

HEALTH LAW RESEARCH GUIDE

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Introduction and Purpose

Health law covers a wide variety of issues. Among them are food and drug law, hospital law, liability of medical care providers, health care policy, and health insurance. Due to the complex nature of the law in this area you may find it helpful to begin with a secondary source, especially if you are unfamiliar with this area of law.

This guide will give you a brief overview of the law in this area and outline the print and electronic resources available at the OCU Law Library. The guide will also mention freely available electronic resources.

Defining Health Law

Health law can be defined as statutes, regulations, case law, and other directives related to federal or state regulation of health care facilities, determining eligibility for federal entitlement programs such as Medicare and Medicaid, determining a health care provider's liability, or bioethics. Primary sources for health law research include statutes, regulations, and case law on the federal, state, and local level.

Health Law Research

The resources you will use depend on the facts presented. First, you will need to determine if a particular issue deals with federal, state, or local law. Once you have isolated the particular government or government body, you will need to look for its authority. You may find that authority in statutes, administrative regulations, case law, or other directives. Depending on your issue, you may also need to consult legislative history resources.

NOTE: Remember to check the coverage of any research source you use.

OCU Resources

Below is a sample list of materials you may find helpful when researching a health law issue. These resources are available electronically or at the Oklahoma City University Law Library. This list is not all-inclusive.

Secondary Materials

***Note-Check each title for specific holdings and availability.**

Treatises/Casebooks

Treatises are written for practitioners and present background information about specific topics. Casebooks present similar information but are more general and cater to law students.

1. *Health law / by Barry R. Furrow ... [et al]* is available at [KF3821 .H4343 2000](#).

2. *McGill health law publication [electronic resource]* is available electronically from 2007 to present in the subscription database Hein Online.
3. *Health law & compliance update [electronic resource]* / edited by John Steiner is available from 2007 to present in the subscription database Westlaw.
4. *BNA's health law & business series* is available at [KF3825.Z9 B56](#).
5. *Health law handbook [electronic resource]* / edited by Alice G. Gosfield is available in the subscription database Westlaw.
6. *Health law practice guide [electronic resource]* / American Health Lawyers Association is available in the subscription database Westlaw.
7. *A health law reader : an interdisciplinary approach* / edited by John H. Robinson, Roberta M. Berry, Kevin McDonnell is available at [KF3821.H436 1999](#).

Journals/Law Reviews

Journal and law review articles provide researchers with an excellent starting point because the authors usually analyze an issue in-depth and give detailed citation information. The following are accessible either in print or in one of the subscription databases available from the Law Library's databases page at http://www.okcu.edu/law/lawlib/library_databases.php.

1. *Pittsburgh journal of environmental and public health law* is available in the library's periodicals wing from 2006 to present and at the journal's Web site <http://pjepl.law.pitt.edu/>.
2. *Journal of mental health law [electronic resource]* is available from 1999 to present in the subscription database Hein Online.
3. *Journal of health law* is available from 1999 to 2007 in the library's periodicals wing.
4. *Health law digest* is available from 1984 to 1986 and from 1991 to 2005 in the library's periodicals wing.
5. *Health lawyers news* is available from 1999 to 2000 and from 2006 to present in the library at [KF3821.A15 H4](#).
6. *Health law journal* is available from 1993 to present in the library's periodicals wing.
7. *The Health lawyer* is available in the library's periodicals wing from 1982 to present and in the subscription database Hein Online.

Primary Materials

***Note-Check each title for specific holdings and availability.**

The materials listed below are primary federal and state legal authority.

Federal Statutory Materials

1. *U.S.C.* (U.S. Code) is available in print at [KF62 1958 .A2](#) and electronically via various Web sites such as <http://www.law.cornell.edu/uscode/> and <http://uscode.house.gov/>.
2. *U.S.C.A.* (U.S. Code Annotated) is available in the library at [KF62.5 .W45](#) and electronically via the subscription database Westlaw.
3. *U.S.C.S.* (U.S. Code Service) is available in the library at [KF48 .U54](#) and electronically via the subscription database Lexis-Nexis.

Federal Legislative History Materials

1. *Thomas* has legislative history materials freely available at <http://www.thomas.gov>.
2. *Lexis-Nexis Congressional* is a subscription database that contains legislative history materials. It is available from the OCU Law Library's databases page at http://www.okcu.edu/law/lib/library_databases.php.
3. *Hein Online* is a subscription database that contains compiled legislative histories and citations to compiled legislative histories. This database is available through the OCU Law Library's databases page at http://www.okcu.edu/law/lib/library_databases.php.
4. *USCCAN (U.S. Code Congressional and Administrative News)* is available in the library at [KF48 .U54 date](#) and in the subscription database Westlaw.
5. The OCU Law Library has legislative histories in print that you can access from the *Library Catalog* at <http://lawlibdb.okcu.edu/cgi-bin/Pwebrecon.cgi?DB=local&PAGE=First>

Federal Administrative Materials

1. *C.F.R.* (Code of Federal Regulations) is available in print at [KF70 .A3 date](#) and via the subscription databases Lexis-Nexis and Westlaw. The publication is also freely available via the government Web site <http://www.gpoaccess.gov/cfr/index.html>.
2. *Federal Register* is available in print at [KF 70 .A2 date](#) and via the subscription databases Lexis-Nexis and Westlaw. The publication is also freely available via the government Web site <http://origin.www.gpoaccess.gov/fr/>.

Federal Case Law

1. *U.S. Reports* are available at [KF101 .U54](#) and via the subscription database Hein Online.
2. *Supreme Court Reporter* is available at [KF101 .W4](#) and via the subscription database Westlaw.
3. *U.S. Supreme Court Reports, Lawyers' Edition* are available at [KF101 .U58](#) and via the subscription database Lexis-Nexis.
4. *Federal Reporter 1st, 2d, 3d* is available at [KF105 .F4](#) and via the subscription databases Westlaw and Lexis-Nexis.
5. *Federal Supplement 1st and 2d* is available at [KF120 .F42](#) and via the subscription databases Westlaw and Lexis-Nexis.

State Statutory and Administrative Sources

1. *Oklahoma Statutes Annotated* are available at [KFO1231 .O52 date](#).
2. *Oklahoma Statutes* are available at [KFO1230 .O5](#) and freely available via the Oklahoma State Courts Web site <http://www.oscn.net> .
3. *Oklahoma Administrative Code* is available at [KFO1236 .O451](#) and freely available via the Oklahoma Secretary of State's Web site at <http://www.sos.state.ok.us/> .

Subscription Databases

To access materials in a subscription database, you will need a username and password.

1. Westlaw contains several sections that may be helpful for health law research. To find the appropriate section, go to the directory and search using terms such as: health law, bioethics, or healthcare.
2. Lexis-Nexis has several sections that may be helpful for health law research. You can go to Find a Source and look for information under health law or healthcare.

Freely available resources

Federal

1. <http://www.cdc.gov/> -The U.S. Centers for Disease Control offers data, publications, and general health and wellness information.
2. <http://www.hhs.gov/> -The U.S. Dept. of Health and Human Services provides a wide variety of health-related facts and resources.
3. <http://www.fda.gov/> -The U.S. Food and Drug Administration focuses its attention on the safety and regulation of food and drugs in the U.S.

4. <http://www.ssa.gov/> -The U.S. Social Security Administration is the federal agency in charge of social security numbers and benefits.
5. <http://www.ihs.gov/> -Indian Health Service discusses its services and programs as well as giving health-related information geared towards Native Americans.
6. <http://www.nih.gov/> -National Institutes of Health provides funding for research and educates the public with it online resources.
7. <http://www.aoa.gov/> -The Administration on Aging acts as a clearinghouse of facts and resources for older Americans and their families.

State

1. <http://www.ok.gov/health/> -Oklahoma State Department of Health encourages healthy lifestyle choices among Oklahoma citizens.
2. <http://www.odmhsas.org/> -Oklahoma Department of Mental Health and Substance Abuse Services offers resources and help to Oklahomans with mental health or substance abuse issues.

Nongovernmental organizations

1. <http://www.law.cornell.edu/wex/index.php/Health> -Background and links about health law from Cornell University's Legal Information Institute.
2. <http://www.healthlawyers.org/> -American Health Lawyers Association is a professional organization for attorneys who specialize in health law.
3. <http://www.ncbi.nlm.nih.gov/pubmed/> -The National Library of Medicine offers PubMed, a searchable database of journal articles and other information regarding health and medical topics.
4. <http://www.rwjf.org/> -The Robert Wood Johnson Foundation sponsors grant opportunities and publications related to health and healthcare.

Other Research Guides

Below are health law research guides from other law libraries and institutions that you may find helpful.

1. <http://www.hpolicy.duke.edu/cyberexchange/> -Duke University Center for Health Policy, Law and Management has created a Health Policy Gateway with specific information and links about health care policy.
2. <http://law.slu.edu/healthlaw/research/links/index.html> -St. Louis University's Center for Health Law Studies has organized links to resources and organizations into appropriate subject categories.
3. <http://www.law.uh.edu/healthlaw/pathfinder/homepage.html> -University of Houston provides a health law pathfinder subdivided by relevant topics.

4. <http://faculty.smu.edu/tmayo/twmlinkshealthmedicine.htm> -Professor Tom Mayo at Southern Methodist University has compiled a list of useful links related to health law.
5. <http://library.law.pace.edu/Healthlaw/index.htm> -Pace University Law Library provides an online health law library.

Statistics

When conducting health law research using statistics might be helpful. Listed are a few resources to get you started on compiling statistical data.

1. <http://www.cdc.gov/nchs/> -National Center for Health Statistics makes health statistics easy to access and use by dividing them into categories.
2. <http://www.cms.hhs.gov/home/rsds.asp> -The Centers for Medicare and Medicaid Services publish statistics about various aspects of Medicare and Medicaid.
3. <http://factfinder.census.gov/home/saff/main.html> -The U.S. Census Bureau compiles statistics from the national census and makes those available to the public.
4. <http://medlineplus.nlm.nih.gov/medlineplus/healthstatistics.html> -This area of the Medlineplus Web site focuses on health statistics.
5. <http://www.lib.umich.edu/govdocs/sthealth.html> -The University of Michigan has compiled a Web page specifically targeted to researchers gathering statistical information.

