



OREGON HOUSE REPUBLICAN OFFICE

Register-Guard on Health Care Constitutional Amendment:
“The Senate should let HJR 203 die.”

[Editorial: A costly, or empty, promise](#)
Register-Guard Editorial Board

Everyone ought to have health care. Everyone ought to have a job, too — and housing, and healthy breakfasts, and safe neighborhoods. Oregonians should not have a constitutional right to any of these things, however, unless the state is prepared to ensure that they are provided. The state is in no position to make such guarantees, yet on Tuesday the House of Representatives voted to place a measure on the November ballot that, if approved by voters, would add the right to health care to the Oregon Constitution.

House Joint Resolution 203 proposes the following constitutional amendment: “It is the obligation of the state to ensure that every resident of Oregon has access to cost-effective, medically appropriate and affordable health care as a fundamental right.” The resolution passed on a party-line vote, with all 35 Democrats in support and all 25 Republicans in opposition. It now goes to the Senate.

The Legislative Counsel’s office doesn’t know whether HJR 203 is a costly promise, or an empty one: “Within the range of options available to the Legislative Assembly to ensure access to health care,” the office wrote in its analysis, “one could imagine mechanisms that would have minimal financial impact on the state as well as mechanisms that would have enormous financial consequences for the state.”

It all depends on how many weasel words lawyers could find in a constitutional amendment declaring health care to be a fundamental right. It might be argued that language in HJR 203 doesn’t actually guarantee health care, but “access to” health care — so the state could fulfill its obligation by publishing a directory of clinics and hospitals.

Others, however, would argue that if voters approve the amendment, their clear intent is that everyone should have health care, and that the state must pay the cost for anyone who doesn’t have it. The League of Women Voters of Oregon, a reliable ally of legislators seeking to expand access to health care, said it could not support HJR 203 because of its creation of an implied state responsibility.

If the amendment contained in HJR 203 does not bind the state to provide health care, it’s a piece of feel-good legislation that would add clutter to the state Constitution. If it would create an actual right to health care, Oregonians should determine the cost, and figure out how to pay it, before making the promise. Either way, the Senate should let HJR 203 die.

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