Right to Health Care. What Does that Mean?

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This is an argument for specificity in using the word “right” in the healthcare debate. Two statements commonly seen are: “everyone has the right to health care” and “health care is a human right.” When statements like these are used the usual implication is that health care is not currently a right in the U.S. However, a right to health care does exist in various forms. For instance, there exists the right to purchase health care or health insurance. There exists the right to get health care if you are poor. Granted, assistance programs are having problems now, and you might have to lose your life savings and go bankrupt to qualify. There exists the right to walk into a hospital ER and demand health care, but you’ll get a big bill. What doesn’t exist is the right to health care which will not put anyone into financial distress.

The seminal documents of the U.S. reference rights endowed by a Creator, but the right to be given health care is not evident in these documents, nor in Western religious teaching, unless it can be considered a part of charity, which most religions consider a duty. The 1948 United Nations Universal Declaration of Human Rights, Article 25, says everyone has a right to a standard of living adequate for health and well being, and it specifically mentions medical care (www.un.org/en/documents/udhr/index.shtml).

Unfortunately, since medical care depends on working people and is not free, medical care will be competing with other rights, such as the right to an education and property rights. There are also questions of fairness. For example, should smokers have the right to take your money for lung cancer treatment? Do sexually promiscuous people have a right to your resources for HIV treatment? We are all doing something

unhealthy. Can we demand others pay for the consequences of our actions?

It is probable that the word “right” is often used in health care arguments because the concept of a right is powerful, emotional, seems simple, and implies that there can be no argument against it. But as noted above, the right to health care can mean many different things. Providing health care rights requires infringement upon other rights, moral judgements, and a complex allocation of resources. Simple blanket statements like: “everyone has a right to health care” are meaningless. Arguing over such a statement is useless. Appropriate arguments are more specific: exactly what will constitute future health care rights, and how will adequate resources be developed to provide for them.

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