

# Problems in Health Care Law: Challenges for the 21st Century

Tenth Edition

Edited by

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Chief Compliance Officer and Privacy Official  
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# Preface

We are excited to present the 10th edition of *Problems in Health Care Law*. This substantially updated edition includes many new features designed to enhance the reader's learning experience, including:

- Concise, key learning objectives at the beginning of each chapter and instructor-led questions at the end of each chapter;
- Strategically placed *flag* icons that emphasize important concepts, court decisions, and terminology;
- Numerous sidebars that complement the text and reinforce key themes or specific points in each chapter;
- Checklists, spreadsheets, diagrams, and other useful reference tools; and
- Lists of key terms and definitions in each chapter, as well as a comprehensive glossary for the entire textbook.

The 10th edition is a contributed work including content from some of the country's leading healthcare lawyers and consultants. Their combined expertise and practical insights are presented in each of the 10th edition chapters.

## Overview of Chapters

Chapter 1 introduces our legal system, the roles of each branch of the federal government, and contract law principles.

Chapters 2 through 4 cover the major organizational models, facility, staffing, and operational issues associated with healthcare delivery.

Chapters 5 through 7 address the various relationships between patients, physicians, and healthcare organizations, as well as the numerous issues that arise in medical decision making that involves those parties.

Chapter 8 is a thoroughly updated chapter on healthcare information, including "e-health" and the methods and techniques for creating, handling, and protecting health information.

Chapters 9 and 10 address methods of financing healthcare services, including coverage for patient care and limitations on payment to providers and suppliers for their services. There is also new content that explains important business processes (commonly referred to as the "revenue cycle").

Chapter 11 deals with theories of legal liability and their application in civil and criminal matters, including antitrust liability.

Chapter 12 is an updated and expanded chapter on reproductive issues.

Chapter 13 addresses antitrust law principles and agency enforcement theories and actions.

Chapter 14 is a new chapter dedicated to bioethics.

Chapter 15 introduces the topic of clinical research and the many legal, ethical, and practical issues associated with research involving human beings.

Chapter 16 is a new chapter on behavioral health.

Chapter 17 provides a comprehensive explanation of intellectual property law principles.

The overarching goal for the 10th edition of *Problems in Health Care Law* is to make it an engaging, expansive, and practical textbook, building upon the solid work of previous authors and editors since 1968.

## Acknowledgments

This is the 10th edition of *Problems in Health Care Law*. This textbook has been in print since 1968. In its truest sense, this is a "contributed work" involving many authors. I relied on the solid foundation laid by Robert Miller, Esq. and the editors who preceded him to develop this edition. I did not do it alone. In the chapters contained within this 10th edition you will benefit from the combined experience, wisdom, and expertise of numerous authors. Their credentials and affiliations are presented in the contributor section of this book. The authors were selected to help update and expand the topics in the 10th edition, based

on their specialized knowledge and clear, compelling communication style. All of the authors deserve high praise for their individual and collective contributions to a significant textbook in the healthcare field. I trust that this edition will be useful to a wide range of readers, both those in training and those who are active participants in our excellent and complex, healthcare delivery system.

I am also indebted to the fine staff at Jones & Bartlett Learning who went above and beyond the call of duty to

ensure that the 10th edition not only meets, but exceeds, your expectations. I also wish to acknowledge the support and encouragement of my wife, Ilene, my daughters, Meagan and Emily, my parents, John and Louise, and my father-in-law, Charles. Collectively, they provided insight, wisdom, attention to detail, and their professional expertise in the healthcare field. In particular, my family patiently tolerated the many weekends and evenings spent to bring the 10th edition to fruition.

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