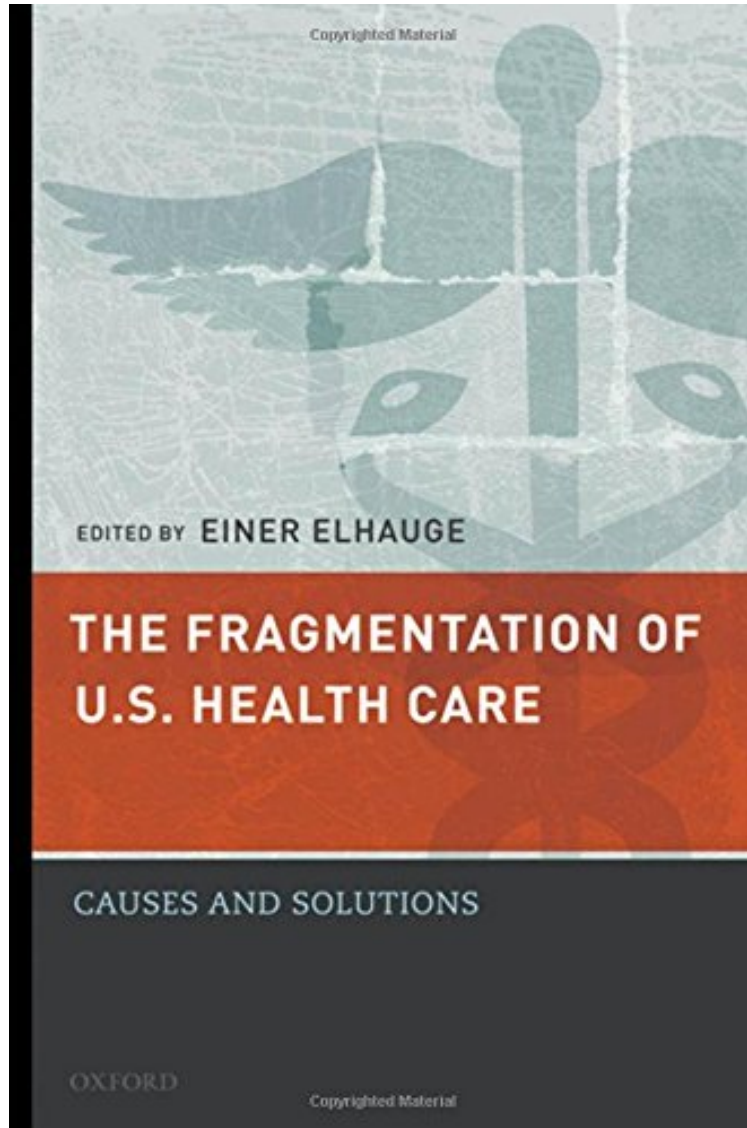


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The Fragmentation of U.S. Health Care: Causes and Solutions

Einer Elhauge

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Einer Elhauge : The Fragmentation of U.S. Health Care: Causes and Solutions before purchasing it in order to gage whether or not it would be worth my time, and all praised The Fragmentation of U.S. Health Care: Causes and Solutions:

Why is our health care system so fragmented in the care it gives patients? Why is there little coordination amongst the many doctors who treat individual patients, who often even lack access to a common set of medical records? Why is fragmentation a problem even within a single hospital, where errors or miscommunications often seem to result from poor coordination amongst the myriad of professionals treating any one individual patient? Why is health care fragmented both over time, so that too little is spent on preventive care, and across patients, so that resources are often misallocated to the patients who need it least? *The Fragmentation of U.S. Health Care: Causes and Solutions* approaches these broad questions with a highly interdisciplinary approach. The articles included in the work address legal and regulatory issues, including laws that mandate separate payments for each provider, restrict hospitals or others from controlling or rewarding the set of providers treating a patient to assure coordinated care, and provide affirmative disincentives for coordinating care by paying more for uncoordinated care that requires more services. Business reasons for the current form of hospital organization are considered, and efficiency and design are examined and compared to other industries. The economics of current hospital organization are also taken into account. The authors examine and propose various reforms that make our health care system less fragmented, more efficient, and more medically effective.

"This book provides an outstanding analysis of the need for reform of the U.S. health care system and why much work remains to be done even with the recent efforts by Congress to improve health care access and delivery. The distinguished group of authors carefully documents a key failing of the health care system- the extent to which insufficient integration of medical services saddles Americans with serious inefficiencies in care. We pay too much for care whose quality is not nearly as high as it could be. Anyone interested in health care reform in the United States will find critically important insights and should consider this book a must read." --David Orentlicher, Samuel R. Rosen Professor of Law and Co-director of the William S. and Christine S. Hall Center for Law and Health, Indiana University School of Law - Indianapolis "Providers often fail to deliver treatments that are cheap and effective, while offering many treatments that are unproven, ineffective or expensive. Service levels vary from place to place without reason. Outcomes are rarely guaranteed. One-stop shopping is often impossible. Prices are invisible or meaningless. Patients arm themselves with advocates because they fear being harmed. Excessive fragmentation of health care delivery causes many of these problems. As Einer Elhauge observes, health care's law-driven business model isn't up to the task. This collection of essays will enlighten anyone who wants to understand the problems of health care delivery and will be especially valuable for public health researchers and health law teachers." --Charles Silver, McDonald Chair in Civil Procedure, University of Texas School of Law "This volume contains some of the most cogent thinking assembled to date on the defining characteristic of the U.S. health care system: fragmentation. Elhauge presents a nuanced portrait of the causes and consequences of atomized decision making in health care. At a time of national debate about the future shape of health policy, the essays contained in this book and the various paths to reform they demarcate constitute required reading." -- Meredith B. Rosenthal Associate Professor of Health Economics and Policy, Harvard School of Public Health "To make sense of our nonsensical healthcare system, Professor Einer Elhauge has assembled the nation's leading professors in law, medicine, economics, health, business, and political science. Their conversation offers a deeply incisive, nuanced, and accessible discussion. It should be required reading for every scholar of health policy and every member of Congress." -- Amitabh Chandra Professor of Public Policy, Harvard Kennedy School of Government "In *The Fragmentation of U.S. Health Care*, Professor Elhauge and his colleagues offer a rich and provocative collection of perspectives. Policymakers and researchers alike will learn from these reflections on a set of critical problems for health care reform. The volume could not be better timed." --Jill R. Horwitz Louis and Myrtle Moskowitz Research Professor of Business and Law, University of Michigan Law School "In this illuminating volume, Einer Elhauge has assembled a top-flight interdisciplinary group of scholars to explain the root causes of the dysfunctional structures of the U.S. health care system, and to suggest possible solutions. The book is essential reading for scholars and policymakers who seek to understand the complexities of health care delivery in the U.S. and identify avenues for systemic improvement." --Theodore W. Ruger Professor of Law, University of Pennsylvania Law School About the Author Einer Elhauge is the Petrie Professor of Law at Harvard Law School and founding director of the Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics. He served as Chairman of the Antitrust Advisory Committee to the Obama Campaign and member of Various Health Policy Advisory Committees to that campaign. He teaches a gamut of courses ranging from Antitrust, Contracts, Corporations, Legislation, and Health Care Law. Before coming to Harvard, he was a Professor of Law at the University of California at Berkeley, and clerked for Judge Norris on the 9th Circuit and Justice Brennan on the Supreme Court. He received both his A.B. and his J.D. from Harvard, graduating first in his law school class. He is an author of numerous pieces on a range of topics even broader than he teaches, including antitrust (monopolization, predatory pricing, tying, bundled discounts, loyalty discounts, disgorgement, petitioning and state action immunity, and the *Harvard v. Chicago schools of antitrust*), public law (statutory interpretation, legislative term limits, the 2000 Presidential election, and the implications of interest group theory for judicial review), corporate law (social responsibility and sale of control doctrine), patent law (patent holdup and royalty stacking), the legal profession (the

value of litigation and counseling advice), and health law policy (medical technology assessment, how to make health law a coherent legal field, and how to devise a morally just and cost effective medical system). His most recent books include *Statutory Default Rules* (Harvard University Press 2008), *U.S. Antitrust Law and Economics* (Foundation Press 2008), and *Global Competition Law and Economics* (Hart Publishing 2007). Currently he is working on books about Contract Theory, Health Law Policy, and Re-engineering Human Biology, as well as articles on sundry other topics. To access his website and publications, visit <http://www.law.harvard.edu/faculty/elhauge/>.