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Opinion: Guest Opinions

Ralph Shnelvar and Larry Sarner: ColoradoCare an unaccountable monster

By **Ralph Shnelvar and Larry Sarner**

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Pitcher plants are carnivorous flowers that trap insects using slippery and grooved leaves. Once inside, there is no escape. Attracted by pretty colors and false promises of sweet nectar, hapless victims dissolve in a pool of digestive juices to become food for the plant.

Like a pitcher plant, Amendment 69 (A69) lures in voters with false promises of efficiency and universal health care. But after voter approval, it transforms into "ColoradoCare," a political trap impossible for any Coloradans to escape. Eventually, the fate of state taxpayers is to become cash cows, and the fate of health-care providers is to be permanently indentured servants to an unaccountable bureaucracy.

Even if you like the idea of universal single-payer health care, A69 is a terrible way to implement it. As proposed, ColoradoCare is anti-democratic (small "d"), non-republican (small "r"), and un-American (capital "A").

How so? Because ColoradoCare is designed to be a free-running, unaccountable and permanent political monster. A69 puts the following into our state's constitution:

- A 21-member board of trustees has sole authority over a budget that starts at twice the size of the whole rest of state government, and is constitutionally mandated to grow beyond that.
- Board decisions are not subject to oversight by the elected governor or legislature, or checked by citizens through initiative or referendum.

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- All who work for ColoradoCare are exempt from civil-service rules, and its executives cannot be impeached by the legislature.
- The courts must give precedence to monetary claims by ColoradoCare.

- All state-licensed healthcare professionals and institutions become independent contractors with ColoradoCare — and only with ColoradoCare — if they want to practice in Colorado.
- Every health-care product consumed in the state (e.g., pharmaceuticals) is centrally purchased by ColoradoCare.
- ColoradoCare has a constitutional claim on 10 percent — right off the top — of every dollar of personal income of every Coloradan. That percentage can be raised without limit.
- The board is chosen by state residents (including non-citizens).
- Unlike all other elected officials in Colorado, ColoradoCare trustees cannot be recalled.
- Exempted from all election laws, the board runs its own elections, sets its own election districts, and even determines who may run for trustee.
- The board has unchecked discretion to remove elected trustees at any time and for any reason.

ColoradoCare is touted to be about "quality, efficient, and accessible health care," but only a few lines in A69's 11 pages of small print have anything directly to do with health care per se. Everything else is about money — side-lining patient autonomy and second-guessing medical professionalism.

But, if you like your doctor, you can keep your doctor — as long as you move to the state she moves to.

In 2012, Vermont — home state of Bernie Sanders — tried to implement ColoradoCare's vision of universal health care within the traditional framework of an American state. After two years of trying, a Democratic governor "pulled the plug" on it. He had to admit there wasn't enough money in all of Vermont to pay for it.

A69's proponents do not regard Vermont's non-starter as traceable to their universal care concept. Nor do they accept that their concept was responsible for the collapse of the Colorado Health Co-op, which was a proof-of-concept experiment for ColoradoCare. They do not even take these as failures, but instead as examples of leaders losing their nerve.

So they propose replacing ObamaCare with ColoradoCare. Needed changes to ObamaCare only require action by Congress and the President, while needed changes to ColoradoCare require an amendment to the state constitution. Moreover, ColoradoCare makes it difficult, if not impossible, to get all the health-care workers who fled Colorado to return.

Proponents proudly tout this as showing the rest of the country how to get universal healthcare done. Ten of A69's eleven pages are not there to safeguard patients, but rather to shield ColoradoCare from all outside citizen control, direct or indirect.

Whatever the merits of government paying for universal health care, there is nothing about that to warrant ColoradoCare's suspension of democratic values, or yielding all autonomy over our personal lives and family bank accounts, or erecting an unaccountable institution of government. Yet, that is precisely what A69 will do.

In the end, adopting ColoradoCare dooms us all to dissolve in a pool of regulation and taxation that rivals the trap of any pitcher plant. There is only one way for Coloradans to avoid that fate—to just say "No" to Amendment 69.

(Annotations for this article can be found at: www.lpboulder.org/x/a69.pdf.)

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