



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2465</b>		DATE: <b>2/4/2026</b>	
COMMITTEE: <b>Commerce</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>ARNIE C. AC DIENOFF-STATE PUBLIC ADVOCATE</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/4/2026 11:23 PM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			

**I am in Support of this Bill and its intension to keep in check and reduced the cost of Health Insurance Premiums.**



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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>BRAD JONES</b>		PHONE NUMBER: <b>573-619-3077</b>	
REPRESENTING: <b>NFIB</b>		TITLE: <b>STATE DIRECTOR</b>	
ADDRESS: <b>308 E. CAPITOL</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL: <b>Brad.Jones@nfib.org</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/4/2026 9:11 AM</b>	
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<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>JAMES P. LYEN</b>		PHONE NUMBER: <b>816-368-1922</b>	
BUSINESS/ORGANIZATION NAME: <b>LYEN ENTERPRISES LLC/LYEN CONSULTING</b>		TITLE: <b>OWNER/PRINCIPLE</b>	
ADDRESS: <b>3141 NE 59TH TERRACE</b>			
CITY: <b>GLADSTONE</b>		STATE: <b>MO</b>	ZIP: <b>64119</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/4/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>JOHN R. DAVIS JR</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: <b>2/4/2026 12:00 AM</b>
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/2/2026 3:39 PM</b>	
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HB 2456 assumes that broad discretion plus vague definitions will somehow produce careful, constitutional outcomes.

That assumption is legally naive.

Replacing specific disease standards with an undefined “serious infectious or communicable disease,” mandating medical testing without the right of refusal, and dismantling existing confidentiality frameworks does not modernize public health—it expands state power while shrinking due-process guardrails.

The result is foreseeable: inconsistent enforcement, compelled bodily intrusion without adequate statutory limits, and avoidable litigation.

This bill doesn’t modernize public health—it modernizes discretion, and the people who get hurt first are the ones with the least power to fight back.

I would implore you to vote NO, once again.

**Footnotes:**

- Overbreadth & State Police Power Limits — Jacobson v. Massachusetts, 197 U.S. 11 (1905).**  
While states possess public health authority, that power is not unlimited; measures must bear a real and substantial relation to public health objectives and cannot be arbitrary or oppressive.
- Right to Refuse Medical Treatment — Cruzan v. Director, Missouri Dept. of Health, 497 U.S. 261 (1990).**  
Missouri itself recognizes a protected liberty interest in refusing unwanted medical procedures—an interest that demands heightened scrutiny when legislation removes consent entirely.
- Equal Protection & Discriminatory Enforcement Risk — Yick Wo v. Hopkins, 118 U.S. 356 (1886).**  
A statute neutral on its face but administered with broad discretion invites discriminatory enforcement, a risk amplified when medical determinations are left undefined.
- Chilling Effect on Testing & Treatment — Doe v. Borough of Barrington, 729 F. Supp. 376 (D.N.J. 1990).**  
Courts have recognized that erosion of confidentiality in infectious-disease statutes discourages voluntary testing and treatment, undermining—rather than advancing—public health goals.

**Missouri-Specific Footnotes**

**Missouri Constitution – Due Process & Bodily Integrity — Mo. Const. art. I, §§ 2 & 10.**

**Missouri guarantees inherent dignity, liberty, and due process of law. Compelled medical testing**

without narrowly defined standards or individualized findings implicates protected liberty interests under Missouri's Constitution independent of federal protections.

**Right to Privacy Under Missouri Law — State ex rel. Nixon v. American Tobacco Co., 34 S.W.3d 122 (Mo. banc 2000).**

The Missouri Supreme Court has recognized privacy interests as fundamental to liberty and personal autonomy, particularly where sensitive personal information is concerned.

**Vagueness Doctrine (Missouri Standard) — State v. Young, 695 S.W.2d 882 (Mo. banc 1985).**

Missouri courts hold statutes unconstitutional when they fail to provide clear standards and permit arbitrary or discriminatory enforcement—especially where liberty or bodily autonomy is implicated.

**Limits on State Police Power — City of Cape Girardeau v. Joyce, 861 S.W.2d 370 (Mo. banc 1993).**

Even when invoking public welfare, Missouri law requires regulations to bear a real, substantial, and non-arbitrary relationship to a legitimate governmental objective.

**Strict Construction of Penal Statutes — State v. Liberty, 370 S.W.3d 537 (Mo. banc 2012).**

Missouri strictly construes statutes that impose penalties or compulsory conditions on individuals; ambiguities must be resolved in favor of the individual, not the state.