

April 6, 2004

Testimony of John E. McDonough, Executive Director, Health Care For All on Proposed Amendment to the Massachusetts Constitution to Establish a Right to Health Insurance

Health Care For All supports the proposal to establish a constitutional right in Massachusetts to health insurance. We agree with the principle embodied in the text of this proposed amendment.

Frankly, this was not an easy decision for our organization. In 19 years of existence, our approach always has involved crafting concrete proposals that layout in the clearest possible terms who gets what and who pays for it. Efforts to establish unspecified constitutional or other rights that do not provide the hard details have not been our preferred strategy.

Yet the experiences of the past two years have convinced us of the need to be open to other paths achieve this basic human right of access for everyone to decent, affordable health care.

Between 1995 and 2001, we believed our preferred strategy showed real merit as the number of uninsured in Massachusetts dropped from 680,000 in 1995 to 365,000 in 2001. This was accompanied by an increase in MassHealth enrollment from 670,000 to 1,020,000. In the past two years, we have moved sharply in the other direction, with MassHealth enrollment now down to less than 930,000, and the number of uninsured nearing 600,000. (See attached chart).

Sadly, this trend also includes access to health care for children. Two years ago, the Children's Medical Security Plan was open to any child who did not qualify for MassHealth and who could not obtain private coverage; today, more than 12,000 children are on the CMSP waiting list. Meanwhile, more than 5,000 children have been disenrolled from MassHealth because of parents' inability to pay unrealistically high premiums. And if Governor Romney's House One budget proposals are accepted, more than 1600 lower income pregnant women will be denied Healthy Start coverage - which the federal government finances at 65 percent of cost.

It is tragically clear to us that - despite the goodwill of many individual legislators - the political will does not exist inside this building to ensure that every resident of the Commonwealth has health security - and the will does not exist to maintain progress already achieved. Something else is needed.

We have consulted a constitutional scholar to help us understand how this proposed amendment would play out in real life. At a minimum, it would offer an important defense to protect existing health access opportunities for needy families. At its best, it will provide the political will necessary to achieve real and enduring progress. It is not a formula for legal or financial chaos.

At Health Care For All, we will continue to work to devise concrete proposals to expand affordable coverage for all Massachusetts residents. We fully expect to present new and comprehensive reform proposals to you for consideration in the 05-06 session. In the meantime, we urge you to restore access for needy children, to strengthen our essential safety net through MassHealth and the Uncompensated Care Pool, and to advance this proposed constitutional amendment to permit the citizens of the Commonwealth to affirm health care as a right.