

Hello Everyone,

My name is Aiden Hill, and I have been invited here to speak with you because I have lived through our national healthcare nightmare and have lived to tell about it.

By way of background, I am not a healthcare professional. Nor am I a healthcare policy wonk. I am just a regular small business person who at age 42 had the misfortune of being diagnosed with a chronic medical condition called Severe Obstructive Sleep Apnea (abbreviated as OSA).

Prior to my diagnosis I had always had access to healthcare, first through my employer, and later through my wife's employer. But in 2009, when my wife's company closed up shop and moved their operations to China, my newly diagnosed OSA prevented me from getting health insurance on the individual market (OSA was classified as a pre-existing condition that made me ineligible for coverage at any price). Since part of being a successful small business person involves mitigating potential risks, and my new lack of health care coverage now put me at severe risk of financial Armageddon if I suffered a significant health calamity, I was forced to descend into our collective health care nightmare to attempt to cure my condition so that I could restore my coverage.

During the course of my battle, I was forced to undergo three operations to eliminate my sleep apnea since, Pre-Obamacare, insurance companies would accept only a cure, not a proven approach such as CPAP to manage this chronic condition. And I had to pay over \$50K in out of pocket costs, as well as suffer a year's loss in income to pursue that cure. As I witnessed the two tiered system of those with and without health insurance, and personally experienced the medical community's price gouging and the insurance industry's game playing, I raged at the unfairness of the situation and became a foxhole convert to Obamacare. I came to believe that we needed government intervention to eliminate these predatory practices.

Now, based on what I have just told you, you are probably thinking that I have come here to advocate for health care as a basic human right, and lobby for our government to ensure equitable, affordable care through single payer or some kind of nationalized health care delivery approach. And if my story had ended prior to the launch of Obamacare, you might be right. But my story didn't end there. Because I had become so physically and emotionally scarred by my health care nightmare, in the spring of 2013 I volunteered to help launch California's version of Obamacare (leading the \$120MM effort to roll out 3 call centers to support Covered California's consumer enrollment process). I did this because I wanted to bring hope and change to patients victimized by an unfair health care system. But when I saw how the government healthcare sausage was actually being made, my opinion changed.

Prior to working on the launch of Obamacare, I remember having an idealized notion of how government works. I had this vision of King Solomon-like public servants who were working to reign in businesses pursuing narrow self interest,

and who had almost god-like instincts regarding right versus wrong. But I soon learned that government, like any enterprise, is made up of fallible human beings. And I saw most of these human beings pursuing their own, not consumers', self interest. In my case I personally witnessed senior officials protecting government contractors committing waste/fraud/abuse in the hopes they themselves would be rewarded with future job opportunities. I also saw others using the program as a revolving door to positions with the very insurance companies they were supposed to be regulating. And finally, I saw these same officials lie to the public regarding actual enrollment numbers (overstating them by over 40%) in order to claim the program was a success, secure additional funding, and garner personal bonuses for themselves. Meanwhile healthcare premiums went up, coverage went down, and underlying affordability got worse.

So back to the question at hand – access to the affordable care act, a citizen's right or a privilege? To answer that question, I think we need to consult our own Declaration of Independence. Our Founding Fathers posited that our Creator endowed us with certain inalienable rights (among these Life, Liberty, and the Pursuit of Happiness). They also posited that governments are instituted by consent of the governed to secure these rights. Some might interpret that to mean that our government has a duty to provide healthcare as a means to securing our right to life. But I would interpret it differently. Government has an obligation to protect us from those would play God and attempt to take away the life and liberty God gave us. The Sixth Commandment (which informed our Judeo-Christian framers) says "Thou Shalt Not Kill," not "Thou Shalt Give Life." Government has not given us the right to life – God has. God has also set in motion the variables that will ultimately bring about our death. And try as we might, we can't overcome our own mortality. But Obamacare denies this truth that our Founders would have found self evident. Instead, it indulges a progressive fantasy that the King Solomons from government and the medical community know what's best for all of us, and will act with impartiality and mercy in delivering it on our behalf. As one ACA advocate said "We are going to be effective by making health care organizations responsible for the population's health." For that reason, I consider these "ACA framers" to be the new Dr. Frankensteins, who aimed to steal God's prerogative over life and death, and in the process created a monster.

Yet ultimately, by asking whether healthcare should be a right or a privilege I feel we are posing the wrong question. We are currently asking this question because health care is so expensive, and can easily bankrupt one who doesn't have world class coverage. The real question we should be asking, however, is why is it so expensive? We don't ask ourselves whether access to food is a right or privilege. Nor do we ask whether access to energy, cars, or smart phones are a right or a privilege? Why? As one noted health economist noted – "it's the prices, stupid." We don't consider these things a right or privilege because they are all freely available, and they are all freely available because of the free market and market-based price competition.

Despite current talk of income inequality in our society, our citizens enjoy the highest standard of living in history. And free market capitalism has been the driving force lifting ours and the world's economic prosperity. The key to making this happen has been to create a system that relies, however distasteful it may sound, on personal gain. And as Adam Smith, the father of modern capitalism, so eloquently put it "It is not from the benevolence of the butcher, the brewer, or the baker that we expect our dinner, but rather from their own self interest." Our health care crisis isn't due to competitive free market capitalism where consumer demand drives business self interest. Rather, the problem is with crony capitalists in health care who have corrupted our system by eliminating price transparency and reducing competition. Unfortunately, under the ACA, government is now becoming a junior partner in further facilitating those collusive practices.

In my mind, the solution to making health care a freely available good (versus a right or a privilege) is to bring true competition back to the health care industry. But we can't do that if consumers don't know the prices, and can't shop around for the best deal. Unfortunately that's not possible right now. That's why we need to pass legislation that requires doctors and insurance companies to quote the following BEFORE any service is delivered:

- 1) A clear explanation of the services (or potential services).
- 2) A written estimate for those services:
 - a) What the doctor charges
 - b) What the insurance company will reimburse or credit against a deductible or coinsurance
 - c) The patient's financial responsibility (if any) for the difference.
- 3) An acknowledgement that any medical services delivered without a price quote will be provided to consumers free of charge.
- 4) An acknowledgement that any requests for insurance reimbursement rates which are not met will be reimbursed at 100% of the consumer quoted rate, with consumers owing nothing.

To solve our health care crisis, we don't need a health care bill of rights. We need a health care CONSUMER bill of rights. And that shouldn't be a privilege.