

UGA Faculty Colloquium
October 23, 2006

Universal Access to High Technology Health Care: An Argument from Basic Capability Equality

Ani B. Satz, Ph.D., J.D.
Emory University School of Law

This Article argues that distributive justice, as seen through the lens of basic capability equality, demands universal access to high technology health care. Stated another way, entitlement to high technology health care contributes to basic capability equality in affluent societies like the U.S. Thus, the political and legal focus on traditional or low-technology health care services as the only source of basic health care is myopic. As a matter of justice, our government leaders must find a way to provide more people the very technology that is elevating health care costs. The Article interprets Sen's formal model and then applies it to inform the just distribution of high technology health care. It provides a foundation for the just distribution of high technology health care premised upon basic capability equality. High technology health care enables basic capabilities, and these may be understood to contribute to basic health care.