

Annals of Health Law

Volume 24
Issue 1 *Winter 2015*

Article 2

2015

Foreword

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Recommended Citation

Anne Compton-Brown *Foreword*, 24 *Annals Health L.* (2015).
Available at: <https://lawcommons.luc.edu/annals/vol24/iss1/2>

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Foreword

The *Annals of Health Law* Editorial Board is pleased to present our Winter 2015 Issue. Each year, the Editorial Board seeks out articles addressing contemporary topics important to the health law community. The *Annals of Health Law* prides itself on selecting the highest quality pieces on a variety of topics to reflect the expansive reach of the health law field. This issue is no exception, covering a broad range of current and intriguing issues within health law and policy, including recent developments under the Affordable Care Act and issues related to provider scope of practice. The selected pieces contribute to the continued recognition of the *Annals of Health Law* as one of the country's preeminent health law and policy publications.

This issue begins with an interesting discussion of current and future insurance protections for Americans with mental health and substance use disorder afflictions. Authors Kathleen Noonan and Stephen Boraske demonstrate that, when read together, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act (MHPAEA), which ushered in a new era of protections for individuals suffering from mental health and substance abuse disorders, and the Affordable Care Act's essential health benefits mandate, provide potential for expanded enforcement rights for those individuals. The authors argue that the current enforcement regime is ineffective and propose standardization of essential health benefit definitions coupled with certification and monitoring of quality health plans offered in the Marketplaces as a viable solution to otherwise insurmountable enforcement obstacles.

In our second article, authors Ann Davis, Stephanie Radix, James Cawley, Roderick Hooker, and Carson Walker take an in-depth look at the controversy surrounding physician assistant scope of practice in the United States. The article begins with a considered discussion of the history of physician assistant practice including a description of the legal and medical communities' unwillingness to recognize the benefits of increased physician assistant utilization, including marked increases in both access to, and quality of, care in both general and specialized medical fields. After an examination of the development of medical practice regulations that expand many healthcare professionals' scopes of practice to tasks previously restricted to physicians, the authors identify the physician assistant profession as a workforce innovation ripe for increased integration into the PA-physician team in the future of healthcare.

Our concluding article asserts that the traditional mechanisms used to create accountability in the public health insurance arena will be inadequate to ensure that the health insurance Marketplaces comply with federal laws and regulations. Author Sarah Grusin posits that, while the Department of Health and Human Services (HHS) has traditionally been responsible for the implementation of such programs, HHS is unlikely to enforce federal laws necessary to ensure appropriate regulation of the Marketplaces. Ms. Grusin focuses instead on the right to private enforcement of individual rights within the Marketplace through structural reform litigation. After navigating through the often over-looked rise of structural reform litigation in shaping Medicaid and health law as a

whole, the author examines the connection between structural reform litigation and federal agency enforcement in both the Medicaid and Marketplace contexts.

The entire *Annals of Health Law* Editorial Staff would like to thank the distinguished group of authors who contributed their extraordinary talent and abundance of knowledge to this outstanding issue of the *Annals of Health Law*. This issue is the product of exceptional collaboration, enthusiasm, and professionalism on their part. The Editorial Board and I would like to thank each and every member of the *Annals* team, without whom this issue would not have been the success that it is. I would also like to express my gratitude to my Executive Board members, Leighanne Root, Jean Liu, Adrienne Saltz, Matthew Brothers, Jessica Wolf, and Ashley Huntington, all of whom showed a level of unwavering commitment and passion for this publication throughout the entire process. Lastly, we would like to thank the incredible staff at the Beazley Institute for Health Law and Policy for their continued support in all of our endeavors.

We sincerely hope that you enjoy reading the Winter 2015 Issue of the *Annals of Health Law*.

Sincerely,

Anne Compton-Brown

Editor-in-Chief

Annals of Health Law