

FEDERAL LAW AT TITLE 42, CHAPTER 7, SUBCHAPTER XIX, SECTION 1396 (f) AND STATE LAWS AT RCW 74.09.190, RCW 70.83.020 & RCW 28A.210.090 PROVIDE THAT MY BABY AND I ARE EXEMPT AND NOT REQUIRED TO SUBMIT TO ANY “DRUG TESTING” OR “VACCINATIONS” BASED UPON OUR PHILOSOPHICAL & RELIGIOUS OBJECTIONS

It is undisputed that **the Social Security Act as codified in Federal law at Title 42, Chapter 7, Subchapter XIX, Section 1396 (f)** reads:

“Title 42, Chapter 7, Subchapter XIX, § 1396 (f) Observance of religious beliefs

Nothing in this subchapter shall be construed to require any State which has a plan approved under this subchapter to compel any person to undergo any medical screening, examination, diagnosis, or treatment or to accept any other health care or services provided under such plan for any purpose (other than for the purpose of discovering and preventing the spread of infection or contagious disease or for the purpose of protecting environmental health), if such person objects (or, in case such person is a child, his parent or guardian objects) thereto on religious grounds. (Source: Aug. 14, 1935, ch. 531, title XIX, § 1907, as added, Pub. L. 90-248, title II, § 232, Jan. 2, 1968, 81 Stat. 905.”

Similarly, Washington law at RCW 74.09.190 reads:

“RCW 74.09.190 Religious beliefs – Construction of Chapter.

Nothing in this chapter shall be construed as empowering the secretary to compel any recipient of public assistance and a medical indigent person to undergo any physical examination, surgical operation, or accept any form of medical treatment contrary to the wishes of said person who relies on or is treated by prayer or spiritual means in accordance with the creed and tenets of any well recognized church or religious denomination.”

It is therefore undisputed that both State and Federal law provide that Good Samaritan Hospital does not have any legal authority to compel any patient, pregnant mother or her newborn baby to undergo any medical screening, examination, diagnosis, treatment or “DRUG TESTING” pursuant to our “RELIGIOUS OBJECTIONS.” Furthermore, Washington law at RCW 70.83.020 in reference to Screening tests of newborn infants specifically allows for RELIGIOUS EXEMPTION from newborn screening and reads:

“RCW 70.83.020 Screening tests of newborn infants. It shall be the duty of the department of health to require screening tests of all newborn infants before they are discharged from the hospital

for the detection of phenylketonuria and other heritable or metabolic disorders leading to mental retardation or physical defects as defined by the state board of health: **PROVIDED, That no such test shall be given to any newborn infant whose parents or guardian object thereto on the grounds that such tests conflict with their religious tenets and practices.**

Similarly, Washington law at RCW 28A.210.090 reads:

“RCW 28A.210.090 Immunization program—Exemptions from on presentation of alternative certifications. Any child shall be exempt in whole or part from the immunization measures required by RCW 28A.210.060 through 28A.210.070 upon the presentation of any one or more of the following, on a form prescribed by the department of health: . . . (2) A written certification by any parent or legal guardian of the child or any adult in loco parentis to the child that the religious beliefs of the signator are contrary to the required immunization measures; and (3) A written certification signed by any parent or legal guardian of the child that the signator has either a philosophical or personal objection to the immunization of the child.”

It is undisputed that RCW 28A.210.090 specifically provides that my child or newborn baby is EXEMPT and is NOT required to submit to any “VACCINATIONS” or “VITAMIN K SHOTS” pursuant to my philosophical and RELIGIOUS OBJECTIONS. The main purpose of the “**Doctrine of Informed Consent**” is to protect patients from being given UN-AUTHORIZED treatments or “DRUG TESTS.” If a physician performs an UN-AUTHORIZED DRUG TEST, he has committed a battery against that patient for failure to obtain the patients knowledgeable permission. Holt v. Nelson, 11 Wn.App. 230 (1974); Miller v. Kennedy, 85 Wn.2d 151 (1975); Miller v. Kennedy, 11 Wn.App. 272 (1974); Gates v. Jenson, 92 Wn.2d 246 (1979); ZeBarth v. Swedish Hosp. Med. Center, 81 Wn.2d 12 (1972); Bang v. Charles T. Miller Hospital, 88 N.W.2d 186; Natanson v. Kline, 350 P.2d 1093, 354 P.2d 670; Salgo v. Leland Stanford Jr. University Board of Trustees, 317 P.2d 170; Mitchell v. Robinson, 334 S.W.2d 11; Woods v. Brumlop, 71 N.M. 221, 337 P.2d 520, Annot. 79 ALR 2d 1028; Bowars v. Talmadge, 159 So.2d 888; 49 ALR 3d 501-17 (1973).

IF YOUR BABY WAS STOLEN BECAUSE YOU TESTED POSITIVE FOR DRUGS AND YOU WANT TO SUE THE GOOD SAMARITAN HOSPITAL & THE CPS DIVISION OF DSHS, Please call Luis Ewing at (253) 226-3741 or E-Mail: <rcwcodebuster@comcast.net> or <rcwcodebuster@yahoo.com> See also: <www.ultimateusers.com>