HEALTH POLICY SEMINAR
JUSTICE AND COST CONTAINMENT IN AMERICAN HEALTH CARE
Professor Dayna Bowen Matthew
Spring 2005

Required Texts: Law Students:

The Social Transformation of American Medicine (“Starr”)  
Paul Starr

Disentitlement: The Threats Facing our Public Health-Care
Programs And A Rights-Based Response  
Timothy Stoltzfus Jost

Health Sciences Students:

In The Wake of Terror: Medicine and Morality in a Time of Crisis  

Supplemental Reading: See TWEN “Course Materials”

Grading:

Law Students: Final Paper (25 page minimum) 70%
Health Sciences Students: Response Papers (3-5 pages Weekly) 70%

Important Dates:

Final Paper Due – December 1, 2004

Final Paper and Oral Report Requirements

Each student will select a single topic for both the oral presentation and final paper. Professor Matthew must approve the topic selected by October 6, 2004. Your oral report should be 45 minutes in length, including time for classroom discussion. You should regard the oral report as both a presentation of an interesting aspect of your final paper topic, and an opportunity to receive feedback from your classmates concerning your “work in progress.” The oral report is intended to follow the format of an academic workshop or colloquium. You must post a draft copy of your paper on TWEN to provide a basis for discussion of your topic by 5:00 p.m. on the Monday before your presentation. You will be responsible for presenting your topic to the class, and leading a 15-20 minute discussion with the class. After discussion, each of your classmates will submit a written critique of your paper and arguments, on a form I will provide. Each student’s written critique constitutes a graded assignment.
**Assigned Readings**

**Law Students Only**

January 11, 2005 – Social History Of American Health Care System

1. The Social Transformation of American Medicine  
   Starr 30 – 144

January 18, 2005 – Social History of American Health Care System

2. The Social Transformation of American Medicine  
   Starr 145 - 289

January 25, 2005 – Social History of American Health Care System

3. The Social Transformation of American Medicine  
   Starr 290 - 419

February 1, 2005 – Cost Containment In American Health Care

4. The Coming of the Corporation  
   Starr 420 - 449

February 8, 2005 – Cost Containment In American Health Care

5. Public Health Care Programs  
   Jost 1-191

February 15, 2005 -- Cost Containment I American Health Care

6. Public Health Care Programs  
   Jost 191-291

1) 32 JLMEDETH 465
   Journal of Law, Medicine and Ethics  
   CONFLICT AND COMPROMISE OVER TRADEOFFS IN UNIVERSAL HEALTH INSURANCE PLANS  
   Fall, 2004 (Approx. 17 pages)

3) Hospital Reform

9. 26 CAMPBLR 75  
   Campbell Law Review  
   THE NONPROFIT HOSPITAL: A CALL FOR NEW NATIONAL GUIDANCE REQUIRING MINIMUM ANNUAL  
   Summer 2004 (Approx. 21 pages)

**Law and Health Sciences Students Jointly**
March 1, 2005 – Paving For American Health Care –

1) 45 STLULJ 53
Saint Louis University Law Journal
COMMERCIALIZATION OF MEDICAID
Winter 2001 (Approx. 23 pages)

2) The Employment Based System -- 32 JLMEDETH 404
Journal of Law, Medicine and Ethics
THE CURRENT STATE OF EMPLOYMENT-BASED HEALTH COVERAGE
Fall, 2004 (Approx. 13 pages)


2) Managed Care and American Health Care -- 32 JLMEDETH 528
Journal of Law, Medicine and Ethics
THE UNITED STATE SUPREME COURT AND HEALTH LAW: THE YEAR IN REVIEW The Supreme Court • • • Fall, 2004 (Approx. 7 pages)

March 8, 2005 -- Justice and Access To American Health Care

1) Racial and Ethnic Disparities in American Health Care Delivery -- 3 YJHPLETH 215
Yale Journal of Health Policy, Law & Ethics
CIVIL RIGHTS ENFORCEMENT IN THE MODERN HEALTHCARE SYSTEM: REINVIGORATING THE ROLE OF • • • Summer 2003 (Approx. 30 pages)

2) Racial and Ethnic Disparities in American Health Care Delivery -- 29 AMJLM 381
American Journal of Law and Medicine
MEDICAL CARE AS A PUBLIC ACCOMMODATION: MOVING THE DISCUSSION TO RACE 2003 (Approx. 14 pages)

3) 9 WLLREALJ 13
REFORMING CIVIL RIGHTS WITH SYSTEMS REFORM: HEALTH CARE DISPARITIES, TRANSLATION • • • Spring 2003 (Approx. 20 pages)


March 15, 2005 -- Justice and Access To America Health Care

a. Resource Allocation In A Post 9/11 World
In The Wake of Terror: Medicine and Morality In A Time of Crisis (J. D.Moreno)

1) Triage In Response to a Bioterrorist Attack, James F. Childress
2) Overwhelming Casualties: Medical Ethics in a time of Terror, Kenneth Kipnis
3) Emergency Health Professionals and the Ethics of Crisis, Lisa Eckenwiler
4) Emergency Medicine, Terrorism and Universal Access to Health Care, Griffin Trotter
5) Terrorism and Human Rights, George Annas
6) Protecting the Public’s Health In an Era of Bioterrorism, J. Hodge & L. Gostin

b. America’s Role In Health Care Delivery Around the Globe

March 29, 2005 – Regulating Health Care Quality – Malpractice Reform

April 5, 2005 -- – Regulating Health Care Quality – Malpractice Reform

2. State and Federal Legislative Proposals -- 20 JCHLP 509

April 12, 2005 – Comparative Health Care Systems

1) 32 JLMEDETH 433 Journal of Law, Medicine and Ethics

April 19, 2005¹ -- Future of Health Care Reform In The United States

Health Sciences Students Only:

April 26, 2005 – Social History Of American Health Care System

1. The Social Transformation of American Medicine  Starr 30 – 144

May 3, 2005 -- Social History of American Health Care System

2. The Social Transformation of American Medicine  Starr 145 - 289

May 10, 2005 -- Social History of American Health Care System

3. The Social Transformation of American Medicine  Starr 290 - 419

¹ See fn 2 above.
4. The Coming of the Corporation  Starr 420 - 449