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Foreword

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SYMPOSIUM

LEGAL AND POLICY ISSUES FOR ACADEMIC MEDICAL CENTERS

FOREWORD

JESSE A. GOLDNER*

Each spring the St. Louis University School of Law Center for Health Law Studies brings together leading scholars and practitioners for a one-day conference on an important issue in health care law. While the Center's faculty is principally concerned with educating our law students, we have long viewed our mission as including a significantly broader educational purpose. Accordingly, the Symposia have always been designed to provide an educational opportunity that will be of interest to health care and legal professionals. As a law school within a university, we also have a scholarly mission and are very much interested in seeing that the work that goes into our annual Symposium benefits the widest possible audience. Thus, many of the articles presented at the annual Symposium are published in the Health Law Symposium issue of the *St. Louis University Law Journal*.

The Health Law Symposium issue of the *St. Louis University Law Journal* dates back to 1978. In reviewing textbooks and casebooks in health law, I have been pleased to see how the articles published as a result of the Symposia have had an enormous impact on the development of health law and policy throughout the United States.

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This year's Symposium focuses on the difficulties facing our nation's academic medical centers. The events at St. Louis University Medical Center in 1998 involving the sale of University Hospital to Tenet Healthcare Corporation was certainly one of the driving forces behind our decision to have the 1999 Symposium focus on the future of academic medical centers.

This program was the result of a planning committee comprised of not only Center faculty, but St. Louis University School of Medicine and the National Association of University and College Attorneys ("NACUA"). We are especially grateful for the contributions of Peter Ruger and William Kauffman, the past president and current president of NACUA, respectively, for their involvement in planning and implementing this year's Symposium and their help in securing the participation of the Symposium's many distinguished speakers.

The day before the 1999 Symposium, an article entitled "Hospitals in Crisis" appeared in the NEW YORK TIMES.¹ The article begins as follows:

A deep financial crisis is spreading like a virus through the nation's teaching hospitals. It is undermining their honorable and historic mission, which has been to train new generations of physicians, to conduct critically important medical research and to provide treatment for, among others, the poor. . . .

As teaching hospitals are the key providers of the nation's charitable care, they are affected disproportionately by cuts in government funding. At the same time, they are being squeezed by the drastic reductions in payments that have resulted from the changeover to managed care in recent years. . . . Meanwhile, the cost of delivering care continues to rise. The bottom line has been an explosion of red ink that threatens not just the mission but the very existence of some of the finest teaching institutions.

You cannot overstate the importance of teaching hospitals to the health care system in the United States. They offer the most advanced and sophisticated treatment in the nation. They are essential to the health of the poor, providing nearly 40 percent of the nation's charitable care. They are also the places . . . "where physicians get educated," where they get their first, carefully guided exposure to the connection between scientific study and the real world of clinical treatment. And they are medical research centers, the places where cures are found, treatments developed, miracles realized. Toying with the future of such a system is as dangerous as Russian roulette.

We could not have chosen a more timely or important topic. The St. Louis University School of Law Center for Health Law Studies and the *St. Louis University Law Journal* are pleased to present the following articles based upon presentations at the 1999 Health Law Symposium: Legal and Policy Issues for Academic Medical Centers.

1. Bob Herbert, *Hospitals in Crisis*, N.Y. TIMES, Apr. 15, 1999, at A31.