

Questions & Answers

Health Law

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Health Law

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*To my mom, Nancy Ballengee, R.N.
who inspired my interest in health law.—MBA*

To John, my constant support.—DRF

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Preface

This supplement is designed to aid your learning and exam preparation in health law, bioethics, and more specialized health law courses. It offers hundreds of multiple-choice questions to provide quick and easy self-assessment, as well as some short-answer questions. The text includes detailed answers to each of the questions, highlighting not only the correct answer but also the reasoning as to why the other responses are not correct, enabling you to develop a more complete understanding. This book is not intended as a substitute for the reading assigned by your professor. Its purpose is to test your knowledge and ability to apply health law principles. If you use the supplement after each reading or unit, you should be better prepared to excel in class participation and more formal assessment. To maximize the desired benefit, we recommend that you try to answer each question in a section before consulting the answer, as this will alert you to any areas where you may need further study. Please pick the best answer. Some questions should be pretty easy, whereas others are intended to challenge you. Even when you select the correct answer, it is helpful to read the answer explanation provided carefully, as the explanation often contains more information than the question alone. This study guide can also be used as an effective tool at the end of a course to review in preparation for exam success.

As the table of contents and index demonstrate, this book provides a comprehensive health law study aid, addressing a wide range of topics. Subjects covered range from fraud and abuse to public health, Employee Retirement Income Security Act (ERISA) to medical aid in dying, antitrust to human subject research, and beyond. While questions are organized by topic, different textbooks group subjects differently. If you are looking for questions on a particular issue, you may find the more detailed index in the back of the book helpful in locating appropriate questions.

Health law stems from a patchwork of federal, state, and local laws. When possible, this book focuses on answers that are accepted nationwide. Of necessity, however, it also tests majority rules that may differ in your state. Please be aware of this, and be sure to check applicable laws before providing legal advice. This is especially important in health law, which tends to change rapidly and vary, sometimes materially, by jurisdiction.

Finally, we wrote this book in response to years of requests from students for a health law questions and answers supplement. We hope that it will give you comfort and deepen your understanding of health law. To help us improve future editions, we welcome constructive feedback. Please don't hesitate to email us with requests for additional coverage, concerns about neutrality, or perceived mistakes. Learning is a cooperative venture. Special thanks to Tess Anderson, Torin Shanahan, and James Bell for their thoughtful and detailed work on editing these questions. Thanks as well to Stacey Tovino for her feedback and encouragement and helping us ensure we were on the right track! We appreciate you utilizing our resource and wish you the best with your studies and beyond.

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About the Author

Melissa Ballengee Alexander serves as Carl M. Williams Professor of Law & Ethics at the University of Wyoming College of Law. She received her undergraduate degree *with distinction* from Yale University and her law degree from the University of Virginia School of Law. Upon graduation, Professor Alexander clerked for the Honorable John G. Heyburn II of the U.S. District Court for the Western District of Kentucky. She then practiced law with Bradley Arant Boult Cummings LLP for more than a decade, earning partnership and an AV-Preeminent Martindale Hubbell rating. Professor Alexander joined the law faculty at the University of Wyoming College of Law in 2015 after several years on the faculty of Belmont University College of Law. She has more than a decade of experience teaching courses on Health Law, Bioethics, Public Health, Global Health and Human Rights, Intellectual Property, and Civil Procedure. Professor Alexander is the recipient of a law-school wide teaching award and has published extensively on health law and policy, often focusing on health equity, health economics, and realizing autonomy.

Deborah R. Farringer is the Associate Dean for Academic Affairs, Associate Professor of Law, and Director of Health Law Studies at Belmont University College of Law. She received her undergraduate degree *summa cum laude* from University of San Diego and her law degree from Vanderbilt University Law School, where she was named to the Order of the Coif. After graduation, Professor Farringer clerked for the Honorable H. Emory Widener Jr. of the U.S. Fourth Circuit Court of Appeals. After clerking, Professor Farringer practiced law in the health care regulatory group at Bass, Berry & Sims, PLC. Following that, she served as Senior Associate General Counsel for Vanderbilt University Medical Center. Professor Farringer joined Belmont University College of Law in 2013 and teaches a variety of subjects, including Health Law, Health Care Business and Finance, Health Care Fraud and Abuse, Biomedical Ethics, Business Associations, and Contracts. Professor Farringer's scholarship focuses on the operation and impact of health laws and health policy on providers and suppliers.

