

# **NO HUMAN RIGHT TO HEALTHCARE IN THE UNITED STATES**

## **The United States Government does not refer to health care as a Right.**

In its recent submission to the United Nations, the US Government ignores its obligations under the UDHR and other international mechanisms which it has signed and/or ratified. The report submitted in February of 2015 does not even refer to healthcare as a Right, but rather as a "measure". (*see: UPR report of the US Government section H paragraphs 100 and 101*). This is a regression from its 2010 report which at least referred to health care as a Right.

## **Health Insurance is NOT Health Care.**

In the US, health insurance is a huge profit making business that pays dividends to shareholders and multi-million dollar bonuses to its executives. This is a far different system than other countries' health insurance. Therefore, when the US says it is taking "measures" to provide its residents with healthcare, what it is actually saying is that it is providing the opportunity for individuals to purchase health insurance.

Allowing the purchase of insurance is not the same as giving access to health care. Health insurance treats health as a profit making commodity. People pay premiums all year, but cannot see a medical provider until they have ALSO paid a deductible amount out of their own pocket. This deductible varies but is frequently as high as \$5,000.00 US. In other words even if every premium is paid timely, the insured cannot go to the doctor until they have spent an additional amount out of their own pocket. Even AFTER paying premiums and deductibles, there is a cost sharing at the point of service such that many cannot seek medical services they need.

Clearly, the most vulnerable residents of the US, particularly those who live in poverty and/or are not citizens, suffer the most from this system. To say that allowing people to purchase insurance equates to giving them medical care is like saying that fire insurance keeps houses from catching fire.

In the words of one person interviewed:

"I simply don't understand what happened. I was told that the ACA would allow me to get the healthcare I need. I pay my premium every month. Now that I am really sick, I cannot go to work and have little income. I thought that by paying my monthly premiums I would be able to get the care I need. It turns out I cannot go to see my doctor, because I have not yet spent \$2,000 this year out of my own pocket AFTER paying premiums. Even after paying premiums for the year, which amount to thousands of dollars, and paying the \$2,000 deductible, I must bring money with me when I go to the doctor's office for a co-pay. "

Susan- a Vermont resident age 27

## **States Are Not Allowed to Implement Universal Healthcare**

The political climate in Washington DC makes it difficult for the federal government to enact new human rights laws. Vermont, however, has enacted a law to provide health care as a publicly

funded public good, and declared healthcare to be a human right to all residents within its border. ( *see Act 48 of Vermont; legislature.vermont.gov/bill/status/2016/H.48*) Other States are pursuing similar legislation. Implementation of that law is difficult, because it is broader than federal law. Vermont and other states need waivers from the Federal Government, allowing them to implement universal healthcare instead of health insurance. Canada's universal healthcare began in one province, and was adopted by other provinces because it was working. The same is possible in the United States if the individual states were encouraged to provide healthcare as a human right.

## **Suggested Questions for the United States Government**

1. Will the US affirm, according to its UDHR obligations, healthcare as a human right and use that term in any and all reports relative to healthcare?
2. Will the US assist any State in treating healthcare as a human right including the granting of waivers, executive orders and funds to allow implementation of that right?

## **Recommendations for the United States Government**

To protect healthcare as a Human right the US government should:

1. Reference healthcare as a Right, not a measure, in any and all official documents and/or reports; and
2. Commit to the issuance of an Executive Order allowing States a waiver of the ACA so the State may offer universal healthcare within their borders; and
3. Issue waivers to States relative to allow States to utilize medicare and medicaid funds or universal care systems
4. Take steps to allow States to apply grant fundings available for implementation of the ACA to instead fund universal care.
5. Use public funds collected by the federal government to increase access to the human right to health, by allowing allocation to States who wish to support that right.
6. Increase access by all within its borders to actual healthcare in any way possible.

For more information see our stakeholder report at: <http://>

[www.workerscenter.org/resources/reports](http://www.workerscenter.org/resources/reports) Or contact: Mary Gerisch, Chair, UPR Human Right to Health Workgroup :[retiredinvermont@hotmail.com](mailto:retiredinvermont@hotmail.com)