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Overpayments in Bankruptcy PETER R. ROEST, J.D. 1

Mr. Roest argues in favor of the Third Circuit's decision in University Medical Center v. Sullivan to advance the proposition that the Doctrine of Recoupment should be applied narrowly in health care bankruptcy cases. The article begins by introducing key provisions of the Medicare Act and Bankruptcy Code, and by distinguishing between recoupment and setoff. The article then focuses on the Third Circuit's decision, giving both a sketch of the court's decision and a commentary on the holding. The article concludes with a discussion of recoupment-related issues left open by the University Medical Center decision.

Responsive Regulation of Internet
Pharmacy Practice DAVID B. BRUSHWOOD, R.PH., J.D. 75

Professor Brushwood discusses the effectiveness of the Internet as a medium for carrying out pharmaceutical care. A proponent of Internet pharmacy, Professor Brushwood argues that pharmacy regulators could best protect and promote public health through responsive Internet regulation. Wary of state paternalism, the article advocates the Verified Internet Pharmacy Practice Site program of the National Association of Boards of Pharmacy as a model method for regulating pharmacy practices over the Internet.

Regulation of Online Pharmacies:
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Ms. Zeman examines the regulatory challenges and responses arising from online pharmacies. In particular, Ms. Zeman discusses the roles taken by the States' attorney general offices, the States' legislatures, and the pharmaceutical industry itself, to ensure protection for those consumers seeking health care via the Internet.

Internet Prescribing Limitations
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Ms. Friedman discusses the legal limitations placed on the consumer's ability to obtain drug prescriptions via the Internet. The article focuses on current legislative policies and regulations used to restrict access to prescription drugs over the Internet in the absence of a well-founded physician/patient relationship. The article argues that regulators might be able to satisfy the policy objective of ensuring that a learned intermediary is involved in prescription drug therapy by expanding the prescriptive authority of licensed pharmacists.

The Changing Role of Pharmacy Practice—

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JANICE A. CICHOWLAS, PH.D.

Professor Carmichael and Dr. Cichowlas argue for the reexamination of the pharmacist's role in the current health care system. Reexamination is necessitated due to changing complexities of the health care system as evidenced by increased economic demands and pharmaceutical surpluses. The authors advocate for Collaborative Drug Therapy Management, in which physicians and pharmacists maximize patient care by pooling their areas of expertise together.

The Government, the Legislature and the Judiciary—

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Problems with the Civil False

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Go from Here? RAEGAN A. McCLAIN, J.D., LL.M. 191

Ms. McClain examines the government's role in developing and applying the False Claims Act. The article explores the use and effectiveness of the False Claims Act to target fraud and other abuses in the health care system. The article then addresses past inequitable misuse of the Act resulting from improper judicial interpretation of the Act and offers suggestions for curbing some of the stricter provisions of the Act.

Striving for a Secure Environment:

A Closer Look at Hospital Security

Issues Following the Infant Abduction

at Loyola University

Medical Center AMY BAUM GOODWIN, J.D., LL.M. 245

Ms. Goodwin discusses the need for heightened hospital security in light of the infant abduction at the Loyola University Medical Center in May, 2000. The article first discusses general security issues endemic to the hospital environment; it then explores protective measures enacted by legislative agencies to reduce the likelihood of violence in hospitals. The article then points to recent litigation arising out of a failure to create a safe hospital environment. Finally, Ms. Goodwin considers the consequences that hospitals and society must face when the hospitals fail to comply with safety procedures.