

Legal environment of business w 1

Business



LEGAL ENVIRONMENT OF BUSINESS W Lecturer: LEGAL ENVIRONMENT OF BUSINESS W The health of citizens is a very important factor that determines the outcome of almost all aspects of the life of a person, be it in education, business or social life. This is because a person has to be in good health to be able to function actively and effectively in all areas of life (Thornbory, 2009). However, there continues to be several factors that make it difficult for citizens of the United States (U. S.) to access healthcare to levels that meet their needs. It is in the light of this that there have been several interventions at the federal and local levels with the aim providing the people with the needed outcomes of healthcare. According to Swendiman (2012), the health care reform is one of such interventions that came at the national level that has really been instrumental in addressing most of the concerns of citizens on health in areas such as coverage, accessibility, cost, accountability and quality of health care. The debate however continues as to the inadequacy of this provision, giving rise to suggestions for a U. S. constitutional right to have access to all forms of healthcare.

There may be several arguments against this position but the argument for having a U. S. constitutional right to have access to all forms of healthcare is greatly supported in this instance. Firstly, it would be noted that as part of the explicit rights spelt out in the constitution, there is no direct mention of the word “ health” or “ medical care” as noted by Swendimen (2012).

However, Public Health America (2013) debates that the constitution is more of an implied document rather than a contextual one. By implication, aspects of the constitution may be debated in accordance with others. For example, to ensure the human rights to life, one could imply that a person ought to have all conditions that make the provision of factors that protect life

available. Meanwhile, the health of a person is an important determinant that cannot be overlooked when mention is made of protection of life. From this perspective, it would be argued that have a U. S. constitutional right to have access to all forms of healthcare would help in realizing the implied constitutional provision on right to life.

Again, Stuart and Showalter (2011) noted that even though the healthcare reform has solved most of the health needs of citizens, studies from different sources actually indicate that people continue to have limitations to excellent healthcare because of the numerous limitations with access to certain forms of healthcare. This means that the constitutional provision on right to life will not be solved solely with the health care reform. Meanwhile, if access to all forms of healthcare is made constitutional a major advantage that is recognized by Swendiman (2012) is enforcement. By implication, giving a U. S constitutional right to have access to all forms of healthcare will ensure that there is a legal backing to the enforcement of the protection of the right of people through the access of all forms of health care. Based on this, it will be concluded that there is the need for U. S. constitutional right to have access to all forms of healthcare.

References

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