

## FEMINIST JUDGMENTS: HEALTH LAW REWRITTEN

This book demonstrates how feminist analysis can transform law in a field where paternalism, individualism, gender stereotypes, and tensions over the public–private divide shape judicial decisions. Each chapter focuses on a single court decision related to health law. The decisions concern patient autonomy, informed consent, medical and nursing malpractice, the relationships among health care professionals and the institutions where they work, communications between health care providers and the patients they serve, end-of-life care, reproductive health care, biomedical research, ownership of human tissues and cells, the influence of religious directives on health care standards, health care discrimination, equitable access to long-term care in nursing homes, equitable access to community-based alternatives, private health insurance, Medicaid coverage, the Affordable Care Act, and more. Each chapter begins with a commentary from a scholar who puts the case in historical context, summarizes the original opinion, discusses what makes the rewritten opinion feminist, and describes how a feminist approach might have altered subsequent developments in health law. The feminist judgments take the form of rewritten majority opinions, concurrences, and dissents. The opinion authors are scholars who inhabit the role of a judge deciding the case. They rely exclusively on the factual record, precedents, and scientific understanding available at the time of the original decision to show how a judge with a feminist perspective could have adjudicated the matter differently.

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# Feminist Judgments: Health Law Rewritten

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Contents

<i>Advisory Panel for Feminist Judgments Series</i>	<i>page</i> ix
<i>Titles in the US Feminist Judgments Series</i>	xi
<i>Advisory Panel for Feminist Judgments: Health Law Rewritten</i>	xiii
<i>List of Contributors</i>	xv
<i>Acknowledgments</i>	xxi
<b>1 Introduction</b>	1
<i>Seema Mohapatra and Lindsay F. Wiley</i>	
<b>2 <i>Schloendorff v. Society of New York Hospital</i></b>	17
Commentary: <i>Danielle Pelfrey Duryea</i>	
Judgment: <i>Kelly K. Dineen</i>	
<b>3 <i>Reynolds v. McNichols</i></b>	41
Commentary: <i>Aziza Ahmed</i>	
Judgment: <i>Wendy E. Parmet</i>	
<b>4 <i>Conservatorship of Valerie N.</i></b>	66
Commentary: <i>Cynthia Soohoo and Sofia Yakren</i>	
Judgment: <i>Doriane Lambelet Coleman</i>	
<b>5 <i>Bouvia v. Superior Court</i></b>	94
Commentary: <i>Joan H. Krause</i>	
Judgment: <i>Barry Furrow</i>	
<b>6 <i>Moore v. Regents of the University of California</i></b>	118
Commentary: <i>Jessica Roberts</i>	
Judgment: <i>Lisa C. Ikemoto</i>	

7	<b><i>Linton v. Commissioner of Health and Environment</i></b> Commentary: Ruqaiijah Yearby Judgment: Gwendolyn Roberts Majette	159
8	<b><i>Olmstead v. L.C. ex rel. Zimring</i></b> Commentary: Doron Dorfman Judgment: Becka Rich	179
9	<b><i>Doe v. Mutual of Omaha</i></b> Commentary: Christina S. Ho Judgment: Valarie Blake	206
10	<b><i>Smith v. Rasmussen</i></b> Commentary: Heather Walter-McCabe Judgment: Craig Konnoth	237
11	<b><i>Burton v. State</i></b> Commentary: Greer Donley Judgment: Nadia Sawicki	264
12	<b><i>National Federation of Independent Business v. Sebelius</i></b> Commentary: Mary Ann Chirba and Alice A. Noble Judgment: Elizabeth Weeks	293
13	<b><i>Means v. United States Conference of Catholic Bishops</i></b> Commentary: Maya Manian Judgment: Leslie C. Griffin	330
14	<b><i>Does v. Gillespie</i></b> Commentary: Elizabeth Kukura Judgment: Jennifer Oliva and Melissa Alexander	357
15	<b><i>National Institute of Family and Life Advocates v. Becerra</i></b> Commentary: Brietta R. Clark Judgment: Sonia Suter	393

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x

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xiv      *Advisory Panel for Feminist Judgments: Health Law Rewritten*

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