

Hospital Law

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HOSPITAL LAW. By John A. Lapp and Dorothy Ketcham. Milwaukee: The Bruce Publishing Co., 1926, pp. XXXIV, 543.

This is a comprehensive treatise upon an increasingly important subject. Not many textbooks have been written upon it. This digest of hospital law (to borrow from the language of the Preface) was prepared "in the expectation that the material gathered would form the basis of a legal service bureau to assist hospitals in their legal problems and committees in their efforts for or against legislation affecting hospitals." It "grew out of a brief study suggested by the late A. R. Warner, Secretary of the American Hospital Association, who had been in his official capacity confronted with legal questions involving hospitals and with legislative matters relating to hospitals. The study was continued with the encouragement and co-operation of the Hospital Library and Service Bureau" of the American Conference on Hospital Service. It "disclosed that hospital law is assuming an important place in the work of hospital boards and managers." The purpose of the authors is "to bring together all that exists in laws and court decisions and to draw out whatever was found to be the settled law on different phases of the subject. Inasmuch as hospital law is in a somewhat nebulous state, it was found that the presentation of the various divergencies as well as agreements in decisions should be set forth in the form of a digest. To aid hospital superintendents in its use, extensive quotations have been made from the decisions so as to disclose the facts of the case and set forth the principles of hospital management as decided by the courts." In this aim the authors have succeeded admirably.

The book is printed on excellent paper. The type is large, making the text easily readable. A table of contents and a lengthy analysis of its twelve chapters, together with an index, furnish a ready and accurate guide to its subject matter. This is supplemented by a table of approximately 650 cases decided by the courts, thus referring the reader to judicial authority for his surer guidance. Many of these are familiar to the lawyer and to the teacher of law as leading cases. An introduction dealing with the sources of hospital law, and an appendix containing a digest of hospital laws, give added value to the book. There is a chapter on each of the following themes: Hospital Definitions, The Incorporation of Hospitals, The Liability of Private Hospitals, The Liability of Public Hospitals, Taxation, Exemption from Taxation, Public Aid to Hospitals, The Hospital as a Nuisance, Licensing, Hospital Organization and Administration, Charitable Trusts, and Hospital Records. In the chapters on incorporation, tax exemption, public aid, licensing, and recording, a brief résumé of the laws of the various states is given. Abundant footnotes further illumine the text.

The book cannot fail to be of great assistance to hospitals and to those who administer the affairs of these institutions. The physician and the lawyer will also find it helpful.

Although neither of the authors appears to be a member of the bar, their handiwork would entitle even a legal practitioner to great credit.

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