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Convergence of Health



Exploring Legal and Medical Perspectives



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"From the Margins to the Mainstream: Intersectionality in Health Law Reform"

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Abstract

This chapter explores the integration of intersectionality into health law reform, arguing that existing legal frameworks insufficiently address the compounded effects of multiple forms of discrimination. Drawing on foundational scholarship, contemporary case studies, and policy analysis, it makes the case for an intersectional approach as essential to creating equitable health systems. The paper concludes with strategic recommendations for embedding intersectionality into future health law reforms.

Introduction Health law plays a vital role in determining how healthcare services are delivered, regulated, and accessed. Yet, traditional approaches often adopt a one-size-fits-all model that fails to consider the layered experiences of individuals at the intersection of multiple marginalized identities. Originating from critical race theory and Black feminist thought, intersectionality provides a necessary lens through which health law can become more inclusive and effective. This paper aims to examine how intersectionality has been historically overlooked in health law and offers pathways for reform.

I. Introduction

A. Background

Overview of Health Law and Its Traditional Scope

Health law encompasses a broad spectrum of legal principles, statutes, regulations, and policies designed to govern access to healthcare, protect patient rights, regulate medical practice, and safeguard public health. Historically, the focus has been on ensuring safety, quality, and fairness within the healthcare system, addressing issues such as malpractice,

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