

11-25-2013

Letter from the Editors

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Recommended Citation

Avramidis, Georgiana, Gabrielle A. Mulnick, Emily K Strunk, Jennifer Cadena, and Meryl Eschen Mills. "Letter from the Editors ." Health Law & Policy 1, no. 1 (2007): 1.

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LETTER FROM THE EDITORS

Dear Reader,

On behalf of the editorial board and staff, we proudly present Volume 6, Issue 1 of the *Health Law & Policy Brief*. This eleventh issue of the Brief comes at a historic moment for U.S. health care as the Supreme Court deliberates the fate of the Patient Protection and Affordable Care Act. Our featured articles grapple with many of the questions raised during the health care reform debate: What role should the government play in regulating the public's health? What limitations does the Constitution impose upon the extent to which the government can regulate to promote and protect the public's health? And how do we balance the government's interest in promoting public health with individuals' interest in privacy, liberty, and personal choice?

Our student authors highlight the legal, social, and ethical consequences of increased government regulation over matters related to the public's health, specifically focusing on FDA regulation. Tess Dillon discusses FDA regulation over the tobacco industry and analyzes a rule requiring companies to include graphic warnings on all cigarette packages and advertisements. Rachael Vieder examines FDA regulation in the obesity context and considers a proposed rule mandating restaurants to include caloric information in their menus. And Roxanne Melvin addresses what steps the FDA should take when approving drugs targeted at specific racial and ethnic groups.

In our Practitioner's Corner, Jackson Williams addresses another issue featuring prominently in the health care debate: the topic of tort reform. Williams presents his findings from a study evaluating laws capping malpractice damage, specifically focusing on how these laws relate to the defensive ordering of tests, and questions whether an improved liability climate for doctors can simultaneously lead to increased patient access to care and decreased costs in health expenditure.

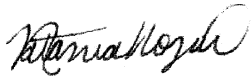
Finally, we feature three short student pieces. Our student reporter, Christian DeRoo, discusses a recent California Supreme Court case addressing the legality of reverse payments in the pharmaceutical industry. For our student opinion pieces, Shoshana Golden criticizes stricter abortion regulation as being rooted more in morality than in medical science, and Julie Dabrowski expresses her concern over the procedural hurdles related to suing an insurance company for certain abusive practices.

Taken together, these articles present a rich and deep discussion on a variety of topics. Given the complex issues covered in this issue, we by no means present a definitive picture on any one of the topics presented, but rather seek to promote further debate

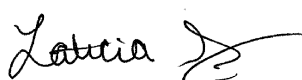
and inquiry in these areas. The opinions expressed by the authors do not necessarily reflect the views of the *Health Law & Policy Brief* or American University Washington College of Law.

This is our last issue together as editors of the Brief. We extend our sincerest gratitude to our advisers, Professor Lindsay Wiley and Matthew Pierce. Their endless support and guidance has been instrumental to the Brief this year. We thank the *Administrative Law Review* for helping us solicit articles for this issue. We also are enormously thankful to our dedicated, enthusiastic, and talented staff, and our wonderful and bright authors. Finally, we thank you for your readership. We hope you enjoy this issue of the Brief as much as we enjoyed working on it!

Sincerely,



Natassia Rozario
Editor-in-Chief



Laticia Sanchez
Co-Executive Editor



Kirsten Tullia
Co-Executive Editor