

Title: To preserve the freedom of Ohioans to choose their health care and health care coverage

SUMMARY

To add Section 21 to Article I of the Constitution of the State of Ohio

The proposed amendment would provide that:

1. In Ohio, no law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.
2. In Ohio, no law or rule shall prohibit the purchase or sale of health care or health insurance.
3. In Ohio, no law or rule shall impose a penalty or fine for the sale or purchase of health care or health insurance.

The proposed law would not:

1. Affect laws or rules in effect as of March 19, 2010.
2. Affect which services a health care provider or hospital is required to perform or provide.
3. Affect terms and conditions of government employment.
4. Affect any laws calculated to deter fraud or punish wrongdoing in the health care industry.

FULL TEXT OF AMENDMENT

Be it resolved by the people of the State of Ohio that Article I, Section 21 of the Ohio Constitution be adopted and read as follows:

ARTICLE I

Preservation of the freedom to choose health care and health care coverage

Section 21 (A) No federal, state, or local law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

Section 21 (B) No federal, state, or local law or rule shall prohibit the purchase or sale of health care or health insurance.

Section 21 (C) No federal, state, or local law or rule shall impose a penalty or fine for the sale or purchase of health care or health insurance.

Section 21 (D) This section does not affect laws or rules in effect as of March 19, 2010; affect which services a health care provider or hospital is required to perform or provide; affect terms and conditions of government employment; or affect any laws calculated to deter fraud or punish wrongdoing in the health care industry.

Section 21 (E) As used in this Section,

- (1) "Compel" includes the levying of penalties or fines.
- (2) "Health care system" means any public or private entity or program whose function or purpose includes the management of, processing of, enrollment of individuals for, or payment for, in full or in part, health care services, health care data, or health care information for its participants.
- (3) "Penalty or fine" means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee established by law or rule by a government established, created, or controlled agency that is used to punish or discourage the exercise of rights protected under this section.