

Impact Of Laws And Policies On Healthcare Delivery

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The United States' healthcare laws are in place to make healthcare more accessible to American citizens. These laws have been in place for centuries and are being improved as technology and societal norms change. For instance, in 1798, the Act for the Relief of Sick and Disabled Seamen was signed by President John Adams. This law was used to make a fund for sailors by deducting twenty cents from the sailors' monthly salary. Now, healthcare laws have become more defined and ensure high medical standards. These laws are divided into State laws and Federal laws (Maryville, 2017). This paper will analyze both in detail.

Federal Law

The Federal laws are followed all over the United States and include the Children's Health Insurance Program (CHIP), Healthcare Quality and Improvement Act of 1986 (HCQIA), Hospital Readmissions Reduction Program (HRRP), Medicaid, Medicare, Health Insurance Portability and Accountability Act of 1996 (HIPAA), Patient Safety and Quality Improvement Act of 2005 (PSQIA), and Affordable Care Act of 2010 (Regis, 2018).

The HCQIA was put in place so that medical professionals and institutions could be protected for the medical assessments that they provided their patients. This law was passed after the court case of the peer review process abuse case. This law provides professionals with protection in lawsuits that involve peer review abuse and includes physicians and dentists in its protection. Peer review is a process that lends further credibility to medical professionals' research papers, so if someone provides a false review, then the reputation of the medical professional can be severely damaged. The peer reviews are considered an act of good faith between professionals; however, there have been cases where the reviewer used the peer review process to damage the credibility of the medical professional. This law provides immunity to professional review bodies, which includes the medical staff, members, subordinates, and anyone else who assisted in the peer-review process.

This law does not include the healthcare individuals who did not meet the requirements for immunity. It also excludes those who did not report the information to the National Practitioner Data Bank. There is a possibility that the immunity can be taken away from those individuals and organizations that failed to meet the immunity requirements. These requirements only allow good faith peer reviews to qualify for the protection of HCQIA. Some standards have been put in place that a peer review needs to meet to qualify as a good faith peer review. A peer review must be followed with the considerable belief that leads to the action of review. Efforts should be involved in the review process and should be analyzed using facts. The procedure must be fair, and adequate notice must be provided for

hearing to the medical professional involved in the process. A strong belief that the review was needed should be involved to follow through the peer-review process. The medical professional should be informed that their work is being reviewed. The hearing should be held at a place mutually agreed upon by both parties involved. The physician or the dentist involved in the hearing has the right to an attorney of choice, have a copy of all the legal proceedings, have witnesses, and present reliable evidence. When the hearing has been concluded, the physician or dentist has the right to get recommendations and written decisions from the healthcare body. This law protects the integrity of medical professionals and allows them to have a safe medical practice.

State Law

Healthcare laws that are applied in states differ from state to state. For example, the healthcare state law in Alabama may be different from the state healthcare laws practised in Montana. For the sake of understanding state healthcare law, the laws applied in the state of Montana will be analyzed. These laws include Montana's [Durable Power](#) of Attorney laws, Living Wills Laws, Euthanasia Laws, Abortion Laws, Medical Records Laws, and Civil Statute of Limitations. In some states, euthanizing is illegal, but assisted suicide for the terminally ill is legal in the State of Montana. This law was passed in 2009 and allowed doctors to assist terminally ill patients who had consented to assisted suicide. However, this action does not legalize euthanasia. This law was passed to protect the families of terminally ill patients and the physicians involved from being persecuted in the future for homicide. The state of Montana provides other rights to doctors and terminally ill patients that protect them in case of legal proceedings. This provides some peace of mind to the doctors that are assisting in the suicide. This process is already very traumatizing for both parties involved, so it is imperative to have proper laws in place for this purpose (FindLaw, 2018).

The laws not only make healthcare accessible for the citizens of the United States but also protect healthcare providers from being falsely persecuted. This allows the healthcare system to work smoothly without worrying about every decision that may be taken for the benefit of the patients. The patients put a lot of trust in their healthcare providers, so it makes sense that different laws and legislatures be put in place to protect their interests. The healthcare system of the United States is becoming more and more complex as technology progresses and societal norms change, so having adequate laws in place is imperative (Larrat et al., 2012).

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