Annals of Health Law

Volume 1 Issue 1 1992

Article 1

1992

Table of Contents

Annals of Health Law

Follow this and additional works at: http://lawecommons.luc.edu/annals



Part of the <u>Health Law and Policy Commons</u>

Recommended Citation

Table of Contents, 1 Annals Health L. (1992). Available at: http://lawecommons.luc.edu/annals/vol1/iss1/1

This Prefatory Matter is brought to you for free and open access by LAW eCommons. It has been accepted for inclusion in Annals of Health Law by an authorized administrator of LAW eCommons. For more information, please contact law-library@luc.edu.

Annals of HEALTH Law

VOLUME 1 1992

CONTENTS

i

Foreword i
Articles
Legal and Policy Aspects of Home Care Coverage
Home health care is a compassionate, cost-effective, and practical alternative for some individuals who require long-term or constant care. However, the coverage of home health care costs is far from comprehensive under the Medicare, Medicaid, and private pay systems. A uniform and comprehensive coverage system is necessary.
Patching the Patchwork Quilt: "Reforming" the Medicaid Program—The Medicaid Voluntary Contribution and Provider- Specific Tax Amendments of 1991 MICHAEL O. SPIVEY 37
Congress modified the Medicaid program by restricting states' sources of funding, capping payments to certain hospitals, and altering the relationship between the states and the federal government. While the legislation puts to rest an ongoing dispute between the state and federal governments, it does not improve access to or quality of care nor address fundamental problems with the Medicaid program; it is simply another patch to the patch-work quilt called Medicaid.
Application of the Medicare and Medicaid Anti-Kickback Statute to Business Arrangements Between Hospitals and Hospital-Based Physicians
Hospitals and hospital-based physicians enter into a variety of agreements. Given the recent advisory memorandum from the Inspector General of Health and Human Services and a recent administrative decision, these arrangements may violate the Medicare Anti-Kickback statute.
Internal Revenue Service General Counsel's Memorandum Threatens Tax Exemption for Charitable Hospitals
A recent memorandum from the General Counsel of the Internal Revenue Service changes the standard against which tax exempt entities will be measured, which change can adversly affect charitable hospitals' tax exempt status. In addition, the memorandum makes clear that a violation of the Anti-Kickback statute, discussed in Mr. Aaron's article, is inconsistent with tax exempt status.
Antitrust in the Early 1990's: Challenges to New Competitive Strategies
The early 1990's brought a number of cases that raise challenges to new competitive

strategies. As health care providers seek to gain a competitive advantage, courts are being

asked to review practices under antitrust laws.

The managed care industry is increasingly using physician credentialing when health care providers. The credentialing process must be conducted in a manner th the goals of the managed care program.	
Whether a Genetic Defect Is a Disability Under the Americans With Disabilities Act: Preventing Genetic	108
Discrimination by Employers CHARLES B. GURI	
The Americans with Disabilities Act will not protect all forms of discrimination bas one's genetic make up. Legislation is needed to prevent genetic discrimination.	ed upon
AIDS in the Healthcare Workplace: Rights	
and Responsibilities	R 119
With the increasing spread of AIDS and HIV, courts are confronted with the tast ancing the need of public disclosure of a healthcare worker's HIV status against the vidual's right to privacy.	
Using Good Samaritan Acts to Provide Access to Health Care for the Poor: A Modest Proposal BRIDGET A. BURKE	€ 139
Some states are providing immunity to those willing to voluntarily provide health the poor. The proposal is a modest and questionable step toward solving the hea access dilemma.	
COMPARATIVE HEALTH LAW	. 155
Recent Canadian Developments in the Treatment of Children and Their Evidence in Criminal	
Sexual Abuse Cases ALISON HARVISON YOUNG	3 157
Child Sexual Abuse Prosecutions in Canada: A Measure of Progress	177
Children's Rights to Equality: Protection Versus Paternalism	197
Closing the Gap Between Courts and Social Agencies— The Judge's Perspective Judge Francois I Godfold	г 213

Physician Credentialing in Managed Care ALAN BLOOM

93