

The Powers Report Podcast

Episode 1

Health Care Is Not a Right

Welcome to The Powers Report Podcast. I am your host, Janis Powers. The show brings you candid, unique and data-driven perspectives on the health care industry. Each segment features a different topic in health care, covering policy, technology, advancements in pharmaceuticals and changes to the health care delivery and payment systems. I believe that any solution that is going to positively impact the American health care system has to satisfy two major criteria: financial viability and behavioral incentive alignment. In other words, access to high quality care across our community of 330 million people can only be achieved if we can afford it, and if we behave in ways that optimize our health. Only then will we be able to bring down costs and better engage patients so we can improve access to care. Please subscribe to our show on i-Tunes or on your preferred podcasting platform and connect with us on social media. Again, this is Janis Powers, and welcome to The Powers Report Podcast.

This is the inaugural show, the first ever edition of The Powers Report Podcast. I want to kick off the show talking about the popular phrase “Health care is a right.” I want to talk about this because it’s a politically charged statement. Health care is a highly politicized issue. Politics in America are divisive. I think this phrase “Health care is a right” is making it harder for us to have constructive conversations about how to fix the health care system.

Health care is not a right, and I will deconstruct that phrase to explain why. I’ll also offer an alternative way to characterize health care that elevates some of the issues that we really need to be talking about it we want to make the system better.

Health care is politicized because it’s an issue that affects every single American. People have opinions about health care because we’ve all had to interact with the system. We’ve all got a story about how, maybe, our premiums, co-pays and deductibles have gone up. We all are feeling the increase in costs in the system. Maybe you’ve had a nightmare situation in the emergency room (that story is usually accompanied by the shock over the bill that you got after the visit). Maybe there’s a drug that your insurance won’t cover so you or your loved ones have to take something else and that something else is less effective and causes unpleasant side effects. We all know that the system is far from perfect.

When asked an open-ended question about the problem with the health care system in America (1), the majority of Americans say either cost or access. This is from Gallup, which is known for its public opinion polls. Gallup has asked Americans what they think the biggest problem is in health care for over 30 years. Cost and access have garnered about 45% of the responses each year over the last decade. Prior to that, the issues were a bit more diversified and included high response rates for cancer to the flu. In many years during the 90s, the key issue in health care was, by far, AIDS. But as of 2018, 25% of Americans think cost is the biggest problem in health care and 22% think it’s access.

In other words, health care is expensive and people can’t get what they need.

From a political perspective, the best way to address these concerns is to tell people that they’re going to get everything they need and not talk about the cost. That is exactly what the phrase “Health care is a

right” implies. If something’s a “right” it’s automatically conferred to everyone. So everyone gets health care. They get everything they need.

Calling health care a right takes it to a different level. Health care is elevated. People become righteous about it because health care becomes this moral obligation that has somehow been bestowed on everyone. It’s hard to talk about the cost of care when the conversation has turned philosophical. It’s easier to keep health care in the clouds, obscured from the reality of its financial and operational complexities, by calling it a right.

So let’s dissect this phrase. It’s got two problems. Defining health care, and the misuse of the word right.

The phrase “health care is a right”, like “universal health care” is problematic because the term health care is undefined. Are we talking health insurance? Health access? Coverage? Is the same health care offered to everyone, or do people get to pick what they want, as long as they can pay for it? And how do we decide whether people can pay for it or not? Do we use income as a metric? Or do we use total personal wealth which would include the value of one’s assets including retirements savings and home ownership? And critically, which services, specifically, are we talking about? I think this is one of the hardest things to define. Are we talking about primary care? Acute hospital stays? Or does health care include everything, including the latest designer drugs, some of which cost over \$750,000 a pop?

Until users of the phrase health care is a right can specify what “health care” actually means, the phrase is really just an empty collection of words.

Now, let’s say we can come to an agreement about what health care means. The problem then shifts to the second part of the sentence, which characterizes health care as a right.

Going the Webster, the dictionary, here are the definitions for the word “right,” (2) starting with the first definition, which is the most accepted version of the word (and I’ve edited this a little but you can link to the reference for the full definition):

1. qualities (such as adherence to duty or obedience to lawful authority) that together constitute the ideal of moral propriety or merit moral approval
2. something to which one has a just claim: such as the power or privilege to which one is justly entitled or the interest that one has in a piece of property ...
3. something that one may properly claim as due
4. the cause of truth or justice

And then there are a bunch of other definitions related to political terms and such.

So going with the third definition, something that one may properly claim as due, you could argue that health care is a right. Yet the example given for this refers to something abstract: knowing the truth is her right. Not, using hundreds of thousands of dollars of services is her right. Herein lies the reason why health care is not a right. Health care costs money. Rights are ideas, beliefs, laws and rules that don’t have an implementation cost attached to them. They’re ostensibly “free.”

Rights are the things we know so well from the famed documents of our Founding Fathers. Like the Declaration of Independence. “...We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life,

Liberty and the pursuit of Happiness.” Thomas Jefferson didn’t write, “...among these are Life, Liberty, Health Care and the pursuit of Happiness.”

The Bill of Rights, the first ten amendments to the Constitution, are a little more prescriptive when it comes to the rights. The amendments sound more “law-ish” relating to whether people can assemble for free speech, bear arms, have a speedy trial, etc. There’s nothing in there that guarantees citizens health care, or any of the other basic necessities that we need, which include food and housing.

Just because we need health care and we need housing and food doesn’t mean that we have a right to any of them. We acknowledge that our fellow citizens who are less fortunate than most need help. They need support in having the basic necessities so they can fulfill their duties as American citizens. That’s why we have affordable housing, and SNAP (i.e. food stamps) and Medicaid. Are these programs perfect? Of course not. But the point is that we, societally, acknowledge and provide help for the underserved. Why we now have to conflate things and call health care a right just conflates the situation. We need to be finding common ground, not sloganeering.

Now, despite these flaws with the phrase health care is a right, it resonates with a lot of people. Regular citizens, prominent physicians, thought leaders, politicians, policy makers. A lot of people use the term. Now, while I think the phrase is wrong, there is some underlying sentiment that gets a lot of support and is worthy of consideration.

My belief, and to those of you who believe that health care is a right, please correct me if I’m mischaracterizing this, but my belief is that the popularity of the term relates to the fact that the United States is the most prosperous nation in the world and our health care system is, basically, a global embarrassment. As I noted in my book *Health Care: Meet the American Dream*, “The global community clamors for American innovation and ideas. But no one wants our health care system.”

With all our prodigious wealth, shouldn’t things be better? Why is the life expectancy in America declining? Why are so many of us so chronically ill? Why are our health disparities so wide? Well, trying to get to the bottom of these problems has been a head-scratcher for decades, and is the reason for this podcast.

I am hesitant to label “health care” anything because, as I said earlier, until we get specificity on what health care means, we can’t call it anything. But if I had to pick a word that should inform our relationship to health care, I would choose the word responsibility. We’ve heard the term, “With great wealth comes great responsibility” and I think that applies to health care. As a country, America has the highest economic output on the planet. We have a responsibility to do something with that wealth, and one of those things is to ensure that all Americans are provided with opportunity.

Here’s where a responsibility is different and more applicable than a right when it comes to health care. Saying health care is a right implies that citizens don’t have to do anything to have access to health care. It’s just provided because of the moral obligation attached to its classification as a right. Obviously, I don’t agree with this.

As citizens, we have a social contract with each other. We have responsibilities to behave in ways that improve the greater good. Being healthy should become a defining part of the American cultural psyche. It just isn’t today. Consider the cornerstones of good health: eating right, exercising, getting enough

sleep. Most Americans fail to meet the clinical guidelines for these important behavioral metrics. We, as citizens, are failing to behave responsibly when it comes to maintaining our health.

Our government is, for the most part, made up of elected officials who are supposed to represent us. They are responsible for administering programs that use our tax dollars and revenues efficiently and effectively. They are also responsible for regulating the private sector in a way that encourages ideas and businesses that benefit the American people. Yet as the decades have gone by, we have an increasingly complicated series of public and private interactions in health care that have driven up costs and created incredible complexity.

Now, the government is not going to be able to work collaboratively until we citizens do the same. We need to be open-minded to new ideas and these new ideas need detail behind them. Grandiose phrase-dropping may win elections, but it doesn't help solve problems.

The good news is that improving personal responsibility for our health care is within our grasp. We don't need the government to tell us to be more healthy; we should pursue the goal for our own benefit. We should encourage those around us to behave in the same way. Why wait for "rights" to be conferred upon us when we can act in our best interests – and in the interest of our fellow Americans – right now.

That way, we can be as healthy as we can be.

This is The Powers Report Podcast. Please subscribe to our show and please follow me, Janis Powers, on social media. We will be featuring listener questions, comments and suggestions on future podcasts. Please see our website at powersreportpodcast.com to submit questions and ideas on the Contact page. I look forward to hearing from you. Thanks so much for listening!

1. "In Depth: Topics A to Z. Healthcare System," Gallup, <https://news.gallup.com/poll/4708/healthcare-system.aspx>.
2. "Right. Noun," Merriam-Webster, <https://www.merriam-webster.com/dictionary/right>.