

**SUBMISSIONS:** We invite the submission of germane manuscripts to the *Yale Journal of Health Policy, Law, and Ethics*. Submissions are accepted on a rolling basis. Please include (1) an electronic copy of the manuscript (double-spaced); (2) your current address, telephone number, email address, and CV; and (3) a 100-word abstract. Submissions should be emailed to [yjhple.submissions@yale.edu](mailto:yjhple.submissions@yale.edu). Details about our editorial style are available on our website.

**PEER REVIEW:** Articles submitted to the *Journal* are peer reviewed. For a detailed description of our peer review process, please visit our website.

**SUBSCRIPTIONS:** The *Journal* is published biannually. Subscriptions are \$29 per year for individuals and \$39 for institutions. Institutional rates apply to libraries, law firms, institutions, and individuals whose employer pays for subscriptions. Please add \$10 for overseas mailing.

Claims for non-receipt of issues should be made within 90 days of the month of publication for domestic subscribers and within 180 days for overseas subscribers. Thereafter, the regular back issue rate will be charged for replacement. All subscriptions will be renewed automatically unless the subscriber provides cancellation notice prior to September 1 of each new publication year. Please allow three months for overseas deliveries.

**LEGAL NOTICES:** The *Journal* is published by the Yale Schools of Law, Medicine, Epidemiology and Public Health, and Nursing. The Editorial Staff, with the assistance of the Advisory Board, makes all decisions regarding the content of the *Journal*. Statements of fact and opinion are the sole responsibility of the authors, and are not necessarily endorsed by the editors, Yale University, or any of Yale's professional or graduate schools. For permission to photocopy articles or other materials appearing in the *Journal*, contact the Editorial Staff at the address below.

**MAILING ADDRESS**

*Yale Journal of Health Policy,  
Law, and Ethics*  
P.O. Box 208215  
New Haven, CT 06520-8215

**OVERNIGHT DELIVERY ADDRESS**

*Yale Journal of Health Policy,  
Law, and Ethics*  
127 Wall Street  
New Haven, CT 06511

[www.yale.edu/yjhple](http://www.yale.edu/yjhple) Tel: 203.436.0774 E-mail: [yjhple@yale.edu](mailto:yjhple@yale.edu)

**Founding Members**

Chetan Gulati, J.D.  
Chris Herndon, M.D.  
Leslie A. Meltzer, J.D., M.Sc., Ph.D(c)  
Jason Silvers, M.D., J.D.

**EXECUTIVE EDITORIAL BOARD**

***Editors-in-Chief***

Jon Donenberg  
Max Helveston

***Executive Editors***

Joshua Hudner  
Daniel Luskin

***Managing Editors***

Dennis Hsieh  
Laura Snow

**SENIOR EDITORIAL BOARD**

***Article Editors***

Saideep Bose  
Kathy A. Hunt  
Emma J. Llanso  
Daniel Luskin  
Ami Parekh  
Christen Linke Young

***Submissions Editors***

Nathan Nagy, *Chair*  
Ryan Abbott  
Sam Berger  
Carolyn Brokowski  
Courtney Carrell  
Jessica Federer  
Brianna Hoffner  
Akshara Menon  
Camellia Mortezaadeh  
Rachel Osterman  
Michele Rhee  
Anne Cooper Marie Rymut  
Vikram Fielding-Singh  
Clara Sattler de Sousa e Brito  
Laura Snow  
Rivka Weiser  
Christen Linke Young

***Notes Editor***

Ben Berwick

ADVISORY BOARD

- Henry J. Aaron, Ph.D., *Senior Fellow, Brookings Institution*  
 Lori B. Andrews, J.D., *Professor, Chicago-Kent College of Law*  
 George J. Annas, J.D., M.P.H., *Professor, Boston University Schools of Law, Medicine, and Public Health*  
 John D. Arras, Ph.D., *Porterfield Professor of Biomedical Ethics, University of Virginia*  
 M. Gregg Bloche, M.D., J.D., *Professor of Law, Georgetown University, and Co-Director, Georgetown-Johns Hopkins Joint Program in Law & Public Health*  
 Troyen A. Brennan, M.A., M.D., J.D., M.P.H., *Senior Vice President and Chief Medical Officer, Aetna Inc.*  
 Scott Burris, J.D., *Professor, Temple University School of Law*  
 Robert A. Burt, J.D., *Alexander M. Bickel Professor of Law, Yale Law School*  
 James F. Childress, Ph.D., *Professor, University of Virginia*  
 Paul D. Cleary, Ph.D., *Dean and C.E.A. Winslow Professor of Epidemiology and Public Health, Yale University School of Public Health*  
 Ruth R. Faden, Ph.D., M.P.H., *Philip Franklin Wagley Professor of Biomedical Ethics and Director, The Phoebe R. Berman Bioethics Institute, Johns Hopkins University*  
 John C. Fletcher, Ph.D., *Professor Emeritus, University of Virginia School of Medicine*  
 Lawrence O. Gostin, J.D., L.L.D., *Professor and Director, Center for Law and the Public's Health, Georgetown and Johns Hopkins Universities*  
 Christine Grady, R.N., Ph.D., *Head, Section of Human Subjects Research, Department of Clinical Bioethics, National Institutes of Health*  
 Dean M. Hashimoto, M.D., J.D., M.P.H., *Associate Professor of Law, Boston College, and Chief of Occupational and Environmental Medicine, Massachusetts General Hospital and the Brigham and Women's Hospital*  
 Timothy S. Jost, J.D., *Robert L. Willett Family Professor of Law, Washington and Lee University School of Law*  
 Ruth Katz, J.D., M.P.H., *Dean and Walter G. Ross Professor of Health Policy, George Washington University School of Public Health and Health Services*  
 David Kessler, M.D., J.D., *Dean, University of California, San Francisco School of Medicine, and Former Commissioner of the U.S. Food and Drug Administration*  
 Alvin K. Klevorick, Ph.D., *John Thomas Smith Professor of Law and Professor of Economics, Yale Law School and Yale University Department of Economics*  
 C. Everett Koop, M.D., Sc.D., *Senior Scholar, C. Everett Koop Institute at Dartmouth College and Former Surgeon General of the United States*  
 Jerold R. Mande, M.P.H., *Director of Policy Programs, Yale University School of Medicine*  
 Theodore R. Marmor, Ph.D., *Professor, Yale University School of Management and Yale Law School*  
 Leslie Meltzer, J.D., M.Sc., *Greenwall Fellow in Bioethics and Health Policy, Georgetown University Law Center and the Johns Hopkins Bloomberg School of Public Health*  
 Elyn R. Saks, M.Litt., J.D., *Orrin B. Evans Professor of Law, Psychology, and Psychiatry and the Behavioral Sciences, University of Southern California Gould School of Law*

STAFF EDITORS

- Ryan Abbott  
 Ayelet Amittay  
 Christina Asavareungehai  
 Ady Barkan  
 Brian Barnes  
 Sam Berger  
 Satasuk Joy Bhosai  
 Courtney Carrell  
 Anne Cooper  
 Betsy Dunford  
 Cassandra Earley  
 Lilangi Ediriwickrema  
 Jessica Federer  
 Dov Fox  
 Vikram Fielding-Singh  
 Lauren Gerber  
 Abeba Habtemariam

K  
 29  
 .A335  
 v. 8  
 2008

- Brianna Hoffner  
 Maren Klawiter  
 Allison Lin  
 Akshara Menon  
 Camellia Mortezaazadeh  
 Anne O'Hagen  
 Emily Oldshue  
 Sarah E. Pitlyk  
 Zain Rajan  
 Michele Rhee  
 Marie Rymut  
 Clara Sattler de Sousa e Brito  
 Meliessa Siemens Hennessy  
 Jeffrey Tebbs  
 Kristen Underhill  
 Rivka Weiser