

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda-underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
- centerpoint360
- UPS
- Bayer Corporation
- GlaxoSmithKline
- Energy Future Holdings
- Johnson & Johnson
- Coca-Cola Company
- PhRMA
- Kraft Foods, Inc.
- Coca-Cola Co.
- Pfizer Inc.
- Reed Elsevier, Inc.
- DIAGEO
- Peabody Energy
- Intuit, Inc.
- Koch Industries, Inc.
- ExxonMobil
- Verizon
- Reynolds American Inc.
- Wal-Mart Stores, Inc.
- Salt River Project
- Altria Client Services, Inc.
- American Bail Coalition
- State Farm Insurance

For more on these corporations, search at www.SourceWatch.org.

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

[Home](#) → [Model Legislation](#) → [Health and Human Services](#)

Emergency Public Safety Measure Act

Did you know that global pharmaceutical company Bayer Healthcare was the corporate co-chair in 2011?

Summary

This bill authorizes the State Department of Health, by clear and convincing evidence, to seek a court order requiring an individual to undergo blood tests for evidence of the HIV virus without a prior consent form from the individual. The court shall grant such order whenever there is probable cause to believe that an individual has HIV infection and there is clear and convincing evidence of a serious and present health threat posed to others by the infectious individual. Treatment, such as counseling, hospitalization, and education, would be provided to the infected individual.

Model Legislation

{Title, enacting clause, etc}

Section 1. This act may be cited as the Emergency Public Safety Measure Act.

Section 2.

(A) The State Department of Health may seek in its own name in a court of competent jurisdiction a court order directing an individual to undergo testing for evidence of infection with the human immunodeficiency virus (HIV) without the right of refusal after reasonable efforts have been made to obtain written, informed consent to HIV testing. The court shall grant such order whenever there is probable cause to believe that an individual has the HIV infection and there is clear and convincing evidence of a serious and present health threat posed to others by the individual infected.

(B) The record of any action brought under Subsection (A) of this Section shall be closed to the public and, at the request of the individual, any hearing shall be held in camera.

Section 3. The State Department of Health may petition a court of competent jurisdiction to order an individual to be hospitalized, placed in another health care or residential facility, or isolated from the general public in his own or another's residence, or a place to be quarantined and made off-limits to the public as the result of the probable spread of a sexually transmitted disease, including, but not limited to, the human immunodeficiency virus (HIV), until such time as the condition can be corrected or the threat to the public's health eliminated or reduced in such a manner that a substantial threat to the public's health no longer exists.

Section 4. No individual may be ordered to be hospitalized, placed in another health care or residential facility, or isolated from the general public in his own or another's residence, or a place to be quarantined and made off-limits to the public, except upon the order of a court of competent jurisdiction and upon proof:

(A) By clear and convincing evidence that the public's health and welfare are significantly endangered by an individual with a sexually transmitted disease; and

(B) That the individual with the sexually transmitted disease has been counseled about the disease, about the significant threat the disease poses to other members of the public, and about methods to minimize the risk to the public, and that, despite such counseling, the individual with the sexually transmitted disease evidences a disregard for the health of the public and refuses to conduct himself in such a manner as not to place others at risk; and

(C) That all other reasonable means of correcting the problem have been exhausted and so no less restrictive alternatives exists.

Section 5.

(A) No individual may be ordered to be hospitalized, placed in another health care or residential facility, or isolated from the general public in his own or another's residence, or a place to be quarantined and made off-limits to the public, unless a hearing has been held of which the individual has received at least 72 hours prior written notification, and unless that person has relieved a list of the proposed actions to be taken and the reasons for each action.

(B) The individual has the right to attend the hearing, to cross-examine witnesses, and to present evidence.

(C) The individual has the right to an attorney to represent him, and to have an attorney

appointed on his behalf if he cannot afford one.

Section 6. An order for hospitalization, placement in another health care or residential facility, or isolation from the general public in his own or another's residence, if issued, will be valid for no more than 120 days, or for a shorter period of time if the State Department of Health, or the court upon petition, determines that the individual no longer poses a threat to the community. Orders for hospitalization, placement in another health care or residential facility, or isolation from the general public in his own or another's residence may contain additional requirements for adherence to a treatment plan or participation in counseling or education programs as appropriate. Such orders may not be renewed without affording the individual all rights conferred in Section 3 and 4.


Section 7. No order for hospitalization or placement in another health care or residential facility may require the placement of an individual under the age of 18 years in a unit of a facility where adults reside, are hospitalized, or have been placed.

Section 8. {Severity clause}

Section 9. {Repealer clause}

Section 10. {Effective date}

Were your laws repealed?



1995 Sourcebook of American State Legislation

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECexposed.org. For more information contact: editor@prwatch.org or 608-260-9713.