



Bowen v. American Hosp. Ass'n, 476 U.S. 610 (1986)

Medical associations challenged the validity of final rules established by the Secretary of the Department of Health and Human Services that required the posting of informational notices, authorized expedited access to records, expedited compliance actions, and commanded state child protective services agencies to prevent instances of unlawful medical neglect of handicapped infants. The rules were established in response to an incident in which the parents of an infant with Down's syndrome and other handicaps had refused to consent to surgery to remove an esophageal obstruction that prevented oral feeding. The regulations were declared invalid and their enforcement was enjoined because the administrative record did not contain the reasoning and evidence that was necessary to sustain federal intervention into a historically state-administered decisional process that appeared to be functioning in full compliance.

The AMA and Other Health Associations Were the Respondents that Challenged This Rule

The American Medical Association, the American Hospital Association, and several other respondents challenge the validity of Final Rules promulgated on January 12, 1984, by the Secretary of the Department of Health and Human Services.