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Foreword

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Foreword

The *Annals of Health Law* Editorial Board is pleased to present our Summer 2015 Issue. The Editorial Board prides itself on endeavoring to seek out articles that uniquely contribute to the field of health law and policy. Through selection and publication of works that address important issues within the health care community, the *Annals* strives for continued recognition as one of the country's preeminent health law and policy publications. As such, we are pleased to present Volume 24 Issue 2, featuring articles authored in conjunction with the eighth annual Beazley Institute for Health Law and Policy Access to Health Care Symposium.

Within the past few years, the face of health insurance in the United States has transformed significantly, and with an eye to the future, the *Annals* is proud to introduce an issue focused on how health insurance in the United States is evolving to meet the needs of Americans. The articles in this issue explore the implications of both the United States' shift away from the traditional health insurance model, and the industry's movement toward full implementation of the Affordable Care Act (ACA). Each author featured in this Issue presents a novel, contemporary, and intellectual discussion that will enhance our readers' abilities to navigate the current health insurance tableau.

The Issue begins with a discussion of innovation. In our first article, author Robert B Leflar elucidates two of Arkansas's ground-breaking health reform initiatives: the "private option" for Medicaid expansion, which extends private health insurance to the state's lower income residents, and the Arkansas Payment Improvement Initiative, a program that shifts provider incentives away from fee-for-service payment structures, directing them instead toward a value-based structure. Professor Leflar discusses the initiatives, their early outcomes—and seeming success—against a backdrop of a historically "red" state's political environment.

Our second article discusses the impact of the ACA's Essential Health Benefit (EHB) coverage requirements on the application of conventional rules of insurance policy interpretation. Author Wendy K. Mariner proposes that, given the shift toward private health insurance as a means of financing health care, the insurance law applied to plans with EHB coverage under the ACA should utilize elements of both statutory interpretation and reasonable expectations doctrines and adopt a hybrid approach as the new method for interpreting ACA plans. Professor Mariner asserts that such an approach would allow the legislative purpose of the ACA to become the focus of interpretation so that the plans may be fairly interpreted across the board.

Our concluding article highlights the long history of voluntary employment-based health insurance (EBHI) in the United States and its relationship to the ACA. Authors Arnold J. Rosoff and Anthony W. Orlando explore the history of EBHI in the U.S., weighing the costs and benefits of the ACA's attempt to alter a system traditionally rooted in the minds of the American people as being tied to employment. The authors provide insight into employer actions and decisions surrounding the evolving health insurance landscape and

conclude with a discussion about projected employer responses to the ACA's "employer mandate."

The entire *Annals of Health Law* Editorial Staff would like to thank the distinguished authors who contributed their outstanding work and innovative discussions to this impressive issue of the *Annals*. This issue is the product of our authors' unfettered enthusiasm, professionalism, and dedication to health law and policy scholarship. The Editorial Board and I would like to thank each and every member of the *Annals* team for their hard work and dedication throughout the editing process; this issue would not have been the success that it is without the commitment of our Editors and Members. 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 contributed greatly to the publication of this Issue. Finally, the *Annals* 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.

It is our sincere hope that you enjoy reading the Summer 2015 Issue of the *Annals of Health Law*.

Best Regards,

Anne Compton-Brown
Editor-in-Chief, *Annals of Health Law*