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Foreword

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Foreword

It is our pleasure to present the Summer 2013 Issue of the Annals of Health Law. The Annals Executive Board, along with each of the Journal's members, strives to produce a diverse, thought-provoking, and exceptional product with every issue. We are confident that this issue is exactly that, and we are excited to share it with the health law community around the world. This issue focuses on two themes. In the first two articles our authors delve into health law topics and issues on an international level, first looking at the creation and implementation of the current health care system in Mexico, followed by a discussion of the controversial topic of disclosing HIV/AIDS test results with the partners of African women. And in our final two articles, our authors dissect the complicated area of pharmaceutical regulations pertaining to off-label marketing and issues relating to Dear Doctor letters. Each author featured in this issue presents a novel, intellectual, and contemporary discussion that will enhance our readers' knowledge on current issues in the area of health law and policy.

In the first article, Mr. Octavio Gómez-Dantés discusses the current state of health care and health care coverage in Mexico. Mr. Gómez-Dantés and his co-authors examine the concept of health care as a social right and the evolution of the conversation in Mexico about health care as a right for every Mexican citizen. Next, the authors discuss the implementation and enforcement of the System of Social Protection in Health and the regulatory and financial conditions that were created with its operation. The discussion brought forth by Mr. Gómez-Dantés and his co-authors highlights the evolving conversations about health care in Mexico and the way in which the country has handled the conversation, making health care an increasingly accessible right for the Mexican population.

Next, Drs. Obiajulu Nnamuchi and Remigius Nwabueze address a controversial subject within health law: the obligation of physicians to inform the sexual partners of HIV/AIDS-positive women of their infection status. Specifically, the authors address this issue in the context of African women and the societal and cultural implications of such disclosure. The authors identify and address the current Western mentality regarding disclosure, but argue that such disclosure would devastate the African female population. The authors explore how such disclosure is not an appropriate policy for health care in Africa, and outline the social framework that would be jeopardized if such disclosure were required.

The next article transitions this issue of the Journal from an international discussion to a conversation tailored to pharmaceutical companies and the regulations governing such businesses. Authors Lise Spacapan and Jill Hutchison begin the conversation by looking at off-label marketing of prescription drugs and the associated fraud and abuse in the United States' healthcare system. The authors discuss the alleged unapproved marketing by pharmaceutical companies of their products and the associated regulations attempting to minimize such marketing. Specifically, the authors analyze the current federal regulations and enforcement by the Department of Justice. The authors' analysis of such regulations and enforcement argues that perhaps such enforcement is more costly than beneficial to the United States' healthcare system.

In this issue's final article, Mr. James Huston and his coauthors look at Dear Doctor letters written by pharmaceutical companies and addressed to healthcare providers. The authors

address the regulations surrounding the composition of Dear Doctor letters and the effect of *Pliva v. Mensing* on federal preemption principles, as applied to such letters. Additionally, the authors provide current and relevant tips for health care providers and their use of Dear Doctor letters, along with a discussion about the use of such letters during litigation.

The entire Annals Editorial Staff would like to thank the authors for their outstanding work and innovative discussions that created such an impressive issue for the Journal. The Editorial Board sincerely thanks every member of the Annals team for your hard work and persistence in editing these articles, for without you, this publication would not have been possible. I would like to personally thank my Executive Board members, Alissa Bugh, Brian Troutman, Logan Parker, Karim Hussein, Kristin Peterson, and Carrie Gilbert, all of whom contributed immensely to this issue's publication and the further advancement of the Annals of Health Law. Finally, we would like to thank the wonderful staff at the Beazley Institute for Health Law and Policy—including Professor Lawrence Singer, Megan Bess, and Kristin Corrigan—for allowing each member of the Annals team to learn and grow from our experience on the Journal as we enter our legal professions.

We hope that you enjoy reading the Summer 2013 Issue of the Annals of Health Law.

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Editor-in-Chief, Annals of Health Law

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