

RISK: Health, Safety & Environment (1990-2002)

Volume 4
Number 4 *RISK: Issues in Health & Safety*

Article 13

September 1993

Book Review

Mitchell M. Simon

Follow this and additional works at: <https://scholars.unh.edu/risk>



Part of the [Bioethics and Medical Ethics Commons](#), and the [Insurance Law Commons](#)

Repository Citation

Mitchell M. Simon, *Book Review*, 4 RISK 367 (1993).

This Book Review is brought to you for free and open access by the University of New Hampshire – Franklin Pierce School of Law at University of New Hampshire Scholars' Repository. It has been accepted for inclusion in RISK: Health, Safety & Environment (1990-2002) by an authorized editor of University of New Hampshire Scholars' Repository. For more information, please contact ellen.phillips@law.unh.edu.

Book Review

Erratum

The citation for this review is *4 RISK 357 (1993)* in most commercial databases.

MARC A. RODWIN, MEDICINE, MONEY & MORALS: PHYSICIANS' CONFLICTS OF INTEREST. (Oxford University Press 1993). [430 pp.] Acknowledgements, acronyms, appendices, foreword, index, notes. LC: 92-49488; ISBN: 0-19-508096-3. [Cloth \$25.00. 200 Madison Avenue, New York NY 10016.]

In this reasonably priced and well-produced book, Marc Rodwin sets out to put the issue of physicians' conflicts of interest on the ethical and health policy agendas. He certainly provides readers with the necessary tools to understand the topic.

MEDICINE, MONEY & MORALS traces questions surrounding physicians' conflicts of interest and answers from the profession since the beginning of the century. It contains extensive citations and provides the reader with sufficient materials to allow critical evaluation and careful analysis of the author's thesis.

I have found few, if any, books as readable as this to be as rich in citations and secondary materials. In fact, Rodwin's text occupies just over one-half of his book; the remainder includes useful appendices and extensive endnotes. In the few weeks I have had this book, I have referred to it at least twice and used its references in my work.

I was also impressed with the author's understanding and coverage of the conflict issues in managed care. It seems to me that the questions raised by "specialist accounts" controlled by primary care doctors, and other incentives to refer to others too infrequently, raise issues for health care consumers at least as important as blatant incentives to overtreat.

My only criticism is that the book seems to "play" much better for lawyers than physicians. In discussing its analysis of problems and the proffered solutions with friends who are doctors, I found more hostility than expected. I think, in part, this is because the author relies heavily on the logic and argumentation techniques of legal thought. For example, Rodwin uses much reasoning by analogy, a mainstay of lawyers. It is probably not a fair test of the power of a work to ask those who are criticized to enjoy it, but my own interest in finding ways to bring the professions together compels lament.

Professor Rodwin concludes that, in light of the profession's failure to self-regulate, far-reaching legal interventions are needed. Thus, he aims his arguments at policymakers. However, I think he missed an opportunity to educate doctors who already feel attacked by legal and political systems. His attempt at the end to show how removal of certain economic incentives will help create an ethos of caring that will benefit both doctors and patients seems to be too little, too late.

In conclusion, I think that Rodwin set out to persuade policymakers to control conflicts of interests. He has certainly done a fine job of arguing his case and presenting material that allows those who disagree nevertheless to participate in the discussion. Despite what I believe to be missed opportunities to do more, this is a solid achievement.

With the review copy of the book, Oxford sent a page of other reviewers' comments. As expected, their observations are exceedingly kind. Nevertheless, I agree with those who expect this to be the best book on the topic for some time to come.

Mitchell M. Simon[†]

[†] Mr. Simon is Professor of Law, FPLC, and Co-director, FPLC Institute for Health, Law & Ethics.