A Legal Resource Guide for In-House Hospital Counsel

By Karen Illuzzi Gallinari and Sara Gonzalez

Introduction

Healthcare attorneys have the fortune of practicing in one of the most diversified areas of our profession. While most of us are passionate about healthcare, many of us are drawn to the field because we enjoy the variety of legal issues our clients present to us.

Few healthcare attorneys address more varied issues in a typical day than the average in-house hospital counsel. A normal general counsel's day will involve knowledge or research on corporate law, environmental law, criminal law, employment law, health codes, whether there is sufficient, clear and convincing evidence to permit the removal of a respirator on a patient, and everything in between. Lucky for us, the volume of resources available providing relevant information on these issues is as numerous as the issues themselves. The in-house general counsel is also expected to be knowledgeable about these issues cold. We are called when the patient is on the operating table, the police have arrived on site to arrest a patient or, heaven forbid, an employee, etc., etc. Instant law is simply essential in most in-house counsel offices.

Despite the number of gray hairs many of us proudly display, none of us is foolish enough to profess to know every relevant statute, regulation, or case, nor how to put our finger on it most quickly in this age of endless computerized legal resources. Quite appropriately, we often rely on each other for certain details.

For us, who defend our choice not to memorize small details, noting that Einstein chose never to remember anything he could look up (allegedly including his own phone number), the In-house Counsel Committee of the Health Law Section has begun the following Health Law Resource Guide. This is intended to be a dynamic document which will be updated and available on our Health Law Section Web site at www.nysba.org/health**.** This first version does not contain everything each one of us finds essential or helpful. Readers are encouraged to submit suggestions and additions to assist us in making this a powerful tool for our field. Ultimately we hope to cross reference the resources listed by subject matter. In the meantime, we hope you will find this guide useful, particularly when your mentor, assistant or colleague had the nerve to step out of the office just when one of your many emergency calls arrives.

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NYSBA Health Law Section
In-House Counsel Committee

Health Law Resource Guide

I) **Primary Resources**—Many of the statutes and regulations that follow are available on-line. Web sites containing these statutes and regulations can be found in the secondary resource section of this guide.

A) **Federal**

1) Code of Federal Regulations

(a) Title 21 Food and Drugs

(b) Title 29 Labor

(c) Title 34 Education

(d) Title 40 Protection of Environment

(e) Title 42 Public Health

(f) Title 45 Public Welfare (HIPAA Statutes)

2) Department of Justice and Federal Trade Commission Antitrust Statements—can be viewed on the Internet at http://www.ftc.gov/ftc/antitrust.htm

3) United States Department of Justice Antitrust Division—can be viewed on the Internet at http://usdoj.gov/atr/index.html

4) OIG Advisory Opinions: http://oig.gov/fraud/advisoryopinions.html

- There is also an area for Fraud Prevention and Detection: http://oig.gov/fraud/complianceguidance.html, and there is an available link to Corporate Responsibility and Corporate Compliance: a resource for Health Care Boards of Directors.

B) **State**

1) Official Compilation of Codes, Rules, and Regulations of the State of New York (N.Y.C.R.R.)

(a) Title 8 Education

(i) Unprofessional Conduct § 29

(b) Title 10 Health

(c) Title 14 Mental Hygiene

(d) Title 18 Social Services

2) McKinney's Consolidated Laws of New York Annotated

(a) Education Law

(b) Employer's Liability Law

(c) Mental Hygiene Law

(d) Not-For-Profit Corporation Law

(e) Public Health Law

(f) Social Services Law

(g) Insurance Law

(i) Articles 48 and 49 of NYS Insurance Law include the HMO and Utilization Review Statutes

3) Gould's New York Consolidated Laws Unannotated

(a) New York Family Law Handbook

(b) Penal Law and Criminal Procedure Law of the State of New York

4) New York State Department of Health Memoranda: www.health.state.ny.us (see #9 Web sites)

5) New York State Department of Environmental Conservation: www.dec.state.ny.us (regulations for hazardous waste, etc.)

C) **City**

1) The Administrative Code and Charter of the City of New York

(a) Title 8 Civil Rights, Administrative Code of the City of New York §§ 8-101, 8-401–8-801

(i) Prevention of Interference with Reproductive Health Services §§ 8-801–8-804

(b) Title 17 Health, Administrative Code of the City of New York §§ 17-101–17-408

(i) Department of Health §§ 17-101–17-183

(ii) Medical Examiner §§ 17-201–17-206

(iii) Licenses and Permits §§ 17-301–17-363

(iv) Standards Governing the Performance of Sterilizations §§ 17-401–17-408

(c) Title 21 Social Services, Administrative Code of the City of New York §§ 21-101–21-202

(i) Department of Social Services §§ 21-101–21-129

(ii) Department for the Aging §§ 21-201–21-202

2) Rules of the City of New York

(a) Title 24 Department of Health

(i) Method and Criteria for Approval of Clinical Laboratories for Training § 2-01–2-09

(ii) HIV/HTLV-III/LAV Antibody Testing §§ 3-01–3-10

(iii) Inhalation Therapy Service §§ 5-01–5-15, 5-21–5-25

(iv) Adjudicatory Hearings § 7-01–7-02

(b) New York City Health Code, Titles I-V

(c) Title 25 Department of Mental Health and Retardation § 1-01

D) **Ethical Obligations**

1) New York Code of Professional Responsibility

2) American Bar Association Model Rules of Professional Conduct

- Most other states have adopted the ABA Model Rules.

3) New York State Public Officers Law

- These laws are applied to individuals who are currently state officers and employees as well as former state officers and employees.

(a) Restrictions on the activities of current and former state officers and employees § 73

(b) Code of Ethics § 74

II) **Secondary Resources**

A) **Government Web Sites**

1) Centers for Disease Control: www.cdc.gov

- This Web site is beneficial for researching a specific disease.
- The site has links to an alphabetical listing of health topics, data and statistics, and access to publications, software and other products about diseases/injuries.
- No fee is charged for use of this site and users can subscribe to a FREE mailing list.
- Through the mailing list, the user may subscribe to specific newsletters (i.e., HIV/AIDS Conference & Training Updates, Minority Health Statistics).

2) Department of Justice and Federal Trade Commission Antitrust Statements—can be viewed on the Internet at http://www.ftc.gov/ftc/antitrust.htm

3) United States Department of Justice Antitrust Division—can be viewed on the Internet at http://usdoj.gov/atr/index.html

4) New York State Department of Health: www.health.state.ny.us

- This site is very useful when looking for a specific statute. The text of a statute can be viewed by entering either the statute's title or section, or browsing the table of contents.
  - The user can also search for a wide variety of health care information.
- This site includes the Public Health Forum, which contains the New York Codes, Rules, and Regulations (both Title 10 and Title 18) and New York State Public Health Law.
- No membership fee is required for use of this Web site and no fee is charged for access.

5) New York City's Health and Mental Hygiene Web site (NY City Dept. of Health: www.nyc.gov/html/doh/home.html

- This Web site is useful for looking up a specific topic that may be covered by a New York City statute, or that is directly related to New York City.

- This site is organized by Health Topics, Agency Information, and Publications.
- The user can access a number of publications including the NYC Department of Health and Mental Hygiene publications.
- The site provides free access to MEDLINE and other databases ("ageline"—psychological, social issues facing the aging, policy information exchange, center for disease control, Combined Health Information Database, etc.).
- Free access to periodicals, and Health Information Packets, etc. is also available.

6) New York Citizen's Access to State Government: www.state.ny.us/state_acc.html

- Web site provides access to all state government agencies, including the Department of Health and the Department of Environmental Conservation.
- This site provides free access to its resources.

7) Department of Health and Human Services: www.os.dhhs.gov

- The Department of Health and Human Services site allows the user to search many databases and topics including:
  - Reference Collections (statistics, dictionaries, libraries);
  - Policies and Regulations (laws, policies, regulations);
  - Resource Locators (health care facilities, providers);
  - Disasters and Emergencies (bioterrorism, homeland security);
  - Diseases and Conditions (Mental Health, HIV/AIDS);
  - Families and Children (Medicaid, vaccines);
  - Aging (Medicare);
  - Specific Populations (men, women, disabled, etc.);
  - Drug & Food Information (drugs, recalls); and
  - Safety and Wellness (exercise, smoking, traveler's health).
  - There is no charge for use of this site's services.

8) Code of Federal Regulations (CFR): www.access.gpo.gov

- This Web site is a quick way to research the CFR under any title (Public Health is Title 42). You can enter a key word and/or section when in search field in order to view the document on your computer.
  - This Web site also sells CFR Titles.
- There is no membership fee required for use of this Web site.
- The documents can be printed from the site at no cost.

9) FirstGov: www.firstgov.gov

- This site is easy to use for research of federal materials.
- The site is organized primarily by topic (agencies, governmental agency contacts, references—laws and regulations).
  - It includes separate listings by branch of government (normally provides links to top-tier agencies, including health and safety).
- The site also provides access to many legal and regulatory sources (federal laws, rules, regulations, judicial decisions, etc.).
- There is no membership fee required for use of this Web site.

10) Centers for Medicare and Medicaid: http://cms.hhs.gov

- This site provides access to information on Medicare, Medicaid, HIPAA, the State Children's Health Insurance Program (SCHIP), Clinical Laboratory Improvement Amendments (CLIA), Laws and Regulations, and state waivers.

11) OIG Advisory Opinions: http://oig.gov/fraud/advisoryopinions.html

- This site provides access to the advisory opinions of the OIG.
- Opinions may be requested through this site, and final rules of the Federal Register may be downloaded.
- Compliance Guidelines may be viewed through this Web site as well.
- There is also an area for Fraud Prevention and Detection: http://oig.gov/fraud/complianceguidance.html, and there is an available link to Corporate Responsibility and Corporate Compliance: a resource for Health care Boards of Directors.

B) **Association Web Sites**

1) New York State Bar Association: www.nysba.org

- This site has many resources for its members including access to free case law through LexisOne and Loislaw, free official approved forms and the ability to purchase other forms individually or in a form package, the NYSBA *Journal*, and *State Bar News*.
- Non-members have access to a legal Web site directory, the Code of Professional Responsibility, the wEbrief newsletter, Multi-disciplinary Practice Rules, and Practice Management Products and Publications.
- Membership fees vary:
  - Resident Attorneys—$70.00–$400.00 (depending on the year of admittance to the bar);
  - Non-resident Attorneys—$70.00–$200.00 (depending on the year of admittance to the bar);
  - Newly Admitted Attorneys—FREE (evidence of admission is required and must be presented in order for this to be processed); and
  - Law Students/Graduated Law Students—$10.00
  - A waiver of the dues may be applied for by filling out the request form provided on the Web site.
- In addition to becoming a member of the New York State Bar Association, members may join any of the 23 available sections (**Health Law**, Corporate Law, etc.) at an additional cost.
  - Section membership prices vary, and the sections can be joined during the membership process, after one has obtained membership.

2) American Health Lawyers Association (AHLA): www.healthlawyers.org

- Law-related materials, government agencies, health care and health law sites can be accessed through the AHLA Web site.
- This Web site offers members access to publications, educational programs, news and news analysis, health law documents, press releases, and law related Web sites.
- Non-members may gain access to a wide variety of resources including links to useful Web sites, news, and publications.
  - **Listserve**—Non-members have access to the AHLA Listserves. Listserves are free e-mail discussion groups that may be used to discuss different health law topics.
  - **Ask Health Lawyers**—Non-members may also access Health Law documents, which may be downloaded from the Internet for free or ordered in hard copy form from the AHLA (processing and paper fee will be charged).
- Membership in the association is required in order to access specific materials (14 practice groups, online *Health Law Digest*, *Health Lawyers News*, discounts on publi-

cations, and an on-line membership directory).

- Membership fees vary:
  - Attorneys—$150.00 to $315.00 (depending on years since admission to the Bar)
  - Government Attorneys or Academics—$150.00
  - Health Professionals—$315.00
  - Law Students—$20.00
- Membership is purely individual and will therefore not be affected by change in employment.
- A $35.00 annual fee is charged for membership in a practice group.
  - *In-House Counsel* and *Fraud and Abuse* are two of the many practice groups available.

3) National Health Law Program (NEHLP): www.healthlaw.org

- This is an invaluable Web site maintained by a national public interest law firm that seeks to improve health care for uninsured or underinsured low-income people.
- This site contains many helpful links including links to the Federal Register, federal agencies, various organizations, children's health, reproductive health, public accountability, state and regional projects, immigrant health, managed care, and state health information.
- There is no charge for using this site, but there are fees for purchasing NHLP publications (i.e., Advocates Guide to Medicaid) and executive summaries through this Web site.

4) Greater New York Hospital Association: www.gnyha.org

- The site lists GNYHA member hospitals and providers as well as links to health care agencies, the Emergency Preparedness Resource Center, press releases, public testimony, publications, and the Center for Continuing Care.
- This site links many articles discussing current issues affecting hospitals, such as congressional cuts to teaching hospitals, and the impact of "9/11" on the New York hospital system.
- This site contains links to information about smallpox and a mental health services at member hospitals.
- Members can also access a HIPAA resource area.

5) The Judge David L. Bazelon Center for Mental Health Law: www.bazelon.org

- The Bazelon Center is known as the nation's leading legal advocate for the rights of people with mental illness and disabilities.
  - The Center's attorneys provide technical support for and co-counsel selected lawsuits with private lawyers and legal service programs, ACLU chapters, and state protection and advocacy systems.
- The site provides links to news and information regarding certain mental health issues.
- The center publishes handbooks, manuals, issue papers and reports which may be purchased through their Web site.

6) National Alliance for the Mentally Ill: www.nami.org; www.naminys.org

- The National Alliance for the Mentally Ill (NAMI) is a nonprofit, grassroots, self-help, support and advocacy organization for people who suffer from mental illness and their families.
  - NAMI-NYS (www.naminys.irg) is New York State-specific and has 5,000 members and 58 affiliate local organizations across the state of New York.
- The organization works on the national, state, and local levels to

provide education about mental illness, support increased funding for research, and advocates for adequate health insurance, etc.

- This Web site is an invaluable tool for attorneys who are confronted with issues involving mental illness and contains a wealth of information relating to mental illness.
- Members can research policy issues and regulations that affect the mentally ill.
- Membership in the organization is available and can be obtained through one state and/or local NAMI office (membership in NAMI-NYS is $25.00-$500.00).

7) American Bar Association: www.abanet.org

- This site provides access to a number of legal resources including list serves, Weekly Briefing of legal issues and the online *ABA Journal*.
- Members receive a monthly publication from the Association and have access to ABA publications.
- Membership fees vary based upon how long one has been admitted to the bar:
  - FREE for those admitted less than one year up to $295.00 (reduced dues are available for judges and lawyers in public service).
- There are twenty-three (23) sections that a member may join at an additional cost. This cost ranges from $30.00 to $50.00 (Health Law Section fee is $40.00).
- There are 4 divisions that may be joined (membership fee ranges from FREE—young lawyers division—to $40.00).
- There are also forums available that may be joined (prerequisite to joining a forum is the membership in at least one section or division):
  - Cost for membership in an ABA Forum ranges from $30.00 to $50.00.
- The American Bar Association also offers a special joint rate offer (a single fee will cover the rates for Government and Public Sector Lawyers Division and any one of the nine (9) listed areas of law (including Health Law).
- The ABA has an affordable dues program in which those attorneys who are experiencing financial hardship will be able to receive a discount on their dues.
- There are also a few sections that offer an additional financial hardship discount.

8) Joint Commission on Accreditation of Healthcare Organizations (JCAHO): www.jcaho.org

- This Web site provides access to the comprehensive accreditation manual for hospitals.
- This site also provides up-to-date news relevant to hospitals and hospital administrators.

C) **Other Web Sites**

1) HEALTH HIPPO: http://hippo.findlaw.com/hippohome.html

- This site is a collection of policy and regulatory information related to a wide variety of health care issues.
- The site provides links to many topics facing health law professionals:
  - Advance Directives, Antitrust, Vaccines, FDA, Fraud & Abuse, Quality Assurance, Public Health, Research Integrity & Bioethics, etc.
- Within each topic are links to the relevant statutes, rules/regulations, legislation, cases and reports.
- No membership fee is required for use of this Web site and no fee is charged for access.

2) The Health Law Resource: www.netreach.net/~wmanning/

- This site contains links to health and technology pages as well as government pages.
- This Web site also contains links to topics such as:
  - Fraud & Abuse,
  - Mergers & Acquisitions,
  - Bioethics/Patients, and
  - Medicare/Medicaid.
- The site provides links to the CFR and STARK II Regulations.
- The site also provides related government and law links:
  - Government Sites, Statutes, and Cases,
  - Law Firms, University Resources & Other Indexes,
  - On-line Legal Publications,
  - Related Technology and Medical Links, and
  - Non-legal Links.
- No membership fee is required for use of this Web site and no fee is charged for access.

3) Saint Louis University School of Law—The Center for Health Law Studies: http://law.slu.edu/healthlaw/research/links/index.html
   - This site contains many health law links and users can search by Topic, Agencies and Institutions, Journals and Publications, and HIPAA and Health Privacy.
     - Users can also link to Portals, Indexes, and Search Engines and free Legal Information Institute case law and statutory searches.
   - No membership fee is required for use of this Web site and no fee is charged for access.

4) The Center for Regulatory Effectiveness (CRE): www.thecre.com
   - Although this site will require some time for navigation and searching before getting to what you are looking for, it is very helpful.
   - This site provides links to federal government Web sites, the Federal Register, federal regulations under development by a particular agency, and allows the public to comment on the effectiveness of certain regulations. The interested public is urged to take an active role in public policy debates on the issues contained in the CRE site.
     - Where possible, agency contacts will be identified and opportunities for public comment in the Federal Register or elsewhere will be noted.
   - This site provides direct links to agencies (DHHS) and to the Fed-Law Web site (federal laws and regulations, the U.S. Code).
     - Federal Statutes are searched for using an alphabetical Topical and Title Index.
   - Use of the CRE is free and there is no fee charged for any research done.

5) WashLaw Web: www.washlaw.edu
   - This site allows the user to search for a specific topic in numerous ways, including:
     - By state, by circuit, in law journals, etc.
   - This site also provides a link to a list of legal search engines, and can be searched in its entirety by keyword.
   - No fee is charged for use of this site.

6) LexisNexis—Lexis One: www.lexisone.com
   - This Web site is one way that firms on a limited budget may have access to the LexisNexis research system.

- The site has links to find other legal Web sites, access public records of states, access cases, legal forms, state resources, and Shepards®.
    - Access to Shepards® is quoted at $30.00 per day.
- A fee is charged for use of this site.
    - Firms can pay as they go, or subscribe to LexisNexis™ by the day, week, or month.

7) Find Law: www.findlaw.com

- This site is a part of WestLaw®, and allows the user to search its database by topic, but also provides the opportunity for a general search.
- There are research links, state law links, federal law links, government resources, legal news and legal subjects.
- For a fee, an attorney and/or firm may purchase specific services such as West Workspace™, and West Legal Directory™.
    - To find out specific fees, the site provides contact numbers to reach a representative.

8) LexisNexis™: www.lexisnexis.com

- This legal web service provider allows a user to use a large amount of resources.
- Like WestLaw®, the user can search either by topic, area of law, date, and jurisdiction.
- Also, similar to Westlaw®, a user would have to be a member in order to use this service.
- Many services are provided and each requires payment of a fee for use (Shepard's™, SmartLinks™, Corporate Affiliations™, etc.).
- There are many price plans and packages available and information on the available plans and packages can be received by contacting a representative.

9) WestLaw®: www.westlaw.com

- This site provides attorneys with a vast amount of legal information, including law journals and law reviews, case law and opinions, and state and federal law.
- Legal material may be researched by area of law, jurisdiction, and topic, as well as by date.
- Queries are sorted by relevance and are also organized by a color category that explains how relevant the law is.
- One must be a member to access WestLaw®, and fees range depending on both the firm size, and the required services. For an inquiry into the pricing options, a representative may be contacted.
    - There are hourly packages, and credit card use is available as well.

10) American Law Sources Online (ALSO): www.lawsource.com/also

- This site covers North America (USA, Canada. and Mexico) and provides a comprehensive collection of links to FREE resources on the Internet and is organized by jurisdiction.
- For each jurisdiction, sites are provided to sources of primary law, commentary to that law, and practice aids (official forms and court information).

11) Internet Public Library: www.ipl.org

- This site is maintained and sponsored by the School of Information of the University of Michigan.
- The site is useful for searching a specific topic or for searching all related issues under a specific heading/topic.
    - The library's Subject Collections area has links to "Health & Medical Sciences", and "Law, Government and Political Science" as well.

- No fee is charged for any research done.

12) Legal Information Institute (LII): www.law.cornell.edu

- This site offers a wide variety of resources including:
  - Law by source or jurisdiction;
  - Constitutions and Codes:
    - UCC, CFR, U.S. Code, Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, Federal Rules of Evidence; and
  - Court opinions.
- No fee is charged for use of this site.

13) The Virtual Chase: www.virtualchase.com

- This Web site contains a legal research guide and is sponsored by Ballard, Spahr, Andrews & Ingersoll, LLP.
- The user can search or browse the collection of annotated resources for legal research (i.e., Health Law, Elder Law) and factual research (i.e., Medicine and Health).
- Also listed on this Web site are federal agencies and Health Law related organizations:
  - Dept. of Health and Human Services, FDA, Office of the Inspector General;
  - Government Databases: JCAHO, American Health Lawyers Association, American Medical Association, Center for Disease Control;
  - Government-based Topical Web Sites: Medicaid Fraud Statutes, State HIPAA Laws, State Medicaid Policy Search; and
  - Other Useful Databases: AMA On-line Doctor Finder, The American Hospital Directory, Preventable Tragedies, etc.
- No fee is charged for use of this site.

14) Hieros Gamos: www.hg.org

- This index is international in scope and is organized under an index of topic and scope.
- This site contains links to international sites, commentary, cases, statutes, publications, etc.
- This Web site also provides access to legal Web sites, legal associations, and bar associations.
  - Also provided are links to United States law (Constitutional-Judicial, Legislative, and Executive, Federal, and State).
- Use of this site and access to materials is free.

15) New York Lawyer: www.nylawyer.com

- This site has a link to "The Best Legal Web Sites" which are organized into different categories including:
  - Crawlers & Metasearchers, Government Sites, People Finders, LawCrawler & Legal Indexes, Legal "Destinations" and Search Tools, Virtual Reference Libraries, Public Records, and Converters and Calculators.
- These sites are also labeled as general sites that are related to law, loosely related to law, or not even remotely related to law.
- No fee is charged for use of this site.

16) LawCrawler: http://lawcrawler.lp.findlaw.com

- This site is known as a metasearcher (it will send the query to multiple search engines simultaneously) and is sponsored by Findlaw, an extension of Westlaw®.
  - This search engine will only search sites, known to contain legal information, that are governmental and commercial domains (".gov" or ".com").

- Allows user to look up state and federal case law as well as statutes and regulations.
- This site allows the user to limit the search to particular sites and databases such as government sites, state sites, law reviews, and Supreme Court opinions.
- Use of this site is free.

17) Legal Ethics: www.legalethics.com

- This Web site provides users a way to research legal categories and then topics within that category (i.e., Laws/Local codes).
- This site also publishes legal ethics opinions and recent ethics cases.
- No fee is charged for use of this site.

18) E-Clips: www.eg3.com/eCLIPS/newsletter.htm

- This Web site allows individuals to sign up for free newsletters to be delivered to their e-mail addresses.
- These newsletters are organized by industry.

19) The Advisory Board: www.advisoryboardcompany.com

- The advisory board is a membership of many of the country's progressive health systems and medical centers.
- The board publishes a daily and weekly news service.
- The board researches the best (and worst) demonstrated practices, helping member institutions benefit from one another's learning curves.
- For an annual fee, members have access to research results, executive education, and the news services.

III) **Other Secondary Resources**

A) **Loose-leaf Services**

1) Bureau of National Affairs (BNA)

2) Commerce Clearing House (CCH)

- Fraud and Abuse

B) **Health Care Clippings Services**

1) E-Clips: (see # 29 above)

2) The Advisory Board: www.advisoryboardcompany.com (see # 30 above)

C) **Texts**

1) Employment Litigation in New York

- Kenneth W. Taber
- West Group/Thomson Company 1996

2) Health Care Fraud: Criminal, Civil and Administrative Law

- Pamela H. Bucy
- Law Journal Seminars-Press 1996

3) Health Care Law: A Practical Guide

- Scott Becker
- Matthew Bender 2002

4) Hospital Liability

- James Walker Smith
- Law Journal Press 2000

5) Healthcare Association of New York: Managed Care Credentialing Manual

6) New York State Bar Association: *Legal Manual for New York Physicians*

D) **Guidelines**

1) HIV/AIDS Testing, Confidentiality & Discrimination—What You Need to Know About New York Law

- Legal Action Center of the City of New York 2001 (www.lac.org)

2) New York Health Law (Seventh Edition)—A Guide for Health Care Providers

- Barry A. Gold, J.D., LL.M.
- Fort Orange Press 2002

3) The End of Life: Guidelines for Health Professionals Concerning Death Certificates, Autopsies and Organ & Tissue Donations

- Sixth Edition 1994 (currently searching for a more recent edition)
- The New York Academy of Medicine

4) When Others Must Choose: Deciding for Patients Without Capacity

- The New York State Task Force on Life and Law 1992

E) **Newsletters**—Many law firms with a health law practice section and trade associations put out periodic newsletters.

Law Firm Newsletters

1) Garfunkel, Wild, & Travis, PC
2) Cadwalader, Wickersham, & Taft LLP
3) Epstein, Becker & Green, PC
4) Reed Smith
5) Ropes & Gray LLP
6) Proskauer Rose LLP
7) McDermott, Will & Emery
8) Manatt, Phelps & Phillips, LLP

Trade Association Newsletter

1) American Health Lawyers Association

F) **Other Practice Aids**

1) New York State Bar Association Health Law Section, *Legal Manual for New York Physicians*—**BRAND NEW Comprehensive Reference**
2) Frequently Asked Questions Manual
3) Epstein, Becker & Green–Employment Law Glossy Tri-fold

(IV) **Trade Associations**

A) **Legal**

1) New York State Bar Association (NYSBA)
2) American Bar Association (ABA)
3) American Health Lawyers Association (AHLA)
4) New York City Bar Association—Health Law, Bioethics, and Insurance Committees

B) **Hospital**

1) Greater New York Hospital Association (GNYHA)
2) Healthcare Association of New York State (HANYS)
3) The Mental Health Association in New York State (MHANYS)

C) **Providers**

1) Medical Society of the State of New York
2) American Society of Clinical Oncologists (ASCO)

V) **Patient Support and Advocacy Groups**

Many of the following patient support and advocacy groups are valuable resources for patients with insurance, financial and other problems related to their illness. Many also have legislative experts and healthcare attorneys assisting their patient support and lobbying efforts.

A) Patient Advocate Foundation and The National Patient Advocate Foundation
B) New York Legal Assistance Group (NYLAG) Health Law Section
C) American Cancer Society
D) Cancer Care
E) SHARE
F) Gilda's Club
G) Leukemia & Lymphoma Society