ASSIGNMENT ONE:

Please determine the state jurisdiction in which you most likely will be practicing law. For that jurisdiction (and if you're uncertain, select the jurisdiction in which you were born or the jurisdiction in which you attended college), locate the statutory provisions regarding the practice of medicine and the practice of nursing and prepare for a classroom discussion of the definitional portions of each of the provisions (what is the practice of medicine and what is the practice of nursing and how do they differ) and comparisons between and among them. Note that each jurisdiction will use different terms: some will say practice of medicine, others may say medicine and surgery, and others may say practice of health care; but in essence, you are to locate what appears to be the relevant provisions of state law that govern how physicians and nurses become licensed to practice their respective professions.

Please also go to the following web page:


and familiarize yourself with the "corporate practice of medicine" doctrine as discussed in the Internal Revenue Service publication and be prepared to discuss the implications of that doctrine.

Finally, see if you can find, in the United States Code, a definition(s) of the practice of medicine and a definition(s) of the practice of nursing. In particular, you should peruse provisions relative to the Medicare and Medicaid programs under laws implemented by the U.S. Department of Health & Human Services.