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Foreword

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Foreword

The *Annals of Health Law & Life Sciences* Editorial Board is proud to present the Summer 2021 Issue, the second edition of our thirtieth volume to date. 2020 was a year of change in the United States: at the start of the year, the global COVID-19 pandemic shut down communities, countries and economies, and by the summer, the Black Lives Matter marches following the deaths of Ahmaud Arbery, Breonna Taylor, and George Floyd brought new urgency to the ongoing fight for racial justice and equality in the United States. The disproportionate COVID-19 case and death rates painfully illustrates that 2020 was not a random confluence, rather it was validation for some and an unveiling for others of the inextricable link between racism and healthcare. Thus, the fight for racial justice and the identification of that injustice in the fields of health law and life sciences became the topic for the Beazley Institute's Fall 2020 Symposium. The incredible works contained herein were originally presented at our symposium, and we are both proud and humbled at the opportunity to present these illuminating contributions to the health law and life sciences field.

Mary Crossley opens this issue with her article, *Prisons, Nursing Homes and Medicaid: A COVID-19 Case Study in Health Injustice*. Crossley focuses on how COVID-19 followed the fault lines of racism in the United States; as she writes, "put plainly, more Black people than White people were getting sick and dying of COVID-19." Using national and program-specific data from the likes of Medicaid, this piece illustrates how Black and Brown Americans disproportionately contracted and died in the pandemic. She clarifies how these disparities should not be confused for biology, as the virus itself does not discriminate by race as we define it in the United States. Instead, she argues that the disproportionate rates are the product of social and political systems of this country which set up non-white communities, especially disabled non-white communities, to bear the brunt of this health crisis, especially in institutions like prisons and nursing homes. Crossley's work provides an incredible education in racism, ableism, and intersectionality, as she demonstrates how our policy choices,

including casting those who are non-white and non-able-bodied out from our society, led to vulnerable individuals living in prisons and nursing homes to light up like “tinder boxes” when the match that was COVID-19 was struck. She concludes that inhumane choices led us to this place in our health policy, and only a shift in our political and social choices will lead us to a more equitable future.

Jessica Mantel echoes the call that COVID-19 has not been an “equal opportunity disease” in her piece, *Leveraging Community-Based Integrated Health Teams to Meet the Needs of Vulnerable Populations in Times of Crisis*. She focuses on how community-based integrated health teams (“CIHTs”) can use their skills and existing infrastructure in the face of emergencies like the COVID-19 pandemic to support both vulnerable communities and the population at large. CIHTs have unique skills which go beyond medical treatment, as Mantel describes. Mantel argues that CIHTs can lead with data and effectively mobilize health infrastructure during public health crises like COVID-19 to identify and support vulnerable communities in ways that are not attainable by our traditional medical providers. Mantel concludes that to fully empower CIHTs, it is up to policymakers to allocate future public health funds to support and expand this delivery model, enabling them to continue their work in times of crisis and normalcy alike.

Jane Perkins and Sarah Somers close the issue with *Medicaid’s Gold Standard Coverage for Children and Youth: Past, Present, and Future*, which focuses on the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) program. Their piece focuses on low-income children as a vulnerable population, and how EPSDT, which has potential to be “the gold standard,” must grow with the health needs of its beneficiaries in order to achieve that standard. Perkins and Somers walk through the history of the EPSDT program, which was created to fill Medicaid’s gaps in providing care for health problems developed in childhood and persistent through life. The EPSDT was thus created to ensure funding went toward early periodic screening and treatment for Medicaid children. Although its creators shared the support of politicians and health agencies alike, Perkins and Somers note that it never received the “aggressive implementation” it had hoped to receive, due to state implementation of the program. Thus, decades later, states still struggle to meet the program’s benchmarks. Perkins

and Somers thus argue that to truly improve the health of low-income children, EPSDT must focus on four trends in the program—social determinants of health, individualized assessments, family-centered, community-based services for children with special health care needs, and data usage—in order to truly affect the change that these children need and deserve in their health outcomes.

On behalf of all staff members of *Annals of Health Law and Life Sciences*, I would like to thank Mary Crossley, Jessica Mantel, Jane Perkins, and Sarah Somers for honoring *Annals* with their incredible works of scholarship. This issue of *Annals* illustrates the words of the great Dr. Martin Luther King: “The arc of the moral universe is long, but it bends toward justice.” Their words bring light to areas of true darkness in our society, while still inspiring hope and showing a better way forward. The Editorial Board and I would like to thank each associate editor at *Annals* for their dedication to the pursuit of justice through scholarship. Additionally, I would like to recognize the exceptional work of Daniel Duffy, *Annals* Publications Editor, for his unwavering commitment to this journal and its authors. Further, I must recognize the outstanding work of our Advance Directive and Technical Editor, Peggy Frazier, who continues to go beyond the call of her role to ensure this journal’s excellence. I would also like to thank Symposium Editor, Krystal Tysdal, for spearheading the curation of these articles and organizing the Fall Symposium in unprecedented conditions; Marketing & Coordinating Editor, Natasha Shukla, and Advance Directive Editors, Lauren Koch, and Harte Brick, whose untiring efforts have brought this issue to life. Furthermore, I would like to recognize and thank our remarkable Senior Editors: Mallory Burney, Raminta Kizyte, Damyan Kolomayets, Nicole Harris, Julian Florio, and Sunaina Ramesh. And finally, I would like to thank our supportive advisors at the Beazley Institute for Health Law and Policy, including Professors Nadia Sawicki and Kristin Finn, for their continued guidance and support for this issue and its purpose.

Karin M. Long, Editor-in-Chief