

Eric Novack, MD
PREPARED TESTIMONY
ON
THE HEALTH CARE FREEDOM ACT

Good morning. I want to thank Chairwoman Allen and the rest of the committee for considering this critical referendum and having me here today.

My name is Eric Novack and I am a medical doctor who has spent the last 12 years training and in the practice of orthopedic surgery. I have worked in the Valley since 2001. In those 8 years, I have had the incomparable honor of taking care of literally thousands of patients and families whose lives have been disrupted by injury and infirmity. I have spent most of the past six years taking upwards of 14 days of emergency room call each month, between Thunderbird Hospital and Arrowhead Community Hospital in Glendale.

I have taken care of the young and the old, the healthy and the sick, the wealthy and those in need. And I make it my philosophy to try to treat everyone with the same level of dignity and respect.

My health care career spans over 23 years: I have worked as an emergency medical technician answering 911 calls in impoverished and dangerous inner cities, as well as in college towns and rural areas of New England. I have worked as a mental health worker assisting in the care of the acutely and chronically mentally ill. I have volunteered in homeless clinics in San Francisco during the AIDS epidemic. And I have been deeply involved in the study of the state of our great state's and our nation's health care system and the policies that shape the kind of care patient's can seek and obtain.

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Make no mistake—the very ability for everyone in this room and your families to seek out the kind of health care you believe is best is under direct assault. And the risk that you will lose control over your health and health care has never been greater.

The first and second amendments of the US Constitution, and the rest of the Bill of Rights, have become the bedrock of our ability to remain protected from an ever-growing and ever-encroaching series of regulations and bureaucracies that would otherwise have smothered us long ago.

Fundamentally, our Bill of Rights is written in a way that restricts government power, promotes individual liberty, and does not impose burdens on one group of citizens to DO things for others. They are the rights that were designed to create the framework where a free people could wake up each day and seek to be the best and have the best for themselves, their families, and future generations.

Unbelievably, nowhere in the US Constitution, or in the constitution of Arizona or of the other 49 states, do any of us have any right to be in control of our own health. And until our last election, nor has there been any modern attempt to protect or preserve those rights in any Constitution.

Proposition 101 sought to place those basic rights in our state Constitution. It was an uphill battle, but a remarkable one—and an idea went from concept to over 1 million votes in 18 months, and came up less than 0.5% short of winning.

The goals of The Arizona Health Care Freedom Act seek to improve the language, have greater input from the many groups involved in health care in our state, including the essential need for a robust health care safety net

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system, while staying true to basic principles of individual liberty and health autonomy.

THE ARIZONA HEALTH CARE FREEDOM ACT will protect 2 basic rights:

1. The right to spend one's own money to seek out and receive health care services that are otherwise legal.
2. The right to choose to not participate in any health care system, of any type.

Allow me to spend a bit more time on these 2 points.

The right to spend one's own money for health care services seems so obvious as to be trivial. But make no mistake; there are those here in Arizona and many in Washington who recognize that the best way to control our health care is to be in charge of every health and health care dollar spent. They wish to create laws and regulations that make it effectively illegal for providers to deliver care not authorized by a government bureaucracy.

The right to choose NOT to participate in a health care system is also a fundamental issue—once you are forced into something, a government appointed bureaucracy would be empowered to determine what IT is. What should be covered, what you can do, what you cannot do, where you can and cannot seek out care. Again, the loser is the patient—because whichever groups can lobby most effectively will see the disease, treatment, condition or company they represent succeed at the expense of others. Our system

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should support what a Mom believes is best for her children, or a son believes is best for his ailing Mother.

Never in our history has the need for THE ARIZONA HEALTH CARE FREEDOM ACT been so critical. As we speak hearings are underway to promote and advance an agenda that, at its core, will seek to remove these two rights from every one of us.

There is a plan to have “comprehensive health care reform” done in Washington in 2009.

Our critics will complain we are ‘limiting future options’ for health care reform: the answer to that is simply, yes—because health care ‘reform’ that sacrifices my right and your right to seek out the care we believe is best for ourselves and our families in not ‘reform’, it is a tragedy.

THE ARIZONA HEALTH CARE FREEDOM ACT will protect each of us in this room, and every Arizonan, regardless of age, ethnicity or wealth.

I urge you to vote in favor of THE ARIZONA HEALTH CARE FREEDOM ACT to give the people the right to debate and discuss the substantive issues that the language expresses.

It is my sincere belief, after speaking to thousands and thousands of Arizonans over the last few years, that given the chance to affirm their liberty, to further the ideals of a government with limited power. It is my

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belief that the people of Arizona want to stand up to Washington and those who, like White House health advisor and co-author with Tom Daschle, Jeanne Lambrew believe that, for example, seniors should be more accepting of the conditions that come with age instead of treating them. It is my belief that the people of Arizona want to stand up to those, like the brother of White House chief Rahm Emanuel who is on the newly established federal health board, that the Hippocratic Oath is an impediment to improving the health care system.

THE ARIZONA HEALTH CARE FREEDOM ACT puts the health care rights of the people of Arizona and the state of Arizona first.

Madame chairwoman and members of the committee, thank you for hearing my testimony today.