

# Healthism

HEALTH-STATUS DISCRIMINATION AND THE LAW

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## What Is Healthism?

### 1.1. INTRODUCTION

The American Health Care Act of 2017 will

allow insurance companies to require people who have higher health care costs to contribute more to the insurance pool. That helps offset all these costs, thereby reducing the cost to those people who lead good lives, they're healthy, they've done the things to keep their bodies healthy. And right now, those are the people – who've done things the right way – that are seeing their costs skyrocketing.

U.S. House of Representatives, Mo Brooks (Republican – Alabama),  
May 4, 2017

People who “lead good lives” and “who’ve done things the right way” deserve to pay less for health care. But people who lead “bad lives” and have done things the “wrong way” deserve to pay more. That attitude is the essence of healthism: permitting – and even *encouraging* – discriminatory treatment based on an individual’s health status.

Health status, like many prohibited bases for discrimination, often is not the result of good or bad living, or of doing things the right or wrong way. Even conduct that appears voluntary at first blush, in fact, may be the product of myriad interconnected factors. This book comprehensively examines the pervasiveness of health-status discrimination in law and society and urges that, at least in some instances, such discrimination should not be tolerated.

US law recognizes a number of “protected categories,” or bases on which individuals may not be treated unfavorably. Current federal law prohibits discrimination (to varying degrees, and in varying contexts) based on race, color, national origin, sexual orientation, sex/gender, pregnancy, disability,

