

HEALTH, HUMAN RIGHTS AND HEALTH FINANCING IMPLICATIONS

**Panel Discussion at 13th Caribbean Conference on Health
Financing Initiatives**

Anguilla....November 6—8, 2019

HUMAN AND HEALTH RIGHTS: CONVENTIONS, LAWS, CHARTERS, ENTITLEMENTS

A. International

- UN Universal Declaration of Human Rights (1948)
- UN Convention on Rights of the Child (1990)
- WHO Human Rights-based Approach to Health (2009)
- UN Sustainable Development Goals—Goal 3 (2015)
- UN HLM (Political Declaration) on Universal Health Coverage (2019)

B. National

- National Constitutions
- National ‘Citizens Charter’

C. Institutional

- Institutional ‘Charter of Patient Rights’ (Ministry of Health and/or Hospitals)
- Entitlements in Contracts eg membership in NHI or private insurance plans

HUMAN RIGHTS & HEALTH—OPERATIONAL CONCERNS (1)

UN/WHO's/ National Definition of Health:-

- not just the absence of disease but a state of complete physical, psychological and social functioning'
- 'the highest attainable standard of health is a fundamental right of every human being'

1. Is this definition of health too 'open-ended' as it requires a national obligation (re: Universal Coverage):-

- to provide ALL (EVERYTHING) possible health-inducing measures and treatments
- at ALL times
- to ALL persons ('leave no one behind')?

2. Can we guarantee the 'right to (the highest attainable) health' vs the 'right/opportunity to access available health care'?

3. Are all health rights 'justiciable' i.e. can be prosecuted in a court of law?

4. Do 'rationing' 'triage' and 'denying treatment' infringe on right to health care and 'do no harm'?

5. Does 'right to health care' include the right to 'refuse care'? Eg. vaccination? To 'euthanasia'?

Surgical Addiction—Human Ken doll, Rodrigo Alves
where 'want' became 'need'..msn news..15/10/19



HUMAN RIGHTS & HEALTH—OPERATIONAL CONCERNS (2)

6. Does having a defined Benefit Package in UHC/insurance infringe rights to ‘non-benefit package’ services?
7. Does giving priority to care for children, mothers, those with ‘status’ infringe rights of others?
8. Should refugees/non-citizens be entitled to similar ‘right to care’ as citizens?
9. Is it acceptable to infringe health rights during disasters/disease outbreaks eg who gets priority treatment or vaccines?
10. Does the requirement for all to become members of a ‘single insurer’ infringe on right/freedom to choose?
11. Should the public health system seek to maximize -
 - General health in the population (i.e.. ‘do the greatest good to the greatest number of persons’) or
 - Health of the ‘worse off’ in society (i.e preferential option for the poor/vulnerable’)

**** HOW SHOULD THE RIGHT TO HEALTH BE FINANCED? WHO PAYS? HOW MUCH (IS ENOUGH)?***