

A CENTURY OF HEALTH CARE REFORM
5297-33220
(Preliminary Draft)

Intersession 2010
Professor Orentlicher

Description: This course will provide historical and contemporary perspectives on the effort to enact universal access to health care in the United States. Beginning with proposals nearly a century ago, the course will trace the path to the enactment of Medicare and Medicaid in 1965 and then consider more recent legislative approaches.

Readings will include comparisons of the US health care systems with universal health care systems in other countries, the different legislative proposals before Congress in 2009 (and possibly the final version of legislation enacted), and strategies to reduce health care spending so that universal access is affordable.

Text: Course assignments will be drawn from books, journal articles, newspaper articles and other resources on health care reform. Some of the materials will be linked to the course webpage or sent to you by e-mail; for the other materials, there will be a link or directions for finding the material through the library.

Grading: Your grade will be based primarily on a closed book, two-hour, final examination in class, which is scheduled for Tuesday, January 12, 10:00 am.

Class participation is an important part of the class, both to enhance your learning and that of your classmates. As long as the amount and quality of your participation fall within a reasonable range, it will not affect your grade. Unusually good or poor participation can raise or lower your grade, respectively.

Attendance: As indicated by the grading policy, your attendance and participation are important. You will not learn the material as well if you miss the class lectures and discussions.

Scheduling: We will meet on January 4, 5, 6, 7 and 11, at 9 am – 1 pm and on January 10, 1 pm – 5 pm, Room --- in the Health Law Institute.

Assignments

Please note that I may make adjustments in the assignments, so you should check this page before each class.

The Nature of the Problem (January 4)

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Kaiser Family Foundation, The Uninsured: A Primer, <http://kff.org/uninsured/upload/7451-05.pdf>

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A Right to Health Care (January 5)

President's Commission, Securing Access to Health Care (March 1983), pages 11-47,

http://www.bioethics.gov/reports/past_commissions/securing_access.pdf

Hall, Bobinski and Orentlicher, Health Care Law and Ethics (2007), pages 106-132

Hand v. Tavera, 864 S.W.2d 678 (Ct. App. Tex. 1993)

Engelhardt, Bioethics at the End of the Millenium, pages 1-5,

<http://www.springerlink.com/content/r24733977g325860/fulltext.pdf>, and

Engelhardt, Toward Multiple Standards of Health Delivery, pages 25-33, <http://www.springerlink.com/content/k681k01717603g1w/fulltext.pdf>, in Ethical Issues in Health Care on the Frontiers of the Twenty-First Century (Wear et al., eds. 2000)

Callahan, What Is a Reasonable Demand on Health Care Resources?, 8 J. Contemp. Health L & Pol'y 1 (1992) (Hein Online)

Menzel and Light, A Conservative Case for Universal Access to Health Care, 36 (4) Hastings Center Report 36 (2006) (JSTOR)

History of US Health Care Reform Efforts (January 6)

Starr, The Social Transformation of American Medicine (1982), pages 235-334

Kaiser Family Foundation, National Health Insurance—A Brief History of Reform Efforts in the U.S. (March 2009),

<http://www.kff.org/healthreform/upload/7871.pdf>

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Marmor & McKissick, Medicare's Future, 26 Am. J. L & Med. 225 (2000), pages 225-238

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Blendon and Benson, Americans' Views on Health Policy, 20(2) Health Affairs 33 (2001)

Steinmo and Watts, It's the Institutions Stupid!, 20 J. Health Pol. Pol'y & L. 329 (1995)

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Evans, et al., Comparative Efficiency of National Health Systems, 323 BMJ 307 (2001)

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van de Ven & Schut, Universal Mandatory Health Insurance In The Netherlands, 27(3) Health Affairs 771 (2008)

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<http://content.healthaffairs.org/cgi/content/abstract/hlthaff.28.4.w578>

Kingsdale, Implementing Health Care Reform in Massachusetts, 28(4) Health Affairs w588 (May 28, 2009),
<http://content.healthaffairs.org/cgi/content/abstract/28/4/w588?rss=1>

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Long & Stockley, Massachusetts Health Reform, 28(6) Health Affairs w1079 (Oct. 1, 2009),
<http://content.healthaffairs.org/cgi/content/abstract/28/6/w1079>

Bodenheimer; The Oregon Health Plan — Lessons for the Nation— First of Two Parts, 337 New Eng. J. Med. 651 (1997)

Jacobs, Marmor & Oberlander, The Oregon Health Plan and the Political Paradox of Rationing, 24 J. Health Pol. Pol'y & L. 161 (1999)

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<http://content.healthaffairs.org/cgi/content/full/26/1/w96>

Proposal of the Physicians' Working Group for Single-Payer National Health Insurance,
<http://www.pnhp.org/physiciansproposal/proposal/Physicians%20ProposalJAMA.pdf>

Committee on Economic Development, Quality Affordable Health Care for All,
http://www.ced.org/images/library/reports/health_care/report_healthcare07.pdf (Executive Summary)

Leonhardt, Making Health Care Better, NY Times, Nov. 3, 2009,
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Controlling Costs and Rationing Care (January 10)

Brock, Health Care Resource Prioritization and Rationing, 74(1) Social Research 125 (2007)

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Larson, Group Health Cooperative, 361 New Eng. J. Med. 1620 (2009)

Gruber. A Win-Win Approach to Financing Health Care Reform, 361 New Eng. J. Med. 4 (2009)

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<http://content.healthaffairs.org/cgi/reprint/hlthaff.2008.0430v1>

Himmelstein & Woolhandler, The Regressivity of Taxing Employer-Paid Health Insurance, 361 New Eng. J. Med. e101 (2009),
<http://content.nejm.org/cgi/content/full/361/10/e101>

Orentlicher, Health Care Reform: Beyond Ideology, 301 JAMA 1816 (2009)