

The propriety of any attempt to leverage the unquestionable moral authority of human rights must always be carefully scrutinized. Human rights are something which all people possess and which governments may not trammel. It is legitimate, therefore, to critically examine the attempt of SB 770 sponsors and supporters to invest their own political agenda with the moral authority of advancing human rights:

SECTION 2.

(2) The board shall administer the plan according to all of the following principles:

(a) Health care, as a human right, must be accessible to everyone without exception.

...

(f) Health care, as a fundamental element of a just society, must not be rationed by cost as a commodity in private markets, but must be secured to the people on an equitable basis by public means, similar to public education, public safety and public utilities.

What human right, and what principles of a just society, do SB 770 proponents honor here?

Providence Health and Services recently launched a PR campaign they headline with “We believe *health* is a human right.”¹ The right to *health*, unobstructed and undamaged by government is morally defensible as a human right. Similarly, the right to *seek health care* services from a provider without the government blocking the clinic doors by force or by law is morally defensible as a human right. But neither of those human rights are the human right, or the elements of just society, that SB 770 advocates assert.

Defining *health care* as a human right, or a fundamental element of society, is political sloganeering. The government does not provide appropriate and case-specific *health care services* to individual patients. Health care services are a relationship between individual providers and individual patients, each of whom have human and civil rights. In view of this reality, it is legitimate to question if SB 770 misappropriates the moral authority of human rights to justify state intrusion into the provider-patient relationship in service of the sponsors’ and their supporters’ political goals.

SB 770 would effectively remove the human right of mutual choice to engage in a health care relationship from many patients and providers. It eliminates the ACA insurance exchange, as well as PEBB and OEBB. It’s unclear whether the state would attempt to seize premium subsidies provided to individuals in the ACA regardless of employment status, or impose compulsory income taxes to pay for the plan. The introduced bill apparently does not cover individuals who are employed part-time but who presently have access to the exchange if they choose.

SB 770 would also impose de facto cost-based rationing on those who in reality find themselves subject to the plan for any of the variety of reasons specified in the bill, it would just invest the government with that power. Legislators who vote for SB 770 and the political interests they seek to benefit arrogate to themselves the power to specify how much money in total would be spent on health care costs incurred by the total pool of covered lives and delivery of services with unknown consequences for actual access by individual patients to ostensibly covered services. SB 770 does not provide that the individuals specified in the bill could opt out and use the funds the state takes from them to choose another plan.

It is not valid to equate *health care* with public education, public safety, or public utilities. Public education, public safety, and public utilities are services provided to the public by individuals who chose to enter into a provider relationship with the government and from which recipients may opt out to varying degrees. Public utilities are *public* because allowing multiple private providers to offer services directly to the public would put an infeasible burden on public resources. Finally, the government does not pay the tuition of a student who chooses private education or the costs for a customer who chooses private safety services. The *health care services* relationship between private providers and patients is not analogous to public education, public safety, or public utility services in any relevant way.

For those reasons, sadly SB 770 is morally flawed. Taken in toto, SB 770 sponsors and supporters misappropriate the moral authority of human rights to advance their own political agendas.

¹ **We believe health is a human right.**

<http://future.psjhealth.org/health-is-a-human-right>

Providence upgrades its DC brand presence

<https://stateofreform.com/featured/2018/10/providence-upgrades-its-dc-brand-presence/>