

Caring And The Law

Problems in Health Care Law Robert D. Miller.2000-01

Legal Essentials of Health Care Administration George D. Pozgar.2009-10-06 Using the same approach, this text provides a distillation of the widely popular Legal Aspects of Health Care Administration. It presents an overview of health law topics in an interesting and understandable format, leading the reader through the complicated maze of the legal system. The topics presented in this book create a strong foundation in health law. This book is a sound reference for those who wish to become more informed about how the law, ethics, and health care intersect. Features: A historical perspective on the development of hospitals, illustrating both their progress and failures through the centuries. Actual court cases, state and federal statutes, and common-law principles are examined. A broad discussion of the legal system, including the sources of law and government organization. A basic review of tort law, criminal issues, contracts, civil procedure and trial practice, and a wide range of real life legal and ethical dilemmas that caregivers have faced as they wound their way through the courts. An overview of various ways to improve the quality and delivery of health care.

Caring and the Law Jonathan Herring.2014-07-18 'Caring and the Law' considers the law's response to caring. It explores how care is valued and recognised, how it is regulated and restricted and how the values of caring are reflected in the law. It does this by examining the law's interaction with caring in a wide range of fields including family, medical, welfare, criminal and tort law. At the heart of the book is the claim that the law has failed to recognise the importance of caring in many areas and in doing so has led to the costs and burdens of care falling on those who provide it, primarily women. It has also meant that the law has failed to protect those who receive care from the abuse that can take place in a caring context. The book promotes an ethic of care as providing an ethical and conceptual framework for the law to respond to caring relationships.

The Ethics of Caring for Older People British Medical Association.2009-02-23 This book is the British Medical Association's statement on the ethics related to care of the elderly, written and reviewed by a panel of renowned medical ethicists. As such it is an authoritative and considered reference, written in an accessible, non jargon so as to be useful for anyone charged with looking after the elderly. The book includes useful case examples so that it can be used by a range of health professionals and carers who need to know the law and ethics of looking after older people. The authors focus on practical issues such as helping older people stick to their treatment regimes, the sort of information they should be given to give valid consent, and their rights to confidentiality, as well as discussion about where they want to end their lives when it comes to that point.

Health Care Law Jean Vanessa McHale.2007 Reflecting recent legal, professional and technological developments, this book provides a collection of materials and accompanying linking commentary that reflects the complexity of health care issues. Topics covered include the changing structure of the NHS and the expanding role of nurses.

Changing Contours of Domestic Life, Family and Law Anne Bottomley, Simone Wong.2009-09-17 Drawing from a wide range of material and socio-legal methods, this collection brings together original essays, written by internationally renowned scholars, investigating emerging patterns in the shape and form of the legal regulation of domestic relations. Taking as a focus the theme of 'caring and sharing', the collection includes chapters which reflect on the changing contours of what we think of as 'domestic relations'; the impact which legal recognition carries in making visible some relationships rather than others; the potential for normative values carried within patterns of legal recognition and regulation; intersections between private law and public policy; the role of private law in the allocation of responsibility and privilege; the differential impact of seemingly progressive policies on economically vulnerable or socially marginal groupings; tensions between family law models and models carried within other fields of private law; and, unusually, architectures in law

and the built environment designed to facilitate broader accounts of domestic relationships. This thoughtful, provocative and wide-ranging collection will be a must for anyone, whatever their discipline background, interested in the insights and potential offered by a fresh engagement with the complexity of domestic relations and the law. Authors: Anne Barlow, Anne Bottomley, Susan Boyd and Cindy Baldassi, Alison Diduck, Susan Scott-Hunt, Nan Seuffert, Carol Smart, Simone Wong and Claire Young.

Duty of Care in the Human Services Rosemary Kennedy.2009-10-20 The human services are established to support the most vulnerable and marginalised people in our society. Yet media and other reports frequently highlight a disturbing picture of industry failures, malpractice and abuse. This book addresses the response of legal and quasi-legal bodies to human service failures. It outlines those areas of law which are most likely to be activated by human service shortcomings, and those aspects of direct human service delivery which are most likely to attract legal attention. Essential reading for those studying or working in human services and social work, this book is designed to alert people to the legal risks arising as a result of inadequate human service delivery.

Caring for Justice Robin West.1999-03 Over the past decade, mainstream feminist theory has repeatedly and urgently cautioned against arguments which assert the existence of fundamental—or essential—differences between men and women. Any biological or natural differences between the sexes are often flatly denied, on the grounds that such an acknowledgment will impede women's claims to equal treatment. In *Caring for Justice*, Robin West turns her sensitive, measured eye to the consequences of this widespread refusal to consider how women's lived experiences and perspectives may differ from those of men. Her work calls attention to two critical areas in which an inadequate recognition of women's distinctive experiences has failed jurisprudence. We are in desperate need, she contends, both of a theory of justice which incorporates women's distinctive moral voice on the meaning of justice into our discourse, and of a theory of harm which better acknowledges, compensates, and seeks to prevent the various harms which women, disproportionately and distinctively, suffer. Providing a fresh feminist perspective on traditional jurisprudence, West examines such issues as the nature of justice, the concept of harm, economic theories of value, and the utility of constitutional discourse. She illuminates the adverse repercussions of the anti-essentialist position for jurisprudence, and offers strategies for correcting them. Far from espousing a return to essentialism, West argues an anti- anti-essentialism, which greatly refines our understanding of the similarities and differences between women and men.

A Legal Framework for Caring Lucy Fletcher,Paul Buka.1999-11-11 There is now considerable anxiety amongst nurses and allied health professionals as to how they should negotiate the potential minefield of legal niceties, professional dictates and diminishing resources in today's health service. Practitioners and students need a comprehensible introduction to legal and professional issues which is rooted in the realities of everyday practice. This book is a direct response to that need, with its clear exposition, practice-based case studies and an examination of the various Codes of Professional Practice.

Health Care Law Jonathan Montgomery.2005 'Health Care Law' provides a readable and accessible outline of the law governing health care. It highlights and examines the many areas of dispute over the interpretation of the law in this area.

Stories of Care: A Labour of Law LJB Hayes.2017-05-10 *Stories of Care: A Labour of Law* is an interdisciplinary study of the interactions of law and labour that shape paid care work. Based on the experiences of homecare workers, this highly topical text unpicks doctrinal assumptions about class and gender to interrogate contemporary labour law. It demonstrates how the UK's crisis in social care is connected to the gendered inadequacy of labour law and argues for transformative change to law at work. 'Utterly compelling. Perhaps the best ever example in modern labour law scholarship of research-led recommendations.' - Keith Ewing, Professor of Public Law, King's College London 'An important contribution to socio-legal research on care work and labour law.' - Judy Fudge, Professor of Labour Law, University of Kent 'Innovative and meticulous; merits a very wide readership.' - Lizzie Barmes, Professor of Labour Law, Queen Mary University of London 'A really important text

which shows, through deep analysis of care workers' stories, how badly undervalued their work is... It offers an excellent analysis.' - Robin Allen QC, Cloisters Chambers 'A rare and valuable insight into the lives and views of women who work in the little known world of homecare for rates of pay and conditions that shame our society.' - David Brindle, Public Services Editor, The Guardian 'Boundary-breaking ... an outstanding contribution to the growing field of feminist labour law scholarship.' - Joanne Conaghan, Professor of Law, University of Bristol

Caring for Families in Court Barbara A. Babb, Judith D. Moran. 2019-01-15 In many US courts and internationally, family law cases constitute almost half of the trial caseload. These matters include child abuse and neglect and juvenile delinquency, as well as divorce, custody, paternity, and other traditional family law issues. In this book, the authors argue that reforms to the family justice system are necessary to enable it to assist families and children effectively. The authors propose an approach that envisions the family court as a care center, by blending existing theories surrounding court reform in family law with an ethic of care and narrative practice. Building on conceptual, procedural, and structural reforms of the past several decades, the authors define the concept of a unified family court created along interdisciplinary lines — a paradigm that is particularly well suited to inform the work of family courts. These prior reforms have contributed to enhancing the family justice system, as courts now can shape comprehensive outcomes designed to improve the lives of families and children by taking into account both their legal and non-legal needs. In doing so, courts can utilize each family's story as a foundation to fashion a resolution of their unique issues. In the book, the authors aim to strengthen a court's problem-solving capabilities by discussing how incorporating an ethic of care and appreciating the family narrative can add to the court's effectiveness in responding to families and children. Creating the court as a care center, the authors conclude, should lie at the heart of how a family justice system operates. The authors are well-known figures in the area and have been involved in family court reform on both a US national and an international scale for many years.

Disability, Care and Family Law Beverley Clough, Jonathan Herring. 2021-04-13 This book explores the series of issues that emerge at the intersection of disability, care and family law. Disability studies is an area of increasing academic interest. In addition to a subject in its own right, there has been growing concern to ensure that mainstream subjects diversify and include marginalised voices, including those of disabled people. Family law in modern times is often based on an able-bodied autonomous norm but can fit less well with the complexities of living with disability. In response, this book addresses a range of important and highly topical issues: whether care proceedings are used too often in cases where parents have disabilities; how the law should respond to children who care for disabled parents - and the care of older family members with disabilities. It also considers the challenges posed by the UN Convention on the Rights of Persons with Disabilities, particularly around the different institutional and state responsibilities captured in the Convention, and around decision-making for both disabled adults and children. This interdisciplinary collection - with contributors from law, criminology, sociology and social policy as well as from policy and activist backgrounds - will appeal to academic family lawyers and disability scholars as well as students interested in issues around family law, disability and care.

ReValuing Care in Theory, Law and Policy Rosie Harding, Ruth Fletcher, Chris Beasley. 2016-11-10 Care is central to life, and yet is all too often undervalued, taken for granted, and hidden from view. This collection of fourteen substantive and highly innovative essays, along with its insightful introduction, seeks to explore the different dimensions of care that shape social, legal and political contexts. It addresses these dimensions in four key ways. First, the contributions expand contemporary theoretical understandings of the value of care, by reflecting upon established conceptual approaches (such as the 'ethics of care') and developing new ways of using and understanding this concept. Second, the chapters draw on a wide range of methods, from doctrinal scholarship through ethnographic, empirical and biographical research methodologies. Third, the book enlarges the usual subjects of care research, by expanding its analysis beyond the more typical focus on familial interconnection to include professional care contexts, care by strangers and care

for and about animals. Finally, the collection draws on contributions from academics working in Europe and Australia, across law, anthropology, gender studies, politics, psychology and sociology. By highlighting the points of connection and tension between these diverse international and disciplinary perspectives, this book outlines a new and nuanced approach to care, exploring contemporary understandings of care across law, the social sciences and humanities.

Caring Responsibilities in European Law and Policy Eugenia Caracciolo di Torella, Annick Masselot. 2020-02-28 This book explores the emerging engagement of EU law with care and carers. The book argues that the regulation of care by the EU is crucial because it enables the development of a broad range of policies. It contributes to the sustainability of society and ultimately it enables individuals to flourish. Yet, to date, the EU approach to regulating the caring relationship remains piecemeal and lacks the underpinning of a cohesive strategy. Against this backdrop, this book argues that the EU can and must take leadership in this area by setting principles and standards in accordance with the values of the treaty, in particular gender equality, human dignity, solidarity and well-being. The book further makes a case for a stronger protection for carers, who should not only be protected against discrimination, but should also be supported, valued and put in a position to make choices and lead full lives. In order to achieve this, a proactive approach to rebalancing the relationship between paid and unpaid work is necessary. Ultimately, the book puts forward a series of legal and policy recommendations for a holistic approach to care in the EU.

Home Care and Hospice Law William A. Dombi, Betsy J. Houchen. 2000-02-01

Legal Aspects of Elder Care Marshall Kapp. 2010-10-25 A wide variety of legal issues surround caring for older individuals. Health and human service practitioners need to plan, provide and evaluate geriatric care, while also understanding public policies. Legal knowledge is an essential part of caring for the elderly. Students and professionals must be able to deliver appropriate care while also being aware of any legal, ethical and political issues that may arise. *Legal Aspects of Elder Care* provides a clear overview of geriatric policies and laws, enabling the reader to use informed decision-making with older clients.

Spaces of Care Loraine Gelsthorpe, Perveez Mody, Brian Sloan. 2020-04-16 The collection examines the ways in which the emerging interdisciplinary study of care provokes a reassessment of the connections and disjuncture between care and governance, ethics, and public, personal and professional identities. Evolving from a project coordinated by the Cambridge Socio-Legal Group, *Spaces of Care* brings together leading international scholars to articulate what we may consider to be a useful analytic of care. Lawyers, anthropologists, sociologists and criminologists reflect on specific aspects of conceptualising caring relations in 'spaces'. These spaces include: communities of care and abandonment; self-care and kinship care; spaces as 'gaps' in care; the meanings of marketised care; and the ways in which care is constructed and constrained in different ways in venues such as homes, prisons, workplaces and virtual spaces. Common themes include temporality (historical specificity) and the dynamics of care across time and place; subjectivity (including different experiences of care); the economies of care (including the commodification of care; public and private manifestations of care; privatised 'care'); disruptions of care (which generate vulnerabilities with regard to continuities of care); eligibility (those deemed to be deserving and undeserving of care); relationalities of care (collective and individual agency in caring relations, kinship care), and technologies and imaginaries of care (as in new notions of care forged by those in online virtual worlds such as Second Life).

Health Care Law and Ethics in a Nutshell Mark A. Hall, Ira Mark Ellman, Daniel S. Strouse. 1999

Health Care Law and Policy Clark C. Havighurst. 2001

Ethics, Law, and Aging Review, Volume 7 Marshall B. Kapp, JD, MPH. 2001-09-24 Health care and human service professionals often experience anxiety about potential adverse legal repercussions for actions taken or not taken in the course of caring for patients or clients. In this volume, professionally distinguished and diverse authors discuss both the real and perceived legal liability context within which health and human service delivery to older persons takes place. The benefits and costs of litigious, legislative, and regulatory interventions on the quality of care and the

quality of life for recipients of geriatric services is evaluated. Most important, chapters present suggestions for ways to effectively reduce or manage legal risks and anxieties while improving patient care. This volume fills a gap in the literature by providing careful and accurate analysis of legal issues rarely translated into practical and useful advice for health care and human service professionals.

Medical Care Law Edward P. Richards, Katharine C. Rathbun. 1999 A legal reference for practicing physicians is a necessary adjunct to their professional practice library in today's highly regulated and litigious world. Medical Care Law was written to help practicing physicians avoid legal conflicts, and to prevent legal problems rather than treat them. Written with the practicing physician in mind, this book is also valuable to a variety of health professionals, including physician executives, medical directors, nurse administrators, advanced practice nurses, case managers, risk managers, legal nurse consultants, health care administrators, public health professionals, and attorneys. In addition to the traditional legal issues affecting medical practitioners, Medical Care Law addresses the legal pitfalls in today's volatile health care landscape, including managed care, health care fraud and abuse, compliance plans, and working with non-physician providers.

Vulnerabilities, Care and Family Law Julie Wallbank, Jonathan Herring. 2013-11-26 While in the past family life was characterised as a haven from the harsh realities of life, it is now recognised as a site of vulnerabilities and a place where care work can go unacknowledged and be a source of social and economic hardship. This book addresses the strong relationships that exist between vulnerability and care and dependency in particular contexts, where family law and social policy have a contribution to make. A fundamental premise of this collection is that vulnerability needs to be analysed in a way that gets at the heart of the differential power relationships that exist in society, particularly in respect of access to family justice, including effective social policy and law targeted at the specific needs of families in mutually dependent caring relationships. It is therefore crucial to critically examine the various approaches taken by policy makers and law reformers in order to understand the range of ways that some families, and some family members, may be rendered more vulnerable than others. The first book of its kind to provide an intersectional approach to this subject, *Vulnerabilities, Care and Family Law* will be of interest to students and practitioners of social policy and family law.

Problems in Health Care Law John E. Steiner. 2014 The Tenth Edition of *Problems in Health Care Law* continues to be the authoritative foundational textbook that covers the key components of our legal system and its application to our healthcare system. Students will come away with a clear understanding of how individual rights are defined and protected in the health care setting; how healthcare services are defined, insured and paid for; how individual providers organize and govern themselves and many other core features of how our healthcare system is organized and administered. The Tenth Edition is an extensive revision that covers HIPAA, health care reform, and offers several chapters not included in previous editions. Under the guidance of new lead editor John E. Steiner, Jr., Esq., *Problems in Health Care Law, Tenth Edition*, brings together the work of authors who represent some of the best thinking and analyses of the issues by legal practitioners and business advisors in the thick of health care reform, delivery, payment, client counseling and contested legal matters. Key Features: * Each chapter provides a combination of broad concepts, learning objectives, practical examples, and instructor led questions. * Offers more robust pedagogical features including art work, diagrams, checklists, side bars, and more. * Includes a rich diversity of material from leading authorities with private law firm experience, national trade association advocacy and policy work, significant 'hands-on' healthcare institutional work and diverse publishing experiences. *Problems in Health Care Law, Tenth Edition* is a valuable resource for students and instructors who are learning about, involved in, or guiding the 'next generation' of administrators, policy makers, lawyers, physicians, nurses and others who form the backbone of our health care system.

Health Care Law Alison McChrystal Barnes. 2001

Long-term Care and the Law George D. Pozgar. 1992 This valuable handbook covers all facets of

the legal environment of long-term care administration in a clear, non-technical fashion.

Health Care Law and Policy Supplement Clark C. Havighurst, James F. Blumstein, Troyen A. Brennan. 2007-08 This is the 2007 supplement to Havighurst, Blumstein and Brennan's *Health Care Law and Policy*, Second Edition. It supplements the casebook which covers all the major aspects of health care law and policy.

Dynamics of Law in Nursing and Health Care Mary Dolores Hemelt, Mary Ellen Mackert. 1982
Problems in Health Care Law Robert Desle Miller, Rebecca C. Hutton. 2004

Responsibility, Law and the Family Jo Bridgeman, Craig Lind. 2016-04-08 Focusing on moral, social and legal responsibilities as opposed to rights or obligations, this volume explores the concept of responsibility in family life, law and practice. Divided into four parts, the study considers the nature of family responsibility; constructions of children's responsibilities; shifting conceptions of family responsibilities; and family, responsibility and the law. The collection brings together leading experts from the disciplines of sociology, socio-legal studies and law to discuss responsibilities prior to birth, responsibilities for children, as well as responsibilities of children and of the state towards family members. The volume informs and challenges the developing conceptualization of responsibilities which arise in interdependent, intimate and caring relationships and their legal regulation. It will be of great interest to researchers and practitioners working in this complex field.

The Oxford Handbook of U.S. Health Law I. Glenn Cohen, Allison K. Hoffman, William M. Sage. 2017 The Oxford Handbook of U.S. Health Law covers the breadth and depth of health law, with contributions from the most eminent scholars in the field. The Handbook paints with broad thematic strokes the major features of American healthcare law and policy, its recent reforms including the Affordable Care Act, its relationship to medical ethics and constitutional principles, how it compares to the experience of other countries, and the legal framework for the patient experience. This Handbook provides valuable content, accessible to readers new to the subject, as well as to those who write, teach, practice, or make policy in health law.

Applied Law and Ethics in Health Care Wendy Mia Pardew. 2022-03 Up to date with current information on the latest health care regulations and technology, *APPLIED LAW AND ETHICS IN HEALTH CARE*, First Edition, prepares you to navigate the legal and ethical dilemmas you may face as a health care professional working in a medical environment. Beginning with an overview of business-related issues and the court system, the text proceeds to cover the standard of care, employment, criminal and tortious acts, contractual issues, negligence, medical malpractice and other important matters of law. The second half of the text delves into the ethical concerns present in medical practices, including patient confidentiality, health records, professional ethics and issues associated with patient births and deaths. A practical resource for both novices and seasoned professionals, the text features real-life cases and news stories to ground you in relevant laws and ethical issues, along with activities to hone your own critical-thinking and decision-making skills. This thoughtful, thorough guide can help you understand your legal and ethical obligations, when to seek legal advice, how to work with the legal profession and how to protect yourself and your future employers from medical malpractice and other legal risks.

Legal Aspects of Health Care Administration George D. Pozgar, Nina M. Santucci. 2007 With over 100,000 copies sold, it is clear that instructors turn to George Pozgar time and again to make the legal aspects of health care administration meaningful and memorable to students. The forthcoming 10th edition of this classic text has been further revised and updated with the most current information on law and the health care industry. The 10th edition continues to lay a strong foundation for the reader in both ethical and legal issues critical to improving the quality and safe delivery of health care.

Problems in Health Care Law Robert Desle Miller. 1996 This is a completely revised, expanded edition of a classic in hospital law. Antitrust, staff relations, treatment authorization and refusal, The dying patient, and hospital security are only a few of the critical issues addressed. An Instructor's Guide is available.

Legal and Ethical Essentials of Health Care Administration George D. Pozgar. 2020-03-11 Legal and

Ethical Essentials of Health Care Administration, Second Edition is the ideal text for courses that combine a study of both the legal and ethical aspects of healthcare administration. Derived from George Pozgar's best-selling textbook, Legal Aspects of Health Care Administration, Thirteenth Edition, this more concise text provides the reader with the necessary knowledge to become conversant with both legal and ethical issues pertinent to the healthcare profession. Using reader-friendly language, the book presents actual court cases, state and federal statutes, and common-law principles to help the student understand the practical application of the concepts learned. The author includes a broad discussion of the legal system, including the sources of law and government organization as well as basic reviews of tort law, criminal issues, contracts, civil procedure and trial practice, and a wide range of real-life legal and ethical dilemmas.

Law, Palliative Care and Dying John Lombard.2018-05-16 *Law, Palliative Care and Dying* critically examines the role of the legal framework in shaping the boundaries of palliative care practice. The work underlines the importance of a distinct legal framework for specialist palliative care which can provide clarity for both the healthcare professional and the patient. It examines the legal and ethical justifications for specialist palliative care practices and, in doing so, it questions the legitimacy of the distinction between euthanasia and practices such as palliative sedation. Moreover, this work discusses the influence of a human rights discourse on palliative care and examines the contribution of autonomy, dignity, and the right to palliative care. This book includes detailed comparative research on several European jurisdictions. The jurisdictions illustrate varied approaches to palliative care regulation and promotion. In this manner, the role of professional guidelines and legislation are drawn out and common themes in the regulation of palliative care emerge.

Health Care and the Law Meg Wallace.1995 Second edition of a textbook outlining and illustrating the basic principles of the law relating to health care. It explains how the legal system works and discusses specific legislation and case law relating to health care issues. Commencing with an introduction to the concepts and structure of law, the guide proceeds to examine those aspects of the law which particularly impinge on health care provision with pertinent cases highlighted for quick, clear reference. Contains an appendix of abbreviations used in law citations, and an index.

Health Care Law and Ethics Mark A. Hall, Mary Anne Bobinski, David Orentlicher.2007-01-01

The Child's Legal Journey Through Care Shefali Shah.2020-12-09 For those working with or caring for looked after children, understanding how they may move through the Children Act proceedings, care system and associated legislation is vital - but also very complex. This innovative guide demystifies the law by explaining its application to children's rights, children's possible routes through care, and the legal stages of Children Act proceedings.

Duties to Care Rosie Harding.2017-08-24 The world of dementia care can be a difficult one for carers to navigate, posing new challenges at every stage from diagnosis to end of life. In her groundbreaking investigation, rooted in original empirical data, Rosie Harding explores the regulatory and legal dimensions of caring for a person with dementia. By exploring carers' experiences of dementia care, she critiques the limitations of current approaches to health and social care regulation. This socio-legal work is a new contribution to the study of feminist care ethics, relationality, and vulnerability theory. *Duties to Care* argues that by understanding the relational contexts that shape everyday experiences of regulatory structures, we will better understand where law is operating to support carers, and where it adds to the difficulties they experience. Ultimately, the challenges that dementia poses will be addressed only if we find solutions that take account of the relationality of life, dementia, and law.

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