AIDS and HIV: The Legal Dimension: A Selective Bibliography

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June 1991 marked the tenth anniversary of the “discovery” of the AIDS disease. It seemed a propitious time to contemplate the problems faced by individuals who have the disease and by those who have the HIV virus. This bibliography provides a selective listing focusing on the legal aspects of AIDS and HIV and is composed primarily of citations to periodical literature. Concentration is on “legal” periodicals but medical journals and newspaper articles should not be overlooked if the researcher would like a fuller picture.
For the most part articles over two pages in length from journals were included. Editorials and articles from national and legal newspapers generally are not included. Although some articles are listed from foreign periodicals, most of the entries focus on the United States.

Listings in one category can cover some aspects of other categories. An attempt was made to include the article in the category which best covered the subject matter of the majority of the article. An asterisk (*) indicates that the article is contained in one of the symposia or special issues listed in the "Symposia and Special Issues" section of this bibliography.

Articles from HASTINGS CENTER REPORT are not covered extensively, however this resource is invaluable in that it contains many columns, articles, and features dealing with all aspects of the disease. Comprehensive inclusion of materials contained in the MENTAL & PHYSICAL DISABILITY LAW REPORTER was not possible. The REPORTER, although sometimes precursory in its coverage, is an excellent current awareness tool. Another source not covered in this bibliography, but helpful to those researching this issue is BIOLAW, composed of a print treatise and primary documents in microfiche.

Since legal periodical literature on this subject continues to proliferate, the researcher can keep up to date by monitoring the standard periodical indexes.

II. SYMPOSIA AND SPECIAL ISSUES

Includes: Bolan, Paper on moral and religious aspects of AIDS; Lucid, Paper on moral and religious aspects and services for AIDS patients; Morris, Paper on moral and religious aspects of AIDS and discrimination; and Questions and Answers.


The Challenge AIDS Poses to the Courts, 29 JUDGES’ J. 2 (Spring 1990).


Drugs, Alcohol and AIDS, 14 CONTEMP. DRUG PROBS. 367 (1987).


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Testing Democracy: AIDS in America, 14 HUM. RTS. 16 (Summer 1987).

III. BIBLIOGRAPHIES


### IV. Articles

#### A. General


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Dennis L. Breo, Confronting AIDS; Blunt Facts About an Insidious Killer - and What You Need to Know to Protect Yourself, 34 MED. TRIAL Q. 137 (1989).


*Michael N. Castle, Remarks by Governor Michael N. Castle, 7 DEL. LAW. 4 (Summer 1988).


Philip H. Corboy, The AIDS Crisis: Legal Implications, 16 BRIEF 40 (Fall 1986).


*David J. Lyons, *The Department of Justice: Dealing with a Constellation of Problems*, 7 *DEL. LAW.* 71 (Summer 1988).


J. Jeffrey Mayhook, *Crimes from the Heart*, 17 HUM. RTS. 46 (Spring 1990).


*People with AIDS Speak Out . . .*, 29 JUDGES’ J. 52 (Spring 1990). [Interview].


LuAnn A. Polito, Note, Containing the AIDS Virus ... Testing ... Reporting ... Confidentiality ... Quarantine ... Constitutional Considerations, 37 CLEV. ST. L. REV. 369 (1989).


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Paul Reidinger, A Question of Balance: Policing the AIDS Epidemic, 73 A.B.A. J. 69 (June 1, 1987).

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Victor Schachter, Preventive Medicine: AIDS Education for Law Enforcement, 3 CRIM. JUST. 2 (Fall 1988).


*The Truth about AIDS*, 15 Hum. RTS. 46 (Fall 1987).


*William E. Wiggin, Plague Politics*, 7 Del. Law. 41 (Summer 1988).


### B. Public Health Law and Policy


Patricia Evans, Note, Medically Necessary Treatment Provided at Public Expense, 6 COOLEY L. REV. 345 (1989).


*Gunter Frankenberg, "In the Beginning of All the World Was America": AIDS Policy and Law in West Germany, 23 N.Y.U. J. INT'L L. & POL. 1079 (1991)


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C. Public Policy

Jeff Stryker, IV Drug Use and AIDS: Public Policy and Dirty Needles, 14 J. Health Pol'y, Pol'y & L. 719 (1989).

D. Discrimination

Michael S. Cecere, Working with AIDS; Answers for Worried Employers, 16 BRIEF 6 (Summer 1987).


*Michael L. Closen et al., AIDS in America: Death, Privacy and the Law, 14 HUM. RTS. 26 (Summer 1987).


**E. AIDS and the Workplace**
(See Also Discrimination)


**F. Confidentiality**


*Larry Gostin, Hospitals, Health Care Professionals, and AIDS: The "Right to Know" the Health Status of Professionals and Patients, 48 Md. L. Rev. 12 (1989).


*Gerald R. Lucey & Gabriela B. Georgi, Privacy in the Workplace: Health and Liability, 14 Hum. Rts. 45 (Summer 1987).

Lisa van Susteren, AIDS and Confidentiality: A New Dilemma, 32 Trauma 17 (June 1990).

G. Prisons


H. Family Law


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I. Children
(See Also Schools)


J. Immigration


*Mark Barnes, AIDS and Mr. Korematsu: Minorities at Times of Crisis, 7 St. Louis U. Pub. L. Rev. 35 (1988).*


**K. Insurance**


*How AIDS Affects the Property and Casualty Industry*, 65 J. AM. INS. 22 (First Quarter 1989).


Benjamin Schatz, *The Crisis in AIDS and Health Insurance*, 16 BARRISTER 45 (Spring 1989).


L. Legislation


Amy B. Berge, Case Note, *Administrative Law - Policy Guidelines Promulgated by the State Board of Education through the Commissioner of Education Concerning Admission to School of Children with AIDS/ARC or HTLV-III Antibody Without Compliance with the Administrative Procedure Act are Null and Void*, BOARD OF EDUC. OF


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N. Testing


**O. Quarantine**


*Crisis in the Classroom; School Segregation of AIDS Victims*, 16 BRIEF 44 (Fall 1986).


Q. AIDS as a Handicap


Thomas P. Sotelo, AIDS: Handicap or Not?, 17 COLONIAL L. 1 (Fall 1988).


R. Constitutional Law


S. Criminal Law


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T. Practice Of Medicine


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W. Estate Planning


X. Pharmaceuticals


Y. Women


Z. Courts

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