

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2014
(Reference to printed resolution)

1 Page 1, line 1, strike "_____ insert "House of Representatives"
2 Line 2, strike "_____ insert "Senate"
3 Strike lines 3 through 19, insert:
4 1. Article XXVII, Constitution of Arizona, is proposed to be amended
5 by adding section 2 as follows if approved by the voters and on proclamation
6 of the Governor:
7 2. Health care; definitions
8 SECTION 2. A. TO PRESERVE THE FREEDOM OF ARIZONANS TO
9 PROVIDE FOR THEIR HEALTH CARE:
10 1. A LAW OR RULE SHALL NOT COMPEL, DIRECTLY OR INDIRECTLY,
11 ANY PERSON OR EMPLOYER TO PARTICIPATE IN ANY HEALTH CARE SYSTEM.
12 2. A PERSON OR EMPLOYER MAY PAY DIRECTLY FOR LAWFUL HEALTH
13 CARE SERVICES AND SHALL NOT BE REQUIRED TO PAY PENALTIES OR FINES
14 FOR PAYING DIRECTLY FOR LAWFUL HEALTH CARE SERVICES. A HEALTH
15 CARE PROVIDER MAY PROVIDE DIRECTLY PURCHASED LAWFUL HEALTH CARE
16 SERVICES AND SHALL NOT BE REQUIRED TO PAY PENALTIES OR FINES FOR
17 PROVIDING DIRECTLY PURCHASED LAWFUL HEALTH CARE SERVICES.
18 B. THE TERMS OR CONDITIONS OF ANY HEALTH CARE SYSTEM SHALL
19 NOT BE AFFECTED TO THE EXTENT THAT THOSE TERMS AND CONDITIONS DO
20 NOT HAVE THE EFFECT OF PUNISHING A PERSON OR EMPLOYER FOR PAYING
21 DIRECTLY FOR LAWFUL HEALTH CARE SERVICES OR A HEALTH CARE
22 PROVIDER OR HOSPITAL FOR PROVIDING DIRECTLY PURCHASED LAWFUL
23 HEALTH CARE SERVICES.

1 C. SUBJECT TO REASONABLE AND NECESSARY RULES THAT DO NOT
2 SUBSTANTIALLY LIMIT A PERSON'S OPTIONS, THE PURCHASE OR SALE OF
3 HEALTH INSURANCE IN PRIVATE HEALTH CARE SYSTEMS SHALL NOT BE
4 PROHIBITED BY LAW OR RULE.

5 D. THIS SECTION DOES NOT:

6 1. AFFECT WHICH HEALTH CARE SERVICES A HEALTH CARE
7 PROVIDER OR HOSPITAL IS REQUIRED TO PERFORM OR PROVIDE.

8 2. AFFECT WHICH HEALTH CARE SERVICES ARE PERMITTED BY LAW.

9 3. PROHIBIT CARE PROVIDED PURSUANT TO ARTICLE XVIII,
10 SECTION 8 OF THIS CONSTITUTION OR ANY STATUTES ENACTED BY THE
11 LEGISLATURE RELATING TO WORKER'S COMPENSATION.

12 E. FOR THE PURPOSES OF THIS SECTION:

13 1. "COMPEL" INCLUDES PENALTIES OR FINES.

14 2. "DIRECT PURCHASE" MEANS PAYMENT FOR LAWFUL HEALTH CARE
15 SERVICES WITHOUT A PUBLIC OR PRIVATE THIRD PARTY, NOT INCLUDING
16 AN EMPLOYER, PAYING FOR ANY PORTION OF THE SERVICE.

17 3. "HEALTH CARE SYSTEM" MEANS ANY PUBLIC OR PRIVATE ENTITY
18 WHOSE FUNCTION OR PURPOSE IS THE MANAGEMENT OF, PROCESSING OF,
19 ENROLLMENT OF INDIVIDUALS FOR OR PAYMENT FOR, IN FULL OR IN PART,
20 HEALTH CARE SERVICES OR HEALTH CARE DATA OR HEALTH CARE
21 INFORMATION FOR ITS PARTICIPANTS.

22 4. "PENALTIES OR FINES" MEANS ANY CIVIL OR CRIMINAL
23 PENALTY OR FINE, TAX, SALARY OR WAGE WITHHOLDING OR SURCHARGE OR
24 ANY NAMED FEE WITH A SIMILAR EFFECT ESTABLISHED BY LAW OR RULE BY
25 A GOVERNMENT ESTABLISHED, CREATED OR CONTROLLED AGENCY THAT IS
26 USED TO PUNISH OR DISCOURAGE THE EXERCISE OF RIGHTS PROTECTED
27 UNDER THIS SECTION.

28 2. The article heading of article XXVII, Constitution of Arizona, is
29 proposed to be changed as follows if approved by the voters and on
30 proclamation of the Governor:

1 The article heading of article XXVII, Constitution of
2 Arizona, is changed from "REGULATION OF PUBLIC HEALTH, SAFETY AND
3 WELFARE" to "REGULATION OF HEALTH, SAFETY AND WELFARE"."

4 Renumber to conform

5 Amend title to conform

NANCY K. BARTO

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C: mjh