



Book Reviews

Rozovsky FA, Rozovsky LE. *Home Health Care Law: Liability and Risk Management*. Little Brown and Company, Boston, 1993.

The provision of health care services in the home has become a major component of the health care delivery system in the United States. Fueled by the infusion of funds from Medicare — the Government health insurance program for the elderly — and Medicaid — the State-Federal medical assistance program for the indigent — as well as private payors, the U.S. home health care industry is currently experiencing exponential growth. More than 7.1 million people are expected to receive some care in their homes in 1994, substantially up from the 5.9 million individuals served in 1987. It is projected that home care expenditures in 1994 will grow three times faster than the rest of the U.S. health care industry. This explosion is being stoked largely by the perception that home care is a less costly alternative to hospital and nursing home inpatient care settings.

Mushrooming medical care costs have generated an unprecedented clamor for health care reform in the United States, the only Western industrialized country without universal health care coverage. The home health care industry figures prominently in the current debate over such reform. Most notably, the Clinton Administration's recently unveiled health care reform proposal calls for universal coverage of home care services to all individuals with severe disabilities, regardless of income or age. This benefit, which would go far beyond what is offered under current third-party payor schemes, has been estimated to cost as much as \$157.3 billion over eight years.

It is against this backdrop of the meteoric rise of the home health care industry that the niche occupied by this book can be appreciated. The provision of home health care implicates a number of legal and liability exposure issues. This book may constitute the first practical guide primarily addressing various

legal, liability, and risk management concerns preoccupying home health care professionals. Written largely from the perspective of home health care providers, it should serve as a valuable resource and reference for lawyers, administrators, boards, risk managers, and quality assurance personnel.

Home health care providers come in many different shapes and forms, creatures as they are of a diverse patchwork of insurance coverage, reimbursement policies, and governmental licensing and regulatory requirements. Generalization about the industry is fraught with risk. This book represents an ambitious and largely successful attempt to present for its intended audience important information and advice of widespread applicability to the home care field.

The book canvasses a broad range of subject matter, including the legal aspects of liability; identification, documentation, assessment, minimization and, where possible, prevention or elimination of risk; the roles of board members and employees in managing risk; State and Federal legislative, regulatory, and accreditation requirements and standards to which home health care agencies are subject; selection of appropriate legal counsel; quality assurance; client care; personnel selection and management; and employee training. The *raison d'être* for the volume is that recognizing areas of liability exposure and implementing the means to manage them are essential to providing quality client service.

The availability of such a guide is extremely timely in that industry critics are calling for enhanced regulation of providers in the wake of publicized industry abuses such as the employment of untrained, unqualified, and unlicensed workers to care for sick and elderly patients; fraudulent billing and overcharging to third party payors; and kickbacks from home health agencies to hospitals for patient referrals.

This book is not casual reading for those with a passing interest in the home health care field. It is largely a reference book for those with a professional need to be conversant with its contents and even includes a number of sample forms intended as prototypes for agencies to develop documentation suited to facilitating their management objectives. Its three-ring binder format is designed to accommodate needed revisions and additional chapters as the burgeoning home care field develops.

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