

## FOREWORD

The law school published the inaugural issue of the *Journal of Law and Health* in 1986. In Dean Robert Bogomolny's foreword, he characterized the new publication as a "forum for the vigorous discussion and debate of the legal and moral issues arising when law and medicine intersect."<sup>1</sup> Twenty-one years later, technological innovations, advances in science and research, the advent of new "miracle" drugs and skyrocketing medical costs often force doctors to weigh morally ambiguous options, while issues of patients' rights and doctors' responsibilities have made bioethics an indispensable component of health care. For the practice of medicine today is no longer simply a relationship between a doctor and a patient; it is an industry involving science, ethics, finance, politics, and competition for patients. And it is the stage on which law and medicine confront—and support—one another.

In short, the publication that first appeared in 1986 as the *Journal of Law and Health* elucidates issues that were not so complex two decades ago. We congratulate Dean Bogomolny and the *Journal's* first editors, James Edward Powell ('84) and Karen E. Rubin ('85), for their foresight.

Last year, the *Journal* inaugurated a lecture series with two addresses by Temple University Medical School Professor of Emergency Medicine, Joseph R. Lex, M.D. The series continues this year with a return visit by Dr. Lex and a lecture by Fordham University Professor of Law Deborah W. Denno.

In the newest volume, Volume 20, we celebrate another inauguration: the first online volume of the *Journal*. It is fitting that the *Journal*, which in 1986 was on the cutting edge of two emerging disciplines—bioethics and health care law—should now adapt itself to this contemporary format. I wish to thank the *Journal's* editors-in-chief, Austin McGuan ('07) and Anupriya Krishna ('07), for their hard work in completing the daunting task that began last year and the *Journal's* faculty advisors, Professor Barbara J. Tyler ('89) and Placement Director Jayne Hurst Geneva ('87) for their support of these enterprising students. David Dohnal ('07), the *Journal's* first electronic editor, surely deserves the law school's gratitude, and no one who has worked on the law school's two academic publications would fail to thank the *Journal's* editorial assistant, Ivana Batkovic.

In contrast to the *Journal's* somewhat modest first volume, which featured articles on creating PPOs, informed consent, and physician advertising, the newest issue is expansive in its content and range.

For instance, Gil Van Bokkelen, Ph.D., a co-founder and CEO of Athersys, Inc., a bio-pharmaceutical company engaged in creating and marketing "therapeutic products that treat significant and life-threatening diseases," takes a critical look at the role that the federal government plays in medical research, while Martin Bienstock, special counsel for the New York State Department of Health, offers a "new prescription" for resolving controversies surrounding patient autonomy at the

---

<sup>1</sup>Robert Bogomolny, *Foreword*, 1 J.L. & HEALTH i (1985-86).

close of life. Also, Dr. William Seitz, Jr., head of the Cleveland Clinic's Department of Orthopedic Surgery, in an analysis of the Ohio Bureau of Workers' Compensation, offers a proposal for its improvement. Other contributors include Dr. Archie Alexander, III, Dr. Charles Lanzieri, and Dr. Eric Nyberg, who have written articles on teleradiology as part of the *Journal's* first perspective feature.

As impressive as are the credentials of these contributors, I take special pride in the notes included in this volume, the work of a recent graduate and four current Cleveland-Marshall students: Andrea Valentino ('07), Kimberly Baga ('07), Jennifer Gross ('07), Shaun H. Kedir ('07), and Jennifer Parobek ('06), the winner of the *Journal's* Best Note Award. They and their notes speak to the caliber of our students and to the variety of their intellectual interests.

The *Journal of Law and Health* reminds us that law is a learned profession and that the duty of lawyers is always to keep watch and pay attention to the world in which we live and the laws that order our lives.

My congratulations to the *Journal* and all the students who have ushered us into the new frontier of electronic publication.

Geoffrey S. Mearns  
Dean and Professor of Law