

HJR 203 A -A3 STAFF MEASURE SUMMARY

Senate Committee On Health Care

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Meeting Dates: 2/19, 2/26

WHAT THE MEASURE DOES:

Proposes amendment to Oregon Constitution to ensure access to affordable health care be submitted to the people for their approval or rejection at the next regular general election held throughout the state.

Fiscal Impact: Indeterminate

Revenue Impact: No revenue impact

House Floor Vote: 35-25

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-A3 States that the obligation of the state must be balanced against the public interest in funding public schools and other public services, and any action brought against the state to enforce the provisions may not interfere with the balance of the specified public interests.

BACKGROUND:

Past national efforts for universal coverage, such as creating national health insurance or ensuring a federal right to health care, have been unsuccessful in the United States. The Congressional Research Service (2010) reports that state constitutions may provide constitutional rights that are more expansive than rights granted under the federal Constitution, since federal rights set the minimum standards for states. This is evident in that almost a third of states' constitutions recognize health explicitly or implicitly (Weeks Leonard 2009), with a range of views on state constitutionalism and states' roles with respect to individuals' health. Through constitutional expressions, states have recognized health care as an important citizen value, public health issue, and state priority.

In Oregon in 2005, several state legislators, along with a community coalition, sponsored a ballot initiative called "Hope for Oregon Families." In Oregon in 2007 and 2008, House Joint Resolutions (HJR 18 and HJR 100) were introduced proposing an amendment to the Oregon Constitution proclaiming access to health care for Oregonians is a fundamental right. In 2015, HJR 4 was introduced which, if passed, would have referred to the voters whether to amend the Oregon Constitution and establish health care as a fundamental right.

House Joint Resolution 203-A refers to voters an amendment to the state Constitution to ensure access to affordable health care for Oregon residents.