

# Year in Review

*Presented by:*  
**Jack S. Schroder, Jr.**  
Alston & Bird (Ret.)  
Big Canoe, GA

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*With many thanks to my partner-in-crime: Elizabeth Carder-Thompson of Reed Smith*

*First, some items you  
may have missed.*



# ***Health Care Law is Hot!!***

## **The 4 Hottest Practice Areas For 2018**

Law 360 (1/1/18)

Labor and Employment  
Data Privacy and Cybersecurity  
Autonomous Vehicles

**Health Care**

## **We're Number One!!**

### **Health Care Just Became the U.S.'s Largest Employer**

The Atlantic (1/9/18)

For the first time in history, health care has surpassed manufacturing & retail as the largest source of jobs in the U.S.

Why?

- Americans are getting older
- Health care is publicly subsidized (M&M, employer tax break)
- Health care not subject to globalization & automation
- Explosion in administration & management jobs

And this streak is just beginning

- Health care expected to account for 1/3 of all new jobs
- 2 fastest-growing occupations: personal care & home health aides

## A 14-Year Losing Streak

### ***According to a 2017 Commonwealth Fund report:***

The U.S. spends more on health care than any other wealthy country  
Yet, it ranks dead last in affordability, equity & health care outcomes

- The U.S. has ranked at bottom of similar reports since 2004

*“Other countries have much better primary care than the U.S., invest more in primary care physicians than in specialists and have health systems that are more equitable. In no other country does income inequality so profoundly limit access to care as it does here.”*

Dr. David Blumenthal, president of The Commonwealth Fund

**Source:** <http://www.commonwealthfund.org/publications/fund-reports/2017/jul/mirror-mirror-international-comparisons-2017> (July 2017)

“The U.S. has become a Medicaid nation.”

### ***The Kaiser Health Foundation reports:***

- Although it started as a plan to cover only the poor, Medicaid is now the nation’s largest health insurance program
- Medicaid is the workhorse of the health system, covering:
  - 74 million, or more than one in five Americans
  - 39% of all children
  - Nearly half of all births in the country
  - 60% of nursing home and other long-term care expenses
  - More than one-quarter of all spending on mental health services
  - Over a fifth of all spending on substance abuse treatment
- A recent survey showed three-fourths of the public, including 84% of Democrats and 61% of Republicans, hold a favorable view of Medicaid

**Source:** <https://www.usatoday.com/story/news/nation/2017/11/15/how-u-s-has-become-medicaid-nation/867918001/>

## *Did You Know....?*



About 70% of U.S. hospitals are in health systems

- That represents 88% of U.S. hospital beds & 91% of discharges
- Nearly 75% of all U.S. hospitals that serve a high proportion of low-income patients are in these systems

45% of U.S. physicians are in health systems

- This includes 42% of primary care physicians
- An average of 691 physicians are in each system, but a majority have fewer than 250

The 10 largest U.S. health systems (based on number of beds) account for 24.5% of beds in systems

**Source: Compendium of U.S. Health Systems, 2016 (Sept. 2017)**

<https://www.ahrq.gov/chsp/compendium/index.html>

## *Did You Know....?*

### ***According to Bloomberg News:***

- A wave of hospitals and other medical companies are likely to restructure their debt or file for bankruptcy in coming year
  - Healthcare bankruptcy filings have more than tripled this year and surged 123% since the fourth quarter of 2010
  - By contrast, bankruptcy filings across broader economy are down nearly 58% from 2010
- Hospitals, including private rural ones, may be the hardest hit
- Some of the causes:
  - Regulatory changes, technological advances
  - The rise of urgent-care centers
  - Reduced payments to DSH hospitals
  - More bad debt due to patients enrolling in high-deductible plans
  - Losses linked to hurricanes in Texas & Florida

**Source: Bloomberg News (11/27/17)**

[www.bloomberg.com/news/articles/2017-11-27/next-u-s-restructuring-epidemic-sick-health-care-companies](http://www.bloomberg.com/news/articles/2017-11-27/next-u-s-restructuring-epidemic-sick-health-care-companies)

Also available as part of the eCourse

[2018 Health Law eConference](#)

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"Healthcare Year in Review"