

The Latest on — Explosion in Brazil

ALSO IN THIS ISSUE: WORLD PEACE CONFERENCE / THE MODEL STATE EMERGENCY POWERS ACT

More keeps happening in South America, with the epicenter of the quake taking place in Brazil:

- **Over 3,000 laymen in Brazil are now awake** and have cast off the restraints of church workers who want them to stop sharing the third angel's message about the law, the Sabbath, and the mark of the beast. As mentioned in our first announcement of these developments (*Explosion in Brazil* [WM-1068]), published in March, they have been forced out of their local churches because they are doing this.

- **There are close to a hundred lay churches in Brazil alone.**

- **There is now 15 or 20 new lay churches in Chili alone.**

- There is a growing number in other South American nations.

- **Conference leaders are now urging local Adventist Churches to hold religious services on Sunday morning!** Some larger congregations in El Salvador are now doing this.

- **At a fairly recent Ecumenical Council held in South America, Catholic officials complained to Adventist Church leaders about the activities of the lay Adventists.** They did not like their message and they did not appreciate the fact that so many Catholics are being converted. In response, Adventist Church leaders said, "We'll take care of them!" But, so far, they have not been able to fulfill that promise.

- **Lay medical missionary work is now flourishing in those areas where the laymen are coming alive** and getting to work.

- **Someone donated a 500-acre property, to be used as a medical missionary training center.** As I write, it is being prepared for use.

- **A very large number of faithful laymen have stopped using the denominational Sabbath**

School Quarterlies, because those publications do not adhere to Adventist standards and beliefs.

- The laymen say they are tired of reading quotations by Billy Graham and Protestant and Catholic theologians in the quarterly, as proof of liberal Adventist positions. Relatively few quotations from the Spirit of Prophecy are to be found. **These problems are in both the Spanish and Portuguese editions.**

- Many stopped using the *Senior Quarterly* when, **in the June 2001 lessons, it said that the Godhead could have a feminine member in it.**

- **The Friday lesson of the last week in that quarterly mentioned the importance of the Virgin Mary's intercession.** That was obviously written to please Catholic leaders, but it caused many believers to throw away their quarterlies.

The faithful brethren who have chosen to arouse themselves to do the work God has commanded for this time in history need our help. Our publishing expertise is needed, and we are determined to help.

You will recall that **we earlier stated that we are going to begin preparation of a Portuguese edition of our book, *World Crisis Foretold*.** A copy of both the English and Spanish book layouts has been sent to a brother in Brazil. He has sent word that it has arrived and **he and friends have set to work to translate the book into Portuguese.**

This will be an excellent very low-cost book containing our *Basic Great Controversy*, *Basic Sabbath Bible study*, *Basic Steps to Christ*, and introduction to healthful living; all of this, except for the Sabbath Bible study, are directly from the Spirit of Prophecy.

—**Now we are going to begin a new project! A translation of *Great Controversy* into Portuguese!** Please pray as we move forward. We lack the funds, but God will provide. The work must be done.

What do you do during the sacred hours of the Sabbath? On Sabbath, October 7, 2000, our leaders held a massive quasi-political meeting at Sligo Seventh-day Adventist Church, the home church of our General Conference. Of course, they could have chosen some other day of the week for this international gathering, since Sligo Church is empty most of the time. But holding the meeting on Sabbath freed up the rest of the work week for other activities. Civil and religious leaders drove or flew in from many localities.

Bert Beverly Beach, our General Conference ecumenical liaison at the World Council of Churches since 1967 was there, along with Ted Wilson, William Johnsson, and John Graz—all high-ranking Adventist leaders. Congressmen Steny Hoyer, Albert Wynn, and Roscoe Bartlett represented Capital Hill.

Look who speaks to us during the restful hours of the Sabbath, at our General Conference headquarters' church: Maureen Shea, representing the White House; someone from the Council on Religious Freedom; the Catholic Archbishop of Washington D.C.; and a representative of Catholic University of America. Other featured speakers included Kalana Patel from Shri Mangal Mandir, a Hindu temple; Imman Shamsad Nasir, a Muslim leader; Bhante K. Uparatana, a Buddhist monk and president of the International Buddhist Center; and Amrit Kaur Singh, a Sikh leader in the Guru Nanak Foundation.

Jean Roeser, a Maryland state senator, had earlier announced the event at a major press conference. We are important now. We even violate the holy hours of the Sabbath for press coverage. Aren't we proud of ourselves?

WORLD PEACE CONFERENCE

Columbia Union Visitor, September 1, 2000. After this gargantuan ecumenical session ended, you can know a lot of people collapsed the next day, Sunday, and rested. We have been holding world religion interfaith unity meetings at Loma Linda University for years.

The Model State Emergency Health Powers Act

The Model State Emergency Health Powers Act
as of October 23, 2001

Prepared by

The Center for Law and the Public's Health
at Georgetown and Johns Hopkins Universities
For the Centers for Disease Control and Prevention
In Collaboration with the:
National Governors Association,
National Conference of State Legislatures,
Association of State and Territorial Health Officials,
National Association of City and County Health
Officers,
and National Association of Attorneys General

I have before me, as I write, a complete copy of the 38-page, 8½ x 11 *Model State Emergency Health Powers Act*. It was sent to me by a friend. Due to its importance, I am typesetting some of the information contained within it. But I also provide it in view of the fact that, according to *Great Controversy*, a final crisis over the Sabbath is looming, will begin in the United States, and could involve a health threat as one reason for the emergency powers to be granted at that time, to deal with insubordinate citizens.

What would be required for any State legislature to enact this *Health Powers Act*? Simply wave the set of papers before the eyes of frightened legislators and ask them to enact it, so it can be quickly sent to the governor's desk for signing into law. It may already have been quietly enacted in many states. Many of the provisions are understandable; others appear to violate personal property, movement, and health rights.

Preamble: "Emergency health threats, including those caused by bioterrorism and epidemics, require the exercise of extraordinary government functions. Because each state is responsible for safeguarding the health, security, and well-being of its people, State governments must be able to respond, rapidly and effectively, to potential or actual public health emergencies. *The Model State Emergency Health Powers Act* (the 'Act') therefore grants specific emergency powers to State governors and public health authorities" (p. 6).

"The Act authorizes the collection of data and records, the control of property, the management of persons, and access to communications" (p. 6).

"Public health laws and our courts have traditionally balanced the common good with individual civil liberties . . . The Act strikes such a balance. It provides State officials with the ability to prevent, detect, manage, and contain emergency health threats without unduly interfering with civil rights and liberties" (pp. 6-7).

"Section 103. **Purposes.** The purposes of this Act are—(a) To authorize the collection of data and records, the control of property, the management of persons, and access to communications. (b) To facilitate the early detection of a health emergency and allow for immediate investigation of such an emergency by granting access to individuals' health information under speci-

fied circumstances. (c) To grant State officials the authority to use and appropriate property as necessary for the care, treatment and housing of patients, and for the destruction of contaminated materials. (d) To grant State officials the authority to provide care and treatment to persons who are ill or who have been exposed to infection" (p. 9).

"Section 201. **Reporting illness or health condition.** A health care provider, coroner, or medical examiner shall report all cases of persons who harbor any illness or health condition that may be caused by bioterrorism, epidemic or pandemic disease, or novel and highly fatal infectious agents or biological toxins" (p. 12).

"**Pharmacists.** A pharmacist shall report any unusual or increased prescription rates, unusual types of prescriptions, or unusual trends in pharmacy visits" (p. 12).

"**Manner of reporting.** The report shall be made in writing within twenty-four hours to the public health authority" (p. 12).

"Section 303. **Emergency powers.** During a State of public health emergency, the governor may (1) Suspend the provisions of any regulatory statute prescribing procedures for conducting State business or the orders, rules, and regulations of any State agency . . . (2) Utilize all available resources of the State government and its political subdivisions, as reasonably necessary to respond to the public health emergency . . . (4) Mobilize all or any part of the organized militia [police, national guard, etc.] into service of the State" (p. 17).

"**Coordination.** The public health authority shall coordinate all matters pertaining to the public health emergency response of the State . . . [including] collaborating with relevant federal government authorities, elected officials of other states, private organizations, or private sector companies" (p. 17).

"**Access to and control of facilities and property—generally.** The public health authority may exercise, for such period as the state of public health emergency exists, the following powers concerning facilities, materials, roads, or public areas—

"(a) **Use of facilities.** To procure, by condemnation or otherwise, construct, lease, transport, store, maintain, renovate, or distribute materials and facilities as may be reasonable and necessary for emergency response, with the right to take immediate possession thereof. Such materials and facilities include, but are not limited to, communication devices, carriers, real estate, fuels, food, clothing, and health care facilities.

"Section 402. **Access to and control of facilities and property—generally.** (b) **Use of health care facilities.** To compel a health care facility to provide services or the use of its facility if such services or use are reasonable and necessary to emergency response. The

use of the health care facility may include transferring the management and supervision of the health care facility to the public health authority for a limited or unlimited period of time” (p. 20).

“(c) **Control of materials.** To control, restrict, and regulate by rationing and using quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale, dispensing, distribution, or transportation of food, fuel, clothing and other commodities, alcoholic beverages, firearms, explosives, and combustibles, as may be reasonable and necessary for emergency response.

“(d) **Control of roads and public areas.** (1) To prescribe routes, modes of transportation, and destinations in connection with evacuation of persons or the provision of emergency services. (2) To control ingress and egress (entrance and exit) to and from any stricken or threatened public area, the movement of persons within the area, and the occupancy of premises therein” (p. 21).

“**Safe disposal of infectious waste . . . (b) Control of facilities.** To compel any business or facility authorized to collect . . . infectious waste . . . to accept infectious waste, or provide services . . .

“(c) **Use of facilities.** To procure, by condemnation or otherwise, any business or facility authorized to collect . . . infectious waste . . . with the right to take immediate possession thereof” (pp. 21-22).

“Section 404. **Safe disposal of corpses . . . (b) Possession. To take possession or control of any corpse . . . (c) Control of facilities.** To compel any business or facility authorized to embalm, bury, cremate . . . to accept any corpse or provide the use of its business or facility” (p. 22).

“**Control of health care supplies . . . (b) Rationing . . .** In making rationing or other supply and distribution decisions, the public health authority may give preference to health care providers, disaster response personnel, and mortuary staff” (p. 23).

“Section 406. **Compensation.** The State shall pay just compensation to the owner of any facilities or materials that are lawfully taken or appropriated . . . Compensation shall not be provided for facilities or materials that are closed, evacuated, decontaminated, or destroyed when there is reasonable cause to believe that they may endanger the public health” (p. 24).

“Section 501. **Control of individuals.** During a state of public health emergency, the public health authority shall use every available means to prevent the transmission of infectious disease and to ensure that all cases of infectious disease are subject to proper control and treatment.

“In Section 501, the text immediately following the heading ‘Control of individuals’ was adapted from California Health & Safety Code § 120575 (West 1996).

“Section 502. **Mandatory medical examinations.**

The public health authority may exercise, for such period as the state of public health emergency exists, the following emergency powers over persons—

“(1) **Individual examination or testing.** To compel a person to submit to a physical examination and/or testing as necessary to diagnose or treat the person [underlining mine] . . .

“(3) The medical examination and/or testing shall be performed immediately upon the order of the public health authority without resort to judicial or quasi-judicial authority.

“(4) Any person refusing to submit to the medical examination and/or testing is liable for a misdemeanor . . . The public health authority may subject the individual to isolation or quarantine as provided in this Article” (p. 26).

“Section 503. **Isolation and quarantine . . . (c) Due process . . .** (2) The public health authority may isolate or quarantine a person without first obtaining a written *ex parte* order from the court if any delay in the isolation or quarantine of the person would pose an immediate threat to the public health” (p. 27).

“Section 504. **Vaccination and treatment.** The public health authority may exercise, for such period as the state of public health emergency exists, the following emergency powers over persons—

“(1) **In general.** To compel a person to be vaccinated and/or treated for an infectious disease [underlining mine]” (p. 28).

“Section 702. **Public Health Emergency Plan. (a) Content.** The Commission shall, within six months of its appointment, deliver to the governor a plan for responding to a public health emergency, that includes provisions for the following . . .

“(17) Other measures necessary to carry out the purposes of this Act” (p. 35).

“Section 802. **Rules and regulations.** The public health authority is authorized to promulgate and implement such rules and regulations as are reasonable and necessary to implement and effectuate the provisions of this Act. The public health authority shall have the power to enforce the provisions of this Act through the imposition of fines and penalties, the issuance of orders, and such or remedies as are provided by law” (p. 36).

“Section 804. **Liability . . .** Neither the State, its political subdivisions, nor, except in cases of gross negligence or willful misconduct, the governor, the health authority, or any other State official referenced in this Act, is liable for the death of or any injury to persons, or damage to property, as the result of complying with or attempting to comply with this Act, or any rule or regulations promulgated pursuant to this Act. (b) **Private liability . . .** [refers to protection from liability for any individual, firm, etc., who obeys State orders in such matters]” (pp. 37-38).