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A THREE DAY NATIONAL CONFERENCE ON STRESS, STRAIN, HEART DISEASE AND THE LAW PLANNED TO INAUGURATE ASLM 1978 EDUCATIONAL PROGRAMS

Plans are underway for finalizing ASLM's forthcoming First National Conference on Stress, Strain, Heart Disease and the Law. At a Planning Committee meeting held in Boston on July 29 and 30, 1977, representatives from the American Society of Law & Medicine, the American Heart Association, the American Heart Association/Massachusetts Affiliate, the President's Committee on the Employment of the Handicapped, the Rehabilitation Services Administration, and several national workers' compensation and casualty insurers started to formulate the program and faculty.

This conference, the first to implement the recommendations of the recent report of the American Heart Association's Committee on Stress, Strain, and Heart Disease (originally published in *Circulation*, May, 1977 and later reprinted in *Medicolegal News*, Spring 1977, Volume 5, Number 2), should be of interest and practical value to professionals of the many disciplines involved in the ever-expanding legal issues stemming from heart disorder, disability and death.

The conference will focus on the vexing problems of causality assessment in heart disorders that frequently face physicians, lawyers, judges, courts, workers' compensation commissioners and other administration agency personnel. Subsequent follow-up conferences are planned to consider the medicolegal issues of disability evaluation, rehabilitation and reemployment of the cardiac patient.

The Conference is scheduled to start Thursday evening, January 26, 1978, and will continue all day Friday, January 27, 1978, and conclude Saturday morning, January 28, 1978. The meeting will be held at the Copley Plaza Hotel, Boston, Massachusetts.

Of particular relevance will be an update on the second day of the Conference by leading medical authorities of current medical knowledge concerning the effects, if any, upon the development and progression of coronary heart disease of sudden and long-term physical effort and of alleged long-term or mounting occupational psychological stress and tensions. This part of the program will be prefaced by a discussion of causality evaluation as viewed by the medical, legal and judicial professions.

A nationally-prominent speaker will present an after-luncheon address on Friday, January 27, 1978 on a topic pertinent to the Conference considerations.

A unique aspect of the Conference will be the utilization of workshop panel discussions for smaller groups to enable interchange between registrants and faculty and to follow personal presentation of bothersome problems and issues to the experts and resource specialists for their opinions.

The faculty will be composed of leading national authorities selected from the fields of medicine, law, insurance, judiciary, personnel management, labor union representation and rehabilitation.

The registration fee which includes all registrant's resource material, admission to all sessions, luncheon on Friday and admission to a cocktail reception Friday evening, has been set at \$150.00 for members of any of the designated sponsoring organizations and \$175.00 for others.

Attendance will be limited to 300 registrants and will be on a first-come first served basis so that early registration is advised. Full cancellation refunds will be available until December 15, 1977. Thereafter cancellations will be subject to a 15% charge.

The tentative program outline is listed below and an advance registration coupon is on page 14.

CONFERENCE - STRESS, STRAIN, HEART DISEASE AND THE LAW

Thursday - Saturday
January 26-28, 1978
Copley Plaza Hotel,
Boston, Massachusetts

Thursday - Jan. 26, 1978

Registration: 3:00-5:00 P.M. and 6:00-8:00 P.M.

Session 1. *The Scope and Nature of the Problems* - 7:00-7:45 P.M.

Welcomes and explanation of program format and Introductory survey

Session 2. *An Exploration of Problem Issues* - 8:00-9:30 P.M.

Workshop 1 - The physician's viewpoint
Workshop 2 - The trial attorney's viewpoint

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**CONFERENCE - STRESS, STRAIN,
HEART DISEASE AND THE LAW
January 26-28, 1978**

Copley Plaza Hotel, Boston, Mass
Continued from page 2

Workshop 3 - The insurer's viewpoint
Workshop 4 - The employer's and labor
union's viewpoint

Friday - Jan. 27, 1978

Registration - 8:00 - 9:00 A.M.
Session 3. *The Medicolegal Assessment of
Causality in Heart Disorders* - 8:00 -
10:30 A.M.

The physician's approach
The trial attorney's approach
The adjudicator's approach

Intermission and coffee break - 10:30 -
11:00 A.M.

Session 4. *Physical Stress and Heart Dis-
ease* - 11:00 - 12:00 A.M.

Definitions

Current medical knowledge update

Luncheon and luncheon speaker - 12:00 -
2:00 P.M.

Session 5. *Psychologic Stress and Heart
Disease* - 2:00 - 3:15 P.M.

Definitions

Current medical knowledge update

The role of occupational stress in coro-
nary heart disease

Intermission and coffee break - 3:15 -
3:45 P.M.

Session 5. Continued - 3:45 - 5:00 P.M.
Cocktail reception - 6:30 - 7:30 P.M.

Saturday - Jan 28, 1978

Session 6. *Approaches to Solutions* - 9:00 -
10:30 A.M.

Workshop 1 - The physician
Workshop 2 - The trial attorney
Workshop 3 - The insurer
Workshop 4 - The employer and
the union

Intermission and coffee break - 10:30 -
11:00 A.M.

Session 7. *Conference Summary and
Recommendations* - 11:00 A.M. - 12:15 P.M.

Workshop reports
Conference overview
Conference adjournment

EDITORIAL

The Attempted Revival of Psychosurgery

Continued from page 3

that the Commission found no evidence of
psychosurgery ever being beneficial for
children.

The Commission's dismissal of the hold-
ing of *Kaimowitz v. Michigan Department
of Mental Health*—the Detroit psycho-
surgery case—regarding informed consent
is highly superficial and cavalier. The case
is attacked on its constitutional arguments,
after which its much stronger arguments on
informed consent are simply dismissed by a
comment that to exclude proxy consent for
involuntarily committed mental patients and
prisoners "seems unfair."

This conclusion was made possible only
by transforming psychosurgery from a
dangerous experiment into an "opportunity
to seek benefit from a new therapy." Such a
characterization simply cannot be justified,
and the Commission itself admits to having
studied no actual cases involving either
involuntarily committed mental patients or
amygdalotomies for violence—the facts at
issue in *Kaimowitz*.

Finally, the Commission's recommenda-
tion that the Secretary of HEW "conduct
and support studies to evaluate the safety
of specific psychosurgical procedures and
efficacy of such procedures in relieving
specific psychiatric symptoms and disor-
ders" is inappropriate. It is outside the
Commission's Congressional mandate and
unsupported by the evidence available to
the Commission. Nothing in the Commis-
sion's report supports the concept that
psychosurgery research should be on
HEW's priority list, or that studies of the
multiple types of procedures being used
and the multiple "indications" for surgery
employed by the more than 140 surgeons in
this field would be fruitful. The Commission
was set up to protect subjects and not to
promote research. While these two activi-
ties are certainly compatible, emphasis on
the latter tends to detract from the former.

While I have previously concluded that
the recommendations could stand with cer-
tain modifications, this was probably an
overly optimistic view.³ A report that is
based on an erroneous definition of the
problem it seeks to solve is fatally flawed.
The only rational solution is to begin again
with a proper definition of psychosurgery
and a more sophisticated view of the poten-
tial problems involved in the application of
the procedure once it ceases to be experi-
mental and becomes "therapeutic." If the
Commission's life is continued by Congress,
the Secretary of H.E.W. should remand this
report and recommendations to it with
specific instructions on how to proceed
consistent with the above discussion. If the
Commission's life is terminated, on the
other hand, these recommendations
should simply be allowed to die with it.

References

1. "Protection of Human Subjects: Use of
Psychosurgery in Practice and Research: Report
and Recommendations for Public Comment",
Fed. Reg., May 23, 1977, at pages 26318-
26332. Approximately 100 responses were re-
ceived by early August.
2. Beecher, Surgery as Placebo, 176 *JAMA*
1102 (1961).
3. Annas, Psychosurgery: Procedural
Safeguards, *Hastings Center Report*, April, 1977
at 11.



ADVANCE REGISTRATION COUPON
CONFERENCE: STRESS, STRAIN, HEART DISEASE AND THE LAW
Thursday — Saturday January 26-28, 1978
Copley Plaza Hotel, Boston, Massachusetts

Name _____ Title or Degree _____
Organization (if any) _____
Address _____ Zip _____ Telephone _____

Registration fee:

Members — American Society of Law & Medicine and/or American Heart Association — \$150.00
Nonmember registrations — \$175.00

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