

Malpractice

Medical Malpractice: A Physician's Sourcebook, edited by Richard E. Anderson, 300 pp, \$59.50, ISBN 1-588-29-389-0, Totowa, NJ, Humana Press, 2005.

WHEN PHYSICIAN-ATTORNEY HUBERT Winston Smith published a six-part series called "Legal Responsibility for Medical Malpractice" in *JAMA* 63 years ago, he devoted the first article to the development of the common law, one article each to the four elements (duty to the patient, negligence, proximate cause, and damages) that must be proven in order to demonstrate malpractice, and one to the system for dealing with malpractice. He discussed numerous legal precedents at length, but not insurance. The standard of care being what an ordinary, competent physician would do under the circumstances, Smith did not dwell on how to avoid liability.

Compare the contents of the book under review. While the subject is malpractice, this is not a book about the law as such. The elements of proving malpractice are covered on one page. Specific legal cases are barely mentioned (though legal rules are discussed). What we find instead are discussions of

- malpractice insurance and the organization of professional liability insurance companies;
- the litigation process, with contributions from both the plaintiff and the defense bar, and focus on the physician as expert and as defendant (with a separate chapter on discovery and deposition);
- communications skills, and malpractice litigation from the viewpoint of practicing physicians in a variety of specialties—family practice, emergency medicine, anesthesiology, obstetrics-gynecology (a general chapter and separate chapters on breast cancer and Papanicolaou smear litigation), and plastic surgery;
- critical policy analysis and recommendations for changes to improve the system.

Clearly, times have changed since Smith wrote—not even counting the book's chapter on e-medicine.

Medical Malpractice appears to be written for physicians who are facing a potential or actual lawsuit and want to understand what's going on, who wish to minimize their risk of such a lawsuit, or who are interested in reform of the system. Such physicians will find this a useful book. There is some variability in quality and some repetitiveness among chapters by different authors, and two of the chapters are reprints of previously published articles. But explanations are uniformly clear and are written so nonlawyers can understand them, and there are valuable insights throughout the book. Of course, entire books are devoted to the subjects dealt with in each chapter, so what is offered here can be only the ABCs of those subjects.

For this reviewer, the strongest section is the last, on legal reform. It is hard to maintain that the present system consistently prevents preventable harm, as the system can deal with malpractice only after it occurs and deals only with injury that demonstrably is caused by negligence. Furthermore, most injured patients are not compensated adequately, and the direct and indirect costs of the current system are enormous. The three chapters in this section offer up-to-date information and analysis of what we know about the causes of and the potential solutions to the problem. A variety of fundamental changes are proposed, for example, alternative dispute resolution, institutional liability, and administrative or expert systems. These seem to this reviewer far more promising than the proposed "tort reforms" we read about in today's headlines, whose apparent goal is to decrease the income of plaintiffs' lawyers with no clear benefit to patients.

A final point: the editor writes in two different places that legal standards of

care have replaced medical standards. But despite the importance of record-keeping, patient communication, and courtroom decorum, it remains true that, as one contributor writes, "the best defense against being sued is to practice good medicine" (p 113). Hubert Winston Smith, six decades ago, would have understood perfectly.

Jay A. Gold, MD, JD, MPH
MetaStar, Inc
Madison, Wis
jgold@metastar.com

HIV

AIDS and Other Manifestations of HIV Infection, edited by Gary P. Wormser, 4th ed, 1076 pp, with illus, \$209.95, ISBN 0-12-764051-7, Boston, Mass, Elsevier Academic Press, 2004.

WHY ANOTHER TEXTBOOK ON HIV INFECTION and related disease? Whom would it interest in a time of daily Web-based updates on HIV disease and its management? What might one expect from the new fourth edition of a comprehensive, classic textbook, edited by a world-renowned scientist and leader in the field?

The answers are easy after even a brief look at the textbook's comprehensive structure, expanded contents, and consistent updating. Vast data from the literature and clinical experience have been carefully assessed and filtered by the editor and contributors, reflecting generous, hard effort for the great benefit of all users. Each year, there are more than 200 000 citations from indexed scientific journals on HIV infection and related conditions. Such a formidable challenge has been more than met by Wormser and his highly qualified collaborators.

The textbook has been updated during an era of emerging subspecialty branches of HIV knowledge: viral resistance, genetics, therapeutic drug

Books, Journals, New Media Section Editor: Harriet S. Meyer, MD, Contributing Editor, *JAMA*; Journal Review Editor: Brenda L. Seago, MLS, MA, Medical College of Virginia Campus, Virginia Commonwealth University.

monitoring, drug interactions and adverse effects, novel treatment strategies, therapeutic adherence issues, pathomorphism, pathogenesis, opportunism, changing epidemiology and public health concerns (with focus on developing countries and on global impact), psychosocial aspects, and ethical challenges. These myriad issues have been addressed through the systematic text structure without special effects (multimedia devices, Web-based updates, and so on), yet the text is intended to remain effective in daily clinical and research practice.

Dr Wormser makes such protean and evolving material manageable by providing a useful state-of-the-art structure. The textbook also critically evaluates developments during the 20-plus year history of AIDS and HIV, supported by an expanded reference list that provides a solid basis for further literature research. In formulating their subjects, contributors carefully address all open issues and controversies. Although relying on 102 expert international contributors, the text is fluid and balanced throughout without redundancies.

In approximately 1000 pages, the text presents material on HIV by organ system with additional chapters on interdisciplinary and emerging problems. It perfectly succeeds in melding the most recent developments with historical ones in each field. Expanded material includes recent issues in cardiovascular, neurological, skin, and kidney complications of HIV disease, other human and animal retroviruses, present and potential applications of molecular and genetic medicine, and outcomes of HIV disease. Five major sections, "Background—Epidemiology," "Etiologic Agent," "Immunology," "Pathology," and "Infection Control," include 43 authoritative chapters in which subjects are exhaustively yet clearly treated, with complete updates supplemented by graphs, images, summary tables, and algorithms and bolstered by hundreds of citations from the earliest to the most recent HIV literature. The detailed subject index provides valu-

able cross-referencing and tracing of topics throughout the text.

Those involved in HIV research or treatment, including physicians in all areas, virologists, immunologists, specialists in infectious diseases, AIDS, and sexually transmitted diseases, psychiatrists and psychologists, and public health professionals, along with trainees at all levels, will be well served by this text. The new edition of *AIDS and Other Manifestations of HIV Infection* remains an invaluable milestone deserving wide appreciation and belongs on the bookshelves of researchers and practitioners alike. All will find accurate, well-organized, updated knowledge and reliable answers to questions with a solid basis, permitting further in-depth research in this continually evolving field.

Roberto Manfredi, MD
University of Bologna
Alma Mater Studiorum
Bologna, Italy
manfredi@med.unibo.it

Watson's Writing

The Writing Life of James D. Watson, by Errol C. Friedberg, 193 pp, with illus, \$25, ISBN 0-87969-700-8, Cold Spring Harbor, NY, Cold Spring Harbor Laboratory Press, 2005.

JAMES WATSON'S CONTRIBUTIONS TO biomedical science are well known to students, professionals, and the general public. Gina Smith recently called the discovery of the double helix "a greater achievement than the discovery of vaccines and antibiotics combined."¹ In *The Writing Life of James D. Watson*, Errol Friedberg unveils one of James Watson's less widely known endowments: his gift for writing. This fascinating book reveals how Watson established a novel style that has touched not only scientists but also readers without a biology background.

The book is organized into four parts. In the introductory section, "A Life of Writing," Friedberg emphasizes the fundamental importance of Erwin Schrödinger's book *What Is Life?* for scientists during the early years of molecular biology. He also depicts Watson's formation as a scientist and

underscores the factors that shaped his writing at every step of his career.

Revolving around the anticipatory discussions among scientists and editors before the publication of *The Double Helix*, the second section, "Autobiography," is captivating. For instance, Friedberg mentions a *Nature* editor's comment to Watson: "I also think you will have to barricade yourself in for six months or so after it appears." Another chapter features praises and criticisms for Watson's next book, *Genes, Girls, and Gamow*.

In "Advocacy," reminiscing about controversies during the early days of recombinant DNA research, Friedberg describes the work leading to the 2000 publication *A Passion for DNA: Genes, Genomes and Society*. He portrays the collaborations that resulted in the appearance of *The DNA Story: A Documentary History of Gene Cloning and DNA: The Secret of Life*, the latter title reminiscent of Schrödinger's *What Is Life?* Highlighting Watson's passionate involvements in the fight against cancer and the Human Genome Project, and underscoring his belief that scientists should actively inform the general public about basic research issues, this section features the *Cold Spring Harbor Laboratory Annual Reports*, in which, between 1968 and 1998, essays on a variety of themes ranging from viruses and cancer to scientific fraud received wide attention.

Watson's contribution to textbooks is the focus of the last section, which devotes a chapter to each of three. In *Molecular Biology of the Gene*, a textbook originating from Watson's endeavor to modernize biology teaching, insightful perspectives originating from chemistry blend into a biology text for the first time. Friedberg depicts the long path to the book's 1965 publication and the great success it enjoyed. The compelling need for a manual that reflected recombinant DNA advances generated another textbook, *Recombinant DNA: A Short Course*, its first edition published in 1982 by Watson, John Tooze, and David Kurtz; it, too, was a huge success. The need for a textbook