

U08d2 court case analysis



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Running Head: U08D2 COURT CASE ANALYSIS u08d2 Court Case Analysis

Submitted by: XXXXXXXX Number: XXXXXX of XXXXXXXXX The main aim of this paper is to discuss a case which is absurd or simply due to difference in times. Details of the case has been provided below along with the reasoning of the classification has also been discussed below.

Case Name: Boston Medical Center Corp. v. Secretary of the Executive Office of Health and Human Services

Case Retrieved from: <http://healthcarereform.nejm.org/?p=2245>

Parties of the case: The parties to the case include: a) Boston Medical Center and b) State of Massachusetts.

Reasons for Litigation: The Boston Medical Center (BMC) sued State of Massachusetts for the damages that were got due to the State's Universal Health care bill.

Details of Case: According to the case, the BMC has claimed a loss of almost \$38 million deficit in the year 2009. BMC had also mentioned that the loss was partly due to the first five years where the bill had the hospitals care for the citizens by providing them with significantly lesser costs. The State of Massachusetts on the other hand has developed this health care bill to put a stop to the issue of uninsured people in the state. The main intention of the bill was to improve the current, i. e. less than 3% of the Massachusetts residents without health insurance. Hence to help the people overcome and not be uninsured, the state has established that hospitals need to charge the patients on reasonable rates rather than being based on the actual costs (Goodnough, 2009). The case involved a number of claims, like, ' BMC's constitutional claims also face high hurdles. The hospital contends that in requiring BMC to treat patients without providing full payment, the state

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engaged in a “ regulatory taking” — essentially, using the hospital’s property without paying for it’ (NEJM, 2009).

Discussions:

This case is absurd in a few manners. The main issue is due to the stem of an older case and conflict between the state and Medicaid cost cutting. Cases of this nature tend to be never ending and with a chance of low solutions for the health care industry. As explained in the case, ‘ As long as powerful interests clash over limited health care resources, parties will do what they have always done: go to court’ (NEJM, 2009). The case of Massachusetts allows being a guide to help resolve the several health care reforms and will also allow a future solution for the cases where hospitals are not given their freedom to treat patients and are directed by the State Legislation (NEJM, 2009). Hence the case has a clear amount of impact on the health care industry and this case to some extent although a bit absurd is a benchmark for the several cases where the hospitals are not treated well.

References

Goodnough, A. (2009, July 15). Massachusetts in Suit Over Cost of Universal Care . Retrieved March 18, 2010, from The New York Times: http://www.nytimes.com/2009/07/16/us/16hospital.html?_r=2&hp

NEJM. (2009, November 4). Litigation amidst Reform — The Boston Medical Center Case. Retrieved March 19, 2010, from <http://healthcarereform.nejm.org/?p=2245>