

Virtual Mentor

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SUGGESTED READINGS AND RESOURCES

Agger B. *Fast Capitalism*. Champaign, IL: University of Illinois Press; 1988.
Aldrich MS. Automobile accidents in patients with sleep disorders. *Sleep*. 1989;12(6):487-494.

Alonderis A, Barbe F, Bonsignore M, et al. Medico-legal implications of sleep apnea syndrome: driving license regulations in Europe. *Sleep Med*. 2008;9(4):362-75.

American Medical Association. Opinion 8.06 Prescribing and dispensing drugs and devices. *Code of Medical Ethics*. Chicago, IL: American Medical Association; 2008. http://www.ama-assn.org/apps/pf_new/pf_online?f_n=browse&doc=policyfiles/HnE/E-8.06.HTM&&s_t=&st_p=&nth=1&prev_pol=policyfiles/HnE/E-7.05.HTM&nxt_pol=policyfiles/HnE/E-8.01.HTM&. Accessed July 15, 2008.

American Medical Association. Opinion 8.115 Termination of the physician-patient relationship. *Code of Medical Ethics*. Chicago, IL: American Medical Association; 2008. http://www.ama-assn.org/apps/pf_new/pf_online?f_n=browse&doc=policyfiles/HnE/E-8.115.HTM&&s_t=&st_p=&nth=1&prev_pol=policyfiles/HnE/E-7.05.HTM&nxt_pol=policyfiles/HnE/E-8.01.HTM&. Accessed July 24, 2008.

American Medical Association. Opinion 9.07 Medical testimony. *Code of Medical Ethics*. Chicago, IL: American Medical Association; 2008. http://www.ama-assn.org/apps/pf_new/pf_online?f_n=browse&doc=policyfiles/HnE/E-9.07.HTM&&s_t=&st_p=&nth=1&prev_pol=policyfiles/HnE/E-8.21.HTM&nxt_pol=policyfiles/HnE/E-9.01.HTM&. Accessed July 28, 2008.

American Medical Association. Opinion 10.015 The patient-physician relationship. *Code of Medical Ethics*. Chicago, IL: American Medical Association; 2008. http://www.ama-assn.org/apps/pf_new/pf_online?f_n=browse&doc=policyfiles/HnE/E-10.015.HTM&&s_t=&st_p=&nth=1&prev_pol=policyfiles/HnE/E-9.132.HTM&nxt_pol=policyfiles/HnE/E-10.01.HTM&. Accessed July 24, 2008.

American Medical Association. Principles of medical ethics. *Code of Medical Ethics*. Chicago, IL: American Medical Association; 2008. <http://www.ama-assn.org/ama/pub/category/2512.html>. Accessed July 30, 2008.

American Thoracic Society. Sleep apnea, sleepiness, and driving risk. *Am J Respir Crit Care Med*. 1994;150(5 Pt 1):1463-1473.

Anthony C, Anthony B. *The Art of Napping at Work*. Burdett, NY: Larson Publications; 1999.

Associated Press. USOC IDs failed drug test athletes. <http://www.cbsnews.com/stories/2003/12/30/national/main590778.shtml>. Accessed July 15, 2008.

Baldwin DC, Daughtery SR. Sleep deprivation and fatigue in residency training: results of a national survey of first- and second-year residents. *Sleep*. 2004;27(2):217-223.

Baritz L. *The Servants of Power: A History of the Use of Social Science in American Industry*. Middletown, CT: Wesleyan University Press; 1960:49.

Baxter V, Kroll-Smith S. Normalizing the workplace nap: blurring the boundaries between public and private space and time. *Current Sociology*. 2005;53(1):33-55.

Bedard MA, Montplaisir J, Malo J, Richer F, Rouleau I. Persistent neuropsychological deficits and vigilance impairment in sleep apnea syndrome after treatment with continuous positive airways pressure (CPAP). *J Clin Exp Neuropsychol*. 1993;15(2):330-341.

Bernat JL. Medical futility: definition, determination and disputes in critical care. *Neurocrit Care*. 2005; 2(2):198-205.

Black L. Liability for failure to report child abuse. *Virtual Mentor*. 2007;9(12):819-822. <http://virtualmentor.ama-assn.org/2007/12/hlaw1-0712.html>. Accessed August 2, 2008.

Boeve BF, Silber MH, Saper CB, et al. Pathophysiology of REM sleep behaviour disorder and relevance to neurodegenerative disease. *Brain*. 2007;130(Pt 11):2770-2788.

Brown DB. Legal implications of obstructive sleep apnea. In: Kushida CA, ed. *Obstructive Sleep Apnea*. New York, NY: CRC Press; 2007:405-423.

Burns JP, Truog RD. Futility: a concept in evolution. *Chest*. 2007;132(6):1987-1993.

California Business and Professions Code Section 725-733. Unprofessional conduct. <http://law.justia.com/california/codes/bpc/725-733.html>.

Capozzi JD, Rhodes R, Gantsoudes G. Ethics in practice. Terminating the physician-patient relationship. *J Bone Joint Surg Am*. 2008; 90(1):208-210.

Celente G. *Trend Report 1996*. [Report available from the Trends Research Institute, P.O. Box 660, Rhinebeck, NY 12572].

Chatterjee A. Cosmetic neurology: the controversy over enhancing movement, mentation, and mood. *Neurology*. 2004;63(6):968-974.

Chatterjee A. The promise and predicament of cosmetic neurology. *J Med Ethics*. 2006;32(2):110-113.

Cheshire WP. Drugs for enhancing cognition and their ethical implications: a hot new cup of tea. *Expert Rev Neurother*. 2006;6(3):263-266.

Cox DJ, Humphrey JW, Merkel RL, Penberthy JK, Kovatchev B. Controlled-release methylphenidate improves attention during on-road driving by adolescents with attention-deficit/hyperactivity disorder. *J Am Board Fam Pract*. 2004;17(4):235-239.

Cramer Bornemann MA, Mahowald MW, Schenck CH. Forensic sleep medicine issues: violent parasomnias. In: Smith HR, Comella CL, Hogl B, eds. *Sleep Medicine*. New York, NY: Cambridge University Press; 2008:240-255.

Cramer Bornemann MA, Mahowald MW, Schenck CH. Parasomnias: clinical features and forensic implications. *Chest*. 2006;130(2):605-610.

de Certeau M. *The Practice of Everyday Life*. Berkeley, CA: University of California Press; 1984.

Dement W, Vaughn C. *The Promise of Sleep: A Pioneer in Sleep Medicine Explores the Vital Connection Between Health, Happiness and a Good Night's Sleep*. New York: Delacorte Press; 1999.

Denno DW. Crime and consciousness: science and involuntary acts. *Minn Law Rev*. 2002;87(2):269-400.

Desai AV, Ellis E, Wheatley JR, Grunstein RR. Fatal distraction: a case series of fatal fall-asleep road accidents and their medicolegal outcomes. *Med J Aust*. 2003;178(18):396-399.

Dinges, David F. Napping patterns and effects in human adults. In: Dinges DF, Broughton RJ, ed. *Sleep and Alertness: Chronobiological, Behavioral, and Medical Aspects of Napping*. New York, NY: Raven Publishing; 1989:171-204.

Findley LJ, Unverzagt ME, Suratt PM. Automobile accidents in patients with obstructive sleep apnea. *Am Rev Respir Dis*. 1988;138(12):337-340.

- Gagnon MA, Lexchin J. The cost of pushing pills: a new estimate of pharmaceutical promotion expenditures in the United States. *PLOS Medicine*. 2008;5:e1.
- Gamaldo CE, Salas RE. Sleep medicine education: are medical schools and residency programs napping on the job? *Nat Clin Pract Neurol*. 2008;4(6):344-345.
- George CF. Sleep apnea, alertness, and motor vehicle crashes. *Am J Respir Crit Care Med*. 2007;176(10):954-956.
- Goldberg PE. The physician-patient relationship: three psychodynamic concepts that can be applied to primary care. *Arch Fam Med*. 2000;9(10):1164-1168.
- Goodwin DW, Othmer E, Halikas JA, Freemon F. Loss of short-term memory as a predictor of the alcoholic blackout. *Nature*. 1970;227(5254):201-202.
- Guilleminault C, Connolly SJ, Winkle RA. Cardiac arrhythmias and conduction disturbances during sleep in 400 patients with sleep apnea syndrome. *Am J Cardiol*. 1983;52(5):490-494.
- Hammonds v Aetna Casualty and Surety Co*, 237 F Supp 96,98 (ND Ohio, 1965).
- Harding SM, Berner ES. Developing an action plan for integrating sleep topics into the medical school curriculum. *Sleep Breath*. 2002;6(4):155-160.
- Hartenbaum N, Collop N, Rosen IM, et al. Sleep apnea and commercial motor vehicle operators: statement from the Joint Task Force of the American College of Chest Physicians, American College of Occupational and Environmental Medicine, and the National Sleep Foundation. *Chest*. 2006;130(3):902-905.
- Hublin C, Kaprio J, Partinen M, Heikkila K, Koskenvuo M. Prevalence and genetics of sleepwalking: a population-based twin study. *Neurology* 1997;48(1):177-181.
- Hung J, Whitford EG, Parsons RW, Hillman DR. Association of sleep apnea with myocardial infarction in men. *Lancet*. 1990;336(8710):261-264.
- Jamieson A, Guilleminault C, Partinen M, Quera-Salva MA. Obstructive sleep apnea patients have craniomandibular abnormalities. *Sleep*. 1986;9(4):469-477.
- Kales A, Cadieux RJ, Bixler EO, et al. Severe obstructive sleep apnea—I: Onset, clinical course, and characteristics. *J Chron Dis*. 1985;38(5):419-425.
- Kapur V, Krohl KP, Redline S, Iber C, O'Connor G, Nieto J. Underdiagnosis of sleep apnea syndrome in U.S. communities. *Sleep Breath*. 2002;6(2):49-54.
- Kiser v Rubin*, No. 15254, 1995 Ohio App. LEXIS 3928 at slip op 1 (2d App Dist September 8, 1995) (unpublished).

Kroll-Smith S. Popular media and ‘excessive daytime sleepiness’: a study of rhetorical authority in medical sociology. *Sociology of Health and Illness*. 2003;25(6):626-627.

Kroll-Smith S. Popular media and excessive daytime sleepiness; a study of rhetorical authority in medical sociology. *Sociol Health Illn*. 2003;25(6):625-643.

Kroll-Smith S. The social production of the drowsy person. *Perspectives on Social Problems*. 2000;12:89-109.

Kruszewski SP. Euphorogenic and abusive properties of modafinil. *Am J Psychiatry*. 2006;163(3):549.

Kushida CA, Efron B, Guilleminault C. A predictive morphometric model for the obstructive sleep apnea syndrome. *Ann Intern Med*. 1997;127(8 Pt 1):581-587.

Landrigan CP, Rothschild JM, Cronin JW, et al. Effect of reducing interns’ work hours on serious medical errors in intensive care units. *N Engl J Med*. 2004;351(18):1838-1848.

Lockley SW, Barger LK, Ayas NT, Rothschild JM, Czeisler CA, Landrigan CP; Harvard Work Hours, Health and Safety Group. Effects of health care provider work hours and sleep deprivation on safety and performance. *Jt Comm J Qual Patient Saf*. 2007;33(11 Suppl):7-18.

Mahowald MW, Schenck CH, Cramer Bornemann MA. Finally—sleep science for the courtroom. *Sleep Med Rev*. 2007;11(1):1-3.

Mahowald MW, Schenck CH. Violent parasomnias: forensic medicine issues. In: Kryger MH, Roth T, Dement WC, eds. *Principles and Practice of Sleep Medicine*. Philadelphia, PA: Elsevier Saunders; 2005: 960-968.

Miller CM, Khanna A, Strohl KP. Assessment and policy for commercial driver license referrals. *J Clin Sleep Med*. 2007;3(4):417-423.

Moore-Ede MC. *The Twenty-Four Hour Society: Understanding Human Limits in a World that Never Sleeps*. Reading, MA: Addison-Wesley Publishing Co; 1993.

Naegele B, Thouvard V, Pepin JL, et al. Deficits of cognitive executive functions in patients with sleep apnea syndrome. *Sleep*. 1995;18(1):43-52.

National Commission on Sleep Disorders. *Wake Up America: A National Sleep Alert*. Bethesda, MD: US Department of Health and Human Services; 1993.

National Highway Traffic Safety Administration. *Traffic Safety Facts*. <http://www.nrd.nhtsa.dot.gov/Pubs/810791.pdf>. Accessed August 11, 2008.

National Public Radio. Napping makes inroads in the workplace. *Morning Edition*. July 26, 2006. www.npr.org/templates/story/story.php?storyId=5582915. Accessed August 16, 2008.

National Sleep Disorders Research Plan. *Sleep*. 2003;26(3):253-257.

National Sleep Foundation. *2000 Sleep in America*. Washington, DC: National Sleep Foundation; 2000. http://www.sleepfoundation.org/atf/cf/%7BF6BF2668-A1B4-4FE8-8D1A-A5D39340D9CB%7D/2000_poll.pdf. Accessed August 18, 2008.

National Sleep Foundation. *2005 Sleep in America Poll Summary of Findings*. Washington, DC: National Sleep Foundation; 2005. http://www.kintera.org/atf/cf/%7BF6BF2668-A1B4-4FE8-8D1A-A5D39340D9CB%7D/2005_summary_of_findings.pdf. Accessed July 30, 2008.

National Sleep Foundation. *2006 Sleep in American Poll. Summary of Findings*. Washington, DC: National Sleep Foundation; 2006. http://www.sleepfoundation.org/atf/cf/%7BF6BF2668-A1B4-4FE8-8D1A-A5D39340D9CB%7D/2006_summary_of_findings.pdf. Accessed August 18, 2008.

National Sleep Foundation. *2008 Sleep in America Poll Summary of Findings*. Washington, DC: National Sleep Foundation; 2008. <http://www.sleepfoundation.org/atf/cf/%7Bf6bf2668-a1b4-4fe8-8d1a-a5d39340d9cb%7D/2008%20POLL%20SOF.PDF>. Accessed July 21, 2008.

NCSDR/NHTSA Expert Panel on Driver Fatigue and Sleepiness. *Drowsy Driving and Automobile Crashes*. Washington, DC: National Highway Traffic Safety Administration; 1998. http://www.nhtsa.dot.gov/people/injury/drowsy_driving1/Drowsy.html#NCSDR/NHTSA. Accessed August 2, 2008.

Nelson D. Prevention and treatment of sleep deprivation among emergency physicians. *Pediatr Emerg Care*. 2007;23(7):498-503.

Nietzsche F. *The Gay Science*. Kaufmann W, trans-ed., New York, NY: Vintage Books 1974.

Ohio Administrative Code. Chapter 4731-27-01 Termination of the physician-patient relationship. <http://codes.ohio.gov/oac/4731-27>. Accessed July 24, 2008.

Oken BS, Salinsky MC. Sleeping and driving: not a safe dual-task. *Clin Neurophysiol*. 2007;118(9):1899-1900.

- Papp KK, Miller CM, Strohl KP. Graduate medical training, learning, relationships, and sleep loss. *Sleep Med Rev.* 2006;10(5):339-345.
- Parment AJ. Clinical prosecution of a driver with sleep apnea. *J Occup Environ Med.* 2008;50(1):1.
- Partinen M, Guilleminault C. Daytime sleepiness and vascular morbidity at seven-year follow-up in obstructive sleep apnea patients. *Chest.* 1990;97(1):27-32.
- Powell NB, Schechtman KB, Riley RW, Guilleminault C, Chiang RP, Weaver EM. Sleepy driver near-misses may predict accident risks. *Sleep.* 2007;30(3):331-342.
- Prendergast TJ. Futility and the common cold. How requests for antibiotics can illuminate care at the end of life. *Chest.* 1995;107(3):836-844.
- Pressman MR, Mahowald MW, Schenck CH, Cramer Bornemann M. Alcohol-induced sleepwalking or confusional arousal as a defense to criminal behavior: a review of scientific evidence, methods and forensic considerations. *J Sleep Res.* 2007;16(2):198-212.
- Provigil [package insert]. Frazer, PA: Cephalon, Inc.; 2008.
http://www.provigil.com/Media/PDFs/prescribing_info.pdf. Accessed July 15, 2008.
- Rabinbach A. *The Human Motor: Energy, Fatigue, and the Origins of Modernity.* Berkeley, CA: University of California Press; 1992.
- Rose N. *Governing the Soul: the Shaping of the Private Self.* 2nd ed. New York, NY: Free Association Books; 1999.
- Rosekind MR, Graeber R, Dinges RC, et al. *Crew Factors in Flight Operations IX: Effects of Planned Cockpit Rest on Crew Performance and Alertness in Long-Haul Operations.* Moffett, CA: NASA Ames Research Center; 1994.
<http://humansystems.arc.nasa.gov/zteam/fcp/pubs/CRS.html>. Accessed August 18, 2008.
- Rosen R, Mahowald M, Chesson A, et al. The Taskforce 2000 survey on medical education in sleep and sleep disorders. *Sleep.* 1998;21(3):235-254.
- Rosen RC, Rosenkind M, Rosevar C, Cole WE, Dement WC. Physician education in sleep and sleep disorders: a national survey of U.S. medical schools. *Sleep.* 1993;16(3):249-254.
- Rosen RC, Zozula R, Jahn EG, Carson JL. Low rates of recognition of sleep disorders in primary care: comparison of a community-based versus clinical academic setting. *Sleep Med.* 2001;2(1):47-55.

Samkoff J, Jacques C. A review of studies concerning effects of sleep deprivation and fatigue on residents' performance. *Acad Med*. 1991;66(11):687-693.

Sassani A, Findley LJ, Kryger M, Goldlust E, George C, Davidson TM. Reducing motor-vehicle collisions, costs, and fatalities by treating obstructive sleep apnea syndrome. *Sleep*. 2004;27(3):453-458.

Schenck C. What do parasomnias tell us about the brain? Presented at: Sleep Research Society Trainee Symposia; June 8, 2008; Baltimore MD.

Schenck CH, Arnulf I, Mahowald MW. Sleep and sex: what can go wrong? A review of the literature on sleep related disorders and abnormal sexual behaviors and experiences. *Sleep*. 2007;30(6):683-702.

Schopp RF. *Automatism, Insanity, and the Psychology of Criminal Responsibility: A Philosophical Inquiry*. New York, NY: Cambridge University Press; 1991.

Seale C, Boden S, Williams S, Lowe P, Steinberg D. Media constructions of sleep and sleep disorders: a study of UK national newspapers. *Social Science and Medicine*. 2007;65(3):418-430.

State of New Jersey. NJS 2C:11-5.

http://www.njleg.state.us/2002/bills/A1500/1347_R2.HTM. Accessed August 11, 2008.

Tassanari CA, Rubboli G, Gardella E, et al. Central pattern generators for a common semiology in fronto-limbic seizures and in parasomnia. A neuroethologic approach. *Neurol Sci*. 2005;26(suppl 3):s225-s232.

Teodorescu MC, Avidan AY, Teodorescu M, et al. Sleep medicine content of major medical textbooks continues to be underrepresented. *Sleep Med*. 2007;8(3):271-276.

The President's Council on Bioethics. *Beyond Therapy: Biotechnology and the Pursuit of Happiness*. Washington, DC: US Government Printing Office; 2003:13-16.

http://www.bioethics.gov/reports/beyondtherapy/beyond_therapy_final_webcorrected.pdf. Accessed July 29, 2008.

Thompson EP. *The Making of the English Working Class*. New York, NY: Vintage Books; 1966:88.

Tobin BM, Leeder SR, Somerville ER. Community versus individual benefit. *Med J Aust*. 2002;176(6):279-280.

US Department of Justice. *Lists of: Scheduling Actions, Controlled Substances, Regulated Chemicals*. Washington, DC: Drug Enforcement Agency; 2008.

<http://www.deadiversion.usdoj.gov/schedules/orangebook2008.pdf>. Accessed July 15, 2008.

Wechsler H, Lee JE, Kuo M., Seibring M, Nelson TF, Lee H. Trends in college binge drinking during a period of increased prevention efforts. Findings from 4 Harvard School of Public Health College Alcohol Study surveys: 1993-2001. *J Am Coll Health*. 2002;50(5):203-217.

Wei K, Bradley TD. Association of obstructive sleep apnea and nocturnal angina [abstract]. *Am Rev Respir Dis*. 1992;145(4 pt 2):A433.

Weissenborn R, Duka T. Acute alcohol effects on cognitive function in social drinkers: their relationship to drinking habits. *Psychopharmacology (Berl)*. 2003;165(3):306-312.

White AM, Jamieson-Drake DW, Swartzwelder HS. Prevalence and correlates of alcohol-induced blackouts among college students: results of an e-mail survey. *J Am Coll Health*. 2002;51(3):117-131.

White AM, Matthews DB, Best PJ. Ethanol, memory and hippocampal function: a review of recent findings. *Hippocampus*. 2000;10(1):88-93.

World Anti-Doping Agency. World anti-doping code. The 2008 prohibited list. International standard. http://www.wada-ama.org/rtecontent/document/2008_List_En.pdf. Accessed July 15, 2008.

Yesavage JA, Mumenthaler MS, Taylor JL, et al. Donepezil and flight simulator performance: effects on retention of complex skills. *Neurology*. 2002;59(1):123-125.

Zinn WM. Transference phenomena in medical practice: being whom the patient needs. *Ann Intern Med*. 1990;113(4): 293-298.

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