

Louisiana Medical Freedom

Press Release

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For Immediate Release

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Acadiana Frontline Heroes Are Fighting Back Against Unconstitutional COVID-19 Vaccine Mandates

LAFAYETTE, LA - Acadiana nurses and hospital staff are being forced to make an impossible choice – choosing between their constitutional rights and their jobs. These healthcare workers once heralded as the “frontline heroes” of Ochsner Lafayette General and Our Lady of Lourdes Regional Medical Center, are now being vilified by these same institutions for wanting to make their own informed healthcare choices. With courage and almost two years of virus fighting under their belts, these actual heroes are now taking action against their employers’ unconstitutional COVID-19 vaccine mandates.

These mandates go against personal objections and completely disregard their uniquely well-informed understanding of the virus and treatment options. In the best possible light, these hospital mandates are a misguided effort to participate in a public health crusade by coercing private-sector employees to undergo medical treatment for their own good and the good of the public at large. Good intentions notwithstanding, these hospitals are overtly threatening to punish frontline workers for exercising rights guaranteed by the Louisiana Constitution (La. Const. art. I, § 5), codified by statute (La. R.S. 40:1159.7) and long-recognized by the Louisiana Supreme Court. *See Hondroulis v. Schuhmacher*, 553 So. 2d 398, 414 (La. 1989) (holding that Article 1, § 5 establishes the right to decide whether to obtain or reject medical treatment); *Snider v. Louisiana Medical Mut. Ins. Co.*, 2013-0579 (La. 12/10/13); 130 So.3d 922, 930 (“The informed consent doctrine is based on the principle that every human being of adult years and sound mind has a right to determine what shall be done to his or her own body.”).

Obtaining informed consent to medical treatment is an individualized process and cannot be accomplished by generalizations or mandates. As explained by the Louisiana Supreme Court, “[w]ithout pertinent case-specific information patients would lack the capacity to reason and make judgments on their own. They would therefore be deprived of the freedom to personally decide intelligently, voluntarily and without coercion whether to undergo the recommended treatment.” *Snider*, 130 So.2d at 930 n.7.” Ochsner and Lourdes have no legitimate interest in the personal healthcare decisions of its employees and staff, and surely do not have the right to override an employee’s decision to forego medical treatment for the purpose of protecting the individual from his or her own healthcare decisions.

Likewise, Ochsner’s and Lourdes’ high-minded view of their civic responsibility does not provide a valid basis for punishing its employees and our frontline workers for exercising their fundamental rights. Simply put, the good intentions of a *private* employer to influence *public* policy--right or wrong--must yield to the fundamental rights of its employees.

These two hospitals are expressly attempting to accomplish a governmental objective that the government itself is prohibited from accomplishing. Effectively, Ochsner and Lourdes are acting as government surrogates, bringing them squarely into conflict with the Louisiana Constitution.

At the end of the day, we believe these frontline workers have a clearly protected right; while Ochsner and Lourdes have no authority. Protecting employees from themselves and the public at large is not a lawful cause. In fact, it contradicts the individual right itself.

For additional information, please visit www.LouisianaForMedicalFreedom.org or contact Mr. Jimmy Faircloth at (318) 619-7755 or jfaircloth@fairclothlaw.com.

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