

OPINION CONTRIBUTOR

Ohio's battle for health care freedom



By ED MEESE & JACK PAINTER | 11/7/11 4:55 AM ES

Since passage of President Barack Obama's health care legislation in March 2010, this attempted government takeover of health care has drawn protests across the country from Americans concerned about their loss of liberty. Ohioans went a step further — circulating petitions for an amendment to their state's constitution to protect health care freedom.

Citizens of Ohio are fighting back against inappropriate government control over their lives. Polls show a [majority of Ohioans support the amendment](#) — Republicans, Democrats and independents. With the impending 2012 elections, this shouldn't be taken lightly

The Health care Freedom Amendment, known as Issue 3, amends the Ohio Bill of Rights to say no law or rule may (i) compel anyone to participate in a health care system, (ii) prohibit the purchase or sale of

health care or health care insurance, or (iii) impose a fine or penalty for that purchase.

This amendment has implications for the constitutionality of the Obama's Affordable Care Act.

At the state level, Issue 3 ensures that future Ohio laws won't impose a government-run system or take away Ohioans' freedom to choose their health care or health insurance.

At the federal level, Issue 3 is intended to strengthen the argument that the federal mandate to purchase government-approved health insurance or pay a fine for not doing so is unconstitutional because it exceeds Congress's commerce power — and violates a fundamental right to liberty.

We should not forget what President Ronald Reagan said, calling for individuals to fight against government overreach: "As government expands, liberty contracts."

The federal government, for the first time in U.S. history, is claiming the power to force you to purchase a private product for the rest of your life. The Obama administration believes this is justified with health insurance to prevent you from imposing your medical costs on others. If that justifies a federal mandate, what's to stop Washington from forcing you to go to the doctor for check-ups?

If Congress can mandate your purchase of a private product by saying your decision not to do this affects interstate commerce, what are the limits on Congress's power to force you to buy other private products?

The people always seem to get it before the politicians do. It's about freedom – the freedom of Ohioans and others to make some of the most important personal decisions they can make about their choice of health care and how to pay for it.

If Issue 3 passes, it can send a message to Washington that Ohioans take their health care freedom seriously. It will let pundits know that the stakes have been raised in Ohio in 2012.

Through this first citizen initiative on the issue, the nation's most important swing state will become a bulwark against the proposition that the federal government has the power to force subservience on the states or the people.

Rather than watch our freedoms slip away, we must channel Ohio's fighting spirit and let liberty expand — while government contracts.

Ed Meese served as attorney general during the Reagan administration. He holds the Ronald Reagan Chair in Public Policy at the Heritage Foundation and is chairman of its Center for Legal and Judicial Studies. Jack Painter is on the board of the Ohio Liberty Council and Ohioans for Healthcare Freedom.