## Journal of Contemporary Health Law & Policy (1985-2015)

Volume 15 | Issue 2

Article 16

1999

# The Journal of Contemporary Health Law & Policy - Cumulative Index - Volumes 1-15 - Articles -- Titles

Journal of Contemporary Health Law and Policy

Follow this and additional works at: https://scholarship.law.edu/jchlp

#### **Recommended Citation**

Journal of Contemporary Health Law and Policy, *The Journal of Contemporary Health Law & Policy - Cumulative Index - Volumes 1-15 - Articles -- Titles*, 15 J. Contemp. Health L. & Pol'y 780 (1999). Available at: https://scholarship.law.edu/jchlp/vol15/iss2/16

This Index is brought to you for free and open access by CUA Law Scholarship Repository. It has been accepted for inclusion in Journal of Contemporary Health Law & Policy (1985-2015) by an authorized editor of CUA Law Scholarship Repository. For more information, please contact edinger@law.edu.

## 780

### **ARTICLES -- TITLES**

Abortion Politics, Science, and Research Ethics:		
Take Down the Wall of Separation		
John C. Fletcher, Ph.D.	8	95
Accreditation of Those Who Arrange Adoptions		
Under the Hague Convention on Intercounty		
Adoption as a Means of Protecting, Through Priavte		
INTERNATIONAL LAW, THE RIGHTS OF CHILDREN		
William L. Pierce, Ph.D.	12	535
Advocacy and Nursing Education in the		
TWENTIETH CENTURY		
Mary Jean Flaherty, Ph.D.	3	169
Anthony Perkins Saga, The		
Stephen R. Graubard	9	177
ASKING THE IMPOSSIBLE: THE NEGLIGENCE LIABILITY OF		
THE MENTALLY ILL		
Elizabeth J. Goldstein	12	67
Assessing Doctors as Reasonable Doctors		
AND AS REASONABLE PERSONS: A REMINDER IN THE		
Context of Negligent Transmission of HIV		
DURING ARTIFICIAL INSEMINATION		
Donald G. Casswell	9	159
Assessing the Physician=s Standard		
of Care When HIV is Transmitted During		
Artificial Insemination		
Donald G. Casswell	10	231
BABY M: CATALYST FOR FAMILY LAW REFORM?		
Walter J. Wadlington	5	1
Baker v. Arbor Drugs, inc.: Pharmacists Beware		
OF VOLUNTARILY ASSUMING THE DUTY TO PROTECT		
Against Harmful Drug Interactions		
Richard M. Eldridge and		
Michael F. Smith	14	41
BEHAVIORAL RESEARCH ON AID-GIVING THAT CAN		
Assist Lawmakers While Testing Scientific Theory		
John H. Beckstrom	1	25

BEYOND AUTONOMY Alexander McCall Smith	14	23
BIOETHICAL DECISIONS AND OPPORTUNITY COSTS  The Honorable Michael D. Kirby	2	7
BIOMEDICINE & BIOETHICS: DE LEGE LATA, DE LEGE FERENDA	_	
George P. Smith, II	9	233
Boxing: Regulating a Health Hazard Kevin M. Walsh	11	63
Brave New World of Health Care, A Rosemary Donley, Ph.D.	2	47
BUCK STOPS HERE: PREEMPTION OF THIRD PARTY CLAIMS BY THE FALSE CLAIMS ACT, THE Thomas F. O'Neil, III, Esq. Adam H. Charnes, Esq.	10	
Shannon Thee Hanson, Esq.	12	41
Capitation: The Legal Implications of Using Capitation to Affect Physician Decision- Making Processes		
Andrew Ruskin	13	391
CHARACTER, VIRTUE, AND SELF-INTEREST IN THE ETHICS OF THE PROFESSIONS	_	
Edmund D. Pellegrino, M.D.	5	53
CHRISTIAN VALUES AND CRITICAL ISSUES William J. Byron, S. J.	3	11
CLINICAL PRAGMATISM: JOHN DEWEY AND CLINICAL ETHICS Example: C. Miller, Ph. D.		
Franklin G. Miller, Ph.D., Joseph J. Fins, M.D. and Matthew D. Bacchetta, M.B.A., M.A.	13	27
Cobra: An Incremental Approach to National Health Insurance Thomas H. Somers	5	141
Compulsory Caesarean Sections: An English Prespective		
Robert Francis, QC	14	365

CONFLICT BETWEEN AUTONOMY AND BENEFICENCE IN MEDICAL ETHICS: PROPOSAL FOR A RESOLUTION, THE Edmund D. Pelligrino, M.D. and David C. Thomasma, Ph.D.	3	23
Consent to Medical Treatment By Older Children In English & Scottish Law Alastair Bissett-Johnson and Pamela Ferguson	12	449
CONSTITUTIONAL LAW OF ABORTION IN GERMANY: SHOULD AMERICANS PAY ATTENTION?, THE Donald P. Kommers	10	1
Could We Hold People Responsible for Their Own Adverse Health? John Harris	12	147
CRAZY SYSTEM: MENTAL HEALTH CARE DELIVERY IN AMERICA, A Steven R. Smith	5	75
CRIMINAL OR MERELY HUMAN?: THE PROSECUTION OF NEGLIGENT DOCTORS Alexander McCall Smith	12	131
CULTURAL MODELS AND THE FUTURE OF BIOETHICS  Stefano Rodotà	10	33
DEATH BE NOT PROUD: MEDICAL, ETHICAL AND LEGAL DILEMMAS IN RESOURCE ALLOCATION George P. Smith, II	3	47
DID YOU THINK ABOUT BUYING HER A CAT?  SOME REFLECTIONS ON THE CONCEPT OF AUTONOMY  Bernadette Tobin  DISABLED NEWBORN INFANTS AND THE QUALITY	11	417
of Life Max Charlesworth	9	129
DISCRIMINATION: THE DIFFERENCE WITH AIDS Raymond C. O'Brien	6	93
DISTINGUISHING WRONGFUL FROM ARIGHTFUL@ LIFE Melinda A. Roberts	6	59

Drug Use and Human Rights: Privacy, Vulnerability,		
DISABILITY, AND HUMAN RIGHTS INFRINGEMENTS		
Norbert Gilmore	12	355
ECONOMIC ANALYSIS IN HEALTH CARE ANTITRUST		
Michael G. Vita, Ph.D.		
James Langenfeld, Ph.D.		
Paul Pautler, Ph.D.		
Laura Miller, Ph.D.	7	73
Editorial Reflection		
Patrick T. Clendenen	10	297
Editorial Reflection		
Giovanna M. Cinelli	10	293
EDITORIAL REFLECTION		
John E. Durkin	10	307
ELECTIVE FETAL REDUCTION: THE ULTIMATE ELECTIVE		
Surgery		
Mary V. Rorty, Ph.D. and		
JoAnn V. Pinkerton, M.D.	13	53
EDUCATION AND IMAGE: CRITICAL ISSUES	•	
Confronting the Nursing Profession		
Susan Crissman, M.D. and Linda Betz	3	179
Susuit Crissman, M.D. and Binda Deil	3	1//
ETHICAL DILEMMAS IN THE TREATMENT OF		
Critically Ill Newborns		
Benjy F. Brooks, M.D.	1	133
ETHICAL PROBLEMS IN TREATING MILITARY PATIENTS		
WITH HUMAN IMMUNODEFICIENCY VIRUS DISEASES		
Edmund G. Howe, M.D.	3	111
ETHICS, INSTITUTIONAL COMPLEXITY AND HEALTH		
CARE REFORM: THE STRUGGLE FOR NORMATIVE BALANCE		
Michael J. Graetz and Jerry L. Mashaw	10	93
ETHICS AND ECONOMICS OF ENFORCING CONTRACTS		
OF SURROGATE MOTHERHOOD, THE		
The Honorable Richard A. Posner	5	21
ETHICS OF ETHICS COMMITTEES, THE		
George P. Smith, II	6	157
	-	

# 784 Journal of Contemporary Health Law and Policy [Vol. 15:779

EUTHANASIA IN AUSTRALASIA K.M. Sharma	2	131
EXTRACORPOREAL EMBRYOS AND THE ABORTION DEBATE  John A. Robertson	2	53
Fact Finding Faith Melanie DiPietro, S.C.	3	185
FACTORS ASSOCIATED WITH MEDICAL MALPRACTICE: RESULTS FROM A PILOT STUDY Winsor, C. Schmidt		
D. Alex Hechert, Ph.D. Alice A. Mercer, Ph.D.	7	157
Family Values and Family Law Reform Harry D. Krause	9	109
GENETIC DETERMINISM OR GENETIC DISCRIMINATION?  George P. Smith, II and  Thaddeus J. Burns	11	23
GENETIC SCREENING OF CHILDREN: THE U.K. POSITION Sheila A.M. McLean	12	113
HAZARDOUS SUBSTANCE LITIGATION IN MARYLAND: THEORIES OF RECOVERY AND PROOF OF CAUSATION Ian Gallacher	13	423
HEALTH AND THE AESTHETICS OF HEALTH - AN HISTORICAL CASE STUDY  Desmond Manderson	11	85
HEALTH CARE AND THE FEDERAL ANTITRUST LAWS: THE LIKELIHOOD OF A HARMONIOUS COEXISTENCE Robin E. Remis	13	113
HEALTH CARE JOINT VENTURES AND THE ANTITRUST LAWS: A GUARDEDLY OPTIMISTIC PROGNOSIS Illene Knable Gotts	10	169
HEALTH CARE SYSTEM REFORM Sr. Mary Jean Flaherty Sr. Rosemary Donley	10	105
HMOs, Cost Containment, and Early Offers: New Malpractice Threats and a Proposed Reform		
Jeffrey O'Connell James F. Neale	14	287

HOMELESSNESS: A COMMENTARY AND A BIBLIOGRAPHY		
Raymond B. Marcin	4	203
HOSPITAL CONVERSION REVENUE: A CRITICAL ANALYSIS OF PRESENT LAW AND FUTURE PROPOSALS TO REFORM THE MANNER IN WHICH REVENUE GENERATED FROM HOSPITAL CONVERSIONS IS EMPLOYED		
James Standish	15	131
HOSPITAL MARKET STRUCTURE, HOSPITAL COMPETITION, AND CONSUMER WELFARE: WHAT CAN THE EVIDENCE TELL US? Paul A. Paulter		
Michael G. Vita	10	117
Human Genome Project-Promise and Problems, The The Honorable Justice Michael D. Kirby	11	1
Human Need and the Right of Patients to Privacy  Len Doyal	14	1
IMPLEMENTING MODERN PUBLIC HEALTH GOALS THROUGH GOVERNMENT: AN EXAMINATION OF NEW FEDERALISM AND PUBLIC HEALTH LAW		
James G. Hodge, Jr.	14	93
IMPLICATIONS OF THE COMING RETREAT FROM ROE v. WADE Charles F. Rice	4	1
In the Beginning: A Tenth Anniversary History of the Journal of Contemporary Health Law and Policy		
George P. Smith, II	10	285
Informed Consent - Must it Remain a Fairy Tale Jay Katz, M.D.	10	69
Informed Consent and Risk Management in Dermatology David L. Shriner, M.D. Richard F. Wagner, Jr., M.D.		
Victor W. Ween, M.D. William J. Winslade, Ph.D.		
John M. Aragona	8	137
Informed Consent to Participation in Medical Research Employing Elderly Human Subjects		
Robert L. Schwartz	1	115

IRREVERSIBLE ERROR: THE POWER AND PREJUDICE OF FEMALE GENITAL MUTILATION  Catharine L. Annas	12	325
JUSTICE AND COST-CONTAINMENT IN END-STAGE		
RENAL DISEASE		
Brian V. Johnstone, Ph.D.	3	65
brian v. Johnstone, 1 n.D.	•	00
LAW AND EVOLUTIONARY BIOLOGY: OBSTACLES AND		
Opportunities		
Owen D. Jones	10	265
Law in Search of a Principle		
Hon. Sir Gerard Brennan, A.C., C.M.G.	9	259
LEARNING DISABLED STUDENT ATHLETES: A SPORTING		
Chance Under the ADA		
Katie M. Burroughs	14	57
Nume In. Durrough	• •	٠.
LEGAL IMPLICATIONS AND LAW MAKING IN BIOETHICS		
AND EXPERIMENTAL MEDICINE		
Russell Scott	1	47
Russell Scott	1	71
LEGAL MEDICINE: THE OMBUDSMAN OF MEDICAL	•	
Етнісѕ		
Bernard J. Ficarra, M.D.	3	151
Dermara 9. I scarra, M.D.		
LEGAL RECOGNITION OF TRANSSEXUALS		
IN AUSTRALIA		
Henry Finlay	12	503
•		
LEGAL REVOLUTION: FROM "SANCTITY OF LIFE"		
TO "QUALITY OF LIFE" AND "AUTONOMY", THE		
John Keown	14	253
LEGISLATING AIDS AWAY: THE LIMITTED ROLE		
OF LEGAL PERSUASION IN MINIMIZING THE		
SPREAD OF HUMAN IMMUNODEFICIENCY VIRUS		
John M. Dwyer	9	167
Solut M. Diryo		,
LEGISLATIVE INITIATIVE: THE RYAN WHITE		
COMPREHENSIVE AIDS RESOURCES EMERGENCY		
Act of 1990, A		
Raymond C. O'Brien	7	183
Raymona C. O Brien	•	103
Lesson of the Red Squirrel: Consensus and		
BETRAYAL IN THE ENVIRONMENTAL STATUTES		
	5	161
William H. Rodgers, Jr.	J	101

LIABILITY OF MEDICAL INSTITUTIONS FOR THE NEGLIGENCE OF INDEPENDENT CONTRACTORS		
PRACTICING ON THEIR PREMISES.		
John Dwight Ingram	10	221
LIMITATIONS IN CANADIAN LAW ON THE RIGHT OF A		
PRISONER TO REFUSE MEDICAL TREATMENT		
Donald G. Casswell	2	155
LIMITATIONS ON REPRODUCTIVE AUTONOMY FOR THE		
MENTALLY HANDICAPPED		
George P. Smith, II	4	71
George F. Smith, II	4	/1
LITIGATION IN MEDICAL EDUCATION:		
RETROSPECT AND PROSPECT		
Lelia B. Helms, Ph.D.		
Charles M. Helms, M.D., and		
	11	317
Selden Biggs	11	317
LIVING TISSUE AND ORGAN DONORS AND PROPERTY LAW:		
More on Moore		
Bernard M. Dickens	8	73
MEDICAL MODELS AND LEGAL CATEGORIES:		
An English Perspective		
Harvey Teff	9	211
MEDICAL PROFESSIONAL LIABILITY AND THE DELIVERY		
OF OBSTERTRICAL CARE		
Roger J. Buler, M.D. and		
Victoria P. Rostow	6	81
MEDICARE CATASTROPHIC COVERAGE ACT OF 1988:		
Issues of Equity in a Policy Reversal, The		
Joseph C. Morreale, Ph.D.	7	117
	·	
MEDICINE, EUGENICS, AND THE SUPREME COURT: FROM		
COERCIVE STERILIZATION TO REPRODUCTIVE FREEDOM		
Paul A. Lombardo	13	1
Mengele's Birthmark: The Nuremberg Code in United		
STATES COURTS		
George J. Annas	7	17
MICHAEL MARTIN AND ROBERT WENDLAND: BEYOND		
THE VEGETATIVE STATE		
Lawrence J. Nelson & Ronald E. Cranford	15	427

MINIMIZING ANTITRUST RISKS OF BLUE CROSS AND BLUE SHIELD PLANS		
Charles J. Steele	4	227
Moral Argument and Christian Ethics		
Richard A. McCormick, S.J.	1	3
Rost		
MURDER, SHE WROTE OR WAS IT MERELY		
SELECTIVE NONTREATMENT?	8	49
George P. Smith II	0	47
New Reproductive Technologies and the Law: A		
ROMAN CATHOLIC PERSPECTIVE, THE		
William J. Wagner	4	37
No Fault Compensation for Medical		
Misadventure Australian Expression		
OF INTEREST		
Carolyn Sappideen	9	311
NONCONSENSUAL STERILIZATION OF THE MENTALLY DISABLED		
IN NORTH CAROLINA: AN ETHICS CRITIQUE OF THE STATUTORY		
STANDARD AND ITS JUDICIAL INTERPRETATION		
Joe Zumpano-Canto, J.D., M.P.H.	13	79
NUDITY, OBSCENITY AND PORNOGRAPHY:		
THE STREECARS NAMED LUST AND DESIRE		
George P. Smith, II	4	155
PATIENT AND PHYSICIAN AUTONOMY:		
CONFLICTING RIGHTS AND OGLIGATIONS		
IN THE PHYSICIAN- PATIENT RELATIONSHIP.		
Edmund D. Pellegrino, M.D.	10	47
PATIENT THERAPIST SEX:		
CRIMINALIZATION AND ITS DISCONTENTS		
Patricia M. L. Illingworth	11	389
PATIENT THREATS AGAINST THIRD PARTIES:		
THE PSYCHOTHERAPIST'S DUTY		
OF REASONABLE CARE		
Charles B. McCarty	5	119
PATIENTS' BILL OF RIGHTS, THE: MANAGED CARE UNDER		
Siege Michael Misocky	15	57
Michael Misocky	13	31

PATIENT'S RIGHT OF ACCESS TO MEDICAL RECORDS, A The Honorable Michael D. Kirby	12	93
PATIENT'S RIGHT TO DECLINE MEDICAL TREATMENT:		
THE NEW YORK VIEW, THE		
·	-	•
The Honorable Sol Wachtler	7	9
PEDOPHILIA: THE LEGAL PREDICAMENT OF CLERGY		
Raymond C. O'Brien	4	91
PHYSICIAN - ASSISTED SUICIDE: A TRAGIC VIEW		
John D. Arras, Ph.D.	13	361
John D. Arras, I h.D.	13	301
PHYSICIAN'S DUTY TO INFORM OF NEWLY DEVELOPED		
THERAPY, A		
Hunter L. Prillaman	6	43
Posthumous Gift of Life, The: The World According to Kane		
Evelyne Shuster	15	401
Everyne Snusier	13	401
PRACTICING PHYSICIAN'S VIEW, A		
Robert L. Carter, M.D.	10	635
•		
PREVENTIVE LAW BY CORPORATE PROFESSIONAL TEAM		
PLAYERS: LIABILITY AND RESPONSIBILITY IN THE WORK OF		
COMPANY DOCTORS		
Elaine Draper	15	525
Zianic Zi apti	13	323
PROMISE OF THE BENEFICENCE MODEL FOR		
MEDICAL ETHICS, THE		
Tom L. Beauchamp, Ph.D.	6	145
	•	
PROSPECTIVE AUTONOMY: ON THE LIMITS OF SHAPING		
One's Postcompetence medical fate		
Norman L, Cantor	8	13
PUBLIC HEALTH ETHICS AND CLINICAL FREEDOM		
		20.5
Christopher Newdick	14	335
PUBLIC POLICY AND THE AIDS EPIDEMIC		
Richard F. Duncan	2	169
QUALITY-OF-LIFE ETHICS AND CONSTITUTIONAL		
JURISPRUDENCE: THE DEMISE OF NATURAL RIGHTS		
AND EQUAL PROTECTION FOR THE DISABLED AND		
INCOMPETENT  Pohert A Destro	^	71
Robert A. Destro	2	71

•		
QUESTING FOR GRAILS: DUPLICITY, BETRAYAL		
AND SELF-DECEPTION IN POSTMODERN MEDICAL RESEARCH		
George J. Annas, J.D., M.P.H.	12	297
RATIONING HEALTH CARE: THE ETHICS OF		
MEDICAL GATEKEEPING		
Edmund D. Pellegrino, M.D.	2	23
REASSESSING THE INFLUENCE OF THE NUREMBERG CODE		
ON AMERICAN MEDICAL ETHICS	12	2.47
Johnathan D. Moreno, Ph.D.	13	347
_		
REGULATING RESEARCH ON THE TERMINALLY ILL:		
PROPOSAL FOR HEIGHTENED SAFEGUARDS, A		450
D. Christian Addicott	15	479
REJECTING CRIMINAL LIABILITY FOR LIFE-SHORTENING		
Palliative Care		
Donald G. Casswell	6	127
RESOURCE ALLOCATION AND THE BEGINNING OF LIFE		
Belinda Bennett	. 9	77
Bennau Bennen		• •
RESOURCE ALLOCATION THE LEGAL IMPLICATIONS		
Beth Gaze	9	91
RHETORIC AND REALITY: THE LIMITATIONS OF		
PATIENT SELF-DETERMINATION IN CONTEMPORARY		
English Law		
James Munby QC	14	315
SECRETS REVEALED: THE LIMITS OF MEDICAL		
Confidence Louis Waller	9	183
Louis waiter	,	103
SOCIAL MANDATE FOR NURSING: PRESCRIPTION FOR THE		
Future, A		
Rosemary Donley, Ph.D.	1	39
SOCIETY AND THE NOT-SO-NEW GENETICS: WHAT ARE		
We Afraid Of? Some Future Predictions From a		
SOCIAL SCIENTIST		
Dorothy C. Wertz, Ph.D.	13	299
Some Moral Connections Between Organ Procurement		
AND ORGAN DISTRIBUTION		
James F. Childress, Ph.D.	3	85
	_	

•		
SOME TOUGH QUESTIONS FOR CHALLENGES TO		
PREEMPLOYMENT DRUG TESTING		
Stephan Jan Marculewicz	10	243
SONG OF DEATH: LYRICS OF EUTHANASIA, THE		
Margaret A. Somerville	9	1
SPECIALTY BOARDS AND ANTITRUST: A LEGAL PERSPECTIVE		
John J. Smith, M.D.	10	195
SPECIALTY BOARD CERTIFICATION AND FEDERAL		
CIVIL RIGHTS STATUTES		
John J. Smith, M.D.	11	111
STANDARDS OF CARE AND STANDARD FORM CONTRACTS: DISTINGUISHING PATIENT RIGHTS AND CONSUMER RIGHTS		
IN MANAGED CARE		_
Wendy K. Mariner	15	1
SURVEY OF MEDICAL MALPRACTICE LAW IN ENGLAND:		
Crisis, What Crisis?, A	•	
Andrew Grubb	1	75
TEENAGE ABORTION IN GERMANY: WITH REFERENCE		
TO THE LEGAL SYSTEM IN THE UNITED STATES		
Professor Dr. Detlev W. Belling, M.C.L. (Ill.) and		
Dr. Christina Eberl	12	475
Terrible Imbalance: Human Organs and		
TISSUES FOR THERAPY A REVIEW OF DEMAND		
AND SUPPLY, THE		
Russell Scott	9	139
ATHAT THEY MAY THRIVE @ GOAL OF CHILD CUSTODY:		
REFLECTIONS ON THE APPARENT EROSION OF THE		
TENDER YEARS PRESUMPTION AND THE EMERGENCE OF		
THE PRIMARY CARETAKER PRESUMPTION		
Sanford N. Katz	8	123
THREATS TO SECRET SERVICE PROTECTEES: GUIDELINES		
ON THE MENTAL HEALTH SERVICES PROVIDER'S DUTY TO REPORT		
	7	47
Samuel Jan Brakel and Lauren Topelsohn	,	4/
TO TAKE UP ARMS AGAINST A SEA OF DRUGS	^	202
Alex Wodak, M.D.	9	323

## 792 Journal of Contemporary Health Law and Policy [Vol. 15:779

TOWARD A THEOLOGICAL CONSTRUCT FOR THE NEW BIOLOGY: AN ANALYSIS OF RAHNER, FLETCHER, AND RAMSEY		
Ralph C. Conte	11	429
TRIAGE: ENDGAME REALITIES  George P. Smith, II	1	143
TUBERCULOSIS CRISIS, THE: THE DEADLY CONSEQUENCE OF IMMIGRATION POLICIES AND WELFARE REFORM		
Kimberly A. Johns & Christos Varkoutas TWENTIETH CENTURY INDICATORS OF CHANGE IN AMERICAN MEDICAL PRACTICES FOR THE 21ST CENTURY	15	101
Bernard J. Ficarra, M.D.	6	1
UTILITY AND THE PRINCIPLE OF MEDICAL FUTILITY: SAFEGUARDING AUTONOMY AND THE PROHIBITION AGAINST CRUEL AND UNUSUAL PUNISHMENT		
George P. Smith, II	12	1
VINDICATING THE PATIENT'S RIGHTS: A COMPARATIVE PERSPECTIVE	0	272
Dieter Giesen	9	272
What is A Reasonable Demand on Health Care Resources? Designing a Basic Package of Benefits Daniel Callahan, Ph.D.	8	1
WHERE IN THE WORLD ARE WE GOING WITH THE NEW GENETICS?		
John C. Fletcher, Ph.D.	5	33
Wombs for Rent, Selves for Sale?  David H. Smith	4	23
World of Law, Science and Medicine According to George P. Smith, II, The		
Raymond C. O'Brien	8	163

### **ARTICLES -- AUTHORS**

Addicott, D. Christian, REGULATING RESEARCH ON THE		
TERMINALLY ILL: A PROPOSAL FOR HEIGHTENED SAFEGARDS	15	479
Annas, Catharine L. IRREVERSIBLE ERROR: THE POWER		
AND PREJUDICE OF FEMALE GENITAL MUTILATION	12	325
Annas, George J., J.D., M.P.H. Mengele's Birthmark:		
THE NUREMBERG CODE IN UNITED STATES COURTS	7	17
Annas, George J., J.D., M.P.H. Questing for Grails:		
DUPLICITY, BETRAYAL AND SELF-DECEPTION IN		
Postmodern Medical Research	12	297
Aragona, John M. Informed Consent and Risk		
Management in Dermatology	8	137
Arras, John D., Ph.D. Physician Assisted Suicide:		
A Tragic View	13	361
Bacchetta, Matthew D., M.B.A., M.A. CLINICAL PRAGMATISM:		
JOHN DEWEY AND CLINICAL ETHICS	13	27
Beckstrom, John H. BEHAVIORAL RESEARCH ON		
AID-GIVING THAT CAN ASSIST LAWMAKERS WHILE		
TESTING SCIENTIFIC THEORY	1	25
Betz, Linda Education and Image: Critical		
Issues Confronting the Nursing Profession	3	179
Beauchamp, Tom L., Ph.D. THE PROMISE OF THE		
BENEFICENCE MODEL FOR MEDICAL ETHICS	6	145
Belling, Professor Dr. Detlev W., M.C.L. (Ill.)		
TEENAGE ABORTION IN GERMANY: WITH		
REFERENCE TO THE LEGAL SYSTEM IN THE UNITED STATES	12	475
Bennett, Belinda RESOURCE ALLOCATION AND THE		
BEGINNING OF LIFE	9	77
Brakel, Samuel Jan Threats to Secret Service		
PROTECTEES: GUIDELINES ON THE MENTAL HEALTH SERVICES		
Provider's Duty to Report	7	47
Biggs, Selden Litigation in Medical Education:		
RETROSPECT AND PROSPECT	11	317

Bissett-Johnson, Alastair Consent to Medical Treatment By Older Children In English & Scottish Law	12	449
Brennan, Hon. Sir Gerard, A.C., C.M.G. LAW IN SEARCH OF A PRINCIPLE	9	259
Brooks, Benjy F., M.D. Ethical Dilemmas in the Treatment of Critically Ill Newborns	1	133
Bulger, Roger J., M.D. MEDICAL PROFESSIONAL LIABILITY AND THE DELIVERY OF OBSTETRICAL CARE	6	.81
Burns, Thaddeus J. Genetic Determinism or Genetic Discrimination?	11	23
Burroughs, Katie M. Learning Disabled Student Athletes: A Sporting Chance Under the ADA	14	57
Byron, William J., S.J. Christian Values and Critical Issues	3	11
Callahan, Daniel, Ph.D. What is a Reasonable Demand on Health Care Resources? Designing a Basic Package of Benefits	8	1
Cantor, Norman L. Prospective Autonomy: On the Limits of Shaping One's Postcompetence Medical Fate	8	13
Carter, Robert L. A PRACTICING PHYSICIAN'S VIEW	10	635
Casswell, Donald G. Limitations in Canadian Law on the Right of a Prisoner to Refuse Medical Treatment	2	155
Charnes, Adam H., Esq. Buck Stops Here: Preemption of Third Party Claims by the False Claims Act, The	12	41
Destro, Robert A., Quality-of-Life Ethics and Constitutional Jurisprudence: The Demise of Natural Rights and Equal Protection for the Disabled and Incompetent	2	71
Donley, Sister Rosemary. A Brave New World of Health Care	2	47
Doyal, Len Human Need and the Right of Patients to Privacy	14	1

Draper, Elaine. Preventive Law by Corporate		
PROFESSIONAL TEAM PLAYERS: LIABILITY AND		
RESPONSIBILITY IN THE WORK OF COMPANY DOCTORS	15	525
RESPONSIBILITY IN THE WORK OF COMPANY DOCTORS	13	323
Duncan, Richard F. Public Policy and the AIDS		
Еріреміс	2	169
	_	,
Dwyer, John M. LEGISLATING AIDS AWAY: THE		
LIMITED ROLE OF LEGAL PERSUASION IN MINIMIZING		
THE SPREAD OF HUMAN IMMUNODEFICIENCY VIRUS	9	167
Eberl, Dr. iur. Christina TEENAGE ABORTION IN		
GERMANY: WITH REFERENCE TO THE LEGAL SYSTEM		
in the United States	12	475
Eldridge, Richard M. BAKER v. ARBOR DRUGS, INC.:		
PHARMACISTS BEWARE OF VOLUNTARILY ASSUMING		
THE DUTY TO PROTECT AGAINST HARMFUL DRUG		
Interactions	14	41
Ferguson, Pamela Consent to Medical Treatment By		
Older Children In English & Scottish Law	12	449
Ficarra, Bernard J., M.D. LEGAL MEDICINE: THE		
OMBUDSMAN OF MEDICAL ETHICS	3	151
Figure Bound I MD Turn Communication		
Ficarra, Bernard J., M.D. TWENTIETH CENTURY		
Indicators of Change in American Medical		
Practices for the 21st Century	6	1
Finlay, Henry Legal Recognition of		
Transsexuals in Australia	12	503
TRANSSEAURES IN AUSTRALIA	12	303
Fins, Joseph J., M.D. CLINICAL PRAGMATISM: ~		
JOHN DEWEY AND CLINICAL ETHICS	13	27
TOTAL DENET TAND CHARGE DIFFICE	13	2,
Flaherty, Mary Jean, Ph.D. ADVOCACY AND NURSING		
EDUCATION IN THE TWENTIETH CENTURY	3	169
·	_	
Flaherty, Mary Jean, Ph.D. & Donley, Rosemary		
HEALTH CARE SYSTEM REFORM	10	105
	-	
Fletcher, John C., Ph.D. ABORTION POLITICS,		
SCIENCE AND RESEARCH ETHICS: TAKE DOWN THE		
WALL OF SEPARATION	8	95
	-	
Fletcher, John C., Ph.D. Where in the World are	•	
WE GOING WITH THE NEW GENETICS?	5	33

Francis, Robert, QC. Compulsory Caesarean Sections: An English Prespective	14	365
Gallacher, Ian Hazardous Substance Litigation In Maryland: Theories of Recovery and Proof of Causation	13	423
Gaze, Beth Resource Allocation The Legal Implications	9	91
Giesen, Dieter Vindicating the Patient's Rights: A Comparative Perspective	9	273
Gilmore, Norbert Drug Use and Human Rights: Privacy, Vulnerability, Disability, and Human Rights Infringements	12	355
Goldstein, Elizabeth $J$ . Asking the Impossible: The Negligence Liability of the Mentally Ill.	12	67
Gotts, Illene G. Health Care Joint Venture and the Antitrust Laws: A Guardedly Optimistic Prognosis	10	169
Graetz, Michael J. Ethics, Institutional Complexity and Health Care Reform: The Struggle for a Normative Balance	10	93
Graubard, Stephen R. THE ANTHONY PERKINS SAGA	9	177
Grubb, Andrew A Survey of Medical Malpractice Law in England: Crisis, What Crisis?	1	75
Hanson, Shannon Thee, Esq. Buck Stops Here: Preemption of Third Party Claims by the False Claims Act, The	12	41
Harris, John Could We Hold People Responsible for Their Own Adverse Health?	12	147
Heckert, D. Alex, Ph.D. Factors Associated With Medical Malpractice: Results from a Pilot Study	7	157
Helms, Charles M., M.D. LITIGATION IN MEDICAL EDUCATION: RETROSPECT AND PROSPECT	11	317
Helms, Lelia B. Litigation in Medical Education: Retrospect and Prospect	11	317

Hodge, James G., Jr. Implementing Modern Public Health Goals Through Government: An Examination		
of New Federalism and Public Health Law	14	93
Howe, Edmund G., M.D. ETHICAL PROBLEMS IN		
TREATING MILITARY PATIENTS WITH HUMAN		
Immunodeficiency Virus Diseases	3	111
Winesporth Datains M.I. Darrow Trees and Com-		
Illingworth, Patricia M.L. PATIENT-THERAPIST SEX:		•••
CRIMINALIZATION AND ITS DISCONTENTS	11	389
Ingram, John Dwight LIABILITY OF MEDICAL		
INSTITUTIONS FOR THE NEGLIGENCE OF INDEPENDENT		
CONTRACTORS PRACTICING ON THEIR PREMISES	10	221
Johns Kimberly A. & Vankoutes Christes Typenery one		
Johns, Kimberly A. & Varkoutas, Christos Tuberculosis		
CRISIS, THE: THE DEADLY CONSEQUENCE OF IMMIGRATION		
POLICIES AND WELFARE REFORM	15	101
Johnstone, Brian V., Ph.D. JUSTICE AND COST-		
CONTAINMENT IN END-STAGE RENAL DISEASE	3	65
Katz, Jay, M.D. Informed Consent - Must it		
Remain a Fairy Tale?	10	
REMAIN A PAIRY I ALE!	10	69
Katz, Sanford N. ATHAT THEY MAY THRIVE@ GOAL		
OF CHILD CUSTODY: REFLECTIONS ON THE APPARENT		
EROSION OF THE TENDER YEARS PRESUMPTION AND THE		
EMERGENCE OF THE PRIMARY CARETAKER PRESUMPTION	8	123
Keown, John Legal Revolution: From "Sanctity		
of Life" to "Quality of Life" and Autonomy", The	1.4	253
OF LIFE TO QUALITY OF LIFE AND AUTONOMY, THE	14	233
Kirby, Hon. Michael D. BIOETHICAL DECISIONS AND		
Opportunity Costs	2	7
Kirby, Hon. Michael D. THE HUMAN GENOME		
PROJECT- PROMISE AND PROBLEMS	11	1
1 ROBELT- 1 ROWISE AND 1 ROBLEWS	11	1
Kirby, Hon. Michael D. A PATIENT'S RIGHT OF ACCESS		
TO MEDICAL RECORDS	12	93
Krause, Harry D. Family Values and Family		
LAW REFORM	9	109
ANT ALL ONY	7	109
Kommers, Donald P. THE CONSTITUTIONAL LAW OF		
Abortion in Germany: Should Americans		
PAY ATTENTION?	10	1

Moreno, Johnathan D., Ph.D. Reassessing the InFluence of the Nuremberg Code on American Medical Ethics	13	347
Morreale, Joseph C., Ph.D. THE MEDICARE CATASTROPHIC COVERAGE ACT OF 1988: Issues of Equity in a Policy Reversal	7	117
Munby, James QC, RHETORIC AND REALITY: THE LIMITATIONS OF PATIENT SELF-DETERMINATION IN CONTEMPORARY ENGLISH LAW	14	315
Neale, James F., HMOs, Cost Containment, and Early Offers: New Malpractice Threats and a Proposed Reform	14	287
Nelson, Lawrence J. & Cranford, Ronald E. MICHAEL MARTIN AND ROBERT WENDLAND: BEYOND THE VEGETATIVE STATE	15	427
Newdick, Christopher Public Health Ethics and Clinical Freedom	14	335
O'Brien, Raymond C. Pedophilia: The Legal Predicament of Clergy	4	91
O'Brien, Raymond C. DISCRIMINATION: THE DIFFERENCE WITH AIDS	6	93
O'Brien, Raymond C. A LEGISLATIVE INITIATIVE: THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT OF 1990	7	183
O'Brien, Raymond C. THE WORLD OF LAW, SCIENCE AND MEDICINE ACCORDING TO GEORGE P. SMITH, II	. 8	163
O'Connell, Jeffrey HMOs, Cost Containment, and Early Offers: New Malpractice Threats and a Proposed Reform	14	287
O'Neill, Thomas F., III, Esq. Buck Stops Here: Preemption of Third Party Claims by the False Claims Act, The	12	41
Pautler, Paul, Ph.D. ECONOMIC ANALYSIS IN HEALTH	7 .	73

Pautler, Paul A., Ph.D. & Vita, Michael G. Hospital Market Structure, Hospital Competition, and Consumer Welfare: What Can the Evidence Tell Us?	10	117
Pelligrino, Edmund.D., M.D. Character, Virtue, and Self-Interest in the Ethics of the Professions	5	53
Pellegrino, Edmund D., M.D. CONFLICT BETWEEN AUTONOMY AND BENEFICENCE IN MEDICAL ETHICS: PROPOSAL FOR A SOLUTION	3	23
Pellegrino, Edmund D., M.D. PATIENT AND PHYSICIAN AUTONOMY: CONFLICTING RIGHTS AND OBLIGATIONS IN THE PHYSICIAN-PATIENT RELATIONSHIP	10	47
Pellegrino, Edmund D. M.D. RATIONING HEALTH CARE: THE ETHICS OF MEDICAL GATEKEEPING	2	23
Pierce, William L., Ph.D. Accreditation of Those Who Arrange Adoptions Under the Hague Convention on Intercountry Adoption as a Means of Protecting, Through Private International Law, the Rights of Children	12	535
Pinkerton, JoAnn V., M.D. ELECTIVE FETAL REDUCTION: THE ULTIMATE ELECTIVE SURGERY	13	53
Posner, Hon. Richard A. The Ethics and Economics of Enforcing Contracts in Surrogate Motherhood	5	21
Prillaman, Hunter L., A Physician's Duty to Inform of Newly Developed Therapy	6	43
Remis, Robin E. Health Care and the Federal Antitrust Laws: The Likelihood of a Harmonious Coexistence	13	113
Rice, Charles F. Implications of the Coming Retreat From Roe v. Wade	4	1
Roberts, Melinda A., Distinguishing Wrongful From ARightful@ Life	6	59
Robertson, John A. Extracorporeal Embryos and the Abortion Debate	2	53
Rodotà, Stefano Cultural Models and the Future of Bioethics	10	33

Rodgers, William H., Jr. The Lesson of the Red Squirrel: Consensus and Betrayal in the		
Environmental Statutes	5	161
Rorty, Mary V., Ph.D. ELECTIVE FETAL REDUCTION:		
THE ULTIMATE ELECTIVE SURGERY	13	53
Rostow, Victoria P. MEDICAL PROFESSIONAL		
LIABILITY AND THE DELIVERY OF OBSTETRICAL		
CARE	6	81
Ruskin, Andrew Capitation: The Legal		
IMPLICATIONS OF USING CAPITATION TO AFFECT		
PHYSICIAN DECISION-MAKING PROCESSES	13	391
Sappideen, Carolyn No Fault Compensation for		
Medical Misadventure Australian Expression		
OF INTEREST	9	311
OF INTEREST	,	511
Schmidt, Winsor C. Factors Associated With		
MEDICAL MALPRACTICE: RESULTS FROM A PILOT STUDY	7	157
Calarante Dalarat I Imparato Courte To Disputation		
Schwartz, Robert L. Informed Consent to Participation in Medical Research Employing Elderly Human		
SUBJECTS SUBJECTS	1	115
20RIEC12		113
Scott, Russell Legal Implications and Lawmaking in		
BIOETHICS AND EXPERIMENTAL MEDICINE	1	47
Scott, Russell The Terrible Imbalance: Human		
ORGANS AND TISSUES FOR THERAPY A REVIEW		
OF DEMAND AND SUPPLY	9	139
Cl V.M. Everyon on the Automotive	2	131
Sharma, K.M. Euthanasia in Australia	2	131
Shuster, Evelyne. The Posthumous Gift of Life:		
THE WORLD ACCORDING TO KANE	15	401
Shriner, David L., M.D. INFORMED CONSENT AND		
RISK MANAGEMENT IN DERMATOLOGY	8	137
Smith, Alexander McCall Beyond Autonomy	. 14	23
Smith, Alexander McCall Criminal or Merely Human?:		
The Prosecution of Negligent Doctors	12	131
ALL A HOUSEOFFEE A TELESCOPE SOCIONO		
Smith, David H. Wombs for Rent, Selves For		
SALE?	4	23

Somers, Thomas H. COBRA: An Incremental Approach to National Health Insurance	5	141
Somerville, Margaret A. The Song of Death: The Lyrics of Euthanasia	9	1
Standish, James Hospital Conversion Revenue: A Critical Analysis of Present Law and Future Proposals to Reform the Manner in Which		
REVENUE GENERATED FROM HOSPITAL CONVERSIONS IS EMPLOYED	15	131
Steele, Charles J. Minimizing Antitrust Risks of Blue Cross and Blue Shield Plans	4	227
Teff, Harvey Medical Models and Legal Categories: An English Perspective	9	211
Thomasma, David C., Ph.D. Conflict Between Autonomy and Beneficence in Medical Ethics: Proposal for a Resolution	3	23
Tobin, Bernadette Did You Think About Buying Her A Cat? Some Reflections on the Concept of Autonomy	11	417
Topelsohn, Lauren Threats to Secret Service Protectees: Guidelines on the Mental Health Services Provider's Duty to Report	7	47
Vita, Michael G., Ph.D. ECONOMIC ANALYSIS IN HEALTH CARE ANTITRUST	7	73
Wachtler, Hon. Sol The Patient's Right to Decline Medical Treatment: The	_	
New York View	7	9
Wadlington, Walter J. BABY M: CATALYST FOR FAMILY LAW REFORM?	5	1
Wagner, Richard F., Jr., M.D. Informed Consent and Risk Management in Dermatology	8	137
Wagner, William J. The New Reproductive Technologies and the Law: A Roman Catholic Perspective	4	37
Waller, Louis Secrets Revealed: The Limits of		

#### 804 Journal of Contemporary Health Law and Policy [Vol. 15:779 MEDICAL CONFIDENCE 9 183 Walsh, Kevin M. Boxing: Regulating A HEALTH HAZARD 11 63 Weedn, Victor W., M.D. INFORMED CONSENT AND RISK MANAGEMENT IN DERMATOLOGY 8 137 Wertz, Dorothy C., Ph.D. Society and the NOT-SO-NEW GENETICS: WHAT ARE WE AFRAID OF? SOME FUTURE PREDICTIONS FROM A SOCIAL SCIENTIST 13 299 Winsdale, William J. INFORMED CONSENT AND RISK MANAGEMENT IN DERMATOLOGY 8 137 Wodak, Alex, M.D. To Take up Arms Against a Sea **OF DRUGS** 9 323 Zumpano-Canto, Joe, J.D., M.P.H. NONCONSENSUAL STERILIZATION OF THE MENTALLY DISABLED IN NORTH CAROLINA: AN ETHICS CRITIQUE OF THE STATUTORY

13

79

STANDARD AND ITS JUDICIAL INTERPRETATION