BOOK REVIEW


Emerging Legal Issues in Blood Banking and Transfusion Medicine is a collation of 11 chapters dealing with one or more legal aspects of transfusion medicine and written by legal experts in the field. Some authors also are physicians with considerable experience in this area of medicine. The editors are particularly suited to this task, each with long term and intense experience in managing the legal affairs of the American National Red Cross Blood Services during an era of substantial regulatory and legal demands. On subjects regarding tort law, all the authors are from the “defense establishment.” The omission of plaintiff legal experts is not a serious flaw because the plaintiff theories appear to be well presented. In addition, virtually all of the readers of this book are likely to conceive of themselves in defense positions.

This is an important and valuable book for professionals in the broad field of transfusion medicine. It is recommended reading for medical, technical, and administrative personnel in management roles. In addition, I recommend this book to blood bank fellows, clinical pathology residents, and SBB students. Such individuals often find themselves in management roles during their careers. This information is not duplicated elsewhere so conveniently and the mere 132 pages are well worth the effort.

The editors state, “Our instructions to the authors were to make their text intelligible to professionals who manage blood centers, hospital blood banks, and hospital transfusion services...” This was, in part, accomplished. As with most books with many contributing authors, there is variation in style and clarity. In addition, there is some overlap of subject matter. In some cases the overlap is welcome. It is often useful to receive a different “spin” on difficult concepts. The erosion of the standard of care concept, as it has been applied in tort law, is one of the more important of these. The evolving changes in this concept is well described in this book. It leaves the reader with a guarded caution. Simply following regulations and usual practice standards may be inadequate if, as a generality, “a reasonably prudent patient” would expect the practitioner to be held to a higher standard.

Although the first seven chapters focus on tort-related
matters, this book should not be read with the primary
aim to become bulletproof against the aggressive plain-
tiff. The last four chapters cover economic, regulatory,
and public policy issues. Some important areas of busi-
ness law, such as antitrust issues and unfair business
practices, are well described. Confidential property, fidi-
ciary obligations, and employee relations are lightly
ouched.

Although government regulation is a major legal bur-
den for blood establishments, do not expect this book to
be of much help in that arena. The editors acknowledge
it is too large an issue to be treated adequately in a book
of this scope. Curiously out of context, however, is a
chapter on FDA regulation of stand-alone computer
products. I can only conclude that it is included here
because the subject is new and shrouded in controversy.
Although instructive, the author appears to use this
chapter as a platform to launch criticism of the FDA for
forcing itself into a regulatory role of blood bank com-
puter systems using the device regulations. The venom
is hardly concealed.

The final chapter, "Mad Cows and Perceptions of the
Safety of the Blood Supply," is a historical review of the
events of the 1980s that relates these events to the pro-
cesses that have shaped public policy and, subsequently,
regulation and law. It is a well-narrated cause-and-effect
treatise on the subject. It is of considerable nostalgic
value to those who lived through the era and an impor-
tant capsule of history for those reading it for the first
time. This chapter is worth the book, which can be read
and enjoyed out of context from the rest.

It is fantasy to suggest that if the book were available
in 1982, the course of subsequent events would have
been different. The events of the 1980

COMMUNICATIONS

Letter to the Editors

"Those Were the Days"

In thinking back over the years I have spent in blood
banking, it is hard for me to realize how fast time has
passed and the many changes that have occurred. I was
very lucky to get into the field back in the days when red
cell antigens and antibodies were the order of the day,
because it was much easier to learn about the different
blood groups, etc., when there was not so much to learn!
It is simpler to add to basic knowledge as new discover-
ies are made than to have everything (including genetics
and protein structures!) thrown at you from the moment
you enter the door. It was much more exciting to be in
on a few of the new discoveries (e.g., S-s-U+ red blood
cells, the two ways to be Lu(a–b–), and the discovery
of Gerbich, to name a few) than to read about them at a
later date.

The best experience of all for me has been the oppor-
tunity to meet and to work with many of the real pio-
neers of blood banking. One particular incident I
remember occurred at the first American Association of
Blood Banks meeting after Gamma Biologicals was or-
organized. We did not yet have our approval from the Federal
Drug Administration and many people were predicting
that we would never get a license. Dr. Bruce Chown
came to our very small booth and insisted that he be
allowed to buy us lunch. His kindness, words of encour-
gagement, and offers of help in getting rare red blood
cells and sera have never been forgotten.

I count it as a wonderful privilege to have known Rob
Race, Ruth Sanger, Patricia Tippett, Ivor Dunsford, Tom
Cleghorn, George Bird, Hal Allen, Jim Jack, Polly
Crawford, Marion Lewis, Bruce Chown, and many others.
I have restricted those named to those who have died or
have retired from active participation in blood banking.
I hold just as dear the many people still active with
whom I’ve established lasting and personal friendships.

Betty Francis Hatcher, MT(ASCP)SBB
Executive Vice President
Gamma Biologicals, Inc.
3700 Mangum Road
Houston, TX 77092