



NEWS FROM THE SOCIETY —

ASLM OFFICERS AND COUNCIL MEMBERS 1975-1976

The Annual Meeting of the American Society of Law and Medicine was held on June 9, 1975 in Washington D.C. During the meeting, a new slate of officers and council members was elected. The following is the updated listing of officers and council members for 1975-76:

OFFICERS

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| PRESIDENT: | Elliot L. Segall, M.D. Lecturer in Legal Medicine, Boston College Law School; Clinical Instructor in Medicine, Harvard Medical School |
| FIRST VICE-PRESIDENT: | Douglas Danner, LL.B. Trial Attorney, Boston, Mass. |
| VICE-PRESIDENT: | Richard F. Gibbs, M.A., M.D., J.D. Attorney and Health Law Consul- tant, Boston, Massachusetts Chairman, Committee on Profes- sional Liability, Massachusetts Medical Society; Assistant Professor of Anesthesiology, Harvard Medical School |
| SECRETARY: | Michael D. Jusell Senior Claims Supervisor, New England Regional Office, Em- ployers Mutual of Wausau |
| TREASURER: | Barry C. Reed, LL.B. Trial Attorney, Boston, Mass. |
| HONORARY SECRETARY-TREASURER: | J. Robertson Knowles, M.D. Formerly, Secretary-Treasurer, Massachusetts Society of Examining Physicians |

MEMBERS OF THE COUNCIL

MEDICINE

Donald B. Barken, M.D., F.A.C.P.
Internist, Lynn, Massachusetts;
Director, Health Services, Lynn
Hospital Employees and School of
Nursing; Director, Quadriplegic
Service, Lenox Hill Rehabilitation
Center, Lynn, Massachusetts

Howard A. Frank, M.D.
Surgeon, Beth Israel Hospital,
Boston, Massachusetts; Clinical
Professor of Surgery, Harvard
Medical School

Joseph Franklin, M.D., M.P.H.
Regional Medical Advisor, Region I
(New England), Bureau of Dis-
ability Insurance, Social Security
Administration

Robert R. Mezer, M.D.
Forensic Psychiatrist, Boston,
Massachusetts; Qualified Psychia-
trist, Department of Mental Health,
Commonwealth of Massachusetts;
Chairman, Committee on Mental
Health, Norfolk District, Massach-
usetts Medical Society

Hiram Vazquez Milan, M.D.
Consultant, Industrial Commis-
sion of Puerto Rico, San Juan

Iver S. Ravin, M.D.
Medical Director, Boston Edison
Company, Assistant Clinical Pro-
fessor of Medicine, Boston Univer-
sity School of Medicine

Alain B. Rossier, M.D.
Professor of Spinal Cord Rehabili-
tation and Social Medicine, Har-
vard Medical School; Chief, Spinal
Cord Injury Service, Veterans
Administration Hospital, West
Roxbury, Massachusetts

Sidney Scherlis, M.D.
Assistant Professor of Medicine
and Professor of Cardiology in
Pediatrics, University of Maryland
Medical School; Chairman, Com-
mittee on Stress, Strain and Heart
Disease, American Heart Associa-
tion

Richard C. Webster, M.D.
Surgeon; Past President, Mas-
sachusetts Society of Examining
Physicians

LAW

Thomas E. Cargill, Jr., LL.B.
Trial Attorney, Boston, Massach-
usetts; President, Massachusetts
Chapter, Association of Trial Law-
yers of America

Neil L. Chayet, J.D.
Attorney, Consultant in Health
Law Boston, Massachusetts;
Washington, D.C.; Visiting Lec-
turer in Psychiatry, Harvard Medi-
cal School

Kathleen Ryan Dacey, J.D.
Trial Attorney, Boston, Massa-
chusetts; President Elect, National
Association of Women Lawyers;
Chief Civil Division, Office of
Attorney General, Commonwealth
of Massachusetts

Roy N. Freed, LL.B.
Attorney, Consultant in Computers
and Law, Boston, Massachusetts;
Lecturer in Law, Boston University
School of Law

Bernard D. Hirsch, J.D.
Attorney, Chicago, Illinois; General Counsel, American Medical Association

John A. Norris, J.D., M.B.A.
Attorney, Consultant in Health Law, Boston, Massachusetts; Clinical Instructor in Legal Aspects of Dentistry, Tufts University Dental School; Editor in Chief, American Journal of Law & Medicine

Leo M. O'Connor, LL.B.
Trial Attorney, Sacramento, California; Past President, California Trial Lawyers Association; Advocate, American Board of Trial Advocates

Lawrence J. Smith, J.D.
Trial Attorney, New Orleans, Louisiana

Edward M. Swartz, LL.B., LL.M.
Trial Attorney, Boston, Massachusetts; Vice-President, Massachusetts Trial Lawyers Association; Associate Editor, Massachusetts Law Quarterly

Charles E. Westcott, J.D., M.B.A.
Attorney, Consultant in Health Care Organization and Delivery, Boston, Massachusetts; Lecturer, Tufts University Dental School; Formerly, Associate Dean, Tufts University Medical School

INSURANCE

Eli Bernzweig, J.D.
Special Assistant to the Federal Insurance Administrator, Department of Housing and Urban Development, Washington, D.C.

Joseph D. Lonergan
Regional Representative, Region 1 (New England), Bureau of Disability Insurance, Social Security Administration

George P. Sawyer
Assistant Vice-President and Manager of Medical Services and Health Claims, Liberty Mutual Insurance Company, Boston, Massachusetts

John Larkin Thompson, J.D.
President, Blue Shield of Massachusetts

David Z. Webster, LL.B., M.B.A.
Vice-President, Frank B. Hall Company, Boston, Massachusetts

JUDICIARY

Hon. Arlyne F. Hassett
Special Justice, Waltham District Court, Waltham, Massachusetts; Former Commissioner, Division of Industrial Accidents, Commonwealth of Massachusetts

Hon. Robert L. Hermann
Judge in Charge - Northern New England, Bureau of Hearings & Appeals, Department of Health, Education and Welfare; National President, HEW Judges Association

Hon. John V. Keeney
Chairman, Industrial Accident Commission, State of Maine; Past President, International Association of Industrial Accident Boards and Commissions

Hon. John J. McNaught
Associate Justice, Superior Court, Commonwealth of Massachusetts

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Judge, U.S. Court of Appeals, Third Circuit; Formerly, Secretary of Public Welfare, Commonwealth of Pennsylvania

DENTISTRY

Paul Goldhaber, D.D.S.
Dean, Harvard University School of Dental Medicine

John W. Stone, D.D.S., J.D.
Secretary, Kansas State Dental Association; Editor, Kansas State Dental Association Journal

Robert B. Shira, D.D.S.
Dean, Tufts University School of Dental Medicine; President, The American Dental Association

NURSING

Catheryne A. Welch, R.N., B.S., M.A., Ed.D.
Deputy Director, Program, New York State Nurses Association; Associate Editor, Journal of the New York State Nurses Association

OTHER HEALTH-CARE PROVIDERS

James F. Holzer, J.D.
Director of Public Information, Youville Rehabilitation and Chronic Disease Hospital, Cambridge, Massachusetts; Director of Programs, American Society of Law & Medicine; Managing Editor, Medicolegal News

Irl Lucas, LL.B.
Executive Director, Massachusetts Affiliate, American Heart Association

Beatrice Phillips, M.S.W., A.C.S.W.
Director of Social Work, Beth Israel Hospital, Boston, Massachusetts; Clinical Associate Professor, Smith College School of Social Work

EDUCATION

George J. Annas, J.D., M.P.H.
Director, Center for Law and Health Sciences, Boston University School of Law; Editor in Chief, Medicolegal News

Richard G. Huber, J.D., LL.M.
Dean, Boston College Law School

Harold L. Hirsch, M.D., J.D.
Clinical Assistant Professor of Medicine, Howard University College of Medicine; Professorial Lecturer in Law, George Washington University National Law Center and George Washington University; Department of Health Care Administration, Washington, D.C.

Frances H. Miller, J.D.
Trial Attorney, Boston, Massachusetts; Adjunct Associate Professor of Law, Boston University School of Law

Richard S. Milstein, J.D.
Director, Massachusetts Continuing Legal Education, Inc., Springfield, Massachusetts

AT-LARGE

Herbert H. Bennett, LL.B.
Attorney at Law, Portland, Maine; President, Roscoe Pound-American Trial Lawyers Foundation, Cambridge, Massachusetts

Hon. Leonard S. Bodner
Trial Attorney, Boston; Former Commissioner, Division of Industrial Accidents, Commonwealth of Massachusetts

Hon. Harry W. Dahl
Former Industrial Commissioner, State of Iowa; Executive Director, International Association of Industrial Accident Boards and Commissions, Des Moines, Iowa

Lee J. Dunn, Jr., J.D., LL.M.
Legal Counsel to the Medical Center and Assistant Professor of Medical Jurisprudence, The University of Kansas, Kansas City, Kansas; Vice Chairman, Law and Medicine Committee, American Bar Association

Irvin Klein, M.D.
Medical Director, Workmen's Compensation Board, State of New York; Assistant Clinical Professor of Environmental Medicine, New York University Medical School (Retired)

Kevin M. McIntyre, M.D., J.D.
Assistant Professor of Medicine, Harvard Medical School; Chairperson, Committee on Medicolegal Aspects of CPR and ECC, American Heart Association

Paul J. Matto, M.D., J.D.
Professor of Law, Science and Community Medicine, University of Arizona, Tucson, Arizona; Chairman, Judicial Council, American Academy of Forensic Sciences

Mitchell T. Rabkin, M.D.
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Charles A. Sanders, M.D.
General Director, Massachusetts General Hospital, Boston, Massachusetts; Associate Professor of Medicine, Harvard Medical School

James G. Zimmerty, M.D., J.D., M.P.H.
Chief, Legal Medicine Section, Armed Forces Institute of Pathology, Washington, D.C.

LIST OF ADDITIVES EVALUATED FOR THEIR SAFETY—IN USE IN FOOD, 1974, Unipubl Inc., New York, NY, (\$1.00 paper).

***Moritz, HANDBOOK OF LEGAL MEDICINE, 1975, The C.V. Mosby Company, St. Louis, MO, (\$10.25).**

***Ruppel, MANUAL OF PULMONARY MEDICINE, TESTING, 1975, The C.V. Mosby Company, St. Louis, MO., (\$5.50 paper).**

FROM THE COURTS:

Cooper River Convalescent Center, Inc., v. Dougherty, 133 N.J. Super. 226, 336 A.2d 35 (1975). (Temporary Certificate of Need moratorium on construction of skilled care nursing home beds upheld, but priority status should be given facility denied application during moratorium period.)

Jacobs v. Thieme, 519 S.W.2d 846 (Tex. 1975). (Cause of action exists against physician who failed to advise his patient that she had contracted rubella in first trimester of pregnancy. Damages limited to economic burden related solely to physical defects of child.)

Ass'n of American Physicians and Surgeons v. Weinberger (U.S. District Ct., N.D. Ill. May 8, 1975) (Professional Standards Review Law (PSRO -- 42 U.S.C. §1320 c) found constitutional in face of challenge that it violates rights guaranteed plaintiffs and their patients by the First, Fourth, Fifth and Ninth Amendments)

A.M.A. v. Weinberger (U.S. District Ct., Chicago, May 27, 1975) HEW enjoined from implementing proposed Utilization Review Regulations 20 CFR §405.1035(e) (f) and §45 CFR §250.19 (a) (1)(viii).

Pollock v. Methodist Hospital (U.S. Dist. Ct., E.D. La., Feb. 27, 1975) (Hospital may require staff physician to carry minimum level of malpractice insurance as condition of continuation of staff privileges)

Baird v. Bellotti (U.S. Dist. Ct., D. Mass., April 28, 1975) (Statute making it a criminal offense to perform an abortion on a minor without consent of parents is unconstitutional)

Kennedy v. Maginnis (U.S. Dist. Ct., D. Mass., May 7, 1975) (Federal Tort Claims Act does not cover injuries to servicemen arising out of service-connected injuries. Therefore military and V.A. physicians are immune from malpractice liability).

Wensel v. Washington (D.C. Super. Ct., April 10, 1975) (Washington, D.C. City Council regulation limiting practice of acupuncture to physicians held violative of due process in that it operates to cut off, almost *intoto*, rights of physicians to provide treatment deemed necessary for their patients, and rights of patients to receive such treatment under care and supervision of their doctors)

YOU CAN WRITE FOR:

Items listed are believed to be free except where price is indicated.

● **A Design Guide for Home Safety.** A guide to safety of home environments: stairs, bathrooms, windows, doors, etc. Consumer Information Public Documents Distribution Center, Pueblo, CO 81009 (\$1.50)

● **Development in Health Manpower Licensure, 1973, (#74-3101),** Bureau of Health Services Research, 5600 Fishers Lane, Rockville, MD 20852.

● **First Considerations in Selecting a Computerized Medical Information System,** describes the growing problem of managing information relating to patient care, Spectra Medical Systems, Inc., 1121 San Antonio Rd., Palo Alto, CA 94303.

● **Un Hospital Accreditado:** Spanish translation of the brochure of the Joint Commission on Accreditation of Hospitals, "An Accredited Hospital." Available from the Publication Coordinator, JCAH, 875 N. Michigan, Chicago, IL 60611.

● **Proceedings of a National Conference on Aging Drivers,** co-sponsored by the American Medical Association and the American Association of Motor Vehicle Administrators: a 100 page volume containing papers presented at the May 1974 conference and discussions of the seven major and 30 supporting recommendations made. Health and Safety Associates, P.O. Box 222, Morton Grove, IL 60053 (\$1.25 per copy).

● **A Practitioner's Guide to the Diagnostic X-Ray Equipment Standards:** Describes major provision of the new federal standards concerning diagnostic X-Ray equipment. Bureau of Radiological Health, 5600 Fishers Lane, Rockville, MD 20852.

● **Distribution of Physicians in the U.S., 1973:** A publication of the AMA Center for Health Services Research and Development. Order Dept., AMA, 535 N. Dearborn St., Chicago, IL 60610 (OP-399, \$6.00 each for 1-10 copies).

● **State Health Legislation Reports.** yearly report containing information concerning state legislation dealing with topics of health interest. For subscription, write to: John A. Krichbaum, J.D., Legislative Department, American Medical Association, 535 North Dearborn Street, Chicago, IL 60610.

● **Donation of Bodies or Organs for Transplantation and Medical Science,** (OP-371), revised edition of pamphlet which outlines model law for donation, the most-needed organs and the religious considerations. Order Dept., AMA, 535 N. Dearborn St., Chicago, IL 60610 (\$.30 each for up to 100 copies).

● **Report of the Committee on Infectious Diseases, ("RedBook"),** standard reference on diagnosis, treatment, and prevention of infectious diseases in North and South America. American Academy of Pediatrics, Dept. P, P.O. Box 1034, Evanston, IL 60204, (Free to members of the Academy, \$3.00 per copy for non-members).

● **Swedish Health Care System,** a kit of materials, includes details on the system and how it works within the nation's overall social policy. Swedish Information Service, 825 Third Ave., New York, N.Y. 10022.

● **Readings in Disaster Preparedness for Hospitals,** 30 articles, including the 1964 Alaskan earthquake and the 1966 tornado in Topeka, Kan. American Hospital Association, 840 N. Lake Shore Dr., Chicago, IL 60611.

● **Health Care Functions and Responsibilities of Physician's Assistant,** report of a survey of 300 PA's. Dept. of Health Manpower, AMA, 535 N. Dearborn St., Chicago, IL 60610.

● **Helping Hands, Financing A Health Center (OP-417) and Helping Hands, the Challenge of Medicine,** (OP-418), pamphlets designed to provide guidance to high school and college students interested in health-related fields. Order Dept., AMA, 535 N. Dearborn St., Chicago, IL 60610 (\$.30 each up to 100 copies).