fine, of any type, on an individual who chooses to decline to contract for health care coverage or to participate in any particular health care system or plan, except as required by a court where an individual is a named party in a judicial dispute. Nothing herein shall be construed to expand, limit or otherwise modify any determination of law regarding what constitutes lawful medical services within the Commonwealth. The provisions of this act shall not apply to an individual who seeks voluntary coverage under a state-administered program pursuant to Title XIX or Title XXI of the Social Security Act.

ENGROSSED

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