

HCS HJR 62 -- HEALTH CARE FREEDOM

SPONSOR: Bahr

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Health Care Policy by a vote of 8 to 3.

Upon voter approval, this proposed constitutional amendment specifies that each citizen has an inherent liberty that includes the autonomy to make decisions regarding lawful health care-related services or products and payment for those services or products.

No government official or agency will have any authority to compel any person, employer, or health care provider to:

- (1) Participate in a health care system;
- (2) Purchase any specific or general health care services or products;
- (3) Be penalized for not participating in a health care system or not purchasing products;
- (4) Make a citizen's right to offer or accept direct payment for lawful health care services subject to any penalty, tax, fee, or levy; or
- (5) Dictate the mode or content of lawful health care services or products offered.

These provisions cannot prevent the state's courts from enforcing contracts or prevent the General Assembly from establishing laws that prohibit certain dangerous health care services, impose reasonably uniform regulation of the health insurance industry, or impose or collect uniformly imposed taxes for funding public health care programs if all the laws are consistent with all other constitutional provisions.

These provisions must not prevent a provider of health care services from billing for, collecting, or otherwise attempting to receive payment for health care services rendered.

PROPONENTS: Supporters say that the constitutional amendment is meant to protect the rights of Missouri citizens. The person paying for health services is the client and the decision maker. When the payor is an insurance company or the government, all health care decisions are made by third parties unrelated to the patient. No insurance company employee or government employee is in a position to make health care decisions for a patient.

Testifying for the bill were Representative Bahr; Phillip Todd; Missouri Right to Life; Missouri Family Network; Americans United for Life; and Missouri Baptist Convention, Christian Life Commission.

OPPONENTS: There was no opposition voiced to the committee.