

STRANGERS --- IN THE NIGHT

*Law and Medicine in the
Managed Care Era*

PETER D. JACOBSON

Strangers In The Night Law And Medicine In The Managed Care Era

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Strangers In The Night Law And Medicine In The Managed Care Era:

Strangers in the Night Peter D. Jacobson, 2002-08-08 The legal system plays a much larger role in health care organization financing and delivery than most people realize through regulatory oversight legislation mandating benefits and judicial ruling on substandard care By imposing limits on costs and on physicians autonomy managed care has brought the interaction between the legal and medical professions to the fore In lucid non technical terms this book explains how the legal system helps shape health care offers new ways of understanding the relationship between law and medicine and reflects on why it all matters

Strangers in the Night Peter D. Jacobson, 2002-08-08 More than ever before the legal system plays a vital role in virtually every aspect of the current health care system From the congressional debate over patients rights legislation to judicial rulings on the denial of health care services the legal system is integrally involved in the organization financing and delivery of health care This book explains how the legal system helps shape health care delivery and policy explores new ways of looking at the relationship between law and medicine and reflects on why it all matters The story focuses on the judicial response to the advent of managed care especially challenges to cost containment initiatives and shows how the legal system has facilitated managed care s dominance over the health care system An equally important part of the story is the evolution of the relationship between physicians and attorneys and how their mutual antagonism affects patient care In the end the stories come together around a strategy for reconciling the difficult health policy choices the country faces and for restoring the physician patient relationship to the center of health care delivery

Searching the Law, 3d Edition Frank Bae, Edward Bander, Francis Doyle, Joel Fishman, Paul Richert, 2021-12-13

Conflicts of Interest and the Future of Medicine Marc A. Rodwin, 2013-10-03 In this book Marc Rodwin examines the development of conflicts of interest in the health care systems of the US France and Japan He shows that national differences in the organization of medical practice and the interplay of organized medicine the market and the state give rise to variations in the type and prevalence of such conflicts and then analyzes the strategies that each nation employs to cope with them Drawing on the experiences of these three nations Conflicts of Interest and the Future of Medicine demonstrates that we can mitigate these problems with carefully planned reform and regulation

Encyclopedia of Health Services Research Ross M. Mullner, 2009-05-15 Today as never before healthcare has the ability to enhance the quality and duration of life At the same time healthcare has become so costly that it can easily bankrupt governments and impoverish individuals and families Health services research is a highly multidisciplinary field including such areas as health administration health economics medical sociology medicine political science public health and public policy The Encyclopedia of Health Services Research is the first single reference source to capture the diversity and complexity of the field With more than 400 entries these two volumes investigate the relationship between the factors of cost quality and access to healthcare and their impact upon medical outcomes such as death disability disease discomfort and dissatisfaction with care Key Features Examines the growing

healthcare crisis facing the United States Encompasses the structure process and outcomes of healthcare Aims to improve the equity efficiency effectiveness and safety of healthcare by influencing and developing public policies Describes healthcare systems and issues from around the globe Key Themes Access to Care Accreditation Associations Foundations and Research Organizations Biographies of Current and Past Leaders Cost of Care Economics Finance and Payment Mechanisms Disease Disability Health and Health Behavior Government and International Healthcare Organizations Health Insurance Health Professionals and Healthcare Organizations Health Services Research Laws Regulations and Ethics Measurement Data Sources and Coding and Research Methods Outcomes of Care Policy Issues Healthcare Reform and International Comparisons Public Health Quality and Safety of Care Special and Vulnerable Groups The Encyclopedia is designed to be an introduction to the various topics of health services research for an audience including undergraduate students graduate students and general readers seeking non technical descriptions of the field and its practices It is also useful for healthcare practitioners wishing to stay abreast of the changes and updates in the field

Antitrust Law Journal ,1986 **False Hope** Richard A. Rettig,2007-01-25 In the late 1980s a promising new treatment for breast cancer emerged high dose chemotherapy with autologous bone marrow transplantation or HDC ABMT By the 1990s it had burst upon the oncology scene and disseminated rapidly before having been carefully evaluated By the time published studies showed that the procedure was ineffective more than 30 000 women had received the treatment shortening their lives and adding to their suffering This book tells of the rise and demise of HDC ABMT for metastatic and early stage breast cancer and fully explores the story s implications which go well beyond the immediate procedure and beyond breast cancer to how we in the United States evaluate other medical procedures especially life saving ones It details how the factors that drove clinical use patient demand physician enthusiasm media reporting litigation economic exploitation and legislative and administrative mandates converged to propel the procedure forward despite a lack of proven clinical effectiveness It also analyzes the limited effect of technology assessments before randomized clinical trials evaluated decisively the procedure and the ramifications of this system on healthcare today Sections of the book consider the initial conditions surrounding the emergence of the new breast cancer treatment the drivers of clinical use and the struggle for evidence based medicine A concluding section considers the significance of the story for our healthcare system

The Hippocratic Myth M. Gregg Bloche,2011-03-15 When we re ill we trust in doctors to put our well being first But medicine s expanding capability and soaring costs are putting this promise at risk Increasingly society is calling upon physicians to limit care and to use their skills on behalf of health plan bureaucrats public officials national security and courts of law And doctors are answering this call They re endangering patients veiling moral choices behind the language of science and at times compromising our liberties In *The Hippocratic Myth* Dr M Gregg Bloche marshals his expertise in medicine and the law to expose how Doctors are pushed into acting both as caregivers and cost cutters compromising their fidelity to patients Politics keeps doctors from giving war veterans the help they need

Insurers and hospital administrators pressure doctors to discontinue life saving treatment even when patients and family members object Medicine has become a weapon in America s battles over abortion child custody criminal responsibility and the rights of gays and lesbians The war on terror has exploited clinical psychology to inflict harm Challenging provocative and insightful The Hippocratic Myth breaks the code of silence and issues a powerful warning about the need for doctors to forge a new compact with patients and society **The Oxford Handbook of Fiduciary Law** Evan J. Criddle,Paul B.

Miller,Robert H. Sitkoff,2019-04-29 The Oxford Handbook of Fiduciary Law provides a comprehensive overview of critical topics in fiduciary law and theory through chapters authored by leading scholars The Handbook opens with surveys of the many fields of law in which fiduciary duties arise including agency law trust law corporate law pension law bankruptcy law family law employment law legal representation health care and international law Drawing on these surveys the Handbook offers a synthetic analysis of fiduciary law s key concepts and principles Chapters in the Handbook explore the defining features of fiduciary relationships clarify the distinctive fiduciary duties that arise in these relationships and identify the remedies available for breach of fiduciary duties The volume also provides numerous comparative perspectives on fiduciary law from eminent legal historians and from scholars with deep expertise in a diverse array of the world s legal systems Finally the Handbook lays the groundwork for future research on fiduciary law and theory by highlighting cross cutting themes identifying persistent theoretical and practical challenges and exploring how the field could be enriched through empirical analysis and interdisciplinary insights from economics philosophy and psychology Unparalleled in its breadth and depth of coverage The Oxford Handbook of Fiduciary Law represents an invaluable resource for practitioners policymakers scholars and students in this essential field of law **Uncertain Times** Peter J. Hammer,Deborah Haas-Wilson,William M. Sage,Mark A. Peterson,2003-12-08 A new look at Kenneth Arrow s classic study of the economics of health care is his formulation still relevant 40 years later

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