The Law and Economics of Public Health

Description: The Law and Economics of Public Health synthesizes the empirical research findings on the relationship between law and the public's health that are found scattered in different literature ranging from economic journals to medical journals, journals on addictive behaviors, law reviews, and books. This is the only study to date that has assembled the empirical evidence from many areas ranging from motor vehicle liability and dram shop liability to medical malpractice, products liability as it applies to pharmaceutical products, and medical devices. The Law and Economics of Public Health addresses the fundamental question as to whether or not and the extent to which imposing tort liability on potential injurers improves the public's health. Does the threat of litigation on potential injurers make them exercise more caution? Does insurance coverage counter incentives to be careful? Does the tort system operate as perfectly as the theory would have it? This monograph answers these questions on the basis of empirical evidence. The Law and Economics of Public Health discusses both theory and empirical evidence in several areas of personal injury to which tort liability has been applied. The monograph starts by describing the general law and economics framework used to assess both positive and normative issues relating to tort liability. It then presents the rationale for and empirical evidence on particular applications of tort liability as it applies to personal injury.

Contents: Introduction; Government Intervention in Markets: Alternative Approaches; Motor Vehicle Accidents, Insurance, and Tort Liability; Dram Shop and Social Host Liability; Medical Malpractice; Tobacco Litigation; Litigation Involving Pharmaceutical, Medical Device, and Vaccine Manufacturers; Workers Compensation; The Experiences Compared; References

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