

INSTITUTE FOR LEGISLATIVE AND GOVERNMENTAL AFFAIRS

SPRING/SUMMER 2008 SUMMARY OF PROGRAMS

During the spring and summer of 2008, the Legislative Institute hosted two major hearings involving members of the State Legislature, sponsored the annual Siena College summer fellows program, and helped arrange several continuing legal education programs with the Massachusetts Bar Association. In addition, the Massachusetts Appeals Court held its semiannual sitting in our Moot Court Room.

On January 30, 2008, the Commission on Public Health Access held its first public meeting and hearing at the College with the assistance of State Senator Gale D. Candaras '82 (pictured below), a member of the Commission. The 14-member Commission is charged with the study of the accessibility and quality of doctors who specialize in obstetrics and gynecological and neurosurgical care of women in western Massachusetts. "Western Massachusetts is losing physicians within these specialties at an alarming rate. It is a public health nightmare waiting to happen if women do not have access to quality doctors and specialists," Candaras said.

At the public hearing, the Commission heard testimony from a variety of interested parties, including hospital executives, physicians, public interest groups, and members of the public. The testimony revealed that housing costs, higher compensation in other parts of the nation, and inadequate recruiting were some of the factors contributing to the shortage.



The Commission resulted from Senator Candaras' initiative in the fiscal year 2008 budget. "The Commission was at the top of my list in conversations with Senate President Therese Murray and Chair of the Senate Ways & Means Committee, Senator Steven Panagiotakas," said Candaras.



On March 28, the Institute hosted a public hearing of the Legislature's Joint Committee on Children, Families, and Persons with Disabilities. The cochairs of the Joint Committee are Representative Cheryl Coakley-Rivera '95 and Senator Karen Spilka. The focus of the hearing was Senate Bill 65, which would reform the manner by which state agencies set compensation rates for certain human and social service employees.

Sponsored by Senator Candaras, the measure would transfer the responsibility of setting compensation rates for these workers from the Executive Office of Administration and Finance to the Executive Office of Health and Human Services, create a regular system of rate review, and establish a social services advisory council to advocate for the industry. The human services industry is comprised of approximately 185,000 workers throughout Massachusetts.

At the opening of the hearing, Representative Coakley-Rivera, who presided, noted that human service provider jobs are an important part of the State's economy. Senator Candaras observed: "One in 10 men, women, and children in the Commonwealth are in need of these services. They, along with their friends and families, are counting on the Legislature to ensure that the human services industry is capable of providing an excellent level of care."



(Photo L to R) Professor Arthur D. Wolf, Professor Sudha Setty, and Dean Art Gaudio (standing). Siena College students Samantha Tymchyn and Hanok George (seated).

The School had the privilege of hosting two Siena College students, Hanok George and Samantha Tymchyn, on campus as part of a cooperative pre-law fellowship program. Working with Professor Sudha Setty, who is currently analyzing reforms to the U.S. state secrets privilege from a comparative perspective, Hanok extensively researched the history of the privilege in England and Scotland and reforms to the English or Scottish privilege since the U.S. doctrine was established in the 1950s.

Under the supervision of Professor Barbara Noah, an expert in health law, Samantha researched and wrote an essay about the impact of prescription drug advertising on physician prescribers and patients, especially questions of safety and over-prescribing. In her paper entitled "Death By Excessive Pharmaceutical Advertisements: Is There a Cure?", she described and evaluated different regulatory responses that might reduce the negative impact of advertising.