

AALS SECTION ON LAW, MEDICINE, AND HEALTH CARE

2019 NEWSLETTER



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Chair:

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The University of Arizona, James E. Rogers
College of Law

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Saint Louis University School of Law

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MESSAGE FROM THE CHAIR

Many law, medicine, and health care problems and issues came or continued in 2019. I cannot mention all of these, but I will mention several diverse items here:

January 23—Gallup Polling suggested that the number of uninsured increased slightly but steadily throughout 2018, the precise numbers subject to further study. This could be caused by the Trump Administration's constant criticism of the ACA, slashing funding to publicize insurance opportunities, and making it harder for people to enroll and stay in state Medicaid programs.

February 20—Bernie Sanders formally announced his presidential candidacy, one of, if not his chief, concern being the adoption of a single-payer health care system that would elevate health care to a right not a privilege. The democratic field is thought currently and eventually to include candidates that move to various distances from Sanders' plan (then endorsed by Elizabeth Warren) toward the political middle with various plans or concepts of their own.

March 28—In *New York v. U.S. Dept. of Labor*, the U.S. District Court for D.C. struck Trump inspired final rule's expansive definition of employers and its weakened test for bona fide associations. The Court reasoned that these changes were not reasonable and violated the APA and ERISA/ACA respectively. These changes cynically allowed persons and entities involved to avoid ACA requirements of providing healthcare coverage or paying a tax/shared responsibility payment.

April 2—President Trump backed off plans to introduce a Republican replacement for the Affordable Care Act after Senator Mitch McConnell privately warned him that the Senate would not revisit health care in a comprehensive way before the November 2020 elections. This virtually assured that health care will remain a pivotal issue in those elections.

May 2—President Trump on Thursday announced a controversial 440-page “Conscience Rule” to protect health care workers who oppose abortion, sterilization, assisted suicide and other medical procedures on religious or moral grounds. The announcement was made in the Rose Garden on National Prayer Day. This obviously presents problem of access and discrimination to various groups.

June 24—The Supreme Court agreed to hear three cases it consolidated to decide whether the U.S. Court of Appeals for the Federal Circuit rightly decided that the federal government was entitled to break a promise to shield insurance companies from some of the risks they took in participating in the exchanges established by the ACA. Insurance company plaintiffs/appellants claimed that the government had failed to honor its promises to the extent of 12 billion dollars.

July 19—In *Association for Community Affiliated Plans v. U.S. Dept. of Treasury*, the United States District Court for the District of DC, denied a challenge (lack of delegated power) to regulations that returned the duration of “short-term, limited duration insurance plans” to 12 months, which can be extended to 3 years. These “skinny” plans are essentially weak catastrophic ones that interfere with the goals of the ACA.

August 26—After years of delay, the U.S. DEA announced a plan to issue new guidelines allowing more growers to produce marijuana for medical and scientific research.

September 15—AP reports that the number of persons without health insurance swelled for the first time in a decade, going to over 27 per cent of the populace.

October 13—A Petition for Cert. was docketed in *Trump v. Pennsylvania* involving the question whether the 3rd Circuit erred by holding, inter alia, that the U.S. Departments of H.H.S., Labor, and Treasury did not have statutory authority under the ACA or RIFRA to extend a conscience exemption to ACA's requirement for coverage of contraceptives.

October 4—In *Gee v. Hellerstedt* SCOTUS granted cert. to determine whether the 5th Circuit erred and failed to follow SCOTUS's decision in *Whole Woman's Health v. Hellerstedt* by upholding Louisiana's abortion law requiring physicians who perform abortions to have admitting privileges at a local hospital.

October 18—A United States District Court finds the ACA's mandate to buy insurance unconstitutional, but holds that the mandate is severable from the remainder of the Act. On December 14, 2018, in *Texas et al. v. U.S.*, the United States District Court for the Northern District of Texas, had found the amended mandate portion of the ACA unconstitutional and not severable from the remainder of the ACA. Subsequently in the latter case a stay was granted and an appeal was filed in the Fifth Circuit.

November. 2—President Trump tweeted that the Republicans will come up with their health plan in 2021. Senator Chuck Schumer translated the tweet to say the Republicans have no plan to replace the ACA and yet continue to harp on erasing it.

November 22—The New York Times reports that the Attorney General will announce a national plan --“The Missing and Murdered Indigenous Persons Initiative”-- to deal with the problem of a disproportionate number of missing and murdered Native Americans.

November 26—In *New York v. U.S. H.H.S* the United States District Court, SDNY struck down the 440-page Conscience Rule announced in May on several non-constitutional grounds.

December 3—As of this date, only six candidates have qualified for the upcoming December 19 debate: Joe Biden, Elizabeth Warren, Bernie Sanders, Pete Buttigieg, Tom Steyer, and Amy Klobuchar. Their health care “programs” differ in substance and timing. Sanders and Warren favor a single -payer system. Biden wants a public option and other steps to

improve the ACA. Buttigieg, Steyer, and Klobuchar want a public option. Amy Klobuchar is arguably the nearest to the middle of these three.

Moving to particulars about the AALS meeting, our Chair Elect Ruqaiyah Yearby has set up several fantastic programs, a list of which are contained elsewhere in this newsletter. After the end of the junior scholar works in progress late in the day on Friday all Section members are invited to the Section's 6:30 reception. It is co-sponsored by American University Washington College of Law and George Washington University School of Law, and it will be held at American. Directions to the reception's site are thoroughly explained elsewhere in this newsletter.

With admiration and affection,

Roy G. Spece, Jr.

University of Arizona James E. Rogers College of Law

2019 COMMUNITY SERVICE AWARD RECIPIENT

Leo Beletsky, Northeastern University School of Law

We are thrilled to announce the winner of this year's award, Leo Beletsky of the Northeastern University School of Law. His nominator stated "Professor Beletsky has been a prominent and important leader in promoting policies related to drug use, drug control and opioid overdose that are both just and effective. His research has helped shape opioids policy over the past decade, and his service has included a range of activities from advising and supporting grass roots activism to providing expertise and testimony in rulemaking processes. He is a widely sought after speaker on drug policy here and abroad."



"His research is outstanding and transdisciplinary, including both significant normative legal scholarship and cutting edge empirical studies. His Health in Justice Action Lab has engaged students and peers in important research on emerging topics like civil commitment for substance abuse and drug-induced homicide laws. He is the model of the engaged modern scholar."

The AALS Section on Law, Medicine & Health Care annually gives an award to recognize outstanding contributions of law teachers in the service of health law. This year's award recognizes the outstanding community service activities of a tenure track or long-term contract faculty member teaching seven years or less. The award is designed to recognize a wide variety of community service activities, including: pro bono litigation, legislative advocacy, leading or consulting on public initiatives, and other public or private projects. The service may be local, regional, national or international in scope. It is not the purpose of the award to recognize teaching, scholarship or service other than community service (such as service to the AALS, academic institutions, or to academia).

Congratulations on this well-deserved honor Professor Beletsky!

2020 AALS ANNUAL MEETING EVENTS

Friday, January 3:

8:30 a.m.-10:15 a.m.: Sports, Torts, and Health: The Role of Law in Protecting Athlete Welfare (Section on Law and Sports program co-sponsored by LMHC)

3:30p.m. -5:15 p.m.: Junior Faculty Works in Progress for Law, Medicine and Health Care

5:15 p.m. – 6 p.m.: Business Meeting

6:30 p.m. – 8:30 p.m.: Reception for Law, Medicine and Health Care section members, sponsored by American University School of Law (see directions below). Community Service Award presentation.

Saturday, January 4:

9 a.m. – 12 p.m.: Advancing Health Equity by Addressing Social Determinants of Health, Poverty, and Racial Disparities (joint program with Section on Poverty Law)

Sunday, January 5:

8:30 a.m. – 10:15 a.m.: The Opioid Epidemic and its Evidentiary Challenges (Section on Evidence program co-sponsored by LMHC)

1:30 p.m.-3:15 p.m.: Health Law and Life Sciences (LMHC program co-sponsored by Section on Biolaw)

Getting to the Reception at American University

Walking: If walking, please enter the Capital Building on Yuma Street. The Atrium is immediately through the doors marked “Capital.”

Taking a cab, Uber/Lyft: The drop off address is 4100 Yuma Street, NW. Please come through the Capital entrance as above.

Access from the Metro: The Red Line stop is Tenleytown-AU. Follow signs to exit the station on the southbound side of Wisconsin Ave. (do not follow signs for the AU Shuttle). Walk south on Wisconsin Avenue, cross Albemarle St., pass the public library with the rust-colored façade and St. Ann’s Church, then turn right onto Yuma Street at Tenley Circle and follow the instructions above.

Parking at WCL: The entrance to the parking garage is at 4300 Nebraska Avenue. Anyone parking should go to the far end of either P1 or P2 level and take the Yuma elevators to the 1st floor. On exiting the elevator, walk straight, cross the glass bridge to the Capital Building and either take the elevator or the stairs down to The Atrium, which is on the ground floor.

Good Neighbor Parking Policy : American University’s Good Neighbor Parking Policy affects all faculty, staff, students, contractors, and visitors. Parking is prohibited on all neighborhood streets, including at parking meters, while visiting any university property. University-affiliated vehicles parked on neighborhood streets are subject to a \$100.00 fine. The Good Neighbor Policy was developed to comply with D.C. Zoning Commission orders.

General Directions: Further information is available at <https://www.wcl.american.edu/direction/audc.cfm>

PROGRAM AND FACULTY NEWS

BOSTON UNIVERSITY SCHOOL OF LAW

Rankings

Boston University's Health Law Program was ranked fourth in US News & World Report's 2020 rankings. Professors George Annas, Nicole Huberfeld, and Kevin Outterson were ranked in the top 20 most-cited health law faculty by Mark Hall and Glenn Cohen's study based on WestLaw citations (Annas, Huberfeld) and Web of Science citations (Annas, Outterson).

Pike Lectures

The 2019 fall Pike Lecture speaker was Scott Allen, Professor Emeritus of Medicine at the University of California, Riverside School of Medicine. Dr. Allen currently serves as a medical consultant for the Office of Civil Rights and Civil Liberties at the Department of Homeland Security monitoring medical care in immigration detention facilities. In 2018, in response to the family separation and rapid expansion of family detention, he and colleague Dr. Pamela McPherson made protected disclosures to Congress regarding imminent threats to the health and safety of children with the assistance of the Government Accountability Project. For those efforts, he was co-recipient of the 2019 Ridenhour Prize and the 2019 Physicians for Human Rights Award. Drawing from his work in family detention centers in the United States, Dr. Allen reviewed the basics of medical professionalism and ethics and how these principles come into conflict with authority and power in certain environments. He also addressed whistleblower protections.

The 2019 spring Pike Lecture speaker was Glenn Cohen of Harvard Law School. Professor Cohen presented Big Data, AI, and Machine Learning in Medicine: Legal and Ethical Issues. He discussed the implications of technology for patient privacy, informed consent, liability, intellectual property, and discrimination. He also presented ideas on how bioethics and law might steer us towards a future where technology serves our ideals.

Empirical Health Law Conference

Jointly sponsored by Boston University School of Law and Duke University School of Law, the Tenth Annual Empirical Health Law Conference, held on April 19, 2019 at BU School of Law, brought together top scholars to present working papers reflecting the most cutting-edge research projects in the field. The conference focused on the use of empirical methods to study research questions with an aim to inform health law and policy.

New Compliance Policy Clinic

BU Law's new Compliance Policy Clinic is one of the first in the country for law students to earn hands-on experience helping organizations navigate issues of business ethics, social responsibility, reputation management, and compliance.

While the Compliance Policy Clinic will address a broad variety of compliance-related matters across several industries, one key area of focus will be health law. Danielle Pelfrey Duryea, director of the new clinic, comes from the University at Buffalo School of Law, where she founded the Health Justice Law & Policy Clinic. She also represented the law school across the university as assistant dean for interprofessional education & health law initiatives. Prior to joining academia, Duryea practiced in the government enforcement group at Ropes & Gray LLP where she focused on pharmaceutical and medical device regulation and compliance, and was a founding lead for the firm's nationally recognized pro bono medical-legal partnerships.

New health law externship program

Boston University School of Law is launching a new externship program with a corequisite seminar for students in health law externship positions in government, non-profit, corporations, and private firms. The program will focus on illuminating major legal, ethical, and professional issues that arise in the practice of health law, and the skills needed to succeed in health law.

CARB-X (Combating Antibiotic Resistant Bacteria Biopharmaceutical Accelerator)

CARB-X, headquartered at Boston University School of Law and led by Professor Kevin Outterson, is a global non-profit partnership dedicated to accelerating antibacterial research to tackle the global rising threat of drug-resistant bacteria. With up to US\$500 million to invest, CARB-X funds the best science from around the world. The CARB-X portfolio is the world's largest early development pipeline of new antibiotics, vaccines, rapid diagnostics and other products to prevent, diagnose, and treat life-threatening bacterial infections. Having recently completed its third year in operation, to date CARB-X has invested more than \$140 million in 51 projects with a network of nine accelerators worldwide. CARB-X offers an incomparable dataset for research, which is now housed in the new Social Innovation on Drug Resistance (SIDR) Program at BU, with 4 post docs engaged in interdisciplinary work around the world. This fall, the first project graduated

from the CARB-X portfolio. Developed by Boston-area company T2 Biosystems, this new superbug detector will reduce the time required to detect thirteen of the most serious superbugs from days to hours.

FACULTY NEWS

Nicole Huberfeld, Professor of Health Law, Ethics & Human Rights and Professor of Law, reports the following **publications**: PUBLIC HEALTH LAW, 3d ed. (Carolina Academic Press 2019) (with Mariner, Annas & Ulrich) • Federalism in Health Care Reform, in HOLES IN THE SAFETY NET: FEDERALISM AND POVERTY (Cambridge Univ. Press 2019) • Stewart v. Azar and the Purpose of Medicaid: Work as a Condition of Enrollment, 134 PUBLIC HEALTH REPORTS 197 (2019) • Rural Health, Universality, and Legislative Targeting, 12 HARV. L. & POL'Y REV. 241 (2019) • Health Care Federalism and Next Steps in Health Reform, 46:4 J. L. MED. & ETHICS 841 (2019) (w/ A. Gluck) • The Problematic Law and Policy of Medicaid Block Grants, HEALTH AFFAIRS BLOG (July 24, 2019) (with R. Sachs) • Texas v. U.S.: Another Day, Another Threat to the Affordable Care Act, ACSBLOG (July 8, 2019).

Professor Huberfeld reports the following **presentations**: Presenter, The ACA's Health Care Federalism: State and Federal Relations in Implementation, Opposition, and Entrenchment, The ACA at 10, Yale Law School, Sep. 2019 • Presenter, Struggle for the Soul of Medicaid, Next Steps in Health Reform, Oct. 2019 • Presenter & Moderator, Reading the Fine Print: Challenges in Public Health Jurisprudence, APHA Annual Meeting Nov. 2019 • Presenter, Health Care Reform Part 2: Is "Medicare-for-All" the Answer?, University of Houston Law Center Symposium, Oct. 2019 • Presenter & Moderator, Reform without Rights?, Panel: Legal and Ethical Dimensions of Patients' Rights, International Academy of Law and Mental Health Congress, July 2019, Rome, Italy • Presenter, Problem? Solution? Medicaid and the Health Reform Gestalt, Medicaid Matters Panel, ASLME Health Law Professors Conference, June 2019 • Lecture, Stanford Law School Law and the Biosciences Workshop, Rural Health Disparities and State Resistance to the ACA, May 2019 • Presenter, The Future of Medicaid's Health Care Safety Net, Harvard Medical School Health Policy and Bioethics Consortium, April 2019 • Closing Keynote Speaker, Rural Health, Universality, and Legislative Targeting, University of Maine Ensuring Equal Access to Justice in Maine's Rural Communities Symposium, April 2019 & panel presenter, Legal and Political Issues in Rural Healthcare • Presenter, Center for Health Policy & Law Roundtable, Northeastern University School of Law, March 2019 • Presenter, Rural Health, Universality, and Legislative Targeting, Law & Rurality Symposium, U.C. Davis School of Law, Feb. 2019 • Presenter, Health Care, Federalism, and Democratic Values, AJLM Annual Symposium, Jan. 2019.

Professor Huberfeld reports the following **grants, honors, or awards**: Excellence in Teaching Award, Boston University School of Public Health, May 2019 • What Is Federalism in Health Care For?, 70 STAN. L. REV. 1689 (2018) (w/Abbe Gluck) and Measuring the New Health Care Federalism on the Ground, 15 IND. HEALTH L. REV. 1 (2018) (w/Abbe Gluck) named Top Ten Employee Benefits Articles in TAX NOTES (Aug. 2019).

Professor Huberfeld reports the following **professional activities**: Board of Directors, ASLME.

Kevin Outterson, Professor, N.Neal Pike Scholar in Health and Disability Law, reports the following **publications**: Outterson K (2019). Comment letter on Medicare Program; Hospital Inpatient Prospective Payment System for Acute Care Hospitals FY2020 [CMS-1716-P] • Theuretzbacher U, Outterson K, Engel A, Karlen A. The global preclinical antibacterial pipeline. Nat Rev Microbiology (in press, 2019) • Rex JH, Fernandez Lynch H, Cohen IG, Darrow JJ, & Outterson K (2019). Designing development programs for non-traditional antibacterial agents. Nat Commun, 10(1), 3416 • Huberfeld N, Weeks E, Outterson K (2018). The Law of American Health Care (Second Edition). Aspen Pub.

Professor Outterson reports the following **presentations**: Plenary at Berlin Life Sciences Symposium (March 2019) • Presentation at US National Academies Annual Meeting (DC, April 2019) • Plenary at Swedish National Academy of Engineering Annual Meeting (June 2019) • Panel at US National Academy of Medicine Workshop on AMR (DC, July 2019) • Keynote at Medical Research Foundation (UK) annual meeting for PhD students in antimicrobial resistance (Bristol, UK, August 2019) • Presentation to G20 Global AMR Research & Development Hub (Paris, October 2019) • Keynote at 4th World AMR Congress (DC, Nov. 2019).

Professor Outterson reports the following **grants, honors, or awards**: PI for current grants totaling more than \$500 million from the governments of the US, UK, & Germany and two charitable foundations, Wellcome Trust and the Bill & Melinda Gates Foundation. All of this work is for antimicrobial resistance.

Professor Outterson reports the following **professional activities**: PI and Executive Director, CARB-X; Faculty Director of Social Innovation in Drug Resistance (SIDR), all at Boston University.

Michael R. Ulrich, Assistant Professor of Health Law, Ethics, & Human Rights, reports the following **publications**: Wendy K. Mariner, George J. Annas, Nicole Huberfeld, & Michael R. Ulrich, *Public Health Law*, 3d ed. (Carolina Academic Press 2019). • Michael R. Ulrich, *Revisionist History? Responding to Gun Violence Under Historical Limitations*, 45 *Am. J. L. Med.* 180 (2019). • *A Public Health Approach to Gun Violence, Legally Speaking*, 47 *J. L. Med. Ethics* 112 (2019) • *Pedagogy and Policy: A Tribute to Karen Rothenberg's Contributions to Health Law*, *J. Health Care L. Pol'y* (forthcoming, 2019).

Professor Ulrich reports the following **presentations**: *Gun Violence and the Role of History*, Boston University School of Law and *American Journal of Law & Medicine Health Law Symposium* • *Rights and Risks: Suicide, Firearms, and Extreme Risk Protection Orders*, Health Law Professors Conference • *Addressing the Real Connection Between Mental Health and Gun-Related Mortality: Suicide, Extreme Risk Protection Orders, and Civil Commitment*, International Congress on Law and Mental Health • *Public Carry, Public Health*, St. Louis University School of Law, Health Law Scholars Workshop • *Extreme Risks from Extreme Rights: Suicide Prevention and the Constitutionality of Extreme Risk Protection Orders*, American Public Health Association Annual Meeting.

Professor Ulrich reports the following **grants, honors, or awards**: Center for Health Law Studies at St. Louis University & American Society for Law, Medicine, & Ethics Health Law Scholar • Boston University School of Public Health Department of Health Law, Policy, & Management Excellence in Teaching.

Professor Ulrich reports the following **professional activities**: Solomon Center Distinguished Visiting Scholar, Yale Law School.

CALIFORNIA WESTERN SCHOOL OF LAW

FACULTY NEWS

Joanna Sax, E. Donald Shapiro Professor of Law, reports the following **publications**: Joanna K. Sax & Neal Doran, *Ambiguity and Consumer Perceptions of Risk in Various Areas of Biotechnology*, 42 *J. CONSUM. POL'Y* 47 (2019) • Joanna K. Sax, *CONTRACTS STUDY GUIDE* (2019), <http://www.chartacourse.com/>.

Professor Sax reports the following **presentations**: *Hot Issues in Law and Bioethics*, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL., July 2019 • *Consumer Perceptions of Risk*, 3rd Annual Behavioral Science Summit, Park City, UT., July 2019 • *Consumer Perceptions of Risk in Various Areas of Biotechnology*, ASLME 2019 Health Law Professors Conference, Loyola University Chicago School of Law, Chicago, IL., June 2019 • *Consumer Perceptions of Risk in Various Areas of Biotechnology*, BioLawLapalooza 3.0, Stanford Law School, Stanford, CA., March 2019.

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW

10/29/19 - *Advancing Medicine with Big Data: A Digital Health Company's Perspective on the Opportunities and Challenges*

09/26/19 - *Unusual Life Forms Emerging in Healthcare Delivery: The Paradox of Change*

04/05/2019 - *Electronic Health Records and Patient Safety: Legal Challenges and Solutions* (full day conference)

03/07/2019 - *Legal and Ethical Duties to Report, Warn, and Protect*

02/25/2019 - *Mommy Dearest: Myths and Realities of Women in Prison*

02/14/2019 - *Law, Technology, and Protection from Violence Against Women: Can innovation flip the script on this dialogue?*

March 27, 2020: Full day conference on Environmental Health Law. Co-sponsored by the law school's new Environmental Law Center.

FACULTY NEWS

Sharonna Hoffman, Edgar A. Hahn Professor of Law, Professor of Bioethics, and Co-Director of Law-Medicine Center, reports the following **publications**: *What Genetic Testing Teaches about Predictive Health Analytics Regulation*, *North Carolina Law Review*, (forthcoming 2019) • *Portable Medical Order Sets (POLST): Ethical and Legal Landscape*, 15 *National Academy of Elder Law Attorneys Journal* (2019) • *Healing the Healers: Legal Remedies for Physician Burnout*, 18 *Yale Journal of Health Policy, Law, and Ethics* 56 (2019) • *Privacy and Integrity of Medical Records*, in *OXFORD HANDBOOK ON COMPARATIVE HEALTH LAW* (Oxford University Press, forthcoming 2019) • *Personal Health Records*

as a Tool for Transparency in Health Care in *TRANSPARENCY IN HEALTH AND HEALTH CARE IN THE UNITED STATES: LAW AND ETHICS 260* (Cambridge University Press 2019) • Artificial Intelligence in Medicine Raises Legal and Ethical Concerns, *The Conversation*, September 4, 2019 • Physician Burnout: Why Legal and Regulatory Systems May Need to Step in, *The Conversation*, July 9, 2019 • Access to Health Records: New Rules Another Step in the Right Direction, *Jurist*, Feb. 20, 2019 • Health Insurers Want You to Try Cheaper Drugs First, but That Can Hurt You, *The Conversation*, January 3, 2019.

Professor Hoffman reports the following **presentations**: “Legal and Ethical Challenges in Artificial Intelligence,” Artificial Intelligence in Oncology Symposium, Case Western Reserve University, October 24, 2019 • Panelist, Prior Authorization Partnership Forum, Academy of Managed Care Pharmacy, Alexandria, VA, June 25, 2019 • Healing the Healers: Legal Remedies for Physician Burnout, St. Louis Health Lawyers Association, October 4, 2019 • Healing the Healers: Legal Remedies for Physician Burnout, Annual Health Law Professors Conference, Loyola University Chicago School of Law, June 7, 2019 • Electronic Health Records and Patient Safety: Legal Challenges and Solutions Conference, Case Western Reserve University School of Law, April 5, 2019 • EMR Law and Policy, American College of Legal Medicine Annual Meeting, Los Angeles, CA, Feb. 23, 2019 • Big Data, Artificial Intelligence, and the Risk of Discrimination Based on Health Predictions, Bioethics Seminar, Tel Aviv University, January 9, 2019.

Professor Hoffman reports the following **grants, honors, or awards**: Voted 1L Teacher of the Year by the First Year Class • Key personnel in NIH grant: Use of Molecular Typing and Clustering to Identify Networks of Transmission of HIV.

Max Mehlman, Distinguished University Professor, Arthur E. Petersilge Professor of Law, Director, The Law-Medicine Center, Case Western Reserve University School of Law, Professor of Bioethics, Case Western Reserve University School of Medicine, reports the following **publications**: Bioethics of Military Performance Enhancement, 165 *J. Royal Army Med. Corps*, 226-231 (2019) (Editor’s Choice)(funded by NIH National Human Genome Research Institute 1R03HG006730-01) • Doping soldiers so they fight better: is it ethical? *The Conversation*, May 24, 2019.

Professor Mehlman reports the following **presentations**: Governance of Non-Traditional Biology, 2019 Petrie-Flom Center Annual Conference: Consuming Genetics: Ethical and Legal Considerations of New Technologies, May 17, 2019, Harvard Law School; Health Law Professors Conference, American Society of Law, Medicine, and Ethics, Loyola School of Law, Chicago, IL, June 7, 2019. (Funded by 1R03 NIH 1R03HG010256-01A1 (National Human Genome Research Institute)) • Physicians’ Duties and Obligations, Annual Meeting, American College of Legal Medicine, Los Angeles, February 23, 2019 • No Designer Babies? How to Deal with the Coming Bio Engineering Revolution, Panelist, Arena Stage Civil Dialogues, Washington, DC, March 24, 2019 (hosted by Amitai Eztioni) • Transhumanism, Artificial Intelligence, and Large Scale Combat Operations, Panelist, 2019 Ethics Symposium, Ethical Implications of Large Scale Combat Operations, US Army Command and General Staff College, Fort. Leavenworth, Kansas, March 25, 2019.

Professor Mehlman reports the following **grants, honors, or awards**: Co-Principal Investigator on a grant from the Koch Foundation to research the effect on health care access, cost, and quality of changing state law to enable advanced practice registered nurses to provide primary care • Principal Investigator, Ethical, Legal, Social, and Governance Issues in Non-Traditional Biology, NIH Human Genome Research Institute, 1R03HG010256-01A1, 2 year grant for \$160,333 • Scholarship in Teaching Award, Case Western Reserve University School of Medicine, Advocacy in Undergraduate Education: From Social Determinants and Structural Violence to System Change, March 19, 2019 (with Maier, et al.)

Professor Mehlman reports the following **professional activities**: Core Member, Special Emphasis Panel on Societal and Ethical Issues in Research (ZRG1 SEIR), National Institutes of Health • Member, Genetics and Society Working Group, National Human Genome Research Institute, NIH.

JAHARIS HEALTH LAW INSTITUTE AT DEPAUL UNIVERSITY COLLEGE OF LAW

2019 Jaharis Symposium:

The 2019 Jaharis Symposium, titled “Democratizing” Medicine in a Data and Tech Driven World, addressed significant and pressing questions of law and policy that will inevitably arise from the adoption of technological and data-driven innovation in medicine. The day-long interdisciplinary symposium was co-sponsored by the Mary and Michael Jaharis Health Law Institute and the Center for Intellectual Property Law & Information Technology (CIPLIT®).

Technological and data-driven innovations are often heralded as breakthroughs that will “democratize” medicine, by promising to vastly improve access – both to knowledge and medical services – and to allow those who are affected by the

discoveries to collaborate in their development. But they are not without risk. Featured speakers included Afia Asamoah, JD, MPP, Senior Counsel, Product, Regulatory, and Policy at Verily Life Sciences (formerly Google Life Sciences, an Alphabet company) and Patrick M. McCarthy, MD, Executive Director of the Bluhm Cardiovascular Institute at Northwestern Medicine and the Heller-Sacks Professor of Surgery in the Feinberg School of Medicine and Chief of Cardiac Surgery.

In addition, renowned panelists from the fields of law, technology, and medicine delved into the scientific, ethical, and legal implications of some contemporary examples of “do-it-yourself” and “do-it-together” medicine. The first panel addressed complex and fascinating ethical and legal issues pertaining to the introduction of artificial intelligence in medicine, while the second panel discussed what is collectively referred to as “do it together” medicine: citizen science, participant-driven research, and precision medicine. The final panel addressed biohacking, or “do it yourself” medicine – altering or conducting research on one’s own body. The speakers explored technology’s promise of collaboration and accessibility, while raising legitimate legal and ethical concerns about ownership, justice, and the law’s ability to keep up with innovation. The symposium discussed important policy and ethical issues and offered practical insight into how the law (and practicing lawyers) can address questions that arise as new technologies impact the practice of medicine.

A full house of students, faculty, local practitioners, and alumni attended the symposium in person, providing lively debate and opportunities for continued learning. The featured talks and panels are now available for viewing on the symposium website, at <http://go.depaul.edu/jhlivideo>. DePaul Law Alumni can obtain Illinois MCLE credit, including professionalism credit, at no cost by viewing the on-demand seminar videos.

Compliance Institute

Thanks to the new Imperato Fund, JHLI hosted the first annual CCB-approved Healthcare Compliance Institute at DePaul in July. The day-long program addressed the key requirements for an effective compliance regime and the challenges compliance professionals face when conducting internal investigations, self-disclosing, communicating and reporting, and navigating HIPAA and other regulations. The speakers were all attorneys and compliance professionals working in this complicated field as chief compliance officers, consultants, and health lawyers. The conference was approved for over 6 live CCB Continuing Education Units, in addition to Continuing Legal Education units.

Speakers at the 2019 conference included Danielle Capilla, Director of Compliance, Employee Benefits, Alera Group; Melissa Mitchell, Chief Compliance and Privacy Officer, Shirley Ryan Ability Lab; Gabriel Imperato, Managing Partner, Nelson Mullins Broad and Cassel; Ahmed Salim, Manager, Deloitte; and Ilana Shulman, Chief Compliance Officer, Hillrom.

Other Programming

The Institute offers programming that is free and open to the public on a range of hot topics. Last year, we welcomed:

- Dr. Avishalom Westreich, Esq., Associate Professor, College of Law and Business, Ramat Gan, Israel
- Renee Coover, Associate Attorney at ByrdAdatto
- Swati Ayyagari, Sr. Manager, Health Care Regulatory Compliance & Risk and Accounting Advisory Services at Plante Moran
- Panel: Alison Tothy, MD, Physician/Speaker/Consultant; Barbara Lewis, Director, People Services, AdvantEdge Healthcare Solutions; Cathy Lovely, MBA, Asst. Director of Organizational Development, UI Health; Anna Scaccia, Director of Emergency Department, Trauma and EMS at Advocate Illinois Masonic Medical Center
- Carolyn Metnick, Partner at Akerman
- Libby Banek, Partner at Faegre Baker Daniels (Washington, DC)
- Ilana Shulman, Chief Compliance Officer of Hillrom
- This year, we are looking forward to hosting, among others:
- Maya Sabatello, Assistant Professor of Clinical Bioethics, Politics and Culture Project at Columbia University
- Leslie Gerwin, Associate Director of the Program in Law and Public Affairs at Princeton University
- Panel: Stephanie Kuhlmann, Assistant General Counsel at Lurie Children’s Hospital; Patrick Martinez, Partner at McDermott, Will and Emery; Ann Ford, Partner at Hall Prangle & Schoonveld and Managing Director of HPS Advise and Faculty Director
- Lecture and book signing: Christopher Robertson, Associate Dean for Research and Innovation and Professor for Law at the University of Arizona, and author of the forthcoming book *Exposed: Why Our Health Insurance is Incomplete and What Can Be Done About It*.

CONFERENCE ANNOUNCEMENTS AND CALL FOR PAPERS

Genetic Justice: Data, Privacy, and Crime

Thursday, March 12, 2020; 8:30 am-4:30 pm CDT

The 2020 Jaharis Symposium on Health Law and Intellectual Property will feature Dr. Sheila Jasanoff, JD, PhD, Pforzheimer Professor of Science and Technology Studies, Harvard Kennedy School.

Other panelists include:

Panel 1: Justice in the Acquisition of Genetic Information: Inclusion and Representation in Genetics Research

- Pilar Ossorio, JD, PhD, University of Wisconsin Law School
- Jennifer Wagner, JD, PhD, Geisinger Health System
- Jonathan Kahn, JD, PhD, Northeastern University School of Law

Panel 2: Use and Control of Genetic Information: Informed Consent and Privacy through a Justice Lens

- Leslie Francis, JD, PhD, S.J. Quinney College of Law, The University of Utah
- Anya Prince, JD, MPP, Iowa Law
- Stephen Hilgartner, PhD, Cornell University

Panel 3: Genomics in the Justice System

- Christopher Young, Intelligence Analyst, FBI-Chicago
- Maya Sabatello, LLB, PhD, Columbia University
- Lauren Kaeseberg, JD, Illinois Innocence Project

Panel 4: Using Genealogical Data to Solve Crimes

- Christi Guerrini, JD, MPH, Baylor College of Medicine
- Craig Klugman, PhD, DePaul University
- Sara Houston Katsanis, MS, Northwestern Feinberg School of Medicine

This day-long interdisciplinary symposium is co-sponsored by the Mary and Michael Jaharis Health Law Institute and the Center for Intellectual Property Law & Information Technology (CIPLIT®). For more information, visit <http://go.depaul.edu/lawsymposium>.

JHLI looks forward to hosting the **Second Annual Compliance Institute in 2020**.

FACULTY NEWS

Wendy Netter Epstein, Professor of Law and Faculty Director, reports the following **publications**: Private Law Alternatives to the Individual Mandate, 104 MINN. L. REV. (forthcoming 2020).

Professor Epstein reports the following **presentations**: She presented her draft paper, Private Law Alternatives to the Individual Mandate, widely in the past year, including at the UCLA School of Law, Cardozo School of Law, the American Enterprise Institute, and on the Ipse Dixit Podcast, among others. She also engaged extensively with the media, with quotes and appearances in sources such as The New York Times, KHN and Politfact, Morning Consult, and local press (e.g. by appearing on the television broadcast Chicago Tonight).

Valerie Gutmann Koch, Jaharis Faculty Fellow, reports the following **publications**: Eliminating Liability for Informed Consent to Medical Treatment, 53 U. RICH. L. REV. 1211 (2019) • Everything in Moderation: Dual-Role Consent and State Law Mandates, 19(4) AM J. BIOETHICS 35-37 (2019) (with Nadia Sawicki) • Research Revolution or Status Quo?: the New Common Rule and Research Arising from Direct-to-Consumer Genetic Testing, 56 HOUSTON L. REV. 81 (2018) (with Kelly Todd).

Professor Koch reports the following **presentations**: She presented widely on issues of bioethics, emerging technologies, and informed consent and research. For instance, she gave several talks at the University of Chicago/MacLean Center on the Doctor-Patient Relationship, Informed Consent in Treatment and Research, and Judges and Lawyers as Medical Decision-Makers. She also presented on the Top 10 Legal Developments in Bioethics at the American Society for Bioethics and the Humanities and for the Arizona Bioethics Network.

Joshua D. Sarnoff, Professor of Law, reports the following **presentations**: On June 4, 2019, he testified before the Intellectual Property Subcommittee of the Judiciary Committee of the U.S. Senate on a pending legislative proposal to reform patent law subject matter eligibility doctrine. See <https://www.judiciary.senate.gov/meetings/the-state-of-patent->

eligibility-in-america-part-i. The bill would amend Section 101 of the Patent Act to dramatically expand what can be patented, and would make additional changes to Section 112 in interpreting functional claiming language. Having spent decades researching these topics, Professor Sarnoff was asked to testify to make suggestions to amend the draft bill. Professor Sarnoff's testimony emphasized the "root causes" of the legal uncertainty that the legislative effort was designed to address—namely, lack of legislative specificity and inconsistency in judicial decisions. But perhaps the most important aspect of his testimony was his explanation for why legislation should not seek to provide private property rights for discoveries of nature, of scientific principles, and of "abstract ideas" (understood as fundamental concepts), all of which should be free for everyone to use. His published academic work has explained why such pre-existing aspects of our world were historically viewed as God-given things, and thus why making private property out of such natural, scientific, and fundamental discoveries would have been seen as a religious sin and as unjustly enriching the discoverer. He also pointed out that providing patents for claimed inventions of new discoveries of nature and science and abstract ideas "as such" might be held to be unconstitutional.

Charlotte Tschider, Jaharis Faculty Fellow, reports the following **publications**: *The Consent Myth: Improving Choice for Patients of the Future*, 96 WASH. U. L. REV. (2019) and *Regulating the IoT: Discrimination, Privacy, and Cybersecurity in the Artificial Intelligence Age*, 96 DENV. U. L. REV. 87 (2018).

Professor Tschider reports the following **presentations**: She presented her scholarly work around the world. For example, in January 2019, she presented at the World Precision Medicine Conference on the role of big data in medical research • In July 2019, she presented on artificial intelligence liability and global data protection laws at the International Conference on AI in Healthcare. She was also invited to participate in a symposium on Trust and Privacy in the Digital Age at the Washington University School of Law, part of their launch of The Cordell Institute for Policy in Medicine & Law; and Hofstra University's symposium on Artificial Intelligence in Healthcare: The Ethical, Legal and Medical Implications.

Mark Weber, Vincent de Paul Professor of Law, reports the following **publications**: *Of Immigration, Public Charges, Disability Discrimination, and, of All Things, Hobby Lobby*, ARIZ. STATE L. J. (forthcoming 2020).

Professor Weber reports the following **presentations**: He has been active lecturing on disability issues around the country, presenting "Emerging Trends in Disability Discrimination in Employment" at the Illinois Human Rights Commission on Oct. 21, 2019 • "Special Education Law in Review" at Loyola University Chicago School of Law on June 26, 2019 • "Privacy Protection and Disability Discrimination in a Social Context" at the Law and Society Association Annual Meeting in Washington, D.C. on June 2, 2019 • "Disability Rights and DHS's Proposed Public Charge Exclusion Rules" at the National Federation of the Blind Jacobus tenBroek Disability Law Symposium in Baltimore on Mar. 28, 2019 • "Special Education Law Training for Hearing Officers, Mediators, and Complaint Investigators" at the Texas Education Agency, Austin, on Nov. 16, 2018.

KLINE SCHOOL OF LAW AT DREXEL UNIVERSITY

FACULTY NEWS

Barry R. Furrow, Professor of Law and Director, the Health Law Program, reports the following **publications**: *Book Chapters: Rewritten Opinion, Bouvia v. Superior Court (Case Name)*, in *FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS* (Seema Mohapatra and Lindsay F. Wiley, eds). (Cambridge University Press, forthcoming 2020) • "Medical Malpractice in Comparative Perspective" (with Karl Solveg), in *OXFORD HANDBOOK ON COMPARATIVE HEALTH LAW*, David Orentlicher and Tamara Hervey, eds. (Oxford University Press, forthcoming 2020) • "Smashing into Windows: Limits of Consumer Sovereignty in Health Care", in *TRANSPARENCY IN HEALTH AND HEALTH CARE IN THE UNITED STATES: LAW AND ETHICS*, I. Glenn Cohen, Holly Fernandez Lynch, Barbara J. Evans, and Carmel Shachar, eds. (Cambridge University Press, 2019) • "Death and the Image of the Body: Who Decides to Let Go?" in *EMBODIED DIFFERENCE: DIVERGENT BODIES IN PUBLIC DISCOURSE*, Jamie Thomas and Christina Jackson, eds. (Lexington Books, 2019) • *Articles: The Bewildered and Confused Hospital: The Tangled Interplay of Artificial Intelligence, Pay-for-Performance (P4P), and Patient Safety*, *AMERICAN JOURNAL OF LAW & MEDICINE* (Symposium, "Emerging Issues in Bioethics" (forthcoming 2020) • *Reflections on a First Class Academic: The Health Law Wisdom of Eleanor Kinney*, 53 *INDIANA L. REV.* (forthcoming 2020) • *The Limits of A.I. in Health Care: Patient Safety Policing in Hospitals*, 12 *NE. U. L. REV.* (forthcoming 2019).

Professor Furrow reports the following **presentations**: *The Problem of Modernizing a Healthcare System: How to Serve All People in a Country*, Azim Premji University, Bangalore, India, September 19, 2019 • *Big Data: Physician Friend*

or Foe, 2019 Annual Health Law Conference: Promises and Perils of Emerging Health Innovations, Northeastern University School of Law, Boston, Mass., April 11, 2019.

Professor Furrow reports the following **grants, honors, or awards**: Appointed Fulbright Specialist, Department of Economics, University of Venice (Ca' Foscari), May 2020.

EMORY UNIVERSITY

FACULTY NEWS

Ani Satz, Professor of Law, reports the following **publications**: Health Care as Eugenics in Health Care as Eugenics in Disability, Health, Law, and Bioethics (I. Glenn Cohen, Carmel Shachar, Anita Silvers, Michael Ashley Stein eds., forthcoming Cambridge UP 2020) • The Federalism Challenges of Protecting Workers' Medical Privacy, 94 Ind. L. J. (forthcoming 2019) • Animal Welfare Act: Interaction with Other Laws, 25 Animal L. Rev. 185 (2019) (with Delcianna Winders) (symposium) • Exploring New Technologies in Biomedical Research, Forward, Drug Discovery Today, Apr. 4, 2019, available at <https://doi.org/10.1016/j.drudis.2019.04.001> (with Kambez H. Benam, Siobhan Gilchrist, Andre Kleensang, Catherine Willett & Qiang Zhang) (symposium),

Professor Satz reports the following **presentations**: Emory/UGA summer workshop, Faux Federalism, Emory University School of Law, Atlanta, Georgia (July 19, 2019) • Speaker, Health Law for Radiologists, department of Radiology, Emory University School of Medicine, Atlanta, Georgia (Mar. 15, 2019) • Panelist, False Preemption and Animal Protection, Constitutional Law Scholars Forum, American Constitutional Society for Law and Policy, Barry College of Law, Orlando, Florida (Mar. 1, 2019) (participated remotely) • Panelist, Healthism: Health Status Discrimination and the Law, University of Georgia School of Law, Athens, Georgia (Feb. 27., 2019).

Professor Satz reports the following **professional activities**: President, Emory University Senate, 2019-20 • Chair, Emory University Faculty Council, 2019-20 • Chair, Tenure and Promotion Committee, Emory Law School, 2019-20 • Co-Chair, Emory University Committee on Naming Honors, 2019-20.

GEORGETOWN UNIVERSITY LAW CENTER AND THE O'NEILL INSTITUTE FOR NATIONAL AND GLOBAL HEALTH LAW

The Lancet – O'Neill Institute Commission on Global Health and the Law Report Launch

On May 1, The Lancet – O'Neill Institute, Georgetown University Commission on Global Health and the Law launched its groundbreaking report on how law can be used to advance health. The Commission was created to examine the vital role of law in responding to major global health challenges, and its report, Legal Determinants of Health: Harnessing the Power of Law for Global Health and Sustainable Development makes an innovative case for the power of law to improve health. Held at Georgetown Law, the Commission's launch event brought together world-renowned public health professionals to discuss the report and its recommendations for how to bridge the gap between health and law to improve lives.

In October, events in London and Bristol convened experts, scholars, government officials, and public health professionals to discuss the report's recommendations. At the London launch, hosted by Chatham House, speakers included Baroness Hale of Richmond, the President of the Supreme Court of the United Kingdom and Richard Horton, Editor-in-Chief of The Lancet. At the Bristol event, keynote speaker Sarah Hawkes, Director of the Centre for Gender and Global Health and Professor of Global Public Health at University College London, spoke on the power of law to shape health, and a moderated panel that featured health experts from the University of Bristol Law School.

Georgetown Law Journal Symposium on Law and the Nation's Health

On October 15, the Georgetown Law Journal, in collaboration with the O'Neill Institute, brought together legal scholars and experts from across the country to discuss the current status of health law in the U.S. and around the globe. Hosted at Georgetown University Law Center, leading experts in health law covered topics including the Affordable Care Act, women's health, equity and the law, and developments in global health law, presenting original research on surprise medical bills, law and new health technologies, global progress against child mortality, consent and the role of artificial intelligence in health care, among others. The symposium also celebrated the lifetime achievements of O'Neill Institute Faculty Director and University Professor Lawrence O. Gostin. Before his keynote address underscoring the importance of accomplishing global health with justice, Professor Gostin was introduced by longtime friend and colleague, Dr. Anthony

Fauci, Director of the National Institute of Allergy and Infectious Diseases. Georgetown Law Journal will publish GLJ Volume 108, Issue 6 (symposium edition) in Spring 2020.

Universal Health Coverage Legal Solutions Network

Alongside the 74th United Nations General Assembly, the United Nations Development Programme, UNAIDS, the Inter-Parliamentary Union, the World Health Organization, and Georgetown University's O'Neill Institute launched a new collaboration to support universal health coverage (UHC), the UHC Legal Solutions Network. The network is a unique collaboration focused on using law to further the commitments laid out in the **political declaration on UHC**, bringing together legal and health experts to support governments and policymakers in developing legal tools for UHC. These tools include identifying successful strategies, as well as existing laws and regulations that may create barriers to coverage. The network will also raise awareness on the law's vital role in achieving UHC.

Addiction and Public Policy Initiative's Inaugural Event

The O'Neill Institute's Addiction and Public Policy Initiative hosted its inaugural event on October 30th at Georgetown University. The convening, entitled Applying the Evidence was organized in partnership with Georgetown University's Business for Impact. Policymakers, leaders in criminal justice and law enforcement, experts in addiction treatment, many of whom have lived experience, came together to discuss immediate interventions to reduce overdose deaths, and steps that can be taken to move community responses from rescue to recovery. The Initiative also released Applying the Evidence: Legal and Policy Approaches to Address Opioid Use Disorder in the Criminal Justice and Child Welfare Settings. The report provides policymakers with recommendations to improve access to treatment using medications for opioid use disorder in the criminal justice and child welfare systems.

Food Law Student Leadership Summit

In April, together with Georgetown University Global Health Justice Alliance, Harrison Institute for Public Law, Harvard Law School Food Law and Policy Clinic, Georgetown Law and O'Neill Institute hosted the Food Law Student Leadership Summit. The summit convenes law students from around the country who share a passion for creating a transparent, equitable, just, and sustainable food system. Speakers addressed issues including biotechnology in food, rural food deserts, food labelling, and health claims. Students also had the opportunity to visit DC-based organizations including the DC Central Kitchen, the UDC Urban Farm, and the USDA, and the FDA.

Global Health Law Programs

This fall, we welcomed our Global Health Law LL.M. class of 2020. Almost 70% of our students come from overseas, representing 10 countries and speaking 11 languages. Our students have an average of 7-years of work experience across government, NGOs, the private sector, academia, and international organizations. We look forward to their future contributions to harnessing the power of law to improve public health.

We were also pleased to welcome our inaugural O'Neill Institute Law Fellows, Margherita Cinà and Lidiya Teklemariam. Fellows support O'Neill Institute scholarship and project work, gaining valuable experience working with experts in national and global health law issues. In 2020, we will launch our global internship program, offering paid internships (June-August and December-February) for current US and overseas law students interested in health law. Recruitment for 2020-21 fellowships and internships will begin in December, 2019.

This year, we added new courses including Addiction and Mental Health Law and Policy, Aging and Law Seminar, Bioethics and Social Justice, and Global Health Law and Policy from Gestation to Age Two. Our J.D. and health law LL.M. students now have access to more than 35 courses exploring the intersections of health law and the opportunity to specialize in areas like health care law, health and human rights, food and drug law, and international trade and health.

GEORGIA STATE UNIVERSITY

2019 marks the 15th Anniversary of Georgia State University College of Law's Center for Law, Health & Society! Wendy Hensel, Dean of the law school since 2017 and Professor of Law was appointed University Provost, and Leslie Wolf, Director of the Center for Law, Health & Society since 2014 and Distinguished University Professor, was appointed Interim Dean of the Law School. Erin Fuse Brown, Associate Professor of Law, assumes the role of Center Director from Wolf effective January 1, 2020, allowing for a smooth transition in leadership.

Georgia State Law's first issue of the Journal of Legal Medicine was published earlier this year. The Journal is interdisciplinary, peer-reviewed, and internationally circulated. Submissions continue to be accepted year-round.

The inaugural Journal of Legal Medicine symposium “Solving America’s Drug Pricing Problem,” was held at the law school in January. It included a keynote address by Stanford University Professor Michelle Mello, framing the problem and landscape of legal and policy challenges of unaffordable prescription drugs and therapies. Panel sessions featured state, federal, and academic experts who discussed state policies to combat drug pricing, such as price transparency, drug importation, or anti-price gouging laws as well as legal challenges to these measures, and debated competition and innovation laws and policies in the market for prescription drugs, including antitrust law, FDA oversight, and patent law. The symposium articles were published in vol. 39, no. 2 of the Journal of Legal Medicine.

The Center, hosted “Olmstead at Twenty: The Past and Future of Community Integration” in August along with Atlanta Legal Aid Society whose attorneys brought the original case of *Olmstead v. L.C. and E.W.* to the Supreme Court. This landmark civil rights case is often referred to as the *Brown v. Board of Education* for persons with disabilities, affirming that persons with disabilities have a right to receive supports and services to live in their communities rather than in institutions. Samuel Bagenstos, Frank G. Millard Professor of Law at the University of Michigan Law School, delivered the keynote address, and many of the attorneys involved with the case twenty years ago comprised a panel moderated by Georgia State Law’s Paul Lombardo. The two-day symposium reflected on *Olmstead*’s legacy, examined the present state of compliance, and explored how the principles of *Olmstead* can be applied in new arenas, such as education, employment, housing and more.

The Center, along with our Student Health Law Association, hosted a variety of events over the past year. Spring events included the 13th year of Bioethics at the Movies and a Law Week panel on telehealth laws. Fall events included an update on the Affordable Care Act and *Texas v. U.S.* The Center continues to host the exhibit “Health is a Human Right: Race and Place in America,” donated by the David J. Sencer CDC Museum, and open to the public in person and online.

The Center co-hosted the 2019 Annual Meeting of the Academy of Food Law and Policy on December 10. Scholars with abstracts accepted to the conference presented and received feedback on their works-in-progress from academics and legal and policy experts. The keynote luncheon included a panel of food, agricultural, and environmental law and policy experts who provided different perspectives on the role of meat in a sustainable society today and in the future.

Several Center faculty were recognized for their professional achievements this year. Jonathan Todres was named a Distinguished University Professor, a prestigious honor that recognizes faculty who have an outstanding record of scholarship, as well as a history of substantial contributions to Georgia State University and to the profession. The only professor to have received this award twice, Todres is also the 2019 recipient of Georgia State Law’s Patricia T. Morgan Award for Outstanding Faculty Scholarship, which recognizes outstanding research and scholarly effort. Lisa Bliss, Clinical Professor and Associate Dean of Experiential Education and Clinical Programs, was named a Fulbright Distinguished Chair and spent the fall working with professors and students in the Human Rights and Patients’ Rights Clinics at Palacky University in the Czech Republic.

Three Center faculty, Leslie Wolf, Paul Lombardo, and Courtney Anderson, received a grant from the Greenwall Foundation to develop a model undergraduate bioethics course that seeks to highlight minority scholars and inspire students from diverse and underrepresented communities. They will offer the course in the undergraduate Honors College in Spring 2020.

Erin Fuse Brown received a grant from Arthur Ventures (formerly the Arnold Foundation) to develop legal and policy solutions to protect consumers from out-of-network air ambulance bills.

Timothy Lytton, Distinguished University Professor, published *Outbreak: Foodborne Illness and the Struggle for Food Safety* (Chicago University Press, 2019) examining how foodborne illness outbreaks have spurred advances in food safety and analyzing the complex government and private industry structure regulating the food safety system. He was quoted in numerous media outlets, including the Washington Post, CNN, and Reuters on food safety, as well as on opioid and gun litigation.

Following a screening of clips from “Dangerous Idea: Eugenics, Genetics and the American Dream,” Regents’ Professor Paul Lombardo spoke on a panel of experts exploring the dark history of eugenics at the National Constitution Center in recognition of the 92nd anniversary of the Supreme Court’s decision in *Buck v. Bell*.

Charity Scott, Founding Director of the Center, was recognized as a “Legend in Health Law” and was invited to give the keynote speech at the State Bar of Georgia’s Health Law Section’s annual Fundamentals of Health Care Law conference on the evolution of health law education.

CONFERENCE ANNOUNCEMENTS AND CALL FOR PAPERS

The Journal of Legal Medicine is an interdisciplinary, peer-reviewed, internationally circulated journal that focuses on the intersection of health law, science, and policy. In keeping with Georgia State Law's and American College of Legal Medicine's shared commitment to interdisciplinary exchange, the journal accepts short commentaries (up to 3,000 words) and articles (up to 7,500 words), although longer articles may also be published. The journal also accepts book and film reviews (approximately 1,000 words). Visit clhs.law.gsu.edu/journal for more information.

FACULTY NEWS

Erin Fuse Brown, Associate Professor of Law; Director, Center for Law, Health & Society (new in 2020), reports the following **grants, honors, or awards**: Received a grant from Arnold Ventures to develop legal and policy solutions for out-of-network air ambulance bills.

Professor Fuse Brown reports the following **professional activities**: Consulted with the Milbank Memorial Fund on a series of reports on states' use of Certificates of Public Advantage to oversee hospital mergers. Presented at a Federal Trade Commission workshop on the same topic.

Paul A. Lombardo, Regents Professor & Bobby Lee Cook Professor of Law, reports the following **publications**: Spector-Bagdady, K. and Lombardo, P.A., U.S. Public Health Service STD Experiments in Guatemala (1946-1948) and Their Aftermath, 41 Ethics & Human Research 29 (March/April, 2019).

Professor Lombardo reports the following **presentations**: American Society of Law, Medicine & Ethics, Health Law Professors Conference: "The Politics of Eugenics: The Lawmakers Who Wrote Sterilization Laws" Chicago, Illinois, June 8, 2019 • National Constitution Center, America's Town Hall: "A Dangerous Idea: The History of Eugenics in America" Philadelphia, Pennsylvania, May 2, 2019 • Wake Forest University, Symposium: Beyond our Beginnings: 50 Years of Bioethics, "On Eugenics, Old and New" Winston Salem, North Carolina April 5, 2019 • University of Georgia/Augusta University Medical Partnership, Dr. & Mrs. Lonnie Herzog Endowed Lecture: "The Well Born Science: Assessing the Legacy of Eugenics in America." Athens, Georgia March 20, 2019 • University of Pennsylvania, Department of Medical Ethics and Health Policy, Film Panel: No Mas Bebes, Philadelphia, Pennsylvania, March 11, 2019.

Professor Lombardo reports the following **grants, honors, or awards**: He was elected Fellow of American Bar Foundation.

Professor Lombardo reports the following **professional activities**: Cited in *Box v Planned Parenthood*, 587 US __ (2019) No. 18-483, decided May 28, 2019 • Quoted in Washington Post "Clarence Thomas tried to link abortion to eugenics. Seven historians told The Post he's wrong," May 30, 2019 • Featured Commentator on RadioLab (NPR Podcast) "G: Unfit" July 17, 2019 • Featured Commentator on Hidden Brain (NPR Podcast) "Whose Utopia? How Science Used The Bodies Of People Deemed 'Less Than'" July 18, 2019 • Chair, Nominating Committee, American Association for the History of Medicine.

Johnathan Todres, Professor of Law, reports the following **publications**: Jonathan Todres and Angela Diaz, Preventing Child Trafficking: A Public Health Approach (Johns Hopkins University Press, forthcoming 2019) • Jonathan Todres, Making Children's Rights Widely Known, Minnesota Journal of International Law (forthcoming December 2019) • John Tobin and Jonathan Todres, "Article 8: The Right to Preservation of a Child's Identity." In The Convention on the Rights of the Child: A Commentary, (J. Tobin, ed; OUP, 2019).

Professor Todres reports the following **grants, honors, or awards**: Named Distinguished University Professor at Georgia State University • Received GSU College of Law's Patricia T. Morgan Award for Outstanding Faculty Scholarship, 2019.

Professor Todres reports the following **professional activities**: Member, Board on Children, Youth, and Families, National Academies of Sciences, Engineering, and Medicine • Member, Advisory Board, International Journal of Children's Rights.

Leslie Wolf, Interim Dean and Distinguished University Professor, reports the following **publications**: Leslie E. Wolf, Erin Fuse Brown et al., The Web of Legal Protections in Genomic Research, 29 Health Matrix 1 (2019) • Leslie E. Wolf & Laura M. Beskow, Genomic Databases, subpoenas, and Certificates of Confidentiality, Genetics in Medicine (2019) doi: 10.1038/s41436-019-0592-0 • Holly Fernandez Lynch, Leslie E. Wolf & Mark Barnes, "Implementing Regulatory Broad

Consent Under the Revised Common Rule: Clarifying Key Points and the Need for Evidence, 47 Journal of Law, Medicine & Ethics 213 (2019).

Interim Dean Wolf reports the following **presentations**: “How Should Law Protect Genomic Research Data: From Certificates of Confidentiality to the Revised Common Rule,” (part of panel presentation on genomic privacy), at the LawSeqSM: Building a Legal Foundation for Translating Genomics into Clinical Application conference at the University of Minnesota in April • “The New Certificate of Confidentiality: The Good, the Bad, and the Unknown,” at the American Society for Law, Medicine & Ethics annual Health Law Professors Conference at Loyola University Chicago School of Law in June.

Interim Dean Wolf reports the following **grants, honors, or awards**: She is the principal investigator on the grant, “Engaging Diversity: Pathways to Bioethics for Minority Students,” funded by the Greenwall Foundation, to create a model undergraduate bioethics course that: (1) gives minority students a deep understand of bioethics problems salient to their communities, (2) highlights real-world projects by minority physicians and researchers to address these problems, and (3) supports students through mentoring and research opportunities • She is co-principal investigator, with Laura Beskow, on the grant, “Exploring Choice of Law Challenges in Multi-Site Precision Medicine Research,” funded by the National Human Genome Research Institute. This project will explore stakeholders’ experiences and opinions regarding choice of law questions in the research context and how existing choice of law frameworks might be applied in resolving them.

Interim Dean Wolf reports the following **professional activities**: She was appointed interim dean of the Georgia State University College of Law effective July 1, 2019.

HARVARD LAW SCHOOL | PETRIE-FLOM CENTER FOR HEALTH LAW POLICY, BIOTECHNOLOGY, AND BIOETHICS

Events

- February 8, 2019: Black-Box Medicine: Legal and Ethical Issues: A Health Policy and Bioethics Consortium
- February 20, 2019: Inequity in Mental Health Care Access
- March 1, 2019: Accelerating Alternatives to Animal Experimentation
- March 4, 2019: Trauma at the Border
- March 8, 2019: Genome Editing: Rights and Wrongs: A Health Policy and Bioethics Consortium
- March 11, 2019: Book Talk: Global Health Justice and Governance
- March 15, 2019: The Future of Health Care?: Medicaid Buy-In and State Trailblazing in Health Care
- March 28, 2019: Health Law Careers in the Public Sector
- April 1, 2019: Public Health Approaches to the Opioid Crisis: Overcoming Obstacles to Community-Driven Solutions
- April 3, 2019: What Should Happen to Our Medical Records When We Die?: Digital Health @ Harvard
- April 10, 2019: The Neuroscience of Hate
- April 12, 2019: The Future of Medicaid’s Health Care Safety Net: A Health Policy and Bioethics Consortium
- April 11-12, 2019: Harvard Medical School Annual Bioethics Conference 2019: Controlling Death: The Policies, Practices, and Ethics of Choosing When We Die
- April 16, 2019: On Life and Death in Rikers with Dr. Homer Venters
- April 17, 2019: Mitochondrial Replacement Therapy: Considering the Future of U.S. Policy on “Three-Parent IVF”
- April 19, 2019: Gene Editing of Babies and Universal Human Rights: Hot Topics in Health Law
- April 23, 2019: Can Ethical Labeling Make Food Systems Healthy, Sustainable, and Just?: Lessons from a Critical Evaluation of the Democratic Governance Capacity of Animal Welfare Labeling
- April 26, 2019: Providing Value and Redesigning Care for Serious Illness
- April 29, 2019: I. Glenn Cohen Chair Lecture - The Second Reproductive Revolution: From Gene Editing, to Uterus Transplants, to Embryos Derived from Our Skin – How Technology Is Changing Reproduction
- May 10, 2019: The Ethics of Cancer Screening: When Should We Screen and When Should We Not?: A Health Policy and Bioethics Consortium
- May 16, 2019: The Science and Ethics of Chimera Research: Part of the Ethics Frontiers Seminar Series
- May 17, 2019: 2019 Petrie-Flom Center Annual Conference: Consuming Genetics: Ethical and Legal Considerations of New Technologies
- September 10, 2019: Book Talk: Birth Rights and Wrongs: How Medicine and Technology are Remaking Reproduction and the Law

- September 13, 2019: Playing Games in the Prescription Drug Market: Cost Implications and Legal Solutions: A Health Policy and Bioethics Consortium
- September 16, 2019: Book Launch: Transparency in Health and Health Care in the United States
- October 4, 2019: Abortion Battles in Mexico and Beyond: The Role of Law and the Courts
- October 7, 2019: 15+ Years of PEPFAR: How U.S. Action on HIV/AIDS Has Changed Global Health
- October 8, 2019: Data Privacy 3.0: Are We Ready for AI?
- October 11, 2019: The Past and Future of Tobacco Regulation: A Health Policy and Bioethics Consortium
- October 23, 2019: Computational Justice: How Artificial Intelligence and Digital Phenotyping Can Advance Social Good
- November 15, 2019: Biomarkers in Cancer Drug Approvals: New Opportunities and Challenges: A Health Policy and Bioethics Consortium
- December 6, 2019: Eighth Annual Health Law Year in P/Review

CONFERENCE ANNOUNCEMENTS AND CALL FOR PAPERS

The Petrie-Flom Center's Annual Conference, Innovation and Protection: The Future of Medical Device Regulation, will take place May 8, 2020 at Harvard Law School.

FACULTY NEWS

Jean-Christophe Bélisle-Pipon, Visiting Researcher, reports the following **publications**: *Chapters and Articles*: Patients as Research Partners: How to Value their Perceptions, Contribution and Labor?, CITIZEN SCIENCE: THEORY AND PRACTICE (March. 8, 2019) (co-authored with Elise Smith, and David Resnik) • Mapping responsible conduct in the uncharted field of research-creation: A scoping review, ACCOUNTABILITY IN RESEARCH (June 2, 2019) (co-authored with N. Voarino, V. Couture, S. Mathieu-Chartier, E. St-Hilaire, B. Williams-Jones, F. J. Lapointe, C. Noury, M. Cloutier & P. Gauthier).

Professor Bélisle-Pipon reports the following **grants, honors, or awards**: He was elected to the board of the International Association of Bioethics.

I. Glenn Cohen, James A. Attwood and Leslie Williams Professor of Law and Faculty Director, Petrie-Flom Center for Health Law Policy, Biotechnology & Bioethics, reports the following **publications**: *Publications from Sponsored Research*: Precision Medicine, Artificial Intelligence, and the Law (PMAIL) • W. Nicholson Price, Sara Gerke, Dipl-Jur Univ, I. Glenn Cohen, Potential Liability for Physicians Using Artificial Intelligence, JAMA VIEWPOINT (October 4, 2019) • I. Glenn Cohen, Michelle M. Mello, Big Data, Big Tech, and Protecting Patient Privacy, JAMA VIEWPOINT (August 9, 2019) • Sara Gerke, Daniel B. Kramer, I. Glenn Cohen, Ethical and Legal Challenges of Artificial Intelligence in Cardiology, 2 AIMED MAGAZINE 2 (2019) • W. Nicholson Price and I. Glenn Cohen, Privacy in the Age of Medical Big Data, 25 NAT. MED. 37 (January 7, 2019) • W. Nicholson Price, Margot E. Kaminski, Timo Minssen, and Kayte Spector-Bagdady, Shadow Health Records Meet New Data Privacy Laws, 363 SCIENCE 6426 (February 1, 2019) • W. Nicholson Price, Medical AI and Contextual Bias, HARV. J.L. AND TECH. (April 2019) • Sara Gerke, Timo Minssen, Helen Yu, I. Glenn Cohen, A Smart Pill to Swallow: Legal and Ethical Issues of Ingestible Electronic Sensors, NAT. ELECTRON. (June 2019) • Mateo Aboy, Kathleen Liddell, Christina Crespo, I. Glenn Cohen, Jonathon Liddicoat, Sara Gerke, and Timo Minssen, How Does Emerging Patent Case Law in the US and Europe Affect Precision Medicine?, NAT. BIOTECHNOL. (October 2019) • *Harvard Catalyst*: Barbara E. Bierer and Luke Gelinas, Scientific Merit Predicates Ethical Review of Clinical Research, 41 ETHICS AND HUMAN RESEARCH 3 (May 20, 2019) • Luke Gelinas and Barbara E. Bierer. Social Media as an Ethical Tool for Retention in Clinical Trials, 19 AMERICAN JOURNAL OF BIOETHICS 6 (May 28, 2019) • *Affiliate Scholarship: Chapters and Articles*: I. Glenn Cohen, Nicholas Bagley, Private Rights and the Public Interest in Drug and Medical Device Litigation, JAMA INTERN MED, (October 28, 2019) • Eli Adashi, I. Glenn Cohen, JAMA Forum: Heritable Genome Editing: Edited Eggs and Sperm to the Rescue? (October 3, 2019) • The Lumbering Crawl toward Human Germline Editing, J. LAW, MEDICINE & ETHICS. (Jan. 10, 2019) (co-authored with Eli Y. Adashi) • The Regulation of Reproduction and Best Interests Analysis, HANDBOOK OF CHILDREN AND THE LAW (Oxford University Press, April 5, 2019) • Germline Editing: Could Ban Encourage Medical Tourism?, NATURE (April 30, 2019) (co-authored with Eli Y. Adashi) • When Science and Politics Collide: Enhancing the FDA, SCIENCE (May 16, 2019) (co-authored with Eli Y. Adashi and Rohit S. Rajan) • How Bans on Germline Editing Deprive Patients with Mitochondrial Disease, NATURE BIOTECHNOLOGY (May 20, 2019) (co-authored with Eli Y. Adashi and Vardit Ravitsky) • A Troubling Court Decision for Reproductive Rights: Legal Recognition of Fetal Standing to Sue, JAMA (May 22, 2019) (co-authored with Dov Fox and Eli Y. Adashi) • Fox, D., Cohen, I. and Adashi, E. (2019). The Law and Ethics of Fetal Burial Requirements for Reproductive Health Care. JAMA, 322(14), p.1347 • Sara Gerke, Timo Minssen, Helen Yu, I. Glenn

Cohen, A Smart Pill to Swallow: Legal and Ethical Issues of Ingestible Electronic Sensors, NAT. ELECTRON. (June 2019) • Eli Y. Adashi, Arthur L. Caplan, Alexander Capron, Audrey R. Chapman, Mildred Cho, Ellen Wright Clayton, I. Glenn Cohen, Robert Cook-Deegan, Ruth R. Faden, Theodore Friedmann, Lawrence O. Gostin, Henry T. Greely, Josephine Johnston, Eric Juengst, Patricia A. King, Lori P. Knowles, Anne Drapkin Lyerly, Amy L. McGuire, Jonathan D. Moreno, Karen Rothenberg, Robert D. Truog & LeRoy Walters. (June 3, 2019). In support of mitochondrial replacement therapy. *Nature Medicine*. P. 870-871 • Eli Adashi, MD, MS, and I. Glenn Cohen, JD. (June 3, 2019). JAMA Forum: Heritable Genome Editing: Is a Moratorium Needed? *JAMA Forum* • I. Glenn Cohen and Alex Pearlman. (June 5, 2019). Creating eggs and sperm from stem cells: the next big thing in assisted reproduction? *STAT* • Dov Fox and I. Glenn Cohen. (June 13, 2019). The Law And Ethics Of Trump Administration Restrictions On Fetal Tissue Research. *Health Affairs Blog* • John H. Rex, Holly Fernandez Lynch, I. Glenn Cohen, Jonathan J. Darrow & Kevin Outterson. (July 2019). Designing development programs for non-traditional antibacterial agents. *Nature Communications* • Jean-Christophe Bélisle-Pipon, Effy Vayena, Robert C. Green and I. Glenn Cohen. (August 2019). Genetic testing, insurance discrimination and medical research: what the United States can learn from peer countries. *Nature Medicine*. P. 1198 • Cohen, I. Glenn. (October 2019). Organ donor intervention trials and risk to bystanders: An ethical analysis. *Clinical Trials*. P. 463-465 • Mateo Aboy, Kathleen Liddell, Christina Crespo, I. Glenn Cohen, Jonathon Liddicoat, Sara Gerke, and Timo Minssen, How Does Emerging Patent Case Law in the US and Europe Affect Precision Medicine?, NAT. BIOTECHNOL. (October 2019) • Dov Fox, I. Glenn Cohen, Eli Y. Adashi, Fertility Fraud, Legal Firsts, and Medical Ehtics, *Obstetrics & Gynecology*. (November 2019) • Cohen, I. and Graver, H. (2019). A Doctor's Touch: What Big Data in Health Care Can Teach Us About Predictive Policing. *Policing and Artificial Intelligence* (John L.M. McDaniel and Ken G. Pease eds., Routledge, 2020 Forthcoming) • W. Nicholson Price, Sara Gerke, Dipl-Jur Univ, I. Glenn Cohen, Potential Liability for Physicians Using Artificial Intelligence, *JAMA VIEWPOINT* (October 4, 2019) • I. Glenn Cohen, Michelle M. Mello, Big Data, Big Tech, and Protecting Patient Privacy, *JAMA VIEWPOINT* (August 9, 2019).

Professor Cohen reports the following **presentations**: April 29, 2019: I. Glenn Cohen Chair Lecture - The Second Reproductive Revolution: From Gene Editing, to Uterus Transplants, to Embryos Derived from Our Skin – How Technology Is Changing Reproduction.

Professor Cohen reports the following **grants, honors, or awards**: He was asked to serve on the National Academy of Medicine's (NAM's) new Committee on Emerging, Science, Technology, and Innovation in health and medicine.

Sara Gerke, Research Fellow, Medicine, Artificial Intelligence, and Law, reports the following **publications**: *Books*: DIE KLINISCHE ANWENDUNG VON HUMANEN INDUZERTEN PLURIPOTENTEN STAMMZELLEN – EIN STAKEHOLDER-SAMMELBAND [THE CLINICAL APPLICATION OF HUMAN INDUCED PLURIPOTENT STEM CELLS: A STAKEHOLDER ANTHOLOGY] (Berlin, Heidelberg: Springer, forthcoming) (co-authored with Jochen Taupitz, Claudia Wiesemann, Christian Kopetzki & Heiko Zimmermann) • *Chapters and Articles*: Die klinische Translation von hiPS-Zellen in Deutschland / The Clinical Translation of hiPSCs in Germany, in Sara Gerke, Jochen Taupitz, Claudia Wiesemann, Christian Kopetzki, and Heiko Zimmermann (eds.), DIE KLINISCHE ANWENDUNG VON HUMANEN INDUZERTEN PLURIPOTENTEN STAMMZELLEN – EIN STAKEHOLDER-SAMMELBAND [THE CLINICAL APPLICATION OF HUMAN INDUCED PLURIPOTENT STEM CELLS: A STAKEHOLDER ANTHOLOGY] (Berlin, Heidelberg: Springer, forthcoming) • Die klinische Anwendung von hiPS-Zellen: ein Überblick [The Clinical Application of hiPSCs: An Overview], in Sara Gerke, Jochen Taupitz, Claudia Wiesemann, Christian Kopetzki, and Heiko Zimmermann (eds.), DIE KLINISCHE ANWENDUNG VON HUMANEN INDUZERTEN PLURIPOTENTEN STAMMZELLEN – EIN STAKEHOLDER-SAMMELBAND [THE CLINICAL APPLICATION OF HUMAN INDUCED PLURIPOTENT STEM CELLS: A STAKEHOLDER ANTHOLOGY] (Berlin, Heidelberg: Springer, forthcoming) • Naturwissenschaftliche, ethische und rechtliche Empfehlungen zur klinischen Translation der Forschung mit humanen induzierten pluripotenten Stammzellen und davon abgeleiteten Produkten / Scientific, Ethical, and Legal Recommendations for the Clinical Translation of Research Using Human Induced Pluripotent Stem Cells and Derived Products, in Sara Gerke, Jochen Taupitz, Claudia Wiesemann, Christian Kopetzki, and Heiko Zimmermann (eds.), DIE KLINISCHE ANWENDUNG VON HUMANEN INDUZERTEN PLURIPOTENTEN STAMMZELLEN – EIN STAKEHOLDER-SAMMELBAND [THE CLINICAL APPLICATION OF HUMAN INDUCED PLURIPOTENT STEM CELLS: A STAKEHOLDER ANTHOLOGY], (Berlin, Heidelberg: Springer, forthcoming) (co-authored with Solveig Lena Hansen, Verena Christine Blum, Stephanie Bur, Clemens Heyder, Christian Kopetzki, Ina Meiser, Julia Christiane Neubauer, Danielle Noe, Claudia Steinböck, Claudia Wiesemann, Heiko Zimmermann, and Jochen Taupitz) • Eine rechtsvergleichende Analyse der klinischen Translation von hiPS-Zellen in Deutschland und Österreich [A Comparative Legal Analysis of the Clinical Translation of hiPSCs in Germany and Austria], in Sara Gerke, Jochen Taupitz, Claudia Wiesemann, Christian Kopetzki, and Heiko Zimmermann (eds.), DIE KLINISCHE ANWENDUNG VON HUMANEN INDUZERTEN PLURIPOTENTEN STAMMZELLEN – EIN STAKEHOLDER-SAMMELBAND [THE CLINICAL APPLICATION OF HUMAN INDUCED PLURIPOTENT STEM CELLS: A STAKEHOLDER ANTHOLOGY], (Berlin, Heidelberg: Springer, forthcoming) (with Christian Kopetzki, Verena Christine Blum, Danielle Noe und Claudia

Steinböck) • A User-Focused Transdisciplinary Research Agenda for AI-Enabled Health Tech Governance, WORKING PAPER (January 2019) (co-authored with David Arney, Max Senges, Cansu Canca, Laura Haaber Ihle, Nathan Kaiser, Sujay Kakarmath, Annabel Kupke, Ashveena Gajeele, Stephen Lynch, and Luis Melendez).

Jennifer D. Oliva, Visiting Scholar, reports the following **publications**: *Chapters and Articles*: Evidence On Fire, NORTH CAROLINA LAW REVIEW (Mar. 24, 2019) (co-authored with Valena E. Beety).

Carmel Shachar, Executive Director, reports the following **publications**: *Chapters and Articles*: Defining and Establishing Goals for Medicare for All, THE REGULATORY REVIEW (April 29, 2019).

Alicia Yamin, Lecturer on Law, reports the following **publications**: *Chapters and Articles*: Strategies for Promoting Justice through Health Rights Litigation, in RESEARCH HANDBOOK ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (Jackie Dugard, Bruce Porter, and Daniela Ikawa eds, forthcoming 2019) • Health Rights and Social Justice, in OXFORD HANDBOOK ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (Malcolm Langford and Katherine Young, eds, forthcoming 2019) • Unique Challenges for Health Equity in Latin America: Situating the Roles of Priority-Setting and Judicial Enforcement, INTERNATIONAL JOURNAL ON EQUITY IN HEALTH (forthcoming 2019) (co-authored with Andrés Pichón-Rivière and Paola Bergallo) • Struggles for Human Rights in Health in an Age of Neoliberalism: From Civil Disobedience to Epistemic Disobedience, J. H. RTS. PRACTICE (August 2019) • The Right to Health in Latin America: The Challenges of Constructing Fair Limits, 40 U. PA. J. INT'L L. (August 2019) • On Principle and Persuasion: Examining Alston's Contributions to Economic and Social Rights through the Lens of Health, in PHILIP ALSTON'S STRUGGLE FOR HUMAN RIGHTS: LAW, POLITICS, PRACTICE (N. Bhuta, M. Sattertwate, F. Hoffmann, eds, forthcoming 2019) • The Legal Determinants of Health: Harnessing the Power of Law for Global Health and Sustainable Development [Commission Report], 393 LANCET (May 4, 2019) (co-authored with Lawrence O Gostin, John T Monahan, Jenny Kaldor, Mary DeBartolo, Eric A Friedman, Katie Gottschalk, Susan C Kim, Ala Alwan, Agnes Binagwaho, Gian Luca Burci, Luisa Cabal, Katherine DeLand, Timothy Grant Evans, Eric Goosby, Sara Hossain, Howard Koh, Gorik Ooms, Mirta Roses Periago, and Rodrigo Uprimny) • Why Accountability Matters for Universal Health Coverage and Meeting the SDGs, 393 LANCET (March 16, 2019) (co-authored with Elizabeth Mason on behalf of the UN Secretary General's Independent Accountability Panel) • Struggle and Resistance: Using International Bodies to Advance Sexual and Reproductive Rights in Peru, 33 BERKELEY J. GENDER L. & JUST. 1 (Winter 2019) (co-authored with Camila Gianella) • Power, Politics, and Knowledge Claims: Sexual and Reproductive Health and Rights in the SDG Era, 9 GLOBAL POLY (January 28, 2019).

INDIANA UNIVERSITY MCKINNEY SCHOOL OF LAW

- 2019 A+ in Health Law from preLaw Magazine
- 2019 Welcomed Visiting Assistant Professor Dan Orenstein
- Thursday, September 12th: Health Law Grand Rounds featuring Colleen Powers of Hall, Render, Killian, and Lyman
- Friday, October 18th: Indiana Health Law Review Symposium: Getting Real About Health Care for All
- Thursday, October 24th: Health Law Grand Rounds featuring Professor Wendy Epstein, "Private Law Alternatives to the Individual Mandate"
- Thursday, November 7th: Health Law Grand Rounds featuring Professor Rachel Rebouche, "Parental Involvement Laws in the Southeast"

FACULTY NEWS

Aila Hoss, Visiting Assistant Professor, reports the following **publications**: State Statutes and Regulations Related to Human Papillomavirus Vaccination, Human Vaccines and Immunotherapeutics, 15(7-8):1519-1526 (2019) (with Beth Meyerson and Gregory Zimet) • Association of State Laws with Increased Influenza Vaccination among Hospital-Based Healthcare Personnel, American Journal of Preventative Medicine, 56(6):e177-e183 (2019) (with Megan Lindley, Yi Mu, Dawn Pepin, Elizabeth Kalayil, Katharina van Santen, Jonathan Edwards, and Daniel Pollock) • Not Another Scott County?, Bill of Health, Harvard Law Petrie-Flom Center (2019) (with Emily Beukema and Nicolas Terry) • Opioid Use Disorder and Overdose-Related Legislation in the 2019 Indiana Legislative Session, Indiana University Grand Challenge: Responding to the Addictions Crisis (2019) (with Colleen Whiting, Emily Beukema, Anthony Singer, and Nicolas Terry) • Introduction: Exploring the Intersection of Immigration Law and Health Policy, 16 Ind. Health L. Rev. 173 (2019).

Professor Hoss reports the following **presentations**: Introduction to Public Health Law, Indiana Public Health Association, Lafayette, Indiana (April) • Introduction to Opioid Law and Policy, Indianapolis Law Club, Indianapolis,

Indiana (April) • Introduction to Tribal Public Health Law, New Mexico Department of Health Tribal Public Health Conference, Santa Fe, New Mexico (May) • Federal Indian Law as a Structural Determinant of Health, National Indian Health Board Public Health Summit, Albuquerque, New Mexico (May) • Federal Indian Law as a Structural Determinant of Health, Health Law Professors Conference, Chicago, Illinois (June) • The Intersection of Criminal Law and Public Health, Diseases of Despair Discussion Group, Southeastern Association of Law Schools Annual Conference, Boca Raton, Florida (August) • Tribal Law and Policy Responses to the Opioid Crisis, Southeastern Association of Law Schools Annual Conference, Boca Raton, Florida (August) • Harm Reduction and the Law, Toledo Law Review Symposium: A Legal Framework for Defeating the Opioid Crisis, Toledo, Ohio (October) • Public Health Law & the Opioid Use Disorder Crisis, Annual Lilly Symposium: Health Law Responses to Crisis and Change, Indianapolis, Indiana (October).

Professor Hoss reports the following **grants, honors, or awards**: Indiana University McKinney School of Law Student Bar Association Red Cane Award (awarded to the most outstanding professor of the academic year who has been with the law school for three years or less).

Seema Mohapatra, Associate Professor of Law and Dean's Fellow, reports the following **publications**: Regulating Human Germline Editing, *Stetson Law Review* (symposium volume) • Feminist Perspectives in Health Law, *Journal of Law, Medicine and Ethics* (co-authored with Lindsay Wiley) • Why Feminism Matters in Health Law, Introductory Chapter in *FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS* (Seema Mohapatra and Lindsay F. Wiley, eds.) • Time to Abolish the Façade of "Anonymous" Gamete Donation in the Age of Direct-to-Consumer Genetic Testing, Chapter in *Consuming Genetics: The Ethical and Legal Considerations of Consumer Genetic Technologies* • Rewritten Opinion, In re: T.J.S., in *FEMINIST JUDGMENTS: REWRITTEN FAMILY LAW OPINIONS* (Rachel Rebouche, ed.) (Cambridge University Press) • *REPRODUCTIVE TECHNOLOGIES AND THE LAW* (Third Edition) (casebook) (with Judith Daar and Glenn Cohen) (Lexis-Nexis, forthcoming 2020) • *FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS* (edited collection) (with Lindsay Wiley) (Cambridge University Press, forthcoming 2020).

Professor Mohapatra reports the following **presentations**: Invited Speaker, Anonymous No More: Sperm Donation and the False Promise of Privacy, Saint Louis University Center for Health Law Studies Distinguished Speaker Series, November 12, 2019 St. Louis, MO • Speaker, Centering Marginalized Groups in Interdisciplinary Bioethics Courses: Strategies and Resources for Teachers, American Society for Bioethics and Humanities Annual Conference, Pittsburgh, PA, October 26, 2019 • Invited Speaker, Regulating Human Germline Editing, Nova Southeastern Broad Center Annual Symposium, First Do No Harm: A Patient-Driven Approach to Navigating the Health Law, Intellectual Property, and Technology Maze, Fort Lauderdale, FL, October 11, 2019 • Invited Speaker, Anonymous No More: Sperm Donation and the False Promise of Privacy, Drexel University School of Law Faculty Workshop, Philadelphia, PA, September 12, 2019 • Discussant and Moderator, Reproductive Justice Teaching and Scholarship Discussion Group, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, August 2, 2019 • Moderator, Diseases of Despair and Health Policy Discussion Group, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, August 1, 2019 • Discussant, Mapping Academic Opportunities Workshop (invited speaker for the Aspiring Law Teachers Workshop), Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, July 29, 2019 • Discussant, Crafting your Scholarship Goals Workshop (invited speaker for the Aspiring Law Teachers Workshop), Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, July 29, 2019 • Invited Presenter, Public Health Law Network and Public Health Law Watch Webinar: ACA Under Threat: The Potential Impacts of Possible Repeal of the Affordable Care Act, June 26, 2019 • Presenter, The Default Male and Implications for Health Care Delivery, Coverage, and Innovation, Annual Health Law Professors Conference, Loyola Law School, Chicago, Illinois, June 2019 • Presenter, Feminist Approaches to Health Law, Annual International Meeting on Law and Society, Washington, DC, June 2019 • Presenter, Time to Abolish the Façade of "Anonymous" Gamete Donation in the Age of Direct-to-Consumer Genetic Testing Baby Markets Roundtable, American University Washington College of Law, Washington, D.C., June 2019 • Work-in-Progress Session, Time to Abolish the Façade of "Anonymous" Gamete Donation in the Age of Direct-to-Consumer Genetic Testing, Howard University Law School, Family Law Scholars and Teachers Conference, Washington, D.C., May 2019 • Presenter, Time to Abolish the Façade of "Anonymous" Gamete Donation in the Age of Direct-to-Consumer Genetic Testing, Consuming Genetics: The Ethical and Legal Considerations of Consumer Genetic Technologies Conference, Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, Harvard Law School, Cambridge, MA, May 2019 • Presenter, The Default Male and Implications for Health Care Delivery, Coverage, and Innovation, Northeastern University School of Law, Boston, MA, April 2019 • Presenter, Losing our Brain Gain: Foreign Trained Physicians and the Chilling Effect of Current Immigration Policies on Health Care Access in the United States, National People of Color Legal Scholarship Conference, American University Washington College of Law, Washington, D.C., March 2019.

Professor Mohapatra reports the following **grants, honors, or awards**: Named a Dean's Fellow in May 2019 (for outstanding scholarship) • Curriculum Enhancement Grant for "Creating an Online Bioethics and the Law Course Utilizing Case Studies that Allow Students to Develop Practice-Ready Skills."

Professor Mohapatra reports the following **professional activities**: Invited Expert, Center for Reproductive Rights Convening on Compensated Gestational Surrogacy, Center for Reproductive Rights New York, NY, May 2, 2019.

Daniel G. Orenstein, Visiting Assistant Professor (new position, July 2019), reports the following **publications**: Daniel G. Orenstein & Stanton A. Glantz, The Grassroots of Grass: Cannabis Legalization Ballot Initiative Campaign Contributions and Outcomes, 2004–2016, 45 J. HEALTH POL. POL'Y & L. ____ (forthcoming 2019) • Daniel G. Orenstein & Stanton A. Glantz, Cannabis Legalization in State Legislatures: Public Health Opportunity and Risk, 103 MARQ. L. REV. ____ (forthcoming 2020).

Professor Orenstein reports the following **presentations**: The Grassroots of Grass: Cannabis Legalization Ballot Initiative Campaign Contributions and Outcomes, North American Cannabis Summit, Los Angeles, CA (Jan. 2019) • The Grassroots of Grass: Cannabis Legalization Ballot Initiative Campaign Contributions and Outcomes, ASLME Health Law Professors Conference, Chicago, IL (June 2019).

Nicolas P. Terry, Executive Director - Hall Center for Law and Health, reports the following **publications**: Medicaid and the Opioid Crisis, Temple Law Review Symposium (forthcoming, 2020) • Assessing the Thin Regulation of Consumer-Facing Health Technologies, JMLE (forthcoming, 2020) • How Disruptive Healthcare Technologies Could Reduce Health Inequities But Probably Will Not: A Transatlantic Perspective, Journal of Medical Law and Ethics (forthcoming, 2020) • Of Regulating Healthcare AI and Robots, 18:3 Yale Journal of Health Policy, Law, and Ethics (2019), 21:3 Yale Journal of Law and Technology (2019) (joint issue, forthcoming) • From Health Policy to Stigma and Back Again: The Feedback Loop Perpetuating the Opioids Crisis, 2019 Utah L. Rev. 785-809 • The Opioid Litigation Unicorn, 70 S.C. L.Rev. 637-67 (2019) • “Prime Health” and the Regulation of Hybrid Healthcare, 8(1) NYU JIPEL, <https://jipel.law.nyu.edu/vol-8-no-1-2-terry/> • Structural Determinism Amplifying the Opioid Crisis: It’s the Healthcare, Stupid, 11 NE. U. L. Rev., 315-71 (2019) • Shouldn’t there be a law against reckless opioid sales? Turns out, there is, The Conversation, August 15, 2019, <https://theconversation.com/shouldnt-there-be-a-law-against-reckless-opioid-sales-turns-out-there-is-121021?> • Algorithmic Medicine and the Lessons of Genomic Testing, reviewing Sharona Hoffman, What Genetic Testing Teaches About Predictive Health Analytics Regulation, __ N.C. L. Rev., JOTWELL. August, 8, 2019, <https://health.jotwell.com/algorithmic-medicine-and-the-lessons-of-genomic-testing/> • Purdue Pharma: Bankruptcy filing would make lawsuits slower and costlier for plaintiff cities and states, The Conversation, Mar. 13, 2019 <https://theconversation.com/purdue-pharma-bankruptcy-filing-would-make-lawsuits-slower-and-costlier-for-plaintiff-cities-and-states-113309>.

Professor Terry reports the following **presentations**: Healthcare Insurance Regulation in the States, 2019 Indiana Department of Insurance, Sept. 24, 2019 • Invited Panelist, 10 Years of Public Health Law Research: Looking Back and Looking Ahead, Temple University Center for Public Health Research, Philadelphia, September 13, 2019 • Invited Participant, Roundtable on Balancing Privacy with Health Data Access, U.S. Department of Health and Human Services, Washington D.C., July 15, 2019 • Keynote, Healthcare disparities, disruptive healthcare technologies and the patient, University of Manchester School of Law, UK, June, 13-15, 2019 • Speaker, Hybrid Healthcare, Machine M.D.: Conference on the Law, Policy and Ethics of AI and Big Data in Healthcare, University of Ottawa School of Law, May 31/June 1 2019 • Invited Participant, Roundtable on Sharing and Utilizing Health Data for AI Applications, U.S. Department of Health and Human Services, Washington D.C., April 16, 2019 • Speaker, The Challenges of AI, Northeastern University School of Law, Boston, Promises and Perils of Emerging Health Innovations, April 11-12, 2019 • Panelist, Case Western Reserve University School of Law Electronic Health Records Conference, April 5, 2109 • Keynote, Drexel University School of Law Healthcare AI Conference, Mar. 21, 2019 • Panelist, Healthism, University of Georgia School of Law, Feb. 27, 2019 • Panelist, Opioids and the Limits of Litigation, South Carolina Law Review Symposium, Opioids and the Practice of Law, Feb. 8, 2019.

Professor Terry reports the following **grants, honors, and awards**: Alliance to Disseminate Addiction Prevention and Treatment (ADAPT): A Statewide Learning Health System to Reduce Substance Use among Justice-Involved Youth in Rural Communities UG1 DA050070 (PI: Aalsma) 09/01/2019 - 04/30/2024 NIH / NIDA \$3,168,318 (Co-Investigator) • Principal Investigator, IU Grand Challenges Grants on Opioids Law & Policy, 2018-20 (\$450,000 approx.) • Consultant, NIH funded grant (1R01CA207538 “Addressing Ethical Issues in Unregulated Health Research Using Mobile Devices,” Principal Investigators: Mark Rothstein and John Wilbanks, 2017-20.

Professor Terry reports the following **professional activities**: Co-author, Opioid Use Disorder and Overdose-Related Legislation in the 2019 Indiana Legislative Session, https://addictions.iu.edu/doc/Updated_Legislation%20Report.pdf • Member, Indiana Chief Justice’s Judicial Opioid Initiative, 2018- • Member, Indiana Addictions Data Commons (IADC) Governance Advisory Team, 2018- • Member, Scientific Leadership Team, IU/State of Indiana Addictions Grand Challenge, 2017.

LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW, BEAZLEY INSTITUTE FOR HEALTH LAW AND POLICY

Beazley Institute's Thirteenth Annual Health Law Symposium: Addressing the Health Care Needs of Justice-Involved Populations, Friday, November 15, 2019

In November, the Beazley Institute held the Thirteenth Annual Health Law Symposium on the topic *Addressing the Health Care Needs of Justice-Involved Populations*. Tom Dart (JD '87), Cook County Sheriff, will give the featured address. Substantive panels will delve into the use of health care to prevent incarceration and recidivism, constitutional issues relating to medical treatment of justice-involved populations and increasing access to treatment for incarcerated populations. Speakers include both legal and public health scholars, as well as physicians, practitioners, and the ACLU.

Wiet Life Science Law Scholars Workshop, Friday, September 6, 2019

We hosted the third annual Wiet Life Science Law Scholars Workshop on September 6, 2019. Seven national and international scholars were selected from a Call for Papers. This year's authors were:

- Jennifer Carter-Johnson, *The Brewing Problem of Legacy Genetically Modified Crops*
- Yaniv Heled & Liza Vertinsky, *A Theory of Genetic Interests*
- George Horvath, *Improving Prescription Drug Safety: A New Regulatory Approach to Off-Label Indications*
- Craig Konnoth, *Concentric Regulation*
- Jennifer D. Oliva, *Precision Medicine Privacy*
- Ofer Tur-Sinai, *Pushing the Boundaries of Medicine: Big Data Innovation in the Age of Data Protection*
- Charlotte Tschider, *Preempting the Artificially Intelligent Machine*

Expert commentators for the workshop were Christopher Holman, Stacey Tovino, Elizabeth McCuskey, Efthimi Parasidis, Josh Sarnoff, Cynthia Ho, and Jordan Paradise.

bioIP Faculty Workshop, April 26, 2019

Along with Loyola, *bioIP Faculty Workshop* is co-sponsored by the American Society for Law, Medicine & Ethics (ASLME), Boston University School of Law, and Georgia State University College of Law. The Workshop offers a unique opportunity for three scholars in their first decade of teaching to present their work in progress for in-depth critique and commentary by respected senior scholars in the field. Topics span life sciences, food and drug law, and intellectual property, broadly defined (hence bioIP).

Ninth Annual L. Edward Bryant, Jr. National Health Law Transactional Moot Court Competition, March 29, 2019

The Transactional Competition exposes law students to the core competencies of the corporate and regulatory practice of health care law. Three-person teams of JD students will be challenged to apply corporate lawyering skills by providing legal advice on a potential business opportunity to a hypothetical health care client. Judges include practitioners and judges. Last year, over 20 teams from across the U.S. competed in the competition.

Regulatory Compliance Symposium, March 2019

The Center for Compliance Studies and the Journal of Regulatory Compliance symposium bring together academics, government regulators, and industry leaders to examine the evolving nature of compliance programs and strategies for managing increased regulations.

FACULTY NEWS

John Blum, Beazley Chair in Health Law and Policy, John J. Waldron Research Professor, reports the following **publications**: *Public Health Preparedness and Response: An Exercise in Administrative Law*, 20 DePaul J. Health Care L. 1 (2019) (with Jordan Paradise) • *Tobacco Product Warnings in the Midst of Vaping: A Retrospective on the Public Health Cigarette Smoking Act*, forthcoming Chapman L. Rev.

Professor Blum reports the following **professional activities**: Editor Journal of Law, Medicine & Ethics Special Issue commemorating the 43rd Health Law Teachers Meeting • Program Planning Chair, World Association for Medical Law Annual Conference, Toronto, Canada 2020 • Vice Chair, ABA Health Law Student Writing Competition.

Cynthia Ho, Clifford E. Vickrey Research Professor and Director, Intellectual Property Program, reports the following **publications**: *A Dangerous Concoction: Pharmaceutical Marketing, Cognitive Biases, and First Amendment Overprotection*, 94 Ind. L. J. 773 (2019) • *Current Controversies Concerning Patent Rights and Public Health in a World of International Norms*, in Research Handbook on Patent Law and Theory (Toshiko Takenaka 2d ed. 2019).

Professor Ho reports the following **presentations**: *Clinical Trial Transparency versus Trade Secrecy and Beyond: Reconciling Public Health with TRIPS*, Intellectual Property Scholars Conference, Depaul School of Law, Aug. 9, 2019 • *Breakthrough Drugs, Biosimilars and Beyond*, ASMLE Health Law Professors Conference, Loyola University Chicago School of Law, June 6, 2019 • *TRIPS art. 39(3) and Clinical Trial Transparency*, TRIPS at 25, Texas A&M School of Law, Mar. 29, 2019.

Ron Hochbaum, Clinical Teaching Fellow, Health Justice Project, reports the following **publications**: *Bathrooms as a Homeless Rights Issue*, 98 N.C. L. REV. ____ (forthcoming 2019).

Professor Hochbaum reports the following **professional activities**: Appointed Editor of the Clinical Legal Education Association Newsletter.

Maryellen Maley, Director of Online Legal Writing Program, reports the following **publications**: *Legal Studies and Writing for the Legal Masters Professional* (Carolina Academic Press *forthcoming 2020*) (with Eileen Choate).

Professor Maley reports the following **presentations**: *Opportunities and Pitfalls in Course Development for Masters Students*, Third Annual Legal Masters Degree Conference, Shepard Broad College of Law, Nova Southeastern University, March 28-30, 2019.

Ryan Meade, Director of Regulatory Compliance Studies, reports the following **publications**, *Executive Power Today; Something More Ancient than the Prerogative*, *forthcoming* Brit. J. Am. Legal Stud. (2019) • *Social Justice: Reclaiming the Term*, *forthcoming* Oxford Phil. Soc'y Rev. (2019) • *Clinical Research Billing Compliance*, in *Research Compliance Professional's Handbook* (3rd Edition, 2019) • *Thorny Issues in Medicare Reimbursement During Clinical Trials*, *Compliance Today*, *forthcoming* Dec. 2019.

Professor Meade reports the following **presentations**: *Stark Law & Anti-kickback Statute Primer*, Health Care Compliance Association Academy, New York, NY, Aug. 7, 2019 and Chicago, IL, Mar. 20, 2019 • *Case Studies in Clinical Research Billing Risk*, Research Compliance Conference, Health Care Compliance Association, Orlando, FL, June 9, 2019 • Panelist, *Preparing Practice-Ready Health Law Attorneys*, ASMLE Health Law Professors Conference, Loyola University Chicago School of Law, June 5, 2019 • *Clinical Research Billing Compliance Primer*, Health Care Compliance Association Research Academy, Chicago, IL, Mar. 12, 2019 • *Human Subjects Protection Primer*, Health Care Compliance Association Research Academy, Chicago, IL, Mar. 11, 2019 • *"It Depends": Medicare Reimbursement During Clinical Research*, Clinical Billing & Research Compliance Conference, Orlando, FL, Mar. 4, 2019.

Professor Meade reports the following **grants, honors, or awards**: Visiting Scholar, University of Oxford, Blackfriars Hall • Visiting Fellow, Anscombe Bioethics Centre, Oxford.

Kate Mitchell, Clinical Professor of Law, Director, Health Justice Project, reports the following **publications**: *The Promise and Failures of Children's Medicaid and the Role of Medical-Legal Partnerships as Monitors and Advocates*, *forthcoming* 30 HEALTH MATRIX (2020).

Professor Mitchell reports the following **presentations**: *Preparing Students to be Interdisciplinary Collaborators for Change*, AALS Conference on Clinical Education, San Francisco, May 2019 (with Yulanda Curtis, Crystal Grant, Samir Hanna, Rachael Kohl, & Dana Thompson) • *Breaking Down Barriers: Medical-Legal Partnerships Enhance Access to Care for Youth with Cerebral Palsy*, American Academy for Cerebral Palsy and Developmental Medicine 72nd Annual Meeting, Cincinnati, Oct. 2018 (with Rita Ayyangar, MBBS, Virginia Nelson, MD, MPH, and Brittany Shupe-Sawyer, MSW).

Professor Mitchell reports the following **grants, honors, or awards**: Loyola University's Health EQ Award to fund an interprofessional collaboration, Health EQ IPE, supporting interdisciplinary work for development of educational offerings for students across law, medicine, nursing, social work, environmental studies, business, and public health.

Jordan Paradise, Georgia Reithal Professor of Law, reports the following **publications**: *Biopharmaceutical Compliance Trends*, in D. Daniel Sokol and Benjamin van Rooji, Eds., *Cambridge Handbook of Compliance* (Cambridge University Press, *forthcoming 2020*) • Jordan Paradise, *Nanomedicine & the FDA*, 21(4) AMA J. Ethics E347 (2019) • Jordan Paradise, *Public Health Preparedness & Response: An Exercise in Administrative Law*, 20 DePaul J. Health care L. 1 (2019) (with John Blum).

Professor Paradise reports the following **presentations**: *Patient Perspectives in FDA Regulation*, Right to Try Laws: The Benefits and Burdens of Balancing Protection with Access in Human Subject Research, Wake Forest School of Law, Nov. 1,

2019 • *Law & Ethics of Citizen Science, Participant-Driven Research, and Precision Medicine*, Democratizing Medicine in Data and Tech-Driven World, DePaul University, Chicago, IL, Mar. 14, 2019 • *Regulation of Biosimilars at the FDA: Current Trends and Challenges*, Biosimilar Innovation, University of California Irvine School of Law, Feb. 8, 2019.

Professor Paradise reports the following **professional activities**: Chair, Biolaw Section, AALS • Editorial Board Member, AHLA Journal of Health Law & Life Sciences • Academic Committee Member, Food & Drug Law Institute.

Nadia Sawicki, Georgia Reithal Professor of Law, Academic Co-Director of the Beazley Institute for Health Law & Policy, reports the following **publications**: *Rewritten Opinion: Burton v. State*, in Seema Mohapatra and Lindsay F. Wiley, eds., *Feminist Judgments: Rewritten Health Law Opinions* (Cambridge University Press, *forthcoming* 2020) • *The Conscience Defense to Malpractice*, 108 Cal. L. Rev. (forthcoming 2020) • *Defining the Known Risk: Context-Sensitivity in Tort Law Defenses*, 12:1 J. Tort L. 9 (2019) • *Everything in Moderation: Dual Role Consent and State Law Mandates*, 19(4) Am. J. Bioethics 35 (2019) (with Valerie Gutmann Koch).

Professor Sawicki reports the following **presentations**: *The Conscience Defense to Malpractice: A Multi-Jurisdictional Study of Conscience Laws Relating to Reproductive Health Care*, Health Law Grand Rounds, IU Robert H. McKinney School of Law, Mar. 2019 • *Assumption of Risk and the Medical Malpractice Conundrum*, Association of American Law Schools, Jan. 2019.

Professor Sawicki reports the following **professional activities**: Member, Illinois General Assembly Home Birth Maternity Care Crisis Study Committee • Co-Section Editor, *Jotwell Health Law*.

Larry Singer, Associate Dean of Online Learning, Director, Beazley Institute for Health Law and Policy, reports the following **publications**: THE LAW OF MEDICAL PRACTICE IN IL (3d ed. Thompson Reuters 2019) (with Robert Kane).

Professor Singer reports the following **presentations**: *Analyzing Arguments Favoring and Refuting Medicare for All Proposals*, Next Steps in Health Reform, American University Washington College of Law, Washington, D.C., Oct. 2019.

Professor Singer reports the following **professional activities**: Board Member, ASLME.

MITCHELL HAMLINE SCHOOL OF LAW

New National Health Law Writing Competition! Build your resume and earn substantial Cash Prizes for 1st, 2nd, and 3rd place. For more information please visit: mitchellhamline.edu/snell.

FACULTY NEWS

Laura Hermer, Professor of Law, reports the following **publications**: *Independence Is the New Health*, 12 ST. LOUIS U. J. HEALTH L. & POL'Y 5 (2018) • *Testimony Concerning HF 963*, before the House Health and Human Services Finance Division (March 14, 2019) • *Testimony Concerning HF 963*, before the House Health and Human Services Policy Committee (March 7, 2019).

Professor Hermer reports the following **presentations**: *Employment Is the New Health in Tennessee*, Health Law Symposium: *Whole Health: A Community Approach to Healthcare*, Belmont University College of Law, Nashville, TN, Feb. 8, 2019 • *The Fallacy of Individual Deservingness*. Presented at the Charm City Colloquium on Law and Bioethics, University of Maryland Francis King Carey School of Law and Johns Hopkins Berman Institute of Bioethics, Baltimore, MD, Sept. 27, 2019 • *Risk-Shifting and Blame-Shifting in Wellness Programs*. To be presented at the Association of American Law Schools 2020 Annual Conference, Washington, D.C., Jan. 2, 2020.

Thaddeus Mason Pope, Professor & Director of the Health Law Institute, reports the following **publications**: *Assistance with Eating and Drinking Only When Requested Can Prevent Living with Advanced Dementia*, 20(11) JAMDA 1353-1355 (2019) (with Ladislav Volicer and Karl Steinberg) • *Firing Your Patient: How to Terminate a Patient Relationship*, ASCO POST (September 10, 2019) • *Should You Become an Expert Witness in a Legal Proceeding? Here Are the Pros and Cons*, ASCO POST (August 25, 2019) • *Parental Refusals: What Are Your Responsibilities When Mom and Dad Decline Cancer Treatment for a Child?* ASCO POST (July 25, 2019) • *THE RIGHT TO DIE: THE LAW OF END-OF-LIFE DECISIONMAKING* (3d ed. Wolters Kluwer Law & Business) (with Alan Meisel & Kathy L. Cerminara) (Supp. 2019-2) • *Curbside Consults: New Liability Risks to Avoid When You Are Not the Patient's Physician*, ASCO POST (June 25, 2019) • *Stopping Eating and Drinking by Advance Directives (SED by AD) in the ALF and PALTC Setting*, 20 JOURNAL OF THE AMERICAN MEDICAL DIRECTORS ASSOCIATION (JAMDA) (2019) (with Ladislav Volicer, Karl E. Steinberg, and Stanley A. Terman) • *Five Things Clinicians Should Know When Caring for Unrepresented Patients*, 21(7) AMA

JOURNAL OF ETHICS 581-585 (July 2019) • Informed Consent Requires Understanding: Complete Disclosure Is Not Enough, 19(5) AMERICAN JOURNAL OF BIOETHICS 27-28 (2019) • Full Disclosure: What Oncologists Must Tell Patients about Their Experience and Training, ASCO POST (April 10, 2019) • Healthcare Fraud Prosecutions Are on the Rise: Here's What Oncologists Need to Know to Avoid Unwittingly Committing Health-Care Fraud, ASCO POST (March 10, 2019) • Whether, When and How to Honor Advance VSED Requests for End-Stage Dementia Patients, 19(1) AMERICAN JOURNAL OF BIOETHICS 90-92 (2019) • New Regulations Require Better Communication with Patients Who Have Disabilities and Limited English Proficiency, ASCO POST (January 25, 2019) • Medical Futility Blog (2019) (new posts almost daily - this year, the blog will surpass four million pageviews, plus is republished on WestlawNext and other places).

Professor Pope reports the following **presentations**: Essential Elements of Bioethics Blogging: A Workshop, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 21ST ANNUAL MEETING, Pittsburgh, Pennsylvania (October 26, 2019) • Top 10 Legal Developments in Bioethics, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 21ST ANNUAL MEETING, Pittsburgh, Pennsylvania (October 24, 2019) • Medical Futility & Brain Death, NEISWANGER INSTITUTE FOR BIOETHICS, LOYOLA UNIVERSITY OF CHICAGO STRITCH SCHOOL OF MEDICINE (October 17, 2019) • Death with Dignity Legislation: The Legal Doctrine of Physician Assisted Death in the United States, UNIVERSITY OF KENTUCKY BIOETHICS CONFERENCE, Lexington, Kentucky (October 8, 2019) • Physician/Advanced Practitioner Support for Voluntary Stopping of Eating and Drinking, WASHINGTON STATE MEDICAL ASSOCIATION & WASHINGTON END OF LIFE COALITION, Seattle, Washington (Sept. 13-14, 2019) • Physician Participation in Physician-Assisted Death, WASHINGTON STATE MEDICAL ASSOCIATION & WASHINGTON END OF LIFE COALITION, Seattle, Washington (Sept. 13-14, 2019) • Implementing SDM into Clinical Practice: Law and Policy Update, 10th INTERNATIONAL SHARED DECISION MAKING CONFERENCE, Quebec City, Canada (July 7-10, 2019) • Brain Death: Legal Status Amid Growing Uncertainty, 42ND ANNUAL ASLME HEALTH LAW PROFESSORS CONFERENCE, Chicago, Illinois (June 5-7, 2019) • Non-Maleficence: Unwanted Medical Treatment and Informed Consent, MUNSON MEDICAL CENTER 4TH ANNUAL CLINICAL ETHICS CONFERENCE, Traverse City, Michigan (May 17, 2019) (invited keynote) • Brain Death Bioethics: Fundamental Principles and Emerging Issues, EIGHTH ANNUAL GREAT LAKES PALLIATIVE CARE CONFERENCE, Lake Geneva, Wisconsin (May 3, 2019) (invited plenary) • Legal Update on MAID, VSED, and PSU in the United States, HARVARD MEDICAL SCHOOL ANNUAL BIOETHICS CONFERENCE, Boston, Massachusetts (April 11-12, 2019) • Brain Death Is Broken: Status Shift and Implications, EMORY HEALTHCARE ETHICS CONSORTIUM CONFERENCE, Atlanta, Georgia (March 21, 2019) (invited keynote) • Shared Decision Making: Time to Revolutionize Informed Consent, EMORY UNIVERSITY, Atlanta, Georgia (March 20, 2019) • VSED Divulged: Legal, Ethical, and Clinical Status of the Voluntarily Stopping Eating and Drinking Exit Option, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019) (plenary) • Brain Death and the Law – Hard Cases and Legal Challenges, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019) • Medical Futility Dispute Resolution Options in the United States: Law & Ethics Fundamentals, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019) • Global Panel: Latest Developments in Assisted Dying around the World, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019) • The Ethics of Dying: A Panel Discussion on End-of-Life Care, UNIVERSITY OF MINNESOTA STUDENT COMMITTEE ON BIOETHICS, Minneapolis, Minnesota (February 21, 2019).

Professor Pope reports the following **grants, honors, or awards**: Visiting Researcher, Brocher Foundation (July 2020) • Royal College of Physicians and Surgeons of Canada McLaughlin-Gallie Visiting Professor (May 2020).

Professor Pope reports the following **professional activities**: Co-chair, Minnesota POLST Task Force • Adjunct Associate Professor, Alden March Bioethics Institute, Albany Medical College.

NORTHEASTERN UNIVERSITY

The Center for Health Policy and Law at Northeastern is thrilled to welcome new faculty members Patricia Williams and Jonathan Kahn. Patricia Williams is a University Distinguished Professor Law and Humanities and director of Law, Technology, and Ethics Initiatives at Northeastern University. Jonathan Kahn is a Professor of Law and Biology at Northeastern University and a Faculty Fellow with the Center. The Center is also thrilled to be hosting ASLME's 43rd Annual Health Professors Conference on June 3-5, 2020. On April 17, the Center will host its annual spring conference, which this year will be, "Public Health Litigation: Possibilities and Pitfalls." On October 25, 2019, Greg Gonslaves from Yale's School of Public Health delivered our annual fall lecture, "We will be Citizens: From AIDS Activism to Mobilizing for (Health) Justice."

CONFERENCE ANNOUNCEMENTS AND CALL FOR PAPERS

The Center for Health Policy and Law is accepting abstracts (250 words max) for papers related to its annual health law conference, *Public Health Litigation: Possibilities and Pitfalls*, which will take place on April 17, 2020 at Northeastern University School of Law in Boston, MA. Selected authors will be invited to present at the conference and publish their paper in the *Northeastern University Law Review* Winter 2021 issue. Visit northeastern.edu/law/health for more information about the conference and to submit an abstract.

The Center for Health Policy and Law is excited to host ALME's 43rd Annual Health Law Professors Conference on June 3-5, 2020 in Boston at Northeastern University School of Law in Boston, MA. Individuals may submit proposals to present at the conference. Submission deadline is January 15, 2020. More information is available at northeastern.edu/law/health.

FACULTY NEWS

Wendy E. Parmet, Matthews University Distinguished Professor of Law and Professor of Public Policy and Urban Affairs, reports the following **publications**: *The Plenary Power Meets the Police Power: Federalism at the Intersection of Health & Immigration*, AM. J. L. & MED. (forthcoming 2019) • *The Worst of Health: Law and Policy at the Intersection of Health and Immigration*, 16 IND. HEALTH L. REV. 211 (2019) • *The Role of Advocacy in Public Health Law*, 47 2 J. L. MED. & ETHICS 15 (Supp. Summer 2019), with Micah L. Berman & Elizabeth Tobin-Tyler • *Public Health Law & Policy Implications: Justice Kavanaugh*, 47 J. L. MED. & ETHICS 59 (Supp. Summer 2019) with James G. Hodge et al. • *Quarantining the Law of Quarantine: Why Quarantine Law Does not Reflect Contemporary Constitutional Law*, 9 WAKE FOREST J. L. & POL'Y 1 (2019) • *Public Health and Health Care: Integration, Disintegration, or Eclipse*, 46 J. L. MED. & ETHICS 940 (2019), with Peter A. Jacobson.

Professor Parmet reports the following **presentations**: *Rethinking the Role of Civil Litigation in Response to the Opioid Crisis*, *The Opioid Crisis: Rethinking Law and Policy*, American University Washington College of Law, Washington D.C., February 22, 2019 • *The Plenary Power Meets the Police Power: Federalism at the Intersection of Health & Immigration*, American Journal of Law & Medicine Symposium: *The Crisis of Democracy in Health Care*, Boston University School of Law, January 2018 • *Public Health Emergency Laws: The Federal Quarantine Power, Emergency Powers in the Trump Era and Beyond*, Brennan Center for Justice, Washington D.C., January 2019 • *Lindenthal Lecture on Bioethics, The Bioethics of Immigration Law*, University of Connecticut School of Medicine, August 2019.

Professor Parmet reports the following **grants, honors, or awards**: Highest Scoring Abstract Award, APHA Law Section.

Professor Parmet reports the following **professional activities**: She began serving as the associate editor for law and ethics for the *American Journal of Public Health* • She helped draft several amicus briefs, including in the multi-district opioid litigation, and the national public charge litigation.

CHASE COLLEGE OF LAW, NORTHERN KENTUCKY UNIVERSITY

FACULTY NEWS

Judith Daar, Dean (as of July 1, 2019), reports the following **publications**: *Who's Your Daddy: Ancestry Tracing Shatters Truths* (with Sigal Klipstein), L.A. Daily Journal, May 31, 2019 • *DNA Uncovers Mix-Ups in Assisted Conception*, *The Cincinnati Enquirer*, Aug. 20, 2019.

Dean Daar reports the following **presentations**: *"Assisted Reproductive Technologies and the Constitution,"* ABA Section on Family Law, Dominican Republic • *"Focusing on Informed Consent in Human Gene Editing,"* Second International Summit on Gene Editing, University of Hong Kong • *"Germline Gene Editing: Dilemmas in Informed Consent,"* American Society of Law, Medicine & Ethics, Health Law Professors Conference, Loyola University Chicago • *"Fee Models and Compensation for Gamete and Embryo Donors,"* Canadian Fertility & Andrology Society, Montreal • *"Embryo Mosaicism and Informed Consent,"* BioLaw Lapalooza, Stanford Law School • *"Birth After Death: Legal and Ethical Dilemmas Surrounding Postmortem Conception,"* Los Angeles County Superior Court Probate Division Seminar.

Dean Daar reports the following **professional activities**: Chair, American Society for Reproductive Medicine Ethics Committee • Liaison Member, American College of Obstetricians & Gynecologists Ethics Committee.

NOVA SOUTHEASTERN UNIVERSITY SHEPARD BROAD COLLEGE OF LAW

The health law program ventured further into interprofessional engagement with the various health professions colleges across the university during 2019. It enjoys easy collaboration at the program and individual levels by our location on the same campus as NSU's health professions division, consisting of colleges of allopathic and osteopathic medicine, dental medicine, health care sciences, medical sciences, nursing, optometry and pharmacy. A separate College of Psychology contributes to the collaboration on the basis of both physical and mental health.

Toward that end, the law school and the allopathic medical school embarked on a series of Interprofessional Grand Rounds during the fall semester of 2019. Students from the Law Medicine Seminar at the law school and from the M2 Practice of Medicine class at the medical school teamed up to research and present cases of hypothetical patients affected by current health care law and policy issues. The topics covered were: abortion services, advance directives, brain death and organ transplantation, healthcare financing and the Affordable Care Act, immigrant health care rights, gun safety, genetic testing, school and childcare vaccination laws, medical aid in dying, medical marijuana, and behavioral health care coverage. Members of the law school's health law faculty served as experts for the teams, and the students worked toward achieving the following outcomes: identifying basic legal, ethical, and medical conflicts in health care delivery; preparing a complete and formal case presentation highlighting a specific health policy; appraising the impact of specific healthcare policies on the practice of medicine; recognizing the importance of physician advocacy in amending public policy; discussing the roles and responsibilities of lawyers as members of the health care team; and generating meaningful and balanced discussion on possible improvements to current health care policies and practices.

This builds upon the health law program's fourth year of participating in NSU's Interprofessionalism Day, based in the Health Professions Division (HPD). During this day, law students join students from every health care profession program represented within HPD in collaborating on care for simulated patients and working through hypothetical patient cases, each representing their own profession. This took place this past year on March 25, 2019.

The school is becoming a center of activity in developing Eldercaring Coordination and Mediation efforts, having garnered interest in that subject from the Florida Supreme Court's Alternative Dispute Resolution Rules and Policy Committee, the 17th Judicial Circuit in the Florida courts, the Florida Association of Family and Conciliation Courts, and the United Family Court Summit.

Health law experiential placements are available to students in all field placements and in two in-house clinics: the Alternative Dispute Resolution Clinic and the Adults With Intellectual and Developmental Disabilities Clinic.

The school hosted a Therapeutic Jurisprudence Workshop on September 13-14, 2019.

The annual Law Review symposium, *First Do No Harm: A Patient-Driven Approach to Navigating the Health Law, Intellectual Property, and Technology Maze*, took place on October 11, 2019. See <https://www.law.nova.edu/alumni/2019-symposium.html>.

FACULTY NEWS

Kathy Cerminara, Professor of Law, reports the following **publications**: *Therapeutic Jurisprudence's Future in Health Law: Bringing the Patient Back Into The Picture*, 63 INTL. J. L. & PSYCH. 56 (2019) • *End of Life*, chapter in *ETHICS AND VULNERABLE ELDERS: THE QUEST FOR INDIVIDUAL SOCIETY AND A JUST SOCIETY* (Pamela B. Teaster, et al., eds., 2019) (co-authored).

Professor Cerminara reports the following **presentations**: She served as part of a working group at the Galveston Brain Injury Conference • participated in Interprofessional Education Day • lectured in the forensic psychology program and graduate pharmacy research ethics • judged PharmaCon at the College of Pharmacy • led and participated in Interprofessional Grand Rounds • She presented at the Southeastern Association of Law Schools on a Bioethics discussion and a panel titled "Health Law Year in Review," at the American Society of Bioethics & the Humanities on "All Things Considered: Surrogate Decision making on Behalf of Those in the MCS" • panel titled "Schiavo Revisited" at Boca Raton Regional Hospital.

Phyllis Coleman, Professor of Law, reports the following **professional activities**: She arranged for a medical student survey of law students • She facilitated the development of a joint event on plant-based health between the medical and law schools.

Michael Flynn, Professor of Law, reports the following **professional activities**: He participated in Interprofessionalism Day and Interprofessional Grand Rounds • He facilitated medical malpractice education among the physician assistant program students through the University's Interprofessional Education Office.

Gerald Morris, Adjunct Professor of Law, reports the following **professional activities**: He served as an expert in Interprofessional Grand Rounds.

Florence Shu-Acquaye, Professor of Law, reports the following **publications**: Marijuana, Rohrabacher-Farr Amendment, Case Law and the Department of Justice (DOJ): Who should Prevail in the Medical Marijuana Debate?, 54 Gonzaga L. Rev. 1 (2019).

Professor Shu-Acquaye reports the following **professional activities**: She participated in Interprofessional Education Day and served as an expert of Interprofessional Grand Rounds.

Fran Tetunic, Professor of Law, reports the following **publications**: The Law Supporting Eldercaring Coordination, in ACResolution, the quarterly magazine of the Association for Conflict Resolution (forthcoming).

Professor Tetunic reports the following **presentations**: She co-presented on eldercaring coordination for the 17th Judicial Circuit of Florida Courts • Ethical Considerations for Eldercaring Coordination for the Florida Association of Family and Conciliation Courts • Elder Mediation and Eldercaring Coordination for the Unified Family Court Summit, Broward County, FL.

Professor Tetunic reports the following **professional activities**: As a member of the Florida Supreme Courts Alternative Dispute Resolution Rules Committee, she is developing training standards for elder mediation.

Marilyn Uzdavines, Professor of Law, reports the following **presentations**: "Experiences in Interprofessional Education" and "Medical Ethics and the HIPAA Privacy Rule" at the allopathic medical school • "The Legal Aspects of Telehealth" at the NSU College of Health Care Sciences • She participated in the Bioethics discussion group at the Southeastern Association of Law Schools annual conference.

Professor Uzdavines reports the following **professional activities**: She participated in Interprofessional Education Day and Interprofessional Grand Rounds.

ELISABETH HAUB SCHOOL OF LAW AT PACE UNIVERSITY

FACULTY NEWS

Linda Fentiman, Professor of Law, reports the following **publications**: Of Mosquitoes and "Moral Convictions": How Rolling Back the Affordable Care Act's Contraceptive Mandate Jeopardizes Women's & Children's Health, 30 Health Matrix (forthcoming 2020).

Professor Fentiman reports the following **presentations**: In March, she spoke on "Racism, Risk Assessment, and the Reasonable Person," at the Conference on Childbirth and the Law at Loyola University Law School in Chicago • In June she spoke on "Mosquitoes and 'Moral Convictions': The Trump Administration's Rollback of the ACA Contraceptive Mandate and the Threat to Democracy and Public Health," at the American Society of Law, Medicine & Ethics Health Law Professors Conference, at Loyola University Law School in Chicago, as well as at the Law and Society Annual Meeting in Washington, D.C.

Professor Fentiman reports the following **professional activities**: She continues to be an outside reviewer for the Annals of Internal Medicine • In September, Pace awarded her the status of Professor Emerita. She is currently pursuing opportunities in health law and bioethics beyond academia, as well as enjoying travel and a new grandchild.

RUTGERS LAW SCHOOL

FACULTY NEWS

Norman Cantor, Emeritus Professor of Law, reports the following **presentations**: On May 21, Distinguished Emeritus Professor Norman Cantor delivered the Grand Rounds talk at the University of Pennsylvania's Princeton Medical Center in Plainsboro, N.J. The title of Norman's presentation was "Avoiding Deep Dementia." The object was to educate medical caregivers about duties of cooperation with advance patient instructions aimed at hastening death as issued by people who deem the prospect of serious cognitive dysfunction, physical helplessness, and dependence on others to be intolerably degrading.

SAINT LOUIS UNIVERSITY SCHOOL OF LAW

Center for Health Law Studies Research Funding Awards

Congratulations to Elizabeth Pendo, who with colleagues at the Center for Clinical Research Ethics, was awarded a Greenwall Foundation Grant to study disciplinary practices of State Medical Boards and provide legislative solutions related to serious ethical violations by physicians. Congratulations also to Nicole Strombom, recently appointed Health Law and Policy Fellow at the Center for Health Law Studies. Strombom serves as Project Administrator for the Robert Wood Johnson Foundation, Policies in Action grant, "Are Cities and Counties Ready to Use Racial Equity Tools to Influence Policy?" recently awarded to principle investigators Ruqaiyah Yearby and Sidney Watson. This research aims to identify the types of equity tools being used by city and county governments and to assess community engagement.

Annual Health Law Scholars Weekend

SLU Law was again honored to partner with ASLME to host our 18th Annual Health Law Scholars Weekend on Sept. 12-14. During this collegial forum we reviewed papers by Michael Ulrich (Boston University School of Public Health), Jacob Elberg (Seton Hall School of Law), Kayte Spector-Bagdady (University of Michigan Medical School), and Matiangai V. S. Sirleaf (University of Pittsburgh School of Law). Special thanks to our guest readers Ross Silverman, (Indiana University Richard M. Fairbanks School of Public Health), Zack Buck (University of Tennessee College of Law), Tim Greaney (UC Hastings College of Law and SLU Law Emertius) Sharona Hoffman (Case Western Reserve University School of Law), and Trudo Lemmens (University of Toronto Faculty of Law).

Health Law Distinguished Speaker Series

During the fall 2019 we were delighted to host Seema Mohapatra, Associate Professor of Law and Dean's Fellow, Indiana University Robert H. McKinney School of Law, to present, "Anonymous No More: Sperm Donation and the False Promise of Privacy." We look forward to hosting Cynthia M. Ho, Clifford E. Vickrey Research Professor and Director, Intellectual Property Program, Loyola University Chicago School of Law; Michelle Oberman, Katharine and George Alexander Professor of Law, Santa Clara University School of Law; and, Matthew S. Penn, Director, Office of Public Health Law Services, Centers for Disease Control and Prevention during the spring 2020 semester.

31st Annual Health Law Symposium

On April 5, 2019, "The Struggle for the Soul of Medicaid," framed a discussion of the competing visions that struggle to define the future of Medicaid. The symposium featured: Sara Rosenbaum, Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health, "If Medicaid Didn't Exist We Would Have to Invent It," • MaryBeth Musumeci, Associate Director, Program on Medicaid and the Uninsured, Henry J. Kaiser Family Foundation, "Medicaid's Role for Seniors and People with Disabilities: Current State Trends," • Dayna Bowen Matthew, William L. Matheson and Robert M. Morgenthau Distinguished Professor of Law; F. Palmer Weber Research Professor of Civil Liberties and Human Rights, Professor of Public Health Sciences, University of Virginia School of Law, "Improving Health in Low-Resource Communities: How Much Should We Ask of the Medicaid Dollar?" • Jane Perkins, Legal Director, National Health Law Program, "Finding the Limits of CMS Discretion: Medicaid Waivers and Judicial Review." • Matt Salo, Executive Director, National Association of Medicaid Directors, "The View from the States," • Sidney D. Watson, Jane and Bruce Robert Professor, Saint Louis University School of Law, "State Experimentation: Looking Back and Looking Forward."

The Center for Health Law Studies will hold its 32nd Annual Health Law Symposium on March 26-27, 2020, "Health Inequities and Employment: the New Civil Rights Struggle for Justice."

Practitioner-in-Residence

We regularly invite a health law practitioner to spend a week in residence at the Center for Health Law Studies, presenting to and meeting with students, guest lecturing in campus, and otherwise interacting with faculty and students. In 2019, we

were pleased to host Phillip Terrell, Practice Leader of 100 Top Hospitals with IBM Watson Health. He gave the talk “From Analytics to Artificial Intelligence: a Ground Level Perspective,” and “The Path to a Career with IBM Watson.” He also hosted informal round-tables with students and lectured in our Emerging Health Technologies Seminar.

Saint Louis University Journal of Health Law and Policy published in 2019 the proceedings of the 30th Annual Health Law Symposium, “Public Health Law in the Era of Alternative Facts, Isolationism, and the One Percent,” Volume 12, Issue 1.

FACULTY NEWS

Rob Gatter, Professor of Law, reports the following **presentations**: “The Social Justice Case for Health Care Compliance, CHARM CITY COLLOQUIUM sponsored by the Johns Hopkins University Berman Institute of Bioethics and the University of Maryland Law and Health Care Program, Baltimore MD, Sept 2019 • Public Health Legal Preparedness: Preparing Lawyers, Officials & Judges to Apply Existing Law, ASLME Health Law Professors Conference, Loyola-Chicago School of Law, Chicago IL, June 2019 • The Right to Health and the U.S. Administrative State, Washington University Global Studies Law Review Roundtable on “The Right to Health: a Brazilian Case Study,” St. Louis MO, Feb 2019.

Elizabeth Pendo, Joseph J. Simeone Professor of Law, reports the following **publications**: Nicole Agaronnik, Elizabeth Pendo, Julie Ressler, Eric Campbell and Lisa I. Iezzoni, *Knowledge of Practicing Physicians about Their Legal Obligations When Caring for Patients with Disability*, 38(4) Health Affairs 545 (2019) • Elizabeth Pendo, *The Costs of Uncertainty: The DOJ’s Stalled Progress on Accessible Medical Equipment under the Americans with Disabilities Act*, 12 St. Louis Univ. J. Health L. & Pol’y 351 (2019) • Elizabeth Pendo and Brandon Hall, *Permitted Incentives for Workplace Wellness Plans under the ADA and GINA: The Regulatory Gap*, 31(4) The Health Lawyer 1 (2019).

Professor Pendo reported the following presentations: Centering Marginalized Groups in Interdisciplinary Bioethics Courses: Strategies and Resources for Teachers, ASBH Annual Meeting, Pittsburgh, PA, Oct. 26, 2019 • Professional Relationships in Health Care Enterprises, Colloquium on Scholarship in Employment and Labor Law (COSELL), UNLV William S. Boyd School of Law, Law Vegas, NV, Oct. 11, 2019 • Medical Documentation for the Workplace, SLU Family Practice Residency Program, Saint Louis University, Saint Louis, MO, Oct. 1, 2019 • Wellness Plans and Disability: The Regulatory Gap, SEALS Annual Meeting, Boca Raton, FL, 2019 • Mentor, New Scholars Program and Prospective Law Teachers Workshop • The Role of U.S. Law and Policy in Improving the Health of People with Disabilities, International Congress on Law and Mental Health, Rome, Italy, 2019 • The Costs of Uncertainty: Stalled Progress on Accessible Medical Equipment Under the ADA, ASLME Health Law Professors Conference, Chicago, IL, 2019 • Protecting Genetic Data: Understanding and Managing Privacy, Policy, and Ethical Concerns in the Digital Age, Academy of Science Saint Louis and the Ethical; Society of Saint Louis, Saint Louis, MO, 2019 • The Costs of Uncertainty: The DOJ’s Stalled Progress on Accessible Medical Equipment under the Americans with Disabilities Act, Albert Gnaegi Center for Health Care Ethics, Saint Louis University, Saint Louis, MO 2019.

Professor Pendo reports the following **grants, honors, or awards**: Investigator, Helping State Medical Boards Effectively Protect Patients by Identifying and Promulgating Promising Practices and Essential Resources, funded by The Greenwall Foundation (with Tristan McIntosh-Principal Investigator and James DuBois) (2019-2021).

Professor Pendo reports the following **professional activities**: Executive Committee, Association of American Law Schools, Southeast Conference (SEALS), Aug. 2019.

Ana Santos Rutschman, Assistant Professor, reports the following **publications**: The Vaccine Race in the 21st Century, 61 ARIZ. L. REV. ___ (2019) • On the Judicialization of Health, 18 WASH. U. GLOBAL STUD. L. REV. 559 (2019).

Professor Rutschman reports the following **presentations**: Law and the Biosciences Workshop, Stanford Law School (Oct. 2019) • Innovation, Justice and Globalization Conference, Harvard Law School (Sept. 2019) • Health Law Scholars Workshop, Saint Louis University School of Law (Sept. 2019) • Lecture on Hot Topics in Pharma & Biotech Law, Saint Louis University Madrid Campus (Jun. 2019) • Regulation and Innovation in The Biosciences Workshop, University of Copenhagen, Center for Advanced Studies in Biomedical Innovation Law (June 2019) • 42th Annual Health Law Professors Conference, Loyola University of Chicago School of Law (Jun. 2019) • Changing Regulation of Pharmaceuticals: Issues in Pricing, Intellectual Property, Trade and Ethics Conference, University of the Pacific School of Law (Apr. 2019) • Bio Lawlapallosa, Stanford Law School (Mar. 2019) • Jaharis Symposium on Health Law and

Intellectual Property, DePaul University College of Law (Mar. 2019) • Junior Intellectual Property Scholars Association Workshop, William & Mary Law School (Jan. 2019).

Professor Rutschman reports the following **grants, honors, or awards**: Centre for Intellectual Property Policy & Management Fellowship (U.K) • Manzo Scholar in Patent Law.

Professor Rutschman reports the following **professional activities**: Commentary: Malicious Bots and Trolls Spread Vaccine Misinformation -- Now Social Media Companies Are Fighting Back, published in *The Conversation* and reprinted by Chicago Tribune and other news outlets (Sept. 18, 2019) • At A Post-Gottlieb FDA, What Does The Future Hold For Public Health?, *Health Affairs Blog* (Mar. 22, 2019).

Sidney Watson, Jane and Bruce Robert Professor of Law, reports the following **publications**: Giving Voice to Medicaid, 45 *AM. J. L. & MED.* 19 (2019) (coauthored with Cara Stewart).

Professor Watson reports the following **presentations**: “Work, Waivers and Courts: Teaching Medicaid,” 2019-2020, American Society of Law, Medicine and Ethics, Loyola University Chicago School of Law, Chicago, IL, June 2019 • Testimony in opposition to SB 76, a bill to impose work requirements for Medicaid, Missouri Senate Committee on Seniors, Families and Children, Jefferson City, MO, February 2017 • Giving Voice to Medicaid, Symposium on the Crisis of Democracy in Health Care, Boston University School of Law, January 2019.

Professor Watson reports the following **grants, honors, or awards**: Co-Principal Investigator with Ruqaiijah Yearby, Robert Wood Johnson Foundation, Policies for Action grant for transdisciplinary research to assess whether cities and counties are ready to use racial equity tools to influence policy, principal investigator • Missouri Foundation for Health, Missouri Farm and Ranch Survey, funding to conduct community based participatory survey and focus group research of Missouri family farmers about their health insurance coverage and medical cost, principal investigator.

Professor Watson reports the following **professional activities**: Appointed to the Board of Directors, American Society of Law, Medicine and Ethics.

Ruqaiijah Yearby, Professor of Law, reports the following **publications**: Internalized Oppression: The Impact of Gender and Racial Bias in Employment on the Health Status of Women of Color, 49 *SETON HALL LAW REV.* 1037-1066 (2019) • Nisha Malhorta, Ann Nevar, Ruqaiijah Yearby, Lawrence Klienman, and Sarah Ronis, Medicaid’s EPSDT Benefit: An Opportunity to Improve Pediatric Screening for Social Determinants of Health, *MED. CARE RES. AND REV.* 1-26 (Sept. 2019) available at <https://doi-org.ezp.slu.edu/10.1177/1077558719874211> • When Equal Pay is Not Enough: The Influence of Employment Discrimination on Health Disparities, 134 *PUBLIC HEALTH REPORTS* 447-450 (July/August 2019) available at <https://doi.org/10.1177/0033354919847743> • Medicare for All: How to Reduce Inequality in the Long-Term Care Market, Yale Law School, Law & Political Economy Blog, October 9, 2019, available at <https://lpeblog.org/2019/10/09/medicare-for-all-how-to-reduce-inequality-in-the-long-term-care-market/>.

Professor Yearby reports the following **presentations**: American Public Health Association, Philadelphia, PA, Invited Speaker, November 5, 2019, “Using Legal Mapping to Determine if Governmental Use of Racial Equity Tools Changes Laws Related to the Social Determinants of Health” • American Society for Bioethics and Humanities, Pittsburgh, PA, Invited Speaker, October 26, 2019, “Emphasizing the Personhood of Marginalized Groups in Bioethics Courses” • IU Robert H. McKinney School of Law, Indianapolis, IN, Invited Speaker, October 18, 2019, “Medicare for All: How to Reduce Inequality in the Long-Term Care Market” • Center for Reproductive Rights, New York, NY, Invited Participant, October 15, 2019, “Reproductive Rights Litigation Roundtable: Race Discrimination and Reproductive Rights” • International Academy of Law and Mental Health, Rome, Italy, Invited Speaker, July 23, 2019, “Using Law to Minimize Risk Factors for Depression in African American Women” • Trinity College, Hartford, CT, Participant, May 15, 2019, “Americans’ Conception of Health Equity Study Phase II Survey Development Workshop” • DePaul University College of Law, Chicago, IL, Invited Speaker, April 4, 2019, “Discrimination Health Disparities: The Lack of Money, Power, and Respect” • Fourth National People of Color Legal Scholarship Conference, American University Washington College of Law Washington, DC, Invited Speaker, March 22, 2019, “When Equal Pay is Not Enough: The Influence of Employment Discrimination on Health Disparities” • Washington University in St. Louis, School of Social Work, St. Louis, MO, Invited Speaker, February 20, 2019, “The Political Economy of Women’s Health” • University of Pennsylvania Law School, Philadelphia, PA, 31st Annual Sadie T.M. Alexander Commemorative Black Law Student Assoc. Conference, Invited Speaker, February 9, 2019, “Health Care Inequality: A Discussion on Access to Care and Medicaid Expansion.”

Professor Yearby reports the following **grants, honors, or awards**: Co-Principal Investigator (with Sidney Watson), Are Cities and Counties Ready to Use Racial Equity Tools to Influence Policy?, Robert Wood Johnson Foundation Policies

for Action grant (2018-2020) (<https://www.policiesforaction.org/project/are-cities-and-counties-ready-use-racial-equity-tools-influence-policy>) • Research Consultant and Board Member, Investigating Conceptions of Health Equity and Barriers to Making Health a Shared Value (also known as Americans' Conception of Health Equity Study, <https://arches.chip.uconn.edu/>), Robert Wood Johnson Foundation grant (2017 - present).

Professor Yearby reports the following **professional activities**: Chair-Elect, AALS Law, Medicine & Healthcare Section • Co-Founder, Institute for Healing Justice and Equity, Saint Louis University • Co-Director, Center for Equity & Policy, Saint Louis University • Reviewer, Journal of Immigrant and Minority Health • Submitted comments to the U.S. Department of Health and Human Services regarding rulemaking for Section 1557 of the Patient Protection and Affordable Care Act concerning nondiscrimination (August 12, 2019) (Comments also used as template for community groups such as the Health Equity Network)

SETON HALL UNIVERSITY SCHOOL OF LAW

Center for Health & Pharmaceutical Law & Policy

2019 has been a busy and exciting year for the Center for Health & Pharmaceutical Law & Policy. We welcomed two new tenure-track faculty to our ranks, Jennifer D. Oliva and Jacob T. Elberg.

Professor Oliva, a graduate of the United States Military Academy, who served in Kuwait, was a Rhodes and Truman Scholar. Her academic foci are in Health and FDA law. She is frequently quoted in the media for her expertise. A seasoned trial attorney, she also will be teaching Evidence. Most recently, the Harry S. Truman Scholarship Foundation honored Professor Oliva with the 2019 Ike Skelton Award for her commitment to public service. She is the 2019-2020 Chair-Elect of the American Association of Law Schools Section on Law and Mental Disability and has been selected as a 2019 Weit Life Science Law Scholar. Professor Oliva worked in the appellate and health/FDA law practice groups at multiple national law firms and served as the General Counsel and Vice President of a regional behavioral health care company. Prior to joining the faculty at Seton Hall Law, she served as Associate Professor of Law and Public Health at West Virginia University and as a visiting research scholar at The Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School.

Professor Elberg joined us from the U.S. Attorney's Office for the District of New Jersey, where he served as an Assistant United States Attorney for eleven years. As Chief of the Office's Health Care & Government Fraud Unit for five years, Professor Elberg led one of the largest and most impactful health care units in the country, supervising a team of 15 AUSAs and directing all of the Office's criminal and civil investigations and prosecutions of health care fraud offenses. Professor Elberg launched the District of New Jersey's Data Mining Working Group and spearheaded the Office's efforts to utilize data analytics to identify, investigate, and prosecute health care fraud offenses. He specializes in Health Law, Health Care Fraud and Abuse, Evidence, and Data Analytics. His areas of interest include corporate crime and compliance, the role of various actors in the enforcement of health care fraud laws and regulations, and criminal justice policy. Professor Elberg was one of only four new scholars selected to participate in the 2019 Health Law Scholars Workshop in September 2019.

Jody M. Ruiu-Geisert also joined the Center as the Assistant Dean of Graduate & Professional Education. After graduating from the University of Virginia School of Law, Dean Ruiu-Geisert gained more than fifteen years of strategic, analytical and leadership experience as a compliance and privacy professional in global financial services. She is a team-oriented and strong business partner who draws on her past roles in strategy, client relationship management, marketing, and law to lead the Center's graduate and professional education efforts.

In addition to celebrating our new faculty, we are proud to honor treasured veterans, like Professor John V. Jacobi. His peers paid homage by selecting him as this year's recipient of the coveted Jay Healey Award at the Health Law Professors Conference, an award that honors a professor who has "devoted a significant portion of their career to health law teaching." Given Professor Jacobi's lifetime of service to advancing health equity, it is appropriate that this award honors his achievements not only in scholarship and teaching but also, and most importantly, his significant impact on health policy and delivery.

The Center hosted a number of speakers and events throughout the year focused on health law, policy, and practice.

We hosted our fifth annual Celebration of Diversity in Compliance event on February 7, 2019, which focused on best practices for promoting diversity and inclusion in the compliance profession. The keynote speaker was Milton "Skip" Edmonds, Vice President and Chief Compliance Officer, Workplace Solutions Group Compliance, at Prudential. A panel

discussion, moderated by Seton Hall Law School's Assistant Dean for Diversity & Inclusion, Deborah Edwards, followed the keynote address and included panelists Alison Banks-Moore, Chief Diversity Officer at Horizon Blue Cross/Blue Shield NJ; Sujata Dayal, Vice President, Health Care Compliance & Privacy at Johnson & Johnson; Antonio Fernández, Chief Compliance Officer at PSE&G; Lora Fong, Chief Diversity Officer at the N.J. Department of Law & Public Safety; and Robert Johnson, Chief Diversity Officer at Gibbons, P.C.

On February 8, 2019, we hosted the Third Annual Regional Health Law Works-in-Progress Retreat. The purpose of the retreat is to give area health law scholars an opportunity to share their work and exchange ideas in a friendly, informal setting. This year's Retreat included in-depth discussion of papers submitted by John Coggan, Craig Connoth, Katrice Bridges Copeland, Abbe Gluck, and Gwendolyn Roberts Majette. Commentators included Mary Crossley, Jacob Elberg, Jennifer Herbst, Christina Ho, Lucy Hodder, Nicole Huberfeld, Kristin Madison, Solangel Maldonado, Jennifer Oliva, and Kristin Underhill. We currently are accepting submissions for the Fourth Annual Regional Health Law Works-in-Progress Retreat, which will be held on February 7, 2020.

The Center also continued its tradition of hosting visiting health law scholars to campus. On March 12, 2019, Seton Hall Law welcomed Professor Lewis A. Grossman of American University's Washington College of Law as its 2019 Visiting Health Scholar. Professor Grossman delivered a public lecture to the members of the Seton Hall Law community entitled, *Life, Liberty [and the Pursuit of Happiness]: Medical Marijuana Regulation in Historical Perspective*. Professor Grossman met with health law students, led a faculty colloquium, and guest lectured at a health law class.

We are pleased that Professor Abbe Gluck will return to New Jersey March 2-4, 2020 as the Health Law Scholar in Residence. Professor Gluck has roots in New Jersey, where she served in the administration of New Jersey Governor Jon Corzine as the special counsel and senior advisor to the New Jersey Attorney General. She is currently Professor of Law and Faculty Director of the Solomon Center for Health Law and Policy at Yale Law School and Professor of Internal Medicine at Yale Medical School. She is a prolific and highly respected health law scholar, writing on health law legislation, the opioid crisis, and health reform issues. During Professor Gluck's Seton Hall Law residence, she will guest lecture in a health law class, meet with health law students, and present a scholarly paper to the faculty. In addition, she will present a lecture, which will be open to the public, at 6 pm on Tuesday, March 3, 2020 at the Law School.

The Institute for Privacy Protection and Seton Hall Law School's Legislative Journal hosted a symposium on November 15, 2019 entitled, "Protecting Child Privacy Beyond the Information Age." This one-day symposium brought together lawyers, policymakers, advocates, and academics across multiple disciplines and sectors to discuss a cross-section of child privacy issues and possible solutions, grounded in history, policy and law.

On November 19, 2019, the Center co-hosted a symposium with Integrity House and Rutgers NJ Medical School, "Progressive Responses to the Opioid Epidemic." This one-day symposium included panels on harm reduction, innovative approaches, and making addiction treatment mainstream. In his morning keynote address, New Jersey Attorney General Gurber S. Grewal discussed how his office has responded to the opioid crisis by, among other things, creating the Office of Coordinator for Addiction Responses and Enforcement Strategies (NJ CARES), expanding Operation Helping Hand programs to all 21 counties, and supporting the creation of Opioid Response Teams. Dr. Tony Rajiv Juneja discussed the bio-psychosocial and spiritual aspects of treating opioid-addicted individuals in his afternoon address.

The Center will host a symposium focused on Neuroscience and the Law on February 14, 2020, which Professor Oliva is spearheading.

Our health law students continue to impress us with their initiative, resolve, curiosity, tenacity, and legal acumen. 3L Hannah Levine was recognized for being a "Top Mind of Tomorrow" in the Top Minds Class of 2019 by Compliance Week, an information service on corporate governance, risk, and compliance.

On March 29, 2019, we were proud to have a team of three students, Ela Yalcin, Yudiana Gonzalez, and Jessica Missel, represent the school at the Eighth Annual L. Edward Bryant, Jr. National Health Law Transactional Moot Court Competition at Loyola's Corboy Law Center in Chicago. Supported by Seton Hall Law's health law faculty, the team took on the challenge of drafting a legal memorandum, giving an oral presentation, and applying corporate lawyering skills by providing legal advice to a hypothetical health care client on a potential business opportunity. The students plan to participate again in the competition next year as they hope to build a legacy for future Seton Hall Law students to follow.

Our pride continued to swell into the fall, as law students Deirdre Cooney, John Moriarty, and Emily Sklar won -- and took home the Best Brief Award at -- the National Health Law Moot Court Competition at Southern Illinois University School of

Law in Carbondale, Illinois on November 1-2, 2019. The competition problem presented timely questions with respect to state efforts to hold pharmaceutical companies liable for costs of the opioid epidemic using a public nuisance cause of action.

Students also published new articles in the online student journal, Health Law Outlook. This student-run publication of Seton Hall Law's student organization, the Health Law Forum, is an institutional eRepository showcasing students' work. Students explore current and emerging issues in scholarly articles, through which they contribute to the rapidly evolving discourse in health law and policy.

In addition to honing their scholarly and legal practice skills, our health law students organized events to network with alumni and practitioners. On January 24, 2019, the Health Law Forum hosted a career panel featuring four Seton Hall Law graduates who perform legal work for Horizon Blue Cross and Blue Shield of New Jersey. Jerome Kearns, Horizon's Director of Regulatory Requirements and the Medicaid and Medicare Compliance Officer, Daniel McGrady, a Compliance Manager in Horizon's Government Programs division, Renato H. Ronquillo II, Corporate Counsel for Horizon, and Evan Yablonsky, a corporate and health care lawyer and principal with Bressler, Amery, & Ross, P.C., shared their career advice and provided guidance to Seton Hall Law students interested in health law and compliance careers.

On April 9, the Health Law Forum held its annual Spring Career Panel, co-sponsored with the Office of Career Services. Moderated by Professor John Jacobi, this year's panelists included Mary Maples, Chief Legal Officer for University Hospital in Newark; Chelsea Ott, Assistant General Counsel at CarePoint Health; Tamara Coley, Branch Chief at the Food and Drug Administration (FDA); Jeff Brown, Partner and Director at Garfunkel Wild, P.C.; and Paulina Grabczak, Associate in the Health Care and Life Sciences practice in the Newark office of Epstein Becker Green.

Always a vital complement to our faculty and student academic and policy work, the Center's groundbreaking compliance work continues to expand and deepen.

The flagship U.S. Healthcare Compliance Certificate Program (HCCP), which has been offered twice a year since 2004, again took place in June and October 2019 at the law school in Newark, New Jersey. We welcomed Ngan Nguyen from Georgia State Law to the June 2019 HCCP as the recipient of our annual scholarship program to invest in the future of health care compliance. We award full scholarships to promising students who demonstrate a commitment to the field of health care compliance and have strong credentials that showcase their abilities as students and future practitioners.

The June HCCP PLUS program that we offered on June 14 focused on the Foreign Corrupt Practices Act. HCCP PLUS is an advanced one-day interactive and hands-on program that we added in 2018 as an optional, supplemental complement to HCCP, which features engaging case studies and group workshops.

The October 2019 HCCP marked the highly successful Program's 15th anniversary. In those 15 years, HCCP has continued to evolve and expand to meet industry's dynamic and complex needs. In addition to the original HCCP, the Center offers similar compliance programs that focus on the specific compliance issues in four geographic regions, Europe, Asia-Pacific, Latin America, and, added in 2019, the Middle East.

In addition to our live, internationally-based compliance training programs, the Center also collaborated with the American Health Lawyers Association to publish the second edition of the Pharmaceutical and Medical Device Compliance Manual. This Manual synthesizes what can be an overwhelming quantity of authority into understandable analysis and practical action for those who create, manage, and monitor effective life science compliance programs in today's complex enforcement and business environment. It enables compliance professionals and lawyers to understand the government's expectations of an effective compliance program and ethical business practices; how the government discovers potential enforcement actions; the government's approach to pursuing such actions; and what behaviors can constitute mitigating factors for a company in the event of a legal violation.

The Center already is hard at work to ensure that 2020 is at least as productive and engaging as 2019. We invite you to join the Center's Twitter feed @SHUHealthLaw for the latest content from the Center's legal experts and health care industry professionals.

CONFERENCE ANNOUNCEMENTS AND CALL FOR PAPERS

Scholarly submissions for the Fourth Annual Regional Health Law Works-in-Progress Retreat being held on February 7, 2020 at Seton Hall Law are now being accepted. The retreat seeks to give area health law scholars an opportunity to share their work and exchange ideas in a friendly, informal setting. The retreat is open to anyone with an academic appointment in health law, including professors, fellows, and visitors, in any institution of higher education. Submit preliminary drafts or a detailed introduction of at least 5 pages, no later than November 22, 2019, to catherine.finizio@shu.edu, who will anonymize the submissions prior to distributing to the selection committee. Questions may be directed to carl.coleman@shu.edu.

FACULTY NEWS

Gaia Bernstein, Michael J. Zimmer Professor of Law, Director of the Institute for Privacy Protection and Co-Director of the Gibbons Institute for Law Science and Technology, reports the following **publications**: *The Over-Users: Happiness, Technology Addiction And The Power Of Awareness* (forthcoming).

Professor Bernstein reports the following **presentations**: *The Over-Users: Happiness, Technology Addiction and the Power of Awareness*, Legal Scholarship Seminar, NYU School of Law, October 2019 • Presenter, CIPP training, Seton Hall Law School, September 2019 • *Our Kids, Our Screens and What Should We Do?* East Side Middle School, New York, April 15, 2019 • *Our Kids, Our Screens and What Should We Do?* Our Lady of Mercy Academy, Park Ridge, NJ, April 8, 2019 • *Our Kids, Our Screens and What Can We Do?* First Avenue School, Newark, March 11, 2019 • *The Over-Users: Happiness, Technology Addiction and the Power of Awareness*, Faculty Colloquium, School of Law, College of Management, Israel, January 2019.

Professor Bernstein reports the following **professional activities**: Co-organizer and presenter, CIPP training, Seton Hall Law School, September 2019 • *Over-Users Blog* at gaiabernstein.com • Peer reviewer for: *The New England Journal of Medicine*; National Science Foundation; National Institute of Health; Stanford University Press; *Studies in Law Politics and Society*; *Jurimetrics: the Journal of Law, Science and Technology*; *Journal of Law, Culture and Humanities*; *Journal of Empirical Legal Studies*; *Yale Journal of Health Law and Policy*; *Genome Magazine*; and *Journal of Law and Bioscience* • Guest blogger on *Concurring Opinions*, *TechTheory*, *Prawfsblawg*, *Bill of Health*, and the *Conglomerate*.

Kathleen M. Boozang, Dean and Professor of Law, reports the following **publications**: *The Role and Place of Compliance within Life Sciences: The Imperative of Chief Ethics and Compliance Officer Independence* (with Timothy Glynn).

Dean Boozang reports the following **professional activities**: Teaching an advanced writing requirement seminar, *The Law of Death & Dying*, in addition to Dean responsibilities • American Association of Law Schools Annual Meeting Program Chair (2018-19) • Serves on the Board of Trustees of the St. Joseph Healthcare System in New Jersey • NJ LEEP, Talent Management Committee (2018-present).

Carl H. Coleman, Professor of Law and Academic Director of Division of Online Learning, reports the following **publications**: *Regulating Physician Speech*, 97 N.C.L. Rev. 843 (2019) • *Rethinking the Regulatory Triggers for Prospective Ethics Review*, 47 *Journal of Law, Medicine & Ethics* 247 (2019) • *Biobanking*, in David Orentlicher & Tamara Hervey Eds., *Oxford Handbook on Comparative Health Law* (with Graeme Laurie) (2019).

Professor Coleman reports the following **presentations**: “*Rethinking the Regulatory Triggers for Prospective Ethics Review*,” Brocher Foundation, Hermance, Switzerland (June 2019) • “*Compliance Risks in Clinical Trials*,” Seton Hall Healthcare Compliance Certification Program, Paris France (June 2019) and Dubai, UAE (April 2019).

Professor Coleman reports the following **professional activities**: Consultant to World Health Organization projects on “*Ethical Issues in Managing Vector-Borne Diseases*,” and “*Developing Indicators for Measuring the Quality of Research Ethics Oversight*” • Guest Editor of symposium on human subject protection in the Summer 2019 issue of the *Journal of Law, Medicine & Ethics*, featuring contributions by Rebecca Dresser, Nancy M.P. King, Holly Fernandez Lynch, Leslie E. Wolf, Mark Barnes, Lisa M. Lee, Joshua A. Rolnick, and Zachary M. Schrag. The symposium grew out of an all-day event at Seton Hall Law titled, “*Reimagining Human Subject Protection for the 21st Century: A Critical Assessment of the Revised Common Rule*,” which was co-sponsored by Seton Hall Law’s Center for Health & Pharmaceutical Law & Policy, the Hackensack Meridian School of Medicine at Seton Hall University, and the American Society of Law, Medicine & Ethics • Member of the Consortium to Advance Effective Research Ethics Oversight (AEREO), a collaboration aiming to

evaluate and improve the effectiveness of Institutional Review Boards and Human Research Protection Programs through empirical study • Health Law Section co-editor, Jotwell.

John Kip Cornwell, Eugene Gressman Professor of Law, reports the following **publications**: “Opioid Courts and Judicial Management of the Opioid Crisis,” 49 Seton Hall L. Rev. 997 (2019).

Jacob T. Elberg, Associate Professor of Law, reports the following **publications**: Book Chapter: Enforcement Authorities, in *Pharmaceutical and Medical Device Compliance Manual* (Bochenek, Coleman, Matey, eds.) (2019) (pgs. 1-22) (with Shapiro) • Does DOJ Actually Reward Cooperation by Health Care Organizations? New Data Raises Questions, Harvard Law School Petrie-Flom Center Bill of Health Blog (2019) • DOJ’s New Guidance on Civil Cooperation Credit Provides Some Answers, but the Bigger Question Remains, Harvard Law School Petrie-Flom Center Bill of Health Blog (2019) • FCA Settlement Data Shows Need for Comprehensive Reform, LAW360 (2019).

Professor Elberg reports the following **presentations**: “Enforcement Trends in Health Care Law -- Lessons Learned in 2019” (with Laura Laemmle-Weidenfeld), Practising Law Institute, Hot Topics in Health Care Law 2019 (Dec. 11, 2019) • “Corporate Health Care Enforcement at a Crossroads: Newly Available Data & the Need for Comprehensive False Claims Act Reform,” Harvard Law School Health Law Workshop, Cambridge, MA (Dec. 2, 2019) • “Data Analytics” (with Stacy Aiken and Michael Driscoll), Seton Hall U.S. Healthcare Compliance Certificate Program, Newark, NJ (Oct. 16, 2019) • “The Relationship Between Ethics and Legal Compliance,” Seton Hall U.S. Healthcare Compliance Certificate Program, Newark, NJ (Oct. 14, 2019) • “Enforcement Trends Impacting the Drug and Device Industries” (Panel), Practising Law Institute, Life Sciences 2019 -- Navigating Legal Challenges in the Drug and Device Industries (Oct. 10, 2019) • “Ethical Behavior & Compliance,” SEHA Abu Dhabi Health Services Co., Abu Dhabi, UAE (Oct. 1, 2019) • “Corporate Health Care Enforcement at a Crossroads: Newly Available Data & the Need for Comprehensive False Claims Act Reform,” 2019 Health Law Scholars Workshop, St. Louis University Center for Health Law Studies (Sept. 13, 2019) • Incentivizing Compliant Corporate Behavior Through False Claims Act Settlements, American Society of Law, Medicine & Ethics Annual Health Law Professors Conference, Loyola University Law School, Chicago, IL (June 5-7, 2019) • “U.S. Healthcare Fraud & Enforcement Current & Former Prosecutors Panel,” Pharmaceutical Compliance Congress (CBI), Washington, D.C. (Apr. 17, 2019) • “Get What You Need and Use What You Get: Dealing with Admissibility and Authenticity of Evidence in Federal Proceeding” (with the Honorable Patty Shwartz, the Honorable Stanley R. Chesler, Rachael Honig, and Joseph P. LaSala), Association of the Federal Bar of New Jersey, Newark, NJ (Apr. 10, 2019) • “Compliant Patient Support and Hub Services Safeguards” (with Paul Kaufman), Hub and SPP Model Optimization Conference (CBI), Philadelphia, PA (Feb. 26, 2019) • “Blockchain: Conceptualizing Emerging Technology, Law, and Best Practices” (with Professor Najarian Peters), Understanding New Tech for Corporate and Business Lawyers: Demystifying Artificial Intelligence, Blockchain Technology, and other New Tech Tools for Managing Legal and Business Risks, NJICLE, New Brunswick, NJ (Jan. 31, 2019) • “Statistical Sampling and Extrapolation in False Claims Act Litigation” (Panel), 6th Advanced Forum on False Claims and Qui Tam Enforcement (American Conference Institute), New York, NY (Jan. 29, 2019) • “Government Views on Pharma Data Analytics” (with Eric Rubinstein), Data Analytics and Decisions Conference (CBI), Philadelphia, PA (Jan. 23, 2019).

Professor Elberg reports the following **grants, honors, or awards**: 2019 Health Law Scholar

Professor Elberg reports the following **professional activities**: *Quoted in*: Bloomberg’s “Genetic Testing Scheme Prosecuted with New Favorite Tool: Data” (Oct. 21, 2019) • Medscape’s “Texas Docs’ Kickback Convictions: A Warning for Physicians” (Oct. 7, 2019) • Law360’s “DOJ Seems Gun-Shy with New FCA Penalty Firepower” (Aug. 22, 2019) • Law360’s “FCA Cooperation Guidance Still Missing Key Details” (May 9, 2019) • Dallas Morning News’s “Here’s why doctors should worry about the feds’ novel approach to prosecuting health care kickback cases” (Apr. 14, 2019) • CNN’s “New Parkinson’s Psychosis drug target of DOJ Investigation” (Mar. 8, 2019) • Vice President, Board of Trustees, Harvard Law School Association of NJ (2014-Present).

Laura Hoffman, Assistant Professor of Law & Researcher, reports the following **publications**: “Access to Health Care and the Intellectually and Developmentally Disabled: Anti-Discrimination Law, Health Law, and Quality of Life, University of Iowa College of Law Journal of Gender, Race, and Justice (forthcoming 2019) • Telehealth, Children, and Pediatrics: Should the Doctor Make House Calls Again, Digitally?, 43 Nova L. Rev. 4 (2019).

Professor Hoffman reports the following **presentations**: “Comparing Models of Choice Since Olmstead: Why Alternative Methods of Decision-Making are Critical to Fulfilling the Promise of Community Inclusion,” Olmstead at Twenty: The Past and Future of Community Integration, Georgia State University College of Law (2019) • Telehealth, Children, & Pediatrics: Should the Doctor Make House Calls Again, Digitally?, American Society of Law, Medicine & Ethics Annual Health Law Professors Conference, Loyola University Law School, Chicago, IL (June 5-7, 2019).

Professor Hoffman reports the following **professional activities**: In July 2019, Professors John Jacobi and Laura Hoffman prepared comments to proposed changes to New Jersey guardianship statutes prepared by the New Jersey Law Revision Commission (NJLC).

John V. Jacobi, Dorothea Dix Professor of Health Law & Policy, and Faculty Director of the Center for Health & Pharmaceutical Law & Policy, reports the following **publications**: The Tools at Hand: Medicaid Payment Reform for People with Complex Medical Needs, *Ann. Health Law & Life Sciences* (2019) • Community Health Workers in New Jersey: The Question of Certification, Issue Brief, Seton Hall Law Center for Health & Pharmaceutical Law & Policy (Aug. 2019) (with Tara Adams Ragone).

Professor Jacobi reports the following **presentations**: Payment Reform in Medicaid Managed Care, in *Next Steps in Health Reform 2019*, American University Washington College of Law, Washington, DC (Oct. 2019) • LTSS Reform: Integrating an Outlier, in *Olmstead at Twenty*, Georgia State University School of Law, Atlanta, GA (Aug. 2019) • LTSS Payment Reform: Integrating an Outlier, American Society of Law, Medicine, and Ethics, Loyola University Law School, Chicago, IL (June 2019)

Professor Jacobi reports the following **grants, honors, or awards**: Principal Investigator, “Certification of Community Health Workers,” analysis and recommendations on state regulatory oversight of community health workers, funded by New Jersey Health Initiatives/Robert Wood Johnson Foundation (2019) • Principal Investigator, “Consultation and Regulatory Implementation Assistance in Furtherance of Behavioral Health Integration for the New Jersey Departments of Health and Human Services,” assistance to the New Jersey Departments of Health and Human Services to create a regulatory framework to support the delivery of integrated care in New Jersey, funded by The Nicholson Foundation (2018-2020) • Awarded the Jay Healey Award at this year’s American Society of Law, Medicine & Ethics’s Health Law Professors Conference, an award honoring a professor who has “devoted a significant portion of their career to health law teaching.” The award honors Professor Jacobi’s achievements not only in scholarship and teaching but also, and most importantly, his significant impact on health policy and delivery.

Professor Jacobi reports the following **professional activities**: New Jersey Supreme Court Judiciary Mental Health Advisory Committee (2019 - present) • Gubernatorial appointment, New Jersey State Health Benefits Task Force (2018-2019) • Member, NJ Integrated Health Advisory Panel (2017-present) • Board Member and Board Chair, Greater Newark Healthcare Coalition (2008-present) • Board Member and Board Chair, North Jersey Community Research Initiative (1996-present) • Steering Committee, Good Care Collaborative (2015-present) • Executive Committee, Section on Law, Medicine and Health Care, The Association of American Law Schools • Member, American Health Lawyers Association (2010-present) • Member, American Society of Law, Medicine & Ethics (1995-present) • In July 2019, Professors John Jacobi and Laura Hoffman prepared comments to proposed changes to New Jersey guardianship statutes prepared by the New Jersey Law Revision Commission.

Katherine L. Moore, Associate Professor, reports the following **publications**: *Disabled Autonomy*, *J. Health Care L. & Pol’y* (forthcoming).

Professor Moore reports the following **presentations**: “Eliminated: The Disappearance of Disability,” AALS Section on Clinical Legal Education Works-in-Progress Session, AALS Clinical Conference, San Francisco, CA (May 2019) • “Pain Is Enough: Chronic Pain Through the Lens of *Sauders v. Wilkie*” at the Disability Law Section panel, Reconsidering Disability Benefits Programs, AALS Annual Meeting, Washington, DC (Jan. 2019).

Jennifer D. Oliva, Associate Professor of Law, reports the following **publications**: Prescription Drug Policing: The Right to Health Information Privacy Pre- and Post-Carpenter, 69 *Duke L.J.* (2020) (forthcoming) • Representing Veterans, 73 *SMU L. Rev. F.* ____ (forthcoming 2020) (invited submission for “Foundational Voices in 2020 and Beyond” Volume) • Opioid Multidistrict Litigation Secrecy, 80 *Ohio State L.J.* (2019) (forthcoming) • Evidence on Fire, 97 *N.C. L. Rev.* 483 (2019) (lead article) (with Valena Elizabeth Beety) • Regulating Bite Mark Evidence: Lesbian Vampires and Other Myths of Forensic Odontology, 94 *WASH. L. Rev.* (2019) (forthcoming) (with Valena Elizabeth Beety) • Does v. Gillespie, in *Feminist Judgments: Health Law Rewritten Opinions*, Cambridge University Press (Lindsay Wiley & Seema Mohapatra, eds.) (2020) (forthcoming) (with Melissa Ballengee Alexander) • The Price of the Black Dollar: Veteran Coal Miners and the Right to Health, in *Dying to be Heard: Business’ Impact on Communities*, Anthem Press (Jena Martin & Karen Bravo, eds.) (2019) (forthcoming) • More Opioid Litigation Shoes Dropping: Everywhere But Cleveland!, *Harvard Law School Petrie-Flom Center Bill of Health Blog* (May 22, 2019) (with Nicolas Terry) • American Opioid Litigation: A Conversation with Professor Elizabeth Chamblee Burch, *Harvard Law School Petrie-Flom Center Bill of Health Blog* (May 13, 2019) • Recent Developments in Opioid Litigation: A Re-Cap, Visual Aid, and Summary of Outstanding Inquiries,

Harvard Law School Petrie-Flom Center Bill of Health Blog (Apr. 8, 2019) • “Homecoming” to a History of Servicemember Experimentation, Harvard Law School Petrie-Flom Center Bill of Health Blog (Feb. 14, 2019).

Professor Oliva reports the following **presentations**: Progressive Responses to the Opioid Epidemic, Harm Reduction, invited presenter, Seton Hall University School of Law, Newark, NJ, Nov. 19, 2019 • Supervised Consumption Services: Legal and Regulatory Challenges, presenter, The Opioid Crisis Goes to Court: Litigating an Epidemic, American Public Health Association 2019 Annual Conference, Philadelphia, PA, Nov. 5, 2019 • FDA Regulation of Drug Development & Approval: Healthcare Compliance Certification Program, invited presenter, Seton Hall University School of Law, Newark, NJ, Oct. 15, 2019 • Legal Obstacles to Evidence-Based Opioid Treatment, invited presenter, Fighting Back: A Legal Framework to Defeating the Opioid Crisis, University of Toledo Law Review Symposium, Toledo, OH, Oct. 11, 2019 • FDA Opioid Regulation & Reform, invited presenter, New York University Journal of Law & Business, Classical Liberal Institute, and Center on Civil Justice Conference, New York University School of Law, New York, NY, Sept. 26, 2019 • Precision Medicine Privacy, invited paper presenter, 2019 Weit Life Science Law Scholars Workshop, Loyola University Chicago School of Law Beazley Institute for Health Law and Policy, Chicago, IL, Sept. 6, 2019 • The Opioid Crisis—Legal and Health Implications, discussant, 2019 SEALS Annual Conference, Boca Raton, FL, Aug. 2, 2019 • Health Law Workshop: Health Law and Bioethics, discussant, 2019 SEALS Annual Conference, Boca Raton, FL, Aug. 2, 2019 • Health Law Workshop: Health Policy and Diseases of Despair, discussant, 2019 SEALS Annual Conference, Boca Raton, FL, Aug. 1, 2019 • New Scholar’s Workshop: The “Next Article,” discussant, 2019 SEALS Annual Conference, Boca Raton, FL, Jul. 29, 2019 • Teaching Theranos: A Modern Case Study in Business Ethics and Corporate Compliance, panel presenter, 2019 ComplianceNet Conference, Villanova University Charles Widger School of Law, Villanova, PA, June 3, 2019 • Precision Medicine Privacy, paper presenter, Seventh Annual Conference on Governance of Emerging Technologies (GETS), Arizona State University Sandra Day O’Connor College of Law, Phoenix, AZ, May 23, 2019 • Teaching Drugs: Incorporating Drug Policy into Law School Curriculum, invited discussant, Drug Enforcement and Policy Center, The Ohio State University Moritz College of Law, Columbus, OH, Apr. 19, 2019 • Prescription Drug Privacy, invited presenter, Workshop: Promises and Perils of Prescription Drug Monitoring Programs, Northeastern University School of Law Health in Justice Action Lab, Boston, MA, Apr. 13, 2019 • Protected Health Information Privacy, invited presenter, Privacy, Power & Ethics, Seton Hall Law School Institute for Privacy Protection, Seton Hall Law School, Newark, NJ, Apr. 5-6, 2019 • Public Health Approaches to the Opioid Crisis: Overcoming Obstacles to Community-Driven Solutions, invited panelist and panel organizer, The Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, Harvard Law School, Cambridge, MA, Apr. 1, 2019 • Rethinking Community Prevention, invited speaker, The Opioid Crisis: Rethinking Policy and Law, American University School of Public Affairs and Washington College of Law, Washington, DC, Feb. 22, 2019 • Health Information Privatization, invited commentator, Seton Hall Law School Center for Health & Pharmaceutical Law & Policy Third Annual Regional Health Law Works-in-Progress Retreat, Seton Hall Law School, Newark, NJ, Feb. 8, 2019 • AALS Section on Law and Mental Disability: Legal Solutions to Meeting the Mental Health Needs of our Most Vulnerable Populations, panel presenter, 2019 AALS Annual Conference, New Orleans, LA, Jan. 5, 2019 • Prescription Drug Policing: The Right to Health Privacy Information Pre- and Post-Carpenter, paper presenter, AALS Section on Law, Medicine and Health Care: Works in Progress Session for New Law and Medicine Scholars, 2019 AALS Annual Conference, New Orleans, LA, Jan. 3, 2019.

Professor Oliva reports the following **grants, honors, or awards**: Harry S. Truman Scholarship Foundation Ike Skelton Public Service Award (2019) • Chair-Elect of the American Association of Law Schools Section on Law and Mental Disability (2019-2020) • Weit Life Science Law Scholar (2019) • Visiting Scholar, The Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, Harvard Law School, Cambridge, MA (Spring 2019) • Forthcoming article in the Duke Law Journal was cited in Brief of Amici Curie American Civil Liberties Union et al. in Support of Respondent, United States Department of Justice v. Jonas, C.A. No. 19-1243 (1st Cir. May 29, 2019), <https://www.aclu.org/legaldocument/us-doj-v-jonas-amicus-brief-o>, and selected for presentation at the 2019 AALS Annual Conference Works in Progress Session for New Law and Medicine Scholars by the AALS Section on Law, Medicine and Health Care • Forthcoming article in the Ohio State Law Journal cited in Brief of Amici Curie American Medicine and Public Health Historians and the Organization of American Historians in Support of a Settlement Agreement Including Broad Transparency Provisions in the Interest of Future Research, In re: Nat’l Prescription Opiate Litig., MDL No. 17-2804 (N.D. Ohio Sept. 12, 2019) • Article published in the North Carolina Law Review was cited and discussed in Expert Evidence (Carolina Academic Press 2019) and featured on Excited Utterance: The Evidence and Proof Podcast, Episode 56 (Sept. 3, 2018), <https://www.excitedutterancepodcast.com/listen/2018/9/3/56-valena-beety> • Grant: HRSA SPNS 19-038 Strengthening Systems of Care for People Living with HIV and Opioid Use Disorder (2019-2022), Grantee/Primary Investigator: Yale University School of Medicine and Public Health, Role: Legal Consultant, Status: Granted (\$3.75m).

Professor Oliva reports the following **professional activities**: Money from Opioid Lawsuit Settlements ‘Will Never be Enough’ to Manage Crisis, Healio.Com (Oct. 30, 2019) • More Opioid Lawsuits Moving Toward Settlement, BYU Radio: Top of the Mind with Julie Rose (Oct. 23, 2019) • What to Watch as Opioid MDL Nears Moment of Truth, Law360 (Oct.

17, 2019) • Questions Swirl Around Opioid MDL Bellwether Trial, Law360 (Oct. 8, 2019) • J&J Wants Its Reputation Back After Opioid Scourge: Company Paying Price Not Only in Verdicts, But in Brand Damage, Asbury Park Press (Oct. 5, 2019) • Was J&J Subsidiary a ‘Public Nuisance?’ Company Seeks to Dismiss NJ Opioid Lawsuit, Asbury Park Press (Sept. 28, 2019) • Purdue Prepares to Pay the Piper for Role in Opioid Epidemic, BYU Radio: Top of the Mind with Julie Rose (Sept. 19, 2019) • 4 Key Takeaways as Opioid MDL Distributors Seek Judge’s DQ, Law360 (Sept. 16, 2019) • Purdue Pharma Tentatively Settles Opioid Lawsuits, Others Still Pending, Healio.Com (Sept. 12, 2019) • Historians Push to Create Archive of Documents from Massive Opioid Litigation, StatNews (Sept. 12, 2019) • Experts Discuss Future Opioid Lawsuit Strategies, Lawsuits’ Impact on Manufacturers, Healio.Com, (Sept. 4, 2019) • Will What Happened in Oklahoma Stay in Oklahoma? The Week in Health Law (TWIHL Podcast), Episode 164 (Aug. 28, 2019) • Prescription Drug Policing, Ipse Dixit: A Podcast on Legal Scholarship, Episode 333 (July 22, 2019) • Opioid Litigation Update, The Week in Health Law (TWIHL Podcast), Episode 158 (May 9, 2019) • Misaligned Opioid Policies, The Week in Health Law (TWIHL Podcast), Episode 157 (Apr. 28, 2019) • Faculty Coach, Health Law Regulatory and Compliance Competition Team, University of Maryland Francis King Carey School of Law (2018-19) • Member, AALS Section on Lawyering in the Public Interest (Bellow Scholars Committee) (2017-Present) • Member, University of Michigan Diversity Scholars Network (2017-Present) • Board Member, American Civil Liberties Union of West Virginia (ACLU-WV) (2017-2019) • Member, West Virginia University Women’s Leadership Initiative (2017-2019) • Member, Veterans Advisory Group to the Honorable Joseph Manchin III (D-WV) (2017-2019) • Member, U.S. District Court for the Northern District of West Virginia Drug Court Treatment Team, (2016-2019) • Member, West Virginia University Truman Scholar Selection Committee (2016-2019) • Member, West Virginia University Veterans Committee (2016-2019) • Member, West Virginia Bar Association Veterans and Military Affairs Committee (2016-2019) • Voting Honors Member, National Law School Veterans Clinic Consortium (NLSVCC) (2017-19) • Faculty Co-Advisor, ACLU-WV Law Student Chapter (2017-19) • Founding Member, West Virginia University College of Law Appalachian Justice Initiative (AJI) (2016-19) • Legal Education and Outreach Volunteer for Veteran Prisoners, Federal Correctional Center-Hazelton, WV (2016-19) • Faculty Co-Advisor, Veterans Law Caucus, West Virginia University College of Law (2016-19) • Pro Bono Counsel, American Bar Association Veterans’ Claims Assistance Network (ABA VCAN) (2014-Present).

Tara Adams Ragone, Assistant Professor, reports the following **publications**: Community Health Workers in New Jersey: The Question of Certification, Issue Brief, Seton Hall Law Center for Health & Pharmaceutical Law & Policy (Aug. 2019) (with John V. Jacobi) • New Jersey Takes Important Step to Improve Access to Behavioral Healthcare by Enacting Behavioral Health Parity Law, Garden State Focus (Summer 2019).

Professor Ragone reports the following **presentations**: “Overview of Sharing Behavioral Health Information in Michigan, Electronic Consent Management Service (eCMS) Workshop Series: Positioning Michigan’s Healthcare Community for the Sharing of Behavioral Health Information, East Lansing, MI (July 25, 2019) • Mental Health Parity at 10, ASLME Health Law Professors Conference, Chicago, IL (June 5, 2019) • Speaker, Federal and Michigan Laws Regarding the Exchange of Substance Use Disorder Treatment Records, and Moderator, Yes, We Can Share Behavioral Health Data: Common Misconceptions and Barriers to Information Exchange, Connecting Michigan for Health Legal Summit, Lansing, MI (June 3, 2019) • Confidentiality of Substance Use Disorder Records, New Jersey Attorney General’s Advocacy Institute (Apr. 11, 2019).

Professor Ragone reports the following **grants, honors, or awards**: Investigator, Certification of Community Health Workers, analysis and recommendations on state regulatory oversight of community health workers, funded by New Jersey Health Initiatives/Robert Wood Johnson Foundation (2019) • Investigator, “Consultation and Regulatory Implementation Assistance in Furtherance of Behavioral Health Integration for the New Jersey Departments of Health and Human Services,” assistance to the New Jersey Departments of Health and Human Services to create a regulatory framework to support the delivery of integrated care in New Jersey, funded by The Nicholson Foundation (2018-2020).

Professor Ragone reports the following **professional activities**: Provides analysis and consultation to entities such as the Michigan Health Information Network (MiHIN) and the Office of the New Jersey Coordinator for Addiction Responses and Enforcement Strategies (NJ CARES), both of which are working to improve the sharing of health information in service of coordinated care while balancing privacy interests • Engaged in efforts to improve implementation of mental health parity laws at both the federal and state level through service on a national advisory committee and collaboration with state and national coalitions evaluating statutory and regulatory policy responses to continued implementation challenges, including the New Jersey Parity Coalition, which developed legislation that Governor Phil Murphy signed into law on April 11, 2019 • Developed nation’s first law school course devoted to exploring and analyzing legislative, executive, and judicial efforts to realize the promise of parity for patients in need of treatment for behavioral health conditions • Provides legal and technical assistance through service on the legal subcommittee of New Jersey’s Integrated Population Health Data (iPHD) Project • Steering Committee, Good Care Collaborative (2015-present).

SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW

SIU School of Law Health Law Program Events in 2018-2019:

- Annually hosting the National Health Law Moot Court Competition every November for 27 years
- Ryan Bioethicist in Residence Lecture, Prof. Alex London, Artificial Intelligence in Medicine (March 2018)
- 20th Annual Health Policy Institute, Beyond Stigma: Developing Workable Behavioral Health Policies (May 2018)

FACULTY NEWS

Jennifer A. Brobst, J.D., LL.M., Associate Professor (promoted July 2019), reports the following **publications**: The Metal Eye: Ethical Regulation of the Use of Technology to Observe Humans in Confinement, 55 CAL. W. L. REV. 1 (2019) • (Solicited) Book Review, 41(2) HUM. RTS. Q. 508 (2019) (BERNICE YEUNG, IN A DAY'S WORK: THE FIGHT TO END SEXUAL VIOLENCE AGAINST AMERICA'S MOST VULNERABLE WORKERS (The New Press 2018)) • Mental Health in Prisons: Treatment or Unconstitutional Interrogation? An Introduction to the 2016 National Health Law Moot Court Competition, 38(1) J. LEGAL MED. 1 (2018) • CRIMINAL OFFENSES AND DEFENSES IN ALABAMA, State Practice Series, Thomson Reuters (2019 ed.) (print and digital) • ADMISSIBILITY OF EVIDENCE IN NORTH CAROLINA, State Practice Series, Thomson Reuters (2018-2019) (print and digital).

Professor Brobst reports the following **presentations**: Trauma-Informed Lawyering in Domestic Violence Cases, Southern Illinois Land of Lincoln Legal Aid (Feb. 2019) (4-hour training for attorneys serving approx. 60 rural counties).

Professor Brobst reports the following **grants, honors, or awards**: 2018 Outstanding Scholar Award, Southern Illinois University School of Law.

Professor Brobst reports the following **professional activities**: Director of Faculty Development (2019-2020) • Coordinator, 24th Annual Interdisciplinary Professionalism Day, Southern Illinois University-Carbondale (September 2019) (half-day ethics program for approximately 225 first year graduate students in the Schools of Law, Medicine, and Public Health) • Provided half-day cross-trainings of expert witnesses in collaboration with the SIU Dept. of Anthropology (forensic anthropology) (August 2019) and the SIU School of Social Work (Trauma-Based Behavioral Health) (June 2019) • Faculty cross-appointments in the SIU-Carbondale Dept. of Public Health and the SIU School of Medicine, Dept. of Medical Humanities • Member, Advisory Council, National Crime Victim Law Institute (since 2014) • Past-Chair, Balance in Legal Education Section Executive Committee, AALS (Chair in 2017) • Member, Advisory Council, Center for Rural Health and Social Service Development, SIU School of Medicine.

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

The Center for Public Health Law Research (CPHLR) celebrates a decade of leadership in the field of legal epidemiology with a special symposium and other events: <http://phlr.org/10years>.

The Center for Public Health Law Research has published of "A Vision of Health Equity in Housing" a new report series exploring the intersection of health, housing and the law: <http://bit.ly/PHLRhousing>.

CPHLR and Temple Law Professor Rachel Rebouché are working with experts from the Guttmacher Institute, Resources for Abortion Delivery, American Civil Liberties Union, Center for Reproductive Rights, National Abortion Federation, and Planned Parenthood Federation of America to study the vast landscape of abortion laws and reproductive rights in the United States and globally. There are now have 16 datasets, updated biannually, that represent the most comprehensive available legal data on US abortion regulations. <http://lawatlas.org/datasets/abortion-laws>

Scott Burris and CPHLR staff have partnered with the World Health Organization to better understand public health laws in its member states by mapping Ukraine's new public health laws, identifying data for international abortion law guidelines, and assessing laws that meet criteria for International Health Regulations (2005) Article 2 that prevent, protect against, control and provide a public health response to the international spread of disease. CPHLR staff traveled to Switzerland in the spring to train in-country lawyers from Georgia, Kyrgyzstan, Serbia, and Switzerland on how to use policy surveillance to conduct pilot research on IHR(2005). <http://lawatlas.org/page/who-international-health-regulations-project>

Partnering with the National League of Cities and the Robert Wood Johnson Foundation, staff from CPHLR are developing groundbreaking new data tracking state-level preemption across 11 domains, including firearms regulations,

tax and expenditure regulations, and employment laws, among others. The data are being put to use immediately to understand the impact of preemption on cities and towns.

FACULTY NEWS

Scott Burris, Professor and Director of the Center for Public Health Law Research, reports the following **presentations**: “Science, Interdisciplinarity, and Health Law Scholarship,” 42nd Annual Health Law Professors Conference, Chicago, 2019 • “Interactive Workshop: Improving the Creation and Use of Legal Data in Comparative Drug and Alcohol Policy Research,” annual meeting of the International Society for the Study of Drug Policy, Paris, 2019 • “Strategic Transdisciplinarity and the Endless Trudge to Partial Victory,” American Journal of Law and Medicine Symposium, “The Crisis of Democracy in Health Care,” Boston University Law School, 2019 • “Bringing Evidence to State Health Law Reform: Insights from Legal Epidemiology,” AALS Annual Meeting, New Orleans, 2019 • “Better Health Faster: Legal Epidemiology and the Transdisciplinary Model of Public Health Law,” 2018 Swiss National Public Health Conference, University of Neuchatel • “Public Health Law: Looking Forward, Looking Back” Public Health Law Conference 2018, Phoenix • “Legal Epidemiology,” World Health Organization Seminar Series, Geneva 2018 • “Policy Surveillance and the New Model of Law in Public Health,” 50th Asia-Pacific Academic Consortium for Public Health Conference, Kota Kinabalu Sabah Malaysia; Institute of Social and Preventive Medicine, University of Bern, 2018.

UIC JOHN MARSHALL LAW SCHOOL

FACULTY NEWS

Marc Ginsberg, Professor of Law, reports the following **publications**: His paper, “Habit Forming”--Evidence Of Physician Habit In Medical Negligence Litigation, has been accepted for publication by the Yale Journal of Health Law, Policy and Ethics.

UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW

In January 2019, the University of Arizona James E. Rogers College of Law launched two Graduate Certificates in Health Law [law.arizona.edu/health], one for health professionals and the other in regulatory science in collaboration with the Critical Path Institute, an organization created in partnership with the FDA and international leader in accelerating the pace of medical product development. These fully online, multidisciplinary programs have attracted over 150 graduate students from across the University of Arizona Colleges, including the health sciences (Pharmacy, Nursing, Medicine, and Public Health), Government, Engineering, Science, and Management, and coast-to-coast from California to New York. We have also received our first international prospective students from India, Peru, South Africa, and the United Kingdom.

We co-hosted a series of presentations throughout 2019 with our corporate partners to showcase our new health law programs and highlight topics covered in the courses:

- Spring: Critical Path Institute on ‘Growth in Regulatory Science and Demand for Legal Training in the Field’
- Summer: Health Current, Arizona’s Health Information Exchange on ‘Recent Developments in Health IT’ and Arizona State of Reform on ‘Drug Pricing Reform Efforts in the States’
- Fall: International Council on Active Aging on ‘Will the Law Let You Age Well?’; Snell & Wilmer on ‘Drug Development in the Age of Precision Medicine’; and Arizona Bioethics Network on ‘Digital Health Privacy in Long-Term Care’

We continue to invite health law scholars to present at our Regulatory Science Colloquium. In Fall 2019, Professor Anya Prince from the University of Iowa joined us to present on Direct-to-Consumer Genetic Testing.

FACULTY NEWS

Christopher Robertson Professor of Law; Associate Dean for Research & Innovation, reports the following **publications**: His new book from Harvard University Press is coming out: Exposed: Why Our Health Insurance is Incomplete and What can be Done About It • With Tara Sklar, this fall Chris published a piece in the New England Journal of Medicine, titled “Affordability Boards — The States’ New Fix for Drug Pricing.”

Professor Robertson reports the following **presentations**: He presented research on moral hazard at the Conference on Empirical Legal Studies • he presented work on payment models for pre-approval access to drugs at a Wake Forest symposium • he presented joint work with Wendy Epstein on alternatives to the individual mandate, at the American

Enterprise Institute • he presented on medical device law as part of the National Academy of Science/Biomedical Engineering Materials Applications Roundtable (BEMA).

Professor Robertson reports the following **grants, honors, or awards**: This fall, with Andrew Woods, Chris also received a funding to research Perspectives of Diverse Patient Populations on AI and Big Data, from the National Institute for Heart, Lung, & Blood Disorders (NIH).

Professor Robertson reports the following **professional activities**: .He is continuing to serve as the Reporter for the Committee to Monitor Developments in Health Law of the Uniform Law Commission.

Tara Sklar, Professor of Health Law and Director, Health Law & Policy Program, reports the following **publications**: *Affordability Boards – The States’ New Fix for Drug Pricing*, 381 *New Eng. J. Med.* 1301 (2019) (co-author, with Christopher Robertson) • *Book Review: Pandemics and Polarization: Implications of Partisan Budgeting for Responding to Public Health Emergencies*, 1 *Global Biosecurity* 2 (2019) • *Elderly Gun Ownership and the Wave of State Red Flag Laws: An Unintended Consequence That Could Help Many*, 27 *Elder L.J.* 35 (2019) • *Preparing to Age in Place: The Role of Medicaid Waivers in Elder Abuse Prevention* 28 *Ann. Health L.* 195 (2019) (co-author, with Rachel Zuraw) • *Characteristics of Lawyers Who are Subject to Complaints and Misconduct Findings*, 16 *J. Empirical Legal Stud.* 318 (2019) (co-author, with Yamna Taouk et al.) • Accepted publications that will be forthcoming in 2020: *Addressing Workforce Development for Population Aging with Digital Health Technologies*, in *Social Determinants of Healthy Aging: A Public Health Perspective* ____ (Aaron Guest & Elaine Jurkowski eds., American Public Health Association Press, forthcoming 2020) • *Sensor Surveillance in Long-Term Care: Balancing Privacy with Independent Living*, in *Data Driven Personalisation and the Law – A Primer* ____ (Jacob Eisler & Uta Kohl eds., Cambridge University Press, forthcoming 2020) • *Telehealth for an Aging Population: How to Influence Adoption Among Providers, Payors, and Patients?*, ____ *Am. J. Law and Med.* ____ (forthcoming 2020) (co-author, with Christopher Robertson) • *The Research Exemption Carve Out: Understanding Research Participants Rights Under GDPR and U.S. Data Privacy Laws*, 60 *Jurimetrics* 1 (forthcoming 2020) (co-author, with Mabel Crescioni) • *Digital Health Privacy and Age: Quality and Safety Improvement in Long-Term Care*, ____ *Ind. Health L. Rev.* ____ (forthcoming 2020) (co-author, with Rachel Zuraw) • *Research Participants’ Rights to Data Protection in the Era of Open Science*, 69 *DePaul L. Rev.* 2 (forthcoming 2020) (co-author, with Mabel Crescioni).

Professor Sklar reports the following **presentations**: *Digital Privacy and Age: Evolving Role of Wearables in Long-Term Care*, American Public Health Association 2019 Annual Meeting, Philadelphia, November 4, 2019 • *Will the Law Let You Age Well?*, International Council on Active Aging 2019 Annual Conference, Orlando, October 10, 2019 • *Personal Data Protection in Clinical Research*, ASLME Health Law Professors Conference 2019, Loyola University Chicago College of Law, June 7, 2019 • *Drug Pricing Reform Efforts: What’s Ahead for Arizona?* 2019 Arizona State of Reform Health Policy Conference: Panel on Road Ahead for Federal Health Policy, May 23, 2019 • *Personal Data Protection in Clinical Research*, Governance of Emerging Technologies & Science Conference, Arizona State University College of Law, May 22, 2019 • *Privacy Considerations in Clinical Trials*, 2019 Food and Drug Law Institute’s Annual Conference, Washington DC, May 3, 2019 • *Research Participants’ Rights in the Era of Clinical Trial Transparency*, 25th Annual Clifford Symposium on Tort Law and Social Policy: Rising Stars, DePaul Law School, April 26, 2019 • *Personal Data Protection in Clinical Research*, National Academies of Sciences, Engineering, and Medicine, Roundtable on Law & Medical Devices, Washington DC, March 25, 2019 • *Preparing to Age in Place: Role of Medicaid Waivers in Elder Abuse Prevention*, 2019 Association of American Law Schools, New Orleans, January 3, 2019.

Professor Sklar reports the following **grants, honors, or awards**: Rising Star in Legal Academia, 25th Annual Clifford Symposium in Tort Law & Social Policy, 2019.

Roy G. Spece, John D. Lyons Professor of Law, reports the following **publications**: *Book: The Constitution of Bioethics: Equal Protection* (with contract and in progress with Michael Shapiro).

UNIVERSITY OF CALIFORNIA IRVINE, SCHOOL OF LAW

FACULTY NEWS

Michele Goodwin, Chancellor’s Professor of Law, reports the following **publications**: *MICHELE GOODWIN, POLICING THE WOMB: THE NEW RACE & CLASS POLITICS OF REPRODUCTION* (Cambridge University Press, 2020) • *A Different Type Of Property: White Women and the Human Property They Kept*, 118 *MICH. L. REV.* ____ (Forthcoming 2020) • *MICHELE GOODWIN, SEX, SOCIETY, & THE LAW* (University Of California Press, 2019), Founding and Senior Editor [Ten Book Series] • Michele Goodwin, *Preservation of Discrimination Through Transformation: The Transgender Military Ban*, 114

NORTHWESTERN L. REV. ____ (Forthcoming 2019) (With Erwin Chemerinsky) • Constitutional Gerrymandering Against Abortion Rights, 94 NYU. L. REV. 61 (2019) (With Erwin Chemerinsky) • *The Thirteenth Amendment: Modern Slavery, Capitalism, And Mass Incarceration*, 104 CORNELL. L. REV. 899 (2019).

Professor Goodwin reports the following **presentations**: Woman's March, Orange County (2019) • Integris Lecture, Oklahoma City University School of Law (January 31, 2019) • University of Pennsylvania Law School, Sadie Alexander Commemorative Conference. Philadelphia, PA. (February 9, 2019) • University of Colorado, Boulder Law School, Colloquium Speaker (February 15, 2019) • Aspen Institute, Opening Session (June 2019) • Aspen Institute, Big Ideas Stage (June 2019) • Cambridge Bioethics Consortium, Paris (June 27, 2019) • American Constitution Society, Women's Rights as Human Rights: Raising the Floor & Shattering the Ceiling (June 7, 2019) • Lavender Law Conference, The Intersection of LGTQ Rights and Reproductive Rights in the Newly Configured Supreme Court (August 8, 2019) • Maryland Legal Theory Workshop, The Transgender Military Ban: Preservation of Discrimination Through Transformation (September 12, 2019) • Rutgers Center for Historical Analysis, Life & Death (September 24, 2019) • ACLU Supreme Court Review, San Diego, CA, Perspective on the Supreme Court Cases to Watch this Term (October 15, 2019) • Hastings Center Fellows Symposium at ASBH 2019, Social Justice and Human Rights (October 24, 2019) • Simon Tam & Michele Goodwin in Conversation (October 18, 2019) • Edward L. Barrett Jr. Lecture at UC Davis, Policing the Womb (November 5, 2019) • Orange County Bar Association Seminar, Your Career Sponsor: Why It's Important for Your Career and How to Get One (November 18, 2019) • CUNY Graduate Center, Policing the Womb (December 9, 2019).

Professor Goodwin reports the following **grants, honors, or awards**: Orange County Interfaith Award (2019) • Be the Change Award (September 2019).

Professor Goodwin reports the following **professional activities**: ACLU, National Board and Executive Committee • Media Appearance, Body Politic, KGVM 95.9., April 1, 2019 • Recent Abortion Bills Part of Larger History of Controlling Bodies, Diverse Issues in Higher Education, May 23, 2019 (Media appearance) • Sex, Society, & The Law Book Series Workshop: How To Publish Your (August 2019).

UNIVERSITY OF DENVER STURM COLLEGE OF LAW

FACULTY NEWS

Govind Persad, Assistant Professor, reports the following **publications**: Evaluating the Legality of Age-Based Criteria in Health Care: From Nondiscrimination and Discretion to Distributive Justice, 60 B.C. L. Rev. 889 (2019) • Examining Pharmaceutical Exceptionalism: Intellectual Property, Practical Expediency, and Global Health, 18 Yale J. Health Pol'y, L., & Ethics 158 (2019) • Considering Quality of Life While Repudiating Disability Injustice: The Pathways Approach to Priority-Setting, 47 J.L. Med. & Ethics 294 (2019) • Will More Organs Save More Lives? Cost-Effectiveness and the Ethics of Expanding Organ Procurement, 33 Bioethics 684 (2019) • Are Medicaid Closed Formularies Unethical? Social Values and Limit-Setting, 21 Am. Med. Ass'n J. Ethics 654 (2019). Second author, with Leah Rand • Differential Payment to Research Participants: An Ethical Analysis, 45 J. Med. Ethics 318 (2019). First author, with Holly Fernandez Lynch and Emily Largent • Transparency Trade-Offs: Priority-Setting, Scarcity, and Health Fairness, in *Transparency in Health and Health Care in the United States* (Holly Fernandez Lynch, I. Glenn Cohen, Carmel Shachar & Barbara J. Evans eds. 2019) • Justice and Public Health, in *Oxford Handbook of Public Health Ethics* (Nancy Kass, Jeff Kahn, and Anna Mastroianni eds. 2019), <http://dx.doi.org/10.1093/oxfordhb/9780190245191.013.4>.

Professor Persad reports the following **publications**: Payment in Research Ethics, in *Conversations about Research Ethics* workshop, Ohio State University (October 2019) • Financial Protection in Universal Health Coverage, CeBIL/RIBS Symposium, University of Copenhagen (June 2019).

Professor Persad reports the following **grants, honors, or awards**: She is on the second year of a Greenwall Faculty Scholars grant that focuses on financial risk protection and health insurance.

UNIVERSITY OF HAWAII WILLIAM S. RICHARDSON SCHOOL OF LAW

FACULTY NEWS

Andrea Freeman, Associate Professor, reports the following **publication**: ANDREA FREEMAN, SKIMMED: BREASTFEEDING, RACE, AND INJUSTICE (Stanford University Press 2019).

UNIVERSITY OF HOUSTON LAW CENTER

It has been a successful year at the University of Houston Law Center's Health Law & Policy Institute (HLPI). As we turn the corner after a celebration of 40 years of health law excellence, the future looks bright. This year we took the #6 spot on the U.S. News & World Report health law rankings, and continue to be recognized as one of the nation's best health law specialty programs by Pre-Law Magazine and the LLM Guide. We also have the opportunity to grow our program by a tenure-track faculty member and a new health law research scholar.

In the spring, HLPI hosted several excellent speakers. Natalie Ram of the University of Baltimore School of Law (now University of Maryland Francis King Carey School of Law) discussed genetic privacy after Carpenter. Nicholson Price of the University of Michigan Law School presented a paper on contextual bias an AI. Dayna Matthew of the University of Virginia Law School spoke on the empirical evidence that medical-legal partnerships improve lives. In November, we hosted Susan Feigin Harris, a nationally recognized health care attorney, who spoke on surprise billing and whether price transparency is the answer.

On October 25th, 2019, we held our annual symposium workshop. This year's theme was "Medicare for All." Our event featured several distinguished academics, including David Hyman of Georgetown Law, Nicole Huberfeld of Boston University, Zack Buck from the University of Tennessee College of Law, and Jacqueline Fox from the University of South Carolina School of Law.

FACULTY NEWS

Seth Chandler, Law Foundation Professor of Law, reports the following **publications**: TRANSFORMING DATA INTO INFORMATION: THE WOLFRAM LANGUAGE, Wolfram Media, Inc. (forthcoming)

Barbara Evans, Mary Ann & Lawrence E. Faust Professor of Law, Professor, Electrical and Computer Engineering, Director, Center on Biotechnology & Law, reports the following **publications**: The Streetlight Effect: Regulating Genomics Where the Light Is, J. LAW. MED. & ETHICS (2019 forthcoming) • A Faustian Bargain That Imperils People's Privacy Rights and Return of Results, 71 FLORIDA L. REV (2019 forthcoming) (with Susan M. Wolf) • Minding the Gaps in Regulation of Do-It-Yourself Biotechnology, in SYMPOSIUM: DEMOCRATIZING HEALTH CARE, DEPAUL JOURNAL OF HEALTH CARE LAW (2020 forthcoming) • How Can Law and Policy Advance Genomic Analysis and Interpretation for Clinical Care?, J. LAW. MED. & ETHICS (2019 forthcoming) (with Gail Javitt, Ralph Hall, Megan Robertson, Pilar Ossorio, Susan M. Wolf, Thomas Morgan, and Ellen Wright Clayton) • Programming Our Genomes, Programming Ourselves: The Moral and Regulatory Limits of Self-Harm in Do-It-Yourself Gene Editing, in CONSUMING GENOMICS (I. Glenn Cohen, Hank Greely, Nita Farahany & Carmel Shachar, eds., forthcoming 2020) • Ethical Standards for Unconsented Data Use in Genomic Data Commons, in ROUTLEDGE HANDBOOK OF THE STUDY OF THE COMMONS 294 (Blake Hudson, Jonathan Rosenblum & Dan Cole, eds. 2019) • Nontransparency in Electronic Health Record Systems, in TRANSPARENCY IN HEALTH AND HEALTH CARE: LEGAL POSSIBILITIES AND LIMITS 273-286 (with Jim Hawkins & Harlan Krumholz) (Holly Fernandez Lynch, I. Glenn Cohen, Charmel Shachar & Barbara J. Evans eds., 2019) • The Interplay of Privacy and Transparency in Health Care: The HIPAA Privacy Rule as a Case Study, in TRANSPARENCY IN HEALTH AND HEALTH CARE IN THE UNITED STATES: LAW AND ETHICS 30 (2019) • The Genetic Information Nondiscrimination Act at Age 10: GINA's Controversial Assertion that Data Transparency Protects Privacy and Civil Rights, 60 WM. & MARY L. REV. 2017 (2019) • The Law of Genetic Privacy: Applications, Implications, and Limitations, 6 J. LAW AND THE BIOSCIENCES (2019) (with Ellen Wright Clayton, James W. Hazel & Mark A. Rothstein) • Who Owns the Data in a Medical Information Commons?, 47 JOURNAL OF LAW, MEDICINE, AND ETHICS 62 (2019) (with Amy L. McGuire, Jessica L. Roberts & Sean Aas) • Improving Recommendations for Genomic Medicine: Building an Evolutionary Process from Clinical Practice Advisory Documents to Guidelines, 21 GENETICS IN MEDICINE 1 (2019) (as part of a team led by Wylie M. Burke) • Parsing the Line Between Professional and Citizen Science, 19 AMERICAN JOURNAL OF BIOETHICS 15 (2019) • Defending Return of Results and Data, 362 SCIENCE 1255 (2018) (with Susan M. Wolf) • People-Powered Data Collaboratives: Fueling Data Science with Health-Related Experience of Individuals, 26 JOURNAL OF THE AMERICAN MEDICAL INFORMATICS ASSOCIATION 159 (2018) (with Harlan M. Krumholz) • Return of Results & Data to Study Participants, 362 SCIENCE 159 (2018) (with Susan M. Wolf) • Big Data and Individual Autonomy in a Crowd, in BIG DATA, HEALTH LAW, AND BIOETHICS 19 (I. Glenn Cohen, Holly Fernandez Lynch, Urs Gasser & Effy Vayena eds., 2018) • Response to Dreyfus and Sobel, 103 AMERICAN JOURNAL OF HUMAN GENETICS 166 (2018) • HIPAA's Individual Right of Access to Genomic Data: Reconciling Safety and Civil Rights, 102 AM. J. HUM. GENETICS 5 (2018) • Sentinel Initiative Principles and Policies: HIPAA and Common Rule Compliance in THE SENTINEL INITIATIVE (2018) (with Kristen Rosati & Naomi Jorgenson).

Michael S. Ewer, Visiting Professor, reports the following **publications**: *CANCER AND THE HEART* (People's Medical Publishing House, 3rd edition 2019).

Leah Fowler, Research Assistant Professor, Health Law & Policy Institute, reports the following **publications**: *A Qualitative Study of the Promises and Perils of Medical Legal Partnerships* (with Jessica Mantel) *NORTHEASTERN L. REV.* (forthcoming) (selected from call for papers) • *A Matter of Life and Longer Life* (with Kristin Kostick and Christopher Scott), 50 *J. AGING STUD.* (2019) • *From Cervical Cap to Mobile App: Examining the Potential Reproductive Health Impacts of New Technologies* (with Stephanie R. Morain and Julie M. Dorland), *HEALTH PROMOTION PRAC.* (forthcoming 2019) • *Engineering Eden: Does Earthly Pursuit of Eternal Life Threaten the Future of Religions?* (with Kristin Kostick and Christopher Scott), 17 *THEOLOGY AND SCI.* 2 (2019) • *A Nudge Toward Meaningful Choice* (with Jessica L. Roberts), 19 *AM. J. BIOETHICS* 5 (2019).

Leslie Griffin, Visting Professor, reports the following **publications**: *Rewritten Opinion, Means v. United States Conference of Catholic Bishops*, in *FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS* (Seema Mohapatra & Lindsay F. Wiley, eds., Cambridge University Press, expected publication 2020) • *Legislation and Religious Exemptions from Laws Protecting Children*, with Marci Hamilton, in *THE OXFORD HANDBOOK OF CHILDREN AND THE LAW* (James G. Dwyer, ed., Oxford University Press, 2019) • *Conquering Brain Injury*, 34:5 *JOURNAL OF HEAD TRAUMA REHABILITATION* 366 (2019) • *Role of the Clinical Ethics Consultant: A Response to Kornfeld and Prager*, 30:2 *JOURNAL OF CLINICAL ETHICS* 117 (Summer 2019) (co-authors W. Winslade, D.M. Vaughan, R. Permar, C. Rakestraw, R. Hart) • *Thinking About the Brain*, <https://verdict.justia.com/2019/09/03/thinking-about-the-brain> • *Amicus Brief on Petition for Writ of Certiorari, for CHILD USA*, with Marci A. Hamilton, *Father John Gallagher v. Diocese of Palm Beach*, No. 18-964, Supreme Court of the United States (tort law should be handled by neutral principles of law) • *Amicus Brief on Petition for Writ of Certiorari, for numerous children's institutions*, with Marci A. Hamilton, *Morrow v. Ford*, No. 18-6409, Supreme Court of the United States (sexual abuse of defendant not reported at trial) • *Amicus Brief on Petition for Writ of Certiorari*, with Marci A. Hamilton and Paul G. Cassell, *State of Montana v. Tipton*, No. 18-444, Supreme Court of the United States (ex post facto treatment of DNA evidence laws) • *Amicus Brief*, with Marci A. Hamilton, *In Re: Fortieth Statewide Investigating Grand Jury*, 106 *WM* 2018, Pennsylvania Supreme Court (release of grand jury report on child sexual abuse).

Jim Hawkins, Alumnae College Professor in Law, reports the following **publications**: *Protecting Consumers as Sellers*, *INDIANA L.J.* (forthcoming 2019) • *The Behavioral Economics of Lawyer Advertising: An Empirical Assessment*, *U. OF ILLINOIS L. REV.* (forthcoming 2019) (with Renee Knake) • *Nontransparency in Electronic Health Record Systems*, in *Transparency in HEALTH AND HEALTHCARE: LEGAL POSSIBILITIES AND LIMITS* (Cambridge University Press, forthcoming) (with Barbara J. Evans & Harlan M. Krumholz).

David Kwok, Associate Professor, reports the following **publications**: *Is Vagueness Choking the White Collar Statute?*, 53 *GA. L. REV.* 495 (2019) • *The Whistleblower as Corporate Frenemy*, *BELMONT CRIM. L. J.* (forthcoming 2019) (symposium on white collar crime).

Jessica Mantel, Associate Professor, George A. Butler Legal Research Professor, Co-Director; Health Law & Policy Institute, reports the following **publications**: *Promise and Perils of Medical Legal Partnerships*, *NORTHEASTERN L. REV.* (forthcoming 2019) (co-authored with Leah Fowler) (selected from call for papers) • *An Unintended Consequence of Payment Reform: Providers Avoiding Nonadherent Patients*, 46 *J. OF LAW, MEDICINE, AND ETHICS* 931 (2019) • *How Efforts to Lower Health Care Costs are Putting Patients and Physicians on a Collision Course*, 44 *OHIO N. U. L. REV.* 371 (2018) (invited contribution) • *Legal and Ethical Impediments to Data Sharing and Integration Among Medical Legal Partnership Participants*, 27 *ANNALS OF HEALTH L.* 183 (2018) (co-authored with Renee Knake).

Ellen Marrus, Royce Till Professor of Law, Director, Center for Children, Law & Policy, reports the following **publications**: *CHILDREN AND JUVENILE JUSTICE* (Carolina Academic Press, 3rd edition forthcoming Fall 2019) • *Holistic Representation: Producing Better Outcomes for Children in CONFLICT WITH THE LAW*, World Congress, (forthcoming Summer 2019) • *RIGHTS, RACE, AND REFORM: 50 YEARS OF CHILD ADVOCACY IN THE JUVENILE JUSTICE SYSTEM* (Laura Cohen, Kristen Henning & Ellen Marrus eds.) (Oct. 2018) • *Arizona Before and After In Re Gault: Has Arizona Realized the Promises of In Re Gault*, in *RIGHTS, RACE, AND REFORM: 50 YEARS OF CHILD ADVOCACY IN THE JUVENILE JUSTICE SYSTEM* (Laura Cohen, Kristen Henning & Ellen Marrus eds.) (Oct. 2018) (co-author Chris Phillis).

Jessica Roberts, Professor, Leonard H. Childs Chair, Director, Health Law & Policy Institute, reports the following **publications**: *Reclaiming Rights in the Body: Commentary on Moore v. Regents of University of California*, in *FEMINIST JUDGMENTS: HEALTH LAW REWRITTEN OPINIONS* (Seema Mohapatra & Lindsay F. Wiley, eds.) (Cambridge University Press forthcoming 2020) • *DNA-Based Race?* (with Trina Jones & D. Wendy Greene), 98 *N.C.*

L. REV. --- (forthcoming 2019) • GINA, Big Data, and the Future of Employee Privacy (with Bradley A. Areheart), 128 YALE L.J. 710 (2019) • Housing, Healthism, & the HUD Smoke-Free Policy (with Dave Fagundes), 113 NW. U. L. REV. 917 (2019) (selected for print edition from online edition) • Forensic Genealogy and the Power of Defaults (with Natalie Ram), Correspondence, 37 NATURE BIOTECH. 707 (2019) • Who Owns the Data in a Medical Information Commons? (with Amy L. McGuire, Sean Aas, & Barbara J. Evans), 47 J.L. MED. & ETHICS 62 (2019) • A Nudge Toward Meaningful Choice (with Leah Fowler), Open Peer Commentary, 19 AMER. J. BIOETHICS 5 (2019) • Sex, Religion, and Politics, or the Future of Healthcare Antidiscrimination Law (with Elizabeth Sepper), 19 MARQUETTE BEN. & SOC. WEL. L. REV. 217 (2019) (invited symposium contribution) • Progressive Genetic Ownership, 93 NOTRE DAME L. REV. 1105 (2018) • HEALTHISM (with Elizabeth Weeks) (Cambridge University Press 2018) • Nudge-Proof, 116 MICH. L. REV. 1045 (2018) (reviewing Cass R. Sunstein, *The Ethics of Influence: Government in the Age of Behavioral Science*) (2016).

Ronald Turner, A.A. White Professor of Law, reports the following **publications**: EMPLOYMENT LAW: ISSUES, THEORIES, AND REALITIES (West Publishing, forthcoming) • Title VII and the Unenvisaged Case: Is Anti-LGBTQ Discrimination Unlawful Sex Discrimination?, INDIANA LAW JOURNAL (forthcoming 2020) • W(h)ither Glucksberg?, DUKE JOURNAL OF CONSTITUTIONAL LAW AND PUBLIC POLICY (forthcoming 2020) • TORTS: A CONTEMPORARY APPROACH (West Publishing, 3rd edition 2018) (with Meredith Duncan and Rory Bahadur) • Locs, “Race,” and Title VII, WISCONSIN LAW REVIEW (forthcoming 2019) • The FAA, the NLRA, and Epic Systems’ Epic Fail, TEXAS LAW REVIEW ONLINE (forthcoming 2019).

UNIVERSITY OF LOUISVILLE BRANDEIS SCHOOL OF LAW

FACULTY NEWS

Laura Rothstein, Professor and Distinguished University Scholar, reports the following **publications**: Laura Rothstein, *Would the ADA Pass Today? Disability Rights in an Age of Partisan Politics*, 12 ST. LOUIS UNIVERSITY HEALTH L.J. 271-330 (2019), in symposium issue, based on presentation at the 2018 AALS Annual Conference.

UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL OF LAW

8th Annual Health Law Regulatory and Compliance Competition, February 16, 2019

The Law & Health Care Program held the 8th Annual Health Law Regulatory and Compliance Competition on Saturday, February 16, 2018 at the law school. This year, ten teams participated including: American University, Drexel University, Georgetown University, Georgia State University, Mitchell Hamline University, Loyola University Chicago, University of Maryland Carey School of Law, and West Virginia University.

2019 Health Law Certificate Graduates Celebrated, May 17, 2019

At the 2019 Reception for Health Law Certificate Graduates, held at Westminster Hall on May 17, 2019, the Law & Health Care Program, along with many members of its more than twenty full time faculty and adjunct instructors, celebrated the successes of each of the twenty-five exemplary health law certificate students. This was the 22nd year that the Law & Health Care Program awarded Health Law Certificates to students who completed the concentration in health law.

Journal of Health Care Law & Policy Published Volume 22, Issue 1

In the Spring of 2019, the Journal of Health Care Law & Policy, which serves as a forum for the interdisciplinary discussion of leading issues in health law, medicine, and health policy, published its first issue of 2019, on the topic of regulation of prescription drug prices. The issue included articles from Aaron S. Kesselheim, MD, JD, MPH, Associate Professor of Medicine, Harvard Medical School, William V. Padula, PhD, Assistant Professor at the University of Southern California Department of Pharmaceutical & Health Economics, Nicholas C. Fisher, JD, and student notes and comments by Moyosore O. Koya and William H.T. Rice.

Ongoing Opioid Litigation: A Panel Discussion, August 20, 2019

On August 20, Assistant Attorneys General Brian Edmunds and Sara Tonnesen joined the Honorable Andre Davis ‘78, the City Solicitor for Baltimore and former United States Circuit Judge of the United States Court of Appeals for the Fourth Circuit, for a discussion about the ongoing opioid litigation involving the State and City governments. Maryland cities and counties have joined the state in bringing legal action against opioid manufacturers, and these three attorneys who are working on the litigation for the State and City shared their experiences with the first year students.

Inaugural Charm City Colloquium on Law & Bioethics, September 26 and 27, 2019

On September 26 and 27, 2019, The University of Maryland School of Law’s Law & Health Care Program and the Johns Hopkins Berman Institute of Bioethics co-hosted the first Charm City Colloquium, which gave scholars in the law and

bioethics field a chance to meet over the course of two days to present and workshop new and forthcoming scholarship on the broad theme of what law brings to bioethics and what bioethics brings to law. This provided the foundation for a wide-ranging array of topics such as the role of law and bioethics in end-of-life care, research, public health, social justice, procreation, and privacy.

Hot Topics for In-House Counsel at Health Care Institutions, October 11, 2019

On October 11, 2019, the Law & Health Care Program, American Health Lawyers Association, and American Society for Health Care Risk Management co-sponsored “Hot Topics for In-House Counsel at Health Care Institutions,” hosted at the University of Maryland Carey School of Law. This event brought together in-house counsel, lawyers who represent hospitals, legal academics and bioethicists in a roundtable format that led to an engaging and lively discussion among participants on five topics: Discriminations by Patients and Staff; Difficult Discharge Issues focusing on Vulnerable Patients; Opioid Issues: Policies regarding prescribing and addiction concerns about, and patients and staff taking, opioids; Policies regarding Patients and Staff use of medical cannabis; and New Issues in Mergers and Acquisitions.

The 2019 Stuart Rome Lecture on Thursday, October 24, 2019

On October 24, 2019, the Law & Health Care Program hosted Allison K. Hoffman, Professor of Law at the University of Pennsylvania Law School and a senior fellow at the Leonard Davis Institute of Health Economics, who delivered the 2019 Stuart Rome Lecture on “How Economics Fails Health Law.” Professor Hoffman is an expert on health care law and policy who has written extensively on health insurance regulation, the Affordable Care Act, Medicaid and Medicare.

A Discussion with Alicia Yamin, Tuesday, October 29, 2019

On Tuesday, October 29, 2019, the Law & Health Care Program, along with the International and Comparative Law Program, Student Health Law Organization and International Law Society at the University of Maryland Francis King Carey School of Law, hosted Professor Alicia Ely Yamin, JD, MPH, of the Global Health and Rights Project at the Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics at Harvard Law School, and Global Health Education and Learning Incubator at Harvard University (GHELI), for a discussion on Global Health and Human Rights.

Sixth Annual Interprofessional Forum on Ethics and Religion in Health Care: What the Golden Rule Really Means in Serving the LGBTQ+ Community, Thursday, Nov. 7, 2019

On Thursday, Nov. 7, 2019, in collaboration with a number of organizations and schools at UMB, the Maryland Healthcare Ethics Committee Network, an initiative of the Law & Health Care program, will present its Sixth Annual Interprofessional Forum on Ethics and Religion in Health Care on the topic of “What the Golden Rule Really Means in Serving the LGBTQ+ Community.”

Faculty & Personnel News

The Law & Health Care Program at the University of Maryland celebrated the retirement of two of our most long-serving faculty members in 2019, Karen Rothenberg, founder and first Director of the L&HCP, and Deb Weimer, Director of the first law school AIDs clinic in the country. The Program also welcomed a new faculty member, Natalie Ram, a Greenwall Faculty Scholar in Bioethics whose work is at the intersection of innovative biotechnology and the law. We also welcomed the new Managing Director of the Law & Health Care Program, Rebecca Hall. The Program is also please to have Professor Matiangai Sirleaf, an Assistant Professor of Law at the University of Pittsburgh Law School, for the 2019 fall semester. Professor Sirleaf brings her extensive scholarly expertise and practical experience in Global Public Health Law, International Human Rights and Criminal Law, and Post-Conflict and Transitional Justice, to the law school. We also hosted Trix Mulder, a Fullbright Scholar from the University of Groningen writing on “Health Data and Modern Technologies: Lessons from the US.”

FACULTY NEWS

Leslie Meltzer Henry, Professor of Law, reports the following **publications**: Leslie Meltzer Henry, An Overview of the Ethics of Sexual and Reproductive Health, in *The Oxford Handbook of Public Health Ethics* (Anna Mastroianni, Jeff Kahn & Nancy Kass eds., 2019) • Leslie Meltzer Henry, An Overview of Public Health Ethics in Emergency Preparedness and Response, in *The Oxford Handbook of Public Health Ethics* (Anna Mastroianni, Jeff Kahn & Nancy Kass eds., 2019).

Professor Henry reports the following **presentations**: “Legal and Ethical Issues Arising in Human Subjects Research with Special Populations: Pregnant Women,” UMB President’s Global Health Summit, University of Maryland School of Medicine, Baltimore, MD, May 28, 2019 • “Impediments to Developing Drugs for Use by Pregnant Women: Legal Insights from H1N1, Zika, and Ebola,” Serjeants’ Inn Law Club, Baltimore, Maryland, April 3, 2019.

Professor Henry reports the following **grants, honor, or awards**: National Institutes of Health (NHGRI) Grant, “Ethical, Legal, and Social Issues for Precision Medicine and Infectious Disease.”

Professor Henry reports the following **professional activities**: Co-Organizer and Participant, Charm City Colloquium on Law and Bioethics, University of Maryland Carey School of Law (September 27, 2019).

Diane Hoffmann, Jacob A. France Professor of Health Law, Director, Law & Health Care Program, reports the following **publications**: Forthcoming: Symposium Issue of Journal of Law, Medicine & Ethics on The Promises and Challenges of Microbiome-based Therapies (Guest Editor) • Diane Hoffmann, Introduction: The Promise and Challenges of Microbiome-based Therapies, 47 J. LAW MED. ETHICS (Forthcoming Dec. 2019) • Diane Hoffmann, Alexander Khoruts, and Francis Palumbo, The Impact of Regulatory Policies on the Future of Fecal Microbiota Transplantation, 47 J. LAW MED. ETHICS (Forthcoming Dec. 2019) • Diane Hoffmann, Noel Mueller, Suchitra Hourigan, Lauren Levy, Erik von Rosenvinge, Betty Chou, and Maria-Gloria Dominguez-Bello, Bacterial Baptism: Scientific, Medical, Regulatory and Ethical Issues Raised by Vaginal Seeding of C-section-born Babies, 47 J. LAW MED. ETHICS (Forthcoming Dec. 2019) • Diane Hoffmann, Kevin DeLong, Fareeha Zulfiqr, Anita Tarzian and Laura Ensign, Vaginal microbiota transplantation: the next frontier, 47 J. LAW MED. ETHICS (Forthcoming Dec. 2019).

Professor Hoffman reports the following **presentations**: “Navigating the Legal Pitfalls of Opioid Prescribing,” Fifth Annual CACPR Symposium: “Managing Chronic Pain Among Patients with Serious Illness During a National Opioid Crisis” (November 22, 2019) • “Regulation of Direct-to-Consumer Genetic Tests,” DTC Genetic Testing: What needs to be done to get this Business ‘Morally Right’? Workshop, Georgetown University Schools of Medicine and Business, Georgetown University, Washington, D.C. (September 12, 2019) • “Bias against Women in the Treatment of Pain?” Healthy Women Science, Innovation & Technology Summit Chronic Pain in Women: Focus on Treatment, Management and Barriers, Ellicott City, MD (July 18, 2019) • “Legal obstacles to the Treatment of Chronic Pain,” UMB Confronts Chronic Pain, Baltimore, MD (June 19, 2019) • “Continuing Challenges to the Regulation of New Microbiome Based Therapies” 42nd Health Law Professors Conference, Loyola College of Law, Chicago, IL (June 7, 2019) • “Demystifying Legal Considerations in Clinical Decision-Making” Harbor Hospital Annual Bioethics Conference, Baltimore, MD (May 22, 2019) • “Regulation of Microbiome-Based Diagnostic Tests: What’s the appropriate regulatory framework?” Gut Microbiota for Health World Summit 2019, Miami, FL (March 23, 2019) • “The Role of Law in End of Life Care,” Department of Radiation Oncology, University of Maryland Hospital, Baltimore, MD (March 8, 2019) • “Ethical and Legal Issues in End of Life Care: Right to Try & Physician Assisted Dying,” Humanism Symposium, University of Maryland School of Medicine, Baltimore, MD (Feb. 27, 2019) • “Medically Ineffective Treatment: The Legal Perspective” Global Health Forum: Medically Ineffective Treatment for Children in the US, Malawi and Beyond, University of Maryland Baltimore (Feb. 11, 2019).

Professor Hoffman reports the following **grants, honors, or awards**: Received \$1.1 Grant from National Human Genome Institute at NIH to explore knowledge and attitudes about direct-to-consumer microbiome-based tests and to evaluate regulatory options for such tests. (September 1, 2019 – August 30, 2023).

Professor Hoffman reports the following **professional activities**: Advocacy for chronic pain patients: Worked with advocates in California to draft White Paper on a “California Pain Strategy” and spoke at Legislative Briefing at State House in Sacramento, CA on “Legislative Recommendations for improving Chronic Pain in California,” (August 14, 2019) • Advocacy on behalf of patients with recurrent *C. difficile* and physicians treating them: Testified at FDA Part 15 Hearing on Use of Fecal Microbota for Transplantation to Treat *Clostridium difficile*, Silver Spring, MD (White Oak) November 4, 2019.

Kathleen Hoke, Law School Professor and Director, Legal Resource Center for Public Health Policy, reports the following **presentations**: Discussion Group Member, AALS Annual Meeting, January 2-4, 2019, New Orleans, LA): How Lawyers Can Build Bridges Across the Disciplines and in the Community • Presenter, Central Atlantic States Association of Food and Drug Officials Quarterly Meeting (September 17, 2019, Westminster, MD): Vaping, Promise or Peril? • Presenter, UMB, Interdisciplinary Strategies for Managing Maternal Opioid Use Disorder Symposium, October 1, 2019, Baltimore: Ethical Issues and Regulatory Reporting in Treating Pregnant Women with Medication-Assisted Treatment • Presented on the Keynote Reactor Panel at the Food and Drug Law Institute’s Annual Tobacco and Nicotine Products Regulation and Policy Conference (October 24-25, 2019, Washington DC) • Presenter, Network for Public Health Law and Maryland Commission on Civil Rights, A New Frontier: The Evolving Legal and Political Landscape of Medical Cannabis in Maryland, Baltimore, May 21, 2019: Federal Law and Its Impact on Medical Cannabis • Presenter, Maryland Association of Counties Annual Meeting (December 4, 2019, Cambridge, MD): Vaping in Maryland: Policy Options for Progress • Presenter, National Health Law Program Health Advocates Conference (December 8 – 10, 2019, Washington, DC): Increasing Access to Care by Securing Reimbursement for School Nurses.

Professor Hoke reports the following **grants, honors, or awards**: Professor Hoke secured a \$1 million renewal grant from the Robert Wood Johnson Foundation to continue operations of the Network for Public Health Law-Eastern Region

for another two years. The Network provides free technical legal assistance to state and local public health officials, legislators, regulators, NGOs, and community groups seeking to improve public health through law and policy change.

Professor Hoke reports the following **professional activities**: Member of the External Advisory Board, Penn State Tobacco Center of Regulatory Science • Gubernatorial Appointment to the Board, Maryland Council on Cancer Control • Appointment by the Maryland Comptroller to the Controller E-Facts Task Force • FDLI Annual Meeting Planning: Represent public health interests in the planning of FDLI's annual meeting to make sure that public health is "at the table" and not just industry • Member of campuswide CARES Steering Committee, which reviews interprofessional grant proposals for opioid work on campus and respond to any opioid-related requests from the President.

Frank A. Pasquale, Piper & Marbury Professor of Law, reports the following **publications**: Data-Driven Duties for AI Development: Lessons from Health Data Regulation for the Future of Machine Learning, COLUMBIA L. REV. (2019) • A Rule of Persons, Not Machines: The Limits of Legal Automation, 87 GEO. WASH. L. REV. 1 (2019). This was positively reviewed in Jotwell by Rebecca Roiphe: <https://legalpro.jotwell.com/the-life-of-the-law-cannot-be-coded/> • Professional Judgment in an Era of Artificial Intelligence and Machine Learning, 46, BOUNDARY 2 73 (2019).

Professor Pasquale reports the following **presentations**: Two Narratives of Platform Capitalism, Presentation for the Technology Law Discussion Group, Queensland University of Technology (Brisbane, Australia), July, 2019 • Data-Driven Duties for AI Development, Queensland University of Technology (Brisbane, Australia), July, 2019 (public lecture) • New Laws of Robotics, Association for the Promotion of Political Economy and Law Workshop, June, 2019 • Dignity and Deals, Mini-Plenary at Law & Society, Washington, D.C., June, 2019 • The Politics of Expertise, Panelist for Political Economy Collaborative Research Network, Law & Society, Washington, D.C., June, 2019 (covered some CBO scoring of health legislation) • Writing, Thinking, and Automation in the Administrative Process, Dinner Presentation for the Spring Meeting of the Maryland Administrative Law Judiciary (MAALJ), Baltimore, May, 2019 • Persons Judged by Machines, Opening Keynote for the International Association of Constitutional Law Conference, European University Institute, Florence, Italy, May, 2019 • The Rise of AI in Finance, Pontifical Academy of the Social Sciences, Vatican City, May, 2019 • Legal Responses to Bias in Big Tech, Hoover Institution, Washington, DC, May, 2019 • The Chinese Social Credit Scoring System and the Asian Values Debate, presenter, Tipping Points in International Law workshop, American Society of International Law, Washington, DC, May, 2019 • Artificial Intelligence, Due Process, and Human Responsibility, Center for Cyberspace Law and Policy Distinguished Lecturer, Case Western Law School, Cleveland, Apr., 2019 • Politicizing the Rules for Adjudicating the Rules for Promulgating Rules, Comment on Lorraine Daston's 2019 SSRC Fellow Lecture, Roosevelt House, Public Policy Institute, Hunter College, New York, NY, Feb., 2019 • Rethinking Legal Automation, Skype Presentation for Hanover Law School (Germany), Jan., 2019.

Professor Pasquale reports the following **grants, honors, or awards**: Named Piper & Marbury Professor of Law.

Professor Pasquale reports the following **professional activities**: Member of the National Committee on Vital and Health Statistics (HHS) • Member of the AAAS Committee on Scientific Freedom and Responsibility.

UNIVERSITY OF MICHIGAN LAW SCHOOL

FACULTY NEWS

Nicholson Price, Professor of Law was granted tenure and promoted to full professor. He reports the following **publications**: W. Nicholson Price II, The Cost of Novelty, Colum. L. Rev. (forthcoming) • W. Nicholson Price II, Contextual Bias in Medical AI, Harv. J.L. & Tech. (forthcoming) • W. Nicholson Price II, Grants, 34 Berk. Tech. L.J. 1 (2019) • W. Nicholson Price II, I. Glenn Cohen, & Sara Gerke, Potential Liability for Physicians Using Artificial Intelligence, JAMA (published online October 4, 2019; doi:10.1001/jama.2019.15064) • W. Nicholson Price II & Arti K. Rai, How Logically Impossible Patents Block Biosimilars, 37 Nature Biotechnology 862 (2019) • W. Nicholson Price II et al., Shadow Health Records, Health Innovation, and New Privacy Laws, 363 Science 448 (2019) • W. Nicholson Price II & I. Glenn Cohen, Privacy in the Era of Medical Big Data, 35 Nature Med. 37 (2019) (with Glenn Cohen) • W. Nicholson Price II, Biobanks as Innovation Infrastructure for Translational Medicine (chapter) in Global Genes, Local Concerns (Timo Minssen et al., ed.) (2019).

Professor Price reports the following **presentations**: AI for Healthcare: Legal and Regulatory Issues // Stanford Medical School/NAM: Artificial Intelligence in Healthcare: The Hope, The Hype, The Promise, The Peril • IP, Incentives, and Infrastructure for Medical AI // National Academy of Medicine Annual Meeting • Medical AI & Contextual Bias // University of Copenhagen Symposium: On the Cutting Edge.

UNLV WILLIAM S. BOYD SCHOOL OF LAW, UNLV SCHOOL OF PUBLIC HEALTH, UNLV HEALTH LAW PROGRAM

Upcoming 2020 Events

Our annual health law symposium will be held on March 12 with “Health Care Reform and the 2020 Election.” This event will bring together former HHS Secretary Michael Leavitt and other leading experts to provide an objective assessment of the leading proposals for reform by the presidential candidates.

We will round out our 2019-2020 Health Law Speakers Series with

- Scott Burris, Professor of Law and Director, Center for Public Health Law Research, Temple University Beasley School of Law (February 6)
- Leigh Goodmark, Professor of Law, University of Maryland Frances King Carey School of Law, on “#SurvivedandPunished” (February 27)

2019 Events

Health Law Symposium: “Making the Affordable Care Act Affordable: How Can We Contain Healthcare Costs?” This event brought together leading experts to discuss why health care costs are so high in the United States and what we can do to bring health care spending down (February 22).

Health Law Lecture: Michelle Oberman, Professor of Law, Santa Clara University School of Law – “Her Body, Our Laws: On the Front Lines of the Abortion War” (April 2).

Nevada Population Health Conference 2019, an annual conference co-sponsored by the UNLV Health Law Program and many community partners, including United Healthcare, Holland & Hart, the Schools of Medicine at UNLV and University of Nevada, Reno, the Nevada Public Health Association, the Nevada State Medical Association, and other major health organizations held in Las Vegas, NV (November 15).

Health Law Lecture: “Musings on Myriad,” Jorge Contreras, Professor of Law, University of Utah Quinney College of Law (November 19).

FACULTY NEWS

Max Gakh, JD, MPH, Assistant Professor, School of Public Health, and Associate Director, UNLV Health Law Program, University of Nevada, Las Vegas, reports the following **publications**: Maxim Gakh, Made to Order: Using Gubernatorial Executive Orders to Promote Health in All Policies. 4 *Chronicles of Health Impact Assessment* 1 (2019) • Maxim Gakh, Cody Cris, Prescott Cheong, & Courtney Coughenour, A State of Uncertainty: An Analysis of Recent State Legislative Proposals to Regulate Preventive Services in the United States. 56 *INQUIRY: The Journal of Health Care Organization, Provision, and Financing* 1 (2019), doi: 10.1177/0046958019841514 • Soumya Upadhyay, Justin Lord, & Maxim Gakh, Health-Information Seeking and Intention to Quit Smoking: Do Health Beliefs Have a Mediating Role? 12 *Tobacco Use Insights* 1 (2019), doi: 10.1177/1179173X19871310 • Courtney Coughenour, Jennifer Pharr, Maxim Gakh, Sheila Clark & Prescott Cheong, A Qualitative Study on Parental and Community Stakeholder Views of the Link between Full-Day Kindergarten and Health in Southern Nevada, 6 *Children* 26 (2019), doi: 10.3390/children6020026 • Maxim Gakh, Demystifying Public Health Policy Through Service-Learning Pedagogy • *Pedagogy in Health Promotion* (2019), doi.org/10.1177/2373379919829499.

Professor Gakh reports the following **presentations**: “Clinical and Upstream Approaches to Address the Needs of Vulnerable Populations in Nevada” (moderator), 2019 Nevada Population Health Conference, Las Vegas, NV (November 15, 2019) • “Examining How Governors Use Executive Orders & Emergency Declarations to Respond to Hurricanes” (co-presenter, poster presentation), 2019 American Public Health Association Annual Meeting, Philadelphia, PA (November 5, 2019) • “Rough Waters: Disaster Preparedness, Response, and Recovery for Hurricanes and Floods” (presenter), Webinar co-sponsored by the National Governor’s Association Center for Homeland Security and Public Safety Division, the U.S. Centers for Disease Control and Prevention, and the American Bar Association (September 26, 2019) • “Health in All Policies: Putting Theory into Practice” (moderator), 2019 Nevada Public Health Association Annual Conference, Reno, NV (September 25, 2019).

Sara Gordon, JD, Associate Dean for Academic Affairs and Professor of Law, William S. Boyd School of Law, University of Las Vegas, Nevada, reports the following **publications** : Sara Gordon, About a Revolution: Toward Integrated Treatment in Drug & Mental Health Courts, 97 *N.C. L. Rev.* 355 (2019).

Professor Gordon reports the following **presentations**: “Jury Selection and the Social Desirability Bias,” Judge Howard McKibben Inn of Court (April 9, 2019) (invited symposium speaker) • “Forensic Science & Sticky Myths,” Denver Law Review Symposium, Driven by Data: Empirical Legal Studies in Civil Litigation and Health Law (February 8, 2019) (invited speaker).

Leslie C. Griffin PhD, JD, William S. Boyd Professor of Law, William S. Boyd School of Law, University of Las Vegas, Nevada, reports the following **publications**: *Conquering Brain Injury*, 34:5 Journal of Head Trauma Rehabilitation 366 (2019) • *Role of the Clinical Ethics Consultant: A Response to Kornfeld and Prager*, 30:2 Journal of Clinical Ethics 117 (Summer 2019) (co-authors W. Winslade, D.M. Vaughan, R. Permar, C. Rakestraw, R. Hart) • *Legislation and Religious Exemptions from Laws Protecting Children*, with Marci Hamilton, in *The Oxford Handbook of Children and the Law* (James G. Dwyer, ed., Oxford University Press, 2019) • *Thinking About the Brain*, <https://verdict.justia.com/2019/09/03/thinking-about-the-brain> • Amicus Brief on Petition for Writ of Certiorari, for numerous children’s institutions, with Marci A. Hamilton, *Morrow v. Ford*, No. 18-6409, Supreme Court of the United States (sexual abuse of defendant not reported at trial).

Professor Griffin reports the following **presentations**: “Technological Competence from A Bioethics and Professional Ethics Perspective,” University of Houston Fall Institute on Intellectual Property Law, Sept. 28, 2019 • “Conquering Brain Injury,” TIRR Memorial Hermann Hospital, Houston, TX, July 18, 2019 • Debate about the Future of *Roe v. Wade*, Notre Dame Law School, Jan. 22, 2019.

Ann C. McGinley, JD, William S. Boyd Professor of Law, William S. Boyd School of Law, University of Las Vegas, Nevada, reports the following **publications**: *Disabilities, Racial Stress, and Intersectional Cohorts*, ___ FORD. URB. L. J. ___ (forthcoming 2020) (with Frank Rudy Cooper) (solicited for symposium) • *#MeToo Backlash or Common Sense?* ___ SETON HALL L. REV. ___ (forthcoming 2020) (solicited for symposium) • *Sex- and Gender-Based Harassment in the Gaming Industry*, 9 UNLV GAMING L. J. 147 (2019) (solicited for symposium) • *Schools as Training Grounds for Sexual Harassment*, ___ U. CHI. LEG. FORUM ___ (forthcoming 2019) (solicited for symposium) • *The Masculinity Mandate: #MeToo, Brett Kavanaugh, and Christine Blasey Ford*, ___ EMPLOYEE RIGHTS & EMP. POL’Y J. ___ (forthcoming 2019) (solicited) • *Venture Bearding*, 52 U.C. DAVIS L. REV. 1873 (2019) (with Benjamin Edwards).

Professor McGinley reports the following **presentations**: Presenter, *#MeToo Backlash or Common Sense?: It’s Complicated*, Symposium in honor of the work of Charles Sullivan, Seton Hall Law School, Newark, NJ (November 2019); Colloquium on Scholarship on Employment and Labor Law, UNLV Boyd School of Law, Las Vegas, NV (October 2019) • Speaker, *Reflections on Masculinities and Law* (with Nancy E. Dowd), Aalborg University, Aalborg, Denmark, Gender Research Centre, Department of Politics and Society (FREIA) and The Center for Masculinities Studies (CeMAS), Department of Sociology and Social Work (October 2019) (2-hour seminar) • Moderator, Program on *2019 Legislative Update: Worker’s Compensation Law in Nevada*, sponsored by the Workplace Law Program, UNLV, Las Vegas, NV (August 2019) • Panelist, Roundtable on Judges, Law Clerks, and Harassment, ABA National Conference of State Trial Judges, San Francisco, CA (August 2019) • Speaker, *La Ley del Acoso Sexual en los EEUU: Historia, Problemas de Interpretación y una Teoría Nueva* (“Sexual Harassment Law in the United States: History, Interpretive Problems and a New Theory”), Universidad Adolfo Ibañez, Santiago de Chile, S.A. (June 2019) (3-4 hour lecture in Spanish with discussion and questions) • *Principled Labor Law & U.S. Anti-Discrimination Law*, panel on publication of Sergio Gamonal C. & César Rosado Marzán, *Principled Labor Law: U.S. Labor Law through a Latin American Method*, Universidad Adolfo Ibañez, Santiago, Chile (June 2019) • *Gender and Culture in Legal Workplaces: A Chilean Case Study*, Labor Law Research Network 4th Conference (LLRN4), Facultad de Derecho, Pontificia Universidad Católica de Valparaíso, Valparaíso, Chile (June 2019) • Discussant, *Civil Rights, Queer Critique and Feminist Perspectives*, Labor Law Research Network 4th Conference (LLRN4), Facultad de Derecho, Pontificia Universidad Católica de Valparaíso, Valparaíso, Chile (June 2019) • *#MeToo and the Ethical Workplace: Harassment Myths and Reality*, State of Nevada Attorney General’s Office, Las Vegas, NV (May 2019) • *#MeToo and the Ethical Workplace: Recognizing, Preventing, and Correcting Harassment*, 2019, United States District Court, District of Nevada, 2019 District Conference, Las Vegas, NV (May 2019) • *Schools as Training Grounds for Harassment*, panel on *Sexual Harassment and the #MeToo Era*, Law & Society Annual Meeting, Washington, D.C. (May 2019) • Discussant, *Cutting Edge Issues on Gender Discrimination in the #MeToo Era*, Law & Society Annual Meeting, Washington, D.C. (May 2019) • Chair and Discussant, Roundtable, *Feminist Judgments: Rewritten Employment Discrimination Opinions*, Law & Society Annual Meeting, Washington, D.C. (May 2019) • Chair, Author Meets Reader, Nancy E. Dowd, *Reimagining Equality: A New Deal for Children of Color*, Law & Society Annual Meeting, Washington, D.C. (May 2019) • *Implicit Bias in the Legal Profession*, ABA Labor and Employment Law Conference, Panel on Diversity and Inclusion, Las Vegas, NV (March 2019) • *Gender Identity, Sexual Orientation, and Employment Discrimination Law: Hot Topics*, Ninth Circuit Judicial Conference, UNLV Boyd School of Law, Las Vegas, NV (March 2019) • *The Future of Harassment*, Discussion Group, Association of American Law Schools

Annual Meeting, New Orleans, LA (January 2019) • *Inequality in the Legal Academy*, Discussion Group, Association of American Law Schools Annual Meeting, New Orleans, LA (January 2019).

Professor McGinley reports the following **professional activities**: Member, Nevada Governor’s Task Force on Sexual Harassment and Discrimination and Policy (January 2019 - present).

David Orentlicher, MD, JD, The Cobeaga Law Firm Professor, William S. Boyd School of Law, and Director, UNLV Health Law Program, University of Nevada, Las Vegas, reports the following **publications**: *Cruzan and Surrogate Decisionmaking*, 73 SMU LAW REVIEW (forthcoming) (invited) • *Ethics of Organ Procurement from the Unrepresented Patient Population*, 45 JOURNAL OF MEDICAL ETHICS 751 (2019) (with Joseph Raho, Katherine Brown-Saltzman, Stanley Korenman, et al.) • *Political Dysfunction and Constitutional Structure*, 54 TULSA LAW REVIEW 315 (2019) (invited) • *The Myths and Reality of Tort Reform*, JOTWELL (March 11, 2019) • Amicus Brief in *Rucho v. Common Cause*, No. 18-422, and *Lamone v. Benisek*, No. 18-726, Supreme Court of the United States (judicial decision making in the context of political gerrymandering).

Professor Orentlicher reports the following **presentations**: “Supreme Court Reform: Desirable—and Constitutionally Required,” Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL (November 8, 2019) • “Aid-in-Dying Laws—How Important Is the Requirement of Self-Administration?,” Charm City Colloquium on Law and Bioethics, University of Maryland Carey School of Law, Baltimore, MD (September 27, 2019) • “Bridging Societal Divides through Governance Design,” Workshop on the Ostrom Workshop, Indiana University-Bloomington, Bloomington, IN (June 21, 2019) • “Healthcare, Health, and Income,” ASLME Health Law Professors Conference, Loyola University Chicago School of Law, Chicago, IL (June 6, 2019) • “The Duty to Treat in the Face of Risk to Personal Health,” UCLA Health Ethics Center, Los Angeles, CA (May 15, 2019) • “Process is Substance: Getting Substantive Due Process Right Requires Unanimous Judicial Decisions,” Dignity, Tradition, & Constitutional Due Process: Competing Judicial Paradigms Conference, UNLV William S. Boyd School of Law, Las Vegas, NV (March 14, 2019) • “Supreme Court Reform: Desirable—and Constitutionally Required,” AALS Annual Meeting, New Orleans, LA (January 3, 2019).

Stacey A. Tovino, JD, PhD, Judge Jack and Lulu Lehman Professor of Law and Founding Director, Health Law Program, UNLV William S. Boyd School of Law, reports the following **publications**: Stacey A. Tovino, *Going Rogue: Mobile Research Applications and the Right to Privacy*, 95 Notre Dame L. Rev. ___ (forthcoming 2019) • Stacey A. Tovino, *A Timely Right to Privacy*, 104 Iowa L. Rev. 1361 (2019) • Stacey A. Tovino, *Fraud, Abuse, and Opioids*, 67 Kan. L. Rev. 901 (2019) (invited symposium) • Stacey A. Tovino, *State Benchmark Plan Coverage of Opioid Use Disorder Treatments and Services: Trends and Limitations*, 70 S.C. L. Rev. 763 (2019) (invited symposium) • Stacey A. Tovino, *Substance Use Disorder Insurance Benefits: A Survey of State Benchmark Plans*, 52 Creighton L. Rev. ___ (forthcoming 2019) (invited symposium) • Stacey A. Tovino, *Florida Law, Mobile Research Applications, and the Right to Privacy*, 43 Nova L. Rev. 353 (2019) (invited symposium) • Stacey A. Tovino, *AALS Section on Torts and Compensation Systems Bestows William L. Prosser Award upon Kenneth W. Simons*, 12 J. Tort L. 1 (2019) (invited symposium) • Stacey A. Tovino, *Tort Law and Health Law: Intersections and Opportunities*, 12 J. Tort L. 5 (2019) (invited symposium) • Stacey A. Tovino, *Mobile Research Applications and State Data Protection Statutes*, J.L. Med. & Ethics ___ (forthcoming 2019) • Stacey A. Tovino, *Mobile Research Applications and State Research Laws*, J.L. Med. & Ethics ___ (forthcoming 2019) • Stacey A. Tovino, *Privacy and Security Issues in mHealth Research*, J.L. Med. & Ethics ___ (forthcoming 2019) • Mark A. Rothstein, John T. Wilbanks, Laura M. Beskow, Kathleen M. Brelsford, Kyle B. Brothers, Megan Doerr, Catherine M. Hammack, Michelle L. McGowan & Stacey A. Tovino, *Unregulated Health Research Using Mobile Devices: Ethical Considerations and Policy Recommendations*, J.L. Med. & Ethics ___ (forthcoming 2019) • Mark A. Rothstein & Stacey A. Tovino, *California Takes the Lead on Data Privacy*, Hastings Center Report ___ (forthcoming 2019) • Mark A. Rothstein & Stacey A. Tovino, *Privacy Risks of Interoperable Health Records Require Segmentation*, J.L. Med. & Ethics ___ (forthcoming 2019) • Stacey A. Tovino, *HIPAA Compliance: Illustrations and Evidence*, in *Cambridge Handbook of Compliance* ___ (D. Daniel Sokol & Benjamin van Rooij eds., Cambridge University Press forthcoming 2020) • Stacey A. Tovino, *Problem Gambling and the Business Lawyer*, in *What Every Business Lawyer Needs to Know About Gaming Law* ___ (Keith Miller ed., forthcoming 2019) • Stacey A. Tovino, *Rewriting Lisa M. v. Henry Mayo Newhall Memorial Hospital*, in *Feminist Judgments: Rewritten Tort Opinions* ___ (Martha Chamallas & Lucinda Findley eds., forthcoming 2019).

Professor Tovino reports the following **presentations**: April 17, 2020, Stacey Tovino, “Crime, Punishment, and Patient Privacy,” Stetson Law Review Symposium, Stetson University College of Law, Gulfport, Florida • March 6, 2020, Stacey Tovino, “Genetic Nondiscrimination Legislation: A State History,” Southern Association for the History of Medicine and Science Annual Meeting, sponsored by Oschner Medical Center, New Orleans, Louisiana • February 14, 2020, Stacey Tovino, “Neuroscience, Law, and Gambling Disorder,” Neuroscience and the Law Symposium, Seton Hall Law School, Newark, New Jersey • February 13, 2020, Stacey Tovino, “Health Data Confidentiality, Privacy, and Security,” Faculty Works-in-Progress Series, Penn State Law, State College, Pennsylvania • February 12, 2020, Stacey Tovino, Bioethics

Colloquium, Penn State Bioethics Program, State College, Pennsylvania • January 5, 2020, Stacey Tovino, “Neuroscience, Law, and Gambling Disorder,” sponsored by the AALS Section on Law and Mental Disability, Association of American Law Schools Annual Meeting, Washington, D.C. • January 5, 2020, Stacey Tovino, “Medical Humanities and the Law: Intersections and Opportunities,” sponsored by the AALS Section on Law and the Humanities, Association of American Law Schools Annual Meeting, Washington, D.C. • November 4, 2019, Stacey Tovino, “Health Law,” Mississippi College School of Law, Jackson, Mississippi • October 18, 2019, Stacey Tovino, “Mental Health Care For All?” Getting Real About Health Care for All Symposium, sponsored by IU McKinney School of Law and the Indiana Health Law Review, Indianapolis, Indiana • September 6, 2019, Stacey Tovino, Commentary, “Precision Medicine Privacy,” Wiet Life Science Law Scholars Conference, Beazley Institute for Health Law and Policy, Loyola University Chicago School of Law • August 1, 2019, Stacey Tovino, “Application of the EU GDPR’s Territorial Provisions to U.S.-Based Mobile Research Apps,” Discussion Group, Southeastern Association of Law Schools (SEALS) Annual Meeting, Boca Raton, Florida • March 7, 2019, Stacey Tovino, “Poverty, Essential Health Benefits, and Incremental Health Care Reform,” Creighton Law Review Symposium, Creighton University School of Law, Omaha, Nebraska • February 27, 2019, Stacey Tovino, “Remarks on Healthism: Health-Status Discrimination and the Law,” University of Georgia School of Law, Athens, Georgia • February 2-3 and 9-10, 2019, Stacey Tovino, “HIPAA Privacy Law,” Center for Health Law Studies, Saint Louis University School of Law, St. Louis, Missouri • January 18, 2019, Stacey Tovino, “HIPAA Compliance: Illustrations and Evidence,” Cambridge Handbook of Compliance Conference, University of Florida Levin College of Law, Gainesville, Florida • January 7-11, 2019, Stacey Tovino, “Mental Health Law,” Health Law & Policy Institute, University of Houston Law Center, Houston, Texas • January 5, 2019, Stacey Tovino, “Health Law and Tort Law: Intersections and Opportunities,” sponsored by the AALS Section on Torts and Compensation Systems, Association of American Law Schools Annual Conference, New Orleans, Louisiana.

Professor Tovino reports the following **grants, honors, or awards**: In Spring 2019, Professor Tovino received the UNLV Top Tier Award, a university-wide honor that recognizes faculty members who demonstrate excellence in all five areas of UNLV’s Top Tier Mission, including research and external funding, teaching excellence and student achievement, academic health center growth, infrastructure and shared governance, and community partnerships • In December 2018, Professor Tovino was elected to the American Law Institute.

UNIVERSITY OF NEW MEXICO SCHOOL OF LAW

FACULTY NEWS

Mary Leto Pareja, Associate Professor, reports the following **publications**: Humanizing Work Requirements for Safety Net Programs, 39 PACE L. REV. 101 (2019), <http://ssrn.com/abstract=3450827>.

Professor Pareja reports the following **presentations**: “Work Requirements for Medicaid and Other Safety Net Programs: Giving Real Credit for Community Engagement,” part of panel on State and Local Taxes and Tax Transfer Programs, Junior Tax Scholars Workshop, Boulder, CO, June 15, 2019 • “So You’re a New Law Prof. Now What? – What We Wish We Had Known,” Moderator, American Association of Law Schools Annual Meeting, January 3, 2020 (forthcoming) • “What is AALS and Why Does It Matter for My Career? And How Do I Get the Most Out of the Annual Meeting?,” Invited Panelist, American Association of Law Schools Annual Meeting, January 2, 2020 (forthcoming).

Professor Pareja reports the following **professional activities**: Secretary, AALS Section on Law, Medicine, and Health Care • Chair, AALS Section on New Law Professors • Elected faculty representative on University-wide Committee on Governance • State Bar of New Mexico, Taxation Section, UNM School of Law Faculty Liaison to Executive Board • Instituto de Estudios Jurídicos Internacionales, Universidad Rey Juan Carlos, Madrid, Spain, Board Member.

UNIVERSITY OF PITTSBURGH SCHOOL OF LAW AND GRADUATE SCHOOL OF PUBLIC HEALTH

Conferences/major lectures hosted

The School of Law co-sponsored (with the University Center for Bioethics & Health Law and others) Pitt’s 28th Annual Medical Ethics Conference, The Ethics of Seeking and Assessing “Quality of Life” on March 29, 2019. <https://bioethics.pitt.edu/medethics19>.

The School of Law, Pitt’s Center for Global Health and others sponsored the multidisciplinary workshop: Global Health Inequities & Infectious Diseases Workshop on April 12, 2019. <https://www.law.pitt.edu/globalhealth>.

The School of Law welcomed Barak A. Richman, Edgar P. and Elizabeth C. Bartlett Professor of Law at Duke University, on November 5, 2019 to present the annual Mark A. Nordenberg Lecture in Law, Medicine, and Psychiatry. Prof. Richman's lecture was titled "Shopping for Healthcare: Can We Be Good Consumers?" <https://www.law.pitt.edu/events/new-event/mark-nordenberg-lecture-shopping-healthcare-can-we-be-good-consumers>.

Programmatic and leadership information

In December 2019, the fourth class of students enrolled in Pitt Law's Health Care Compliance Online graduate certificate program will graduate from this Compliance Certification Board-accredited program.

During the 2019-2020 academic year, Professors Mary Crossley and Tomar Pierson-Brown are working with Professor Alan Meisel to transition the leadership of the Health Law Program at Pitt Law. Professor Meisel created Pitt's Health Law Certificate Program in 1996 and has since served as its director, leveraging Pittsburgh's and Pitt's distinctive and growing strengths in medicine and the health sciences to create opportunities for law students.

FACULTY NEWS

Mary Crossley, John E. Murray Faculty Scholar and Professor of Law, reports the following **publications**: Mary Crossley, Threats to Medicaid and Health Equity Intersections, *St. Louis U. J. Health L. & Pol'y* 311 (2019) • Mary Crossley, Opioids and Converging Interests, 49 *Seton Hall L. Rev.* 1019 (2019) • Mary Crossley, Righting Wrongful Birth, *JOTWELL*, April 12, 2019, <https://health.jotwell.com/righting-wrongful-birth/>.

Professor Crossley reports the following **presentations**: Reproducing Dignity: Race, Disability, and Reproductive Controls, presented at Law & Society Annual Meeting (May 2019) and Annual Health Law Professors Conference (June 2019) • Disparate Impact in Law and Bioethics, presented at University of Maryland's Charm City Colloquium (September 2019).

Professor Crossley reports the following **professional activities**: In fall 2019, she commenced serving as Co-director of Pitt Law's Health Law Program • She continues to serve as Secretary/Treasurer of AccessLex Inc.'s corporate board.

Greer Donley, Assistant Professor, reports the following **publications**: Commentary on *Burton v. State*, in *FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS* (Seema Mohapatra and Lindsay F. Wiley, eds.) (under review by Cambridge University Press, expected publication 2020) • The Unintended Consequences of the Contraceptive Mandate, *ATLANTIC* (June 24, 2019), <https://www.theatlantic.com/ideas/archive/2019/06/contraceptive-mandate-discriminates-sex/592345/> • Contraceptive Equity: Curing the Sex Discrimination in the ACA's Mandate, 71 *ALA. L. REV.* ____ (forthcoming 2019) • Regulation of Encapsulated Placenta, 86 *TENN. L. R.* 225 (2019).

Professor Donley reports the following **presentations**: Faculty Summer Workshop, The Ohio State University Moritz College of Law, Sex Stereotypes and Contraceptive Innovation, July 2019 • Symposium, Centre for Advanced Studies in Biomedical Innovation Law, Sex Discrimination in the Contraceptive Mandate, June 2019 • Junior Scholars Workshop in Regulation and Innovation in the Biosciences, Impact of Sex and Gender on Pharmaceutical Innovation • Junior Faculty Exchange, Penn State University Law School, Sex Discrimination in the Contraceptive Mandate, Jan. 2019.

Professor Donley reports the following **professional activities**: He published a synopsis of one of my articles in the Atlantic: The Unintended Consequences of the Contraceptive Mandate, *ATLANTIC* (June 24, 2019), <https://www.theatlantic.com/ideas/archive/2019/06/contraceptive-mandate-discriminates-sex/592345/> • He was also invited to discuss it on BuzzFeed's morning news segment, AM2DM, on July 1, 2019.

Tina Batra Hershey, Assistant Professor, Health Policy and Management; Associate Director of Law and Policy, Center for Public Health Practice; Adjunct Professor, University of Pittsburgh School of Law, reports the following **publications**: Elizabeth Van Nostrand & Tina Batra Hershey, "I walk in, sign. I don't have to go through Congress." President Trump's use of Executive Orders to unravel the Patient Protection and Affordable Care Act, 12 *St. Louis U. J. Health L. & Pol'y* 169 (2019) • Tina Batra Hershey, Collaborating with Sovereign Tribal Nations to Legally Prepare for Public Health Emergencies, 47 *J. L.Med. & Ethics* 55 (2019).

Professor Hershey reports the following **presentations**: Legal Preparedness to Address the Opioid Crisis in Indian Country, presented at Tribal Public Health Emergency Preparedness Conference and at Annual Joint Tribal Emergency Management Conference (2019) • Mass Violence Events: Important Laws to Know, at National Attorneys General Research and Training Institute, Preparing for and Responding to Mass Violence Training (2019).

Tomar Pierson-Brown, Clinical Assistant Professor and Director, Health Law Clinic, reports the following **publications**: Tomar Pierson-Brown, (Systems) Thinking Like a Lawyer, __ Clinical L. Rev. ____ (forthcoming).

Professor Pierson-Brown reports the following **presentations**: “The Legal Perspective of Transition: What Do I Need to Know as an Adolescent and Young Adult?” Bridges For Transition Conference, Held at UPMC-Children’s Hospital, Pittsburgh, PA (2019) • “Breaking Out of Silos: Bridging Disciplines to Create the Next Generation of Collaborators for Justice” presented at AALS Annual Conference (2019).

Matiangai Sirleaf, Assistant Professor of Law, reports the following **publications**: Responsibility for Epidemics, 97 TEX. L. REV. 285 (2018) • Prosecuting Dirty Dumping in Africa, in The African Court of Justice and Human and Peoples’ Rights in Context, 553 (Charles C. Jalloh and Kamari Clarke eds., 2019).

Professor Sirleaf reports the following **presentations**: Disposable Bodies & Experimental Trials, presented at Saint Louis University School of Law (2019) • Racial Valuation of Diseases, presented at Annual Health Law Professors Conference, Duke Law School, Chapman University School of Law, Penn State Law School, Loyola University Chicago School of Law, 2019 and University of Colorado Law School (all 2019) • Responsibility for Epidemics, at McGill University (2019).

Professor Sirleaf reports the following **grants, honors, or awards**: University of Pittsburgh Chancellor’s Distinguished Research Award, 2019 • American Society of Law, Medicine & Ethics (ASLME) Health Law Scholar, 2019 • University of Pittsburgh’s Center for International Studies Faculty Fellowship, 2018-19.

Professor Sirleaf reports the following **professional activities**: Lead organizer for Global Health Inequities & Infectious Diseases Workshop, held at the University of Pittsburgh, April 2019.

Elizabeth Van Nostrand, Associate Professor, Health Policy and Management; Adjunct Professor, School of Law; Director, Mid-Atlantic Regional Public Health Training Center; Director, MPH and JD/MPH Programs; Associate Director of Law and Policy, Center for Public Health Practice, Research, Law, and Policy, reports the following **publications**: Elizabeth Van Nostrand & Tina Batra Hershey, “I walk in, sign. I don’t have to go through Congress.” President Trump’s use of Executive Orders to unravel the Patient Protection and Affordable Care Act, 12 St. Louis U. J. Health L. & Pol’y 169 (2019).

Professor Van Nostrand reports the following **presentations**: Using Public Health Law to Prepare for Emergencies: Tools, Trainings, and Resources to Combat the Threat Environment. Presented at NACCHO Preparedness Summit (March 2019)(with Tina Batra Hershey).

Professor Van Nostrand reports the following **grants, honors, and awards**: PI on CDC grant: Evaluating Problem Solving Courts as a Public Health Intervention to Prevent Opioid Overdose - 3 years, \$2.2 million.

UNIVERSITY OF TENNESSEE COLLEGE OF LAW

FACULTY NEWS

Zack Buck, Associate Professor, reports the following **publications**: States As Activists, 39 J. LEGAL MED. 121 (2019).

Professor Buck reports the following **presentations**: Presenter, Houston Journal of Health Law and Policy Symposium, University of Houston Law Center, Houston, TX, Oct. 25, 2019 (invited) • Presenter, Getting Real About Health Care for All, Indiana Health Law Review Symposium, Indiana University McKinney School of Law, Indianapolis, IN, Oct. 18, 2019 (invited) • Presenter, American Society of Law, Medicine, and Ethics Annual Conference, American University Washington College of Law, Washington, DC, Oct. 9-11, 2019 • Reader for Jacob Elberg, Corporate Health Care Enforcement at a Crossroads, ASLME 2019 Health Law Scholars Workshop, Saint Louis University School of Law, St. Louis, MO, September 12-14, 2019 • Moderator: Health Law Year in Review: Health Care Finance, 2019 Southeastern Association of Law Schools Conference (SEALS), Boca Raton, FL, Aug. 1, 2019 • Presenter, Faculty Summer Workshop Series, Ohio State University Moritz College of Law, Columbus, OH, Jul. 24, 2019 (invited) • Affording Obamacare, 2019 ASLME Health Law Professors Conference, Loyola University Chicago School of Law, Chicago, IL, Jun. 6, 2019 • Presenter, States As Activists, Symposium: Solving America’s Drug Pricing Problem, Journal of Legal Medicine Symposium, Georgia State University College of Law, Atlanta, GA, Jan. 25, 2019 (invited).

Professor Buck reports the following **grants, honors, or awards**: University of Tennessee College of Law Harold Warner Outstanding Teacher Award (UT Law Teacher of the Year) (2019) • University of Tennessee College of Law Forrest W. Lacy Award (Outstanding Moot Court Contributions) (2019).

UNIVERSITY OF UTAH S.J. QUINNEY COLLEGE OF LAW

Our five faculty and twelve fellows have had an exciting year of research and programs. We are particularly pleased by the opportunities we have for our fellows to publish their own research as law students. This past year, fellow publications included Katie Cox's article on how ADA case law about reasonable accommodations fails to reflect the accommodation needs of people on Social Security disability seeking to return to work, published by the return to work program (ARDRAW 2019). Alexis Juergens and Leslie Francis's article on the protection of information about the significance of genetic variants as trade secrets appeared in the Journal of Law and the Biosciences. Katie was funded by the return to work program of the Social Security Administration small grant program and Alexis was funded by the law firm of Maschoff Brennan and the Utah Center for Excellence in Ethics Research (UCEER).

Here, we list some of the highlights of our year.

Teneille Brown's ongoing research relates to the legal and ethical implications of the biomedical sciences and health care. Her current work focuses on the forensic use of genetic information and addiction and stigma. In October Professor Brown presented on a panel at the American Society of Bioethics and Humanities, where she discussed the legal and ethical obligations of clinicians and laboratories to share incidental findings, such as non-paternity or incest. In July, she presented two projects at the International Association of Law and Mental Health in Rome, one on the difficulty applying character evidence rules to addiction, and the other on legal duties to return psychiatric genetic findings. Earlier that month Professor Brown presented twice at the Law and Philosophy Congress (IVR) in Lucerne, Switzerland. The first project related to brain-based memory detection as evidence, and in the other she shared results from her empirical work on how the folk engage in an outcome bias that drives ascriptions of blame in negligence. She also presented her work on addiction, stigma, and blame at the annual Psychiatric Addiction Update in June at the University of Utah.

Jorge Contreras continues his multiple roles as Professor of Law at the S.J. Quinney College of Law, an Adjunct Professor in the Department of Human Genetics, and an Affiliate Member of the Cancer Control and Population Sciences Group at the Huntsman Cancer Institute at the University of Utah. This year, Contreras's innovative course on law, genetics, and ethics, won Utah's Daniels Award for Ethics Education. The course enrolls not only law students, but also students in medical school, biomedical informatics, genetics, and genetics counseling.

Professor Contreras was selected by the University as a Presidential Scholar for 2019. The award, given out by the University of Utah Office of Academic Affairs, honors extraordinary research and academic efforts. Only four faculty members across the entire campus received this recognition. As a Presidential Scholar, Contreras will receive \$10,000 for each of the next three years to further his research in the fields of intellectual property and technology law, specifically in the areas of technical standardization, science policy, antitrust law, and biomedical research. Contreras's book on the Myriad genetics litigation, *A Product of Nature: the True Story of the Unlikely Lawsuit that Ended Gene Patenting in America*, will be published soon, and he plans to use some of the Presidential Scholar award for further work on the issues raised in the book.

Professor Contreras has served on several high-level advisory councils at the National Institutes of Health, including, most recently, its Council of Councils. He serves on the Scientific Advisory Board of the Utah Genome Project and the Executive Steering Committee of the Center for Clinical & Translational Science.

This past year, Professor Contreras has published and spoken extensively on topics involving biomedical research, health data and patenting of biomedical innovations. In May he was featured on Bloomberg's "Prognosis" podcast discussing his recent work on health data ownership. A selection of recent publications and speaking engagements appears below.

Leslie Francis continues to focus primarily on issues in bioethics, disability ethics and law, privacy, and genetics. Her book manuscript, *Sustaining Surveillance* (with John G. Francis), on the ethics and law of surveillance for public health, will be published in 2020.

This past year, Professor Francis has given talks at the American College of Medical Genetics, the International Association for the Philosophy of Law and Social Philosophy, the American Philosophical Association, and the Law and Society Association. In November, she gave the keynote address to the Florida Philosophical Association, on "Privacy."

Professor Francis serves as a member of the board of the Utah Disability Law Center, a member of the Utah State Court's signature program for representation of people who are the subject of guardianship, a member of the Utah State Court Committee on Self-Represented Persons, and a member of Utah's Health Advisory Council. She also co-chairs the Law, Medicine, and Health research group of the Law & Society Association and was a section chair for the program of the

American Society of Bioethics and Humanities. She provides frequent pro bono representation for people who are the subject of petitions for guardianship, seeking to assure their rights are adequately protected as understood by the Convention on the Rights of Persons with Disabilities.

Erika George, who specializes in international human rights and corporate social responsibility, especially as they relate to health, was appointed Director of the Tanner of the Tanner Humanities Center at Utah. In her new capacity she is working to create collaborative research networks and community conversations exploring aspects of the social determinants of health and well-being at the intersection of human rights and environmental justice.

George studies the obligations of private corporate actors under public international law and policy considering the impacts of business practices on gender equity and the enjoyment of the human right to health. Her current research explores the evolving responsibilities of business enterprises to respect human rights, various efforts to hold corporations accountable for alleged rights violations, and efforts by corporations to fill voids in global governance. Her book, *Incorporating Rights*, will be published by Oxford University Press in 2020.

In the past year, Professor George has given talks at the American Association of Law Schools Annual Meeting, City University Hong Kong, Harvard Law School, National University Singapore, HEC Paris, University of Wisconsin Law School, Duke University, and Boston College Law School. In February, she will present at Syracuse Law School on representations of the human rights of people with disabilities in international law and literature.

Professor George serves on the Executive Board of the American Bar Association Center for Human Rights and the Editorial Board of the Cambridge University Press *Business and Human Rights Journal*.

Amelia Smith Rinehart was Associate Dean of Research and Faculty at the College of Law from 2016-2019 and now serves the College as Associate Dean for Academic Affairs. She is a member of the executive committee of the AALS Section for Associate Deans. She specializes in intellectual property law, especially with respect to bioengineering.

This past year, LABS sponsored our annual colloquium. Speakers in 2019 included:

- Craig Konnoth, University of Colorado, Medicalization and the New Civil Rights.
- Lisa Grow Sun, Brigham Young University, Disaster Law and the Rhetoric of Disasters.
- Anne Armstrong, Intermountain Healthcare, How Should Physicians Talk About Mistakes.
- Jacob S. Sherkow, New York Law School, The Pick-and-Shovel Play: Bioethics of the Gene-Editing Vector Patents.
- Scott Smith, University of Utah, Medical Marijuana.
- Barbara Evans, University of Houston Law Center, Data Privacy as a Civil Right.

- Ubaka Ogbogu, University of Alberta, Dead Letters and Stem Cell Markets: Can Consumer Protection Law Combat the Challenge of Unproven Stem Cells?
- Marc Rinehart, University of Utah, Financial Conflicts of Interest in Academic Research.

Our colloquium program for 2020 will feature:

- Derek Bambauer, University of Arizona James E. Rogers College of Law. Talk title TBA.
- John Butler, National Institute of Standards and Technology (NIST), Forensic Science and DNA Testing: Past, Present and Future.
- Yaniv Heled, Georgia State Univ. A Theory of Genetic Interests.
- Ana Santos Rutschman, St. Louis Univ. School of Law. The Patent Cliff for Biologics.
- Elizabeth Weeks-Leonard, Univ. of Georgia School of Law, One Child Town: Making a Health Care Case for Saving Rural America

Among our other activities, LABS co-sponsored “Frontiers in Precision Medicine III: Will Personalized Medicine Improve Population Health?” University of Utah (Salt Lake City, UT, Mar. 2018). We also co-sponsored a reproductive rights mixer with the law student organization If, When, How, and the medical student organization Medical Students for Choice.

Finally, with the start of the academic year we were delighted to welcome our law student fellows for 2019-2020.

The Center for Medical Innovation at the University of Utah sponsors three law students to help student inventors entering the Bench to Bedside competition. The competition challenges student inventors to identify unmet clinical needs and design technology solutions to address them. Working with Professor Amelia Rinehart, the law students provide education about intellectual property to interested student inventors. They also do the provisional patent filings for

students who wish to use their services to protect intellectual property rights to their inventions before public disclosure in the competition. This year's returning CMI fellow is Lindsay Bockstein. Our new CMI fellows are 2L Taylor Stephensen Beal and 3L Dan Thomas.

Ancestry.com funds a LABS fellow for research on ethical issues related to genetics and data privacy. This year's Ancestry.com fellow is Tim Nielsen, a 3L. Tim will be working with Professor Ken Chahine and Professor Jorge Contreras on bioethical and intellectual property issues raised by genetic information.

The University's Conflict of Interest office in the office of the Vice President for Research sponsors a fellow to work on legal and policy issues related to medical research data. Tammy Frisby is this year's COI fellow. Tammy came to the College of Law after earning a Ph.D. in government from Harvard, working as a research fellow at Stanford University's Hoover Institution, and teaching U.S. politics and public policy at Stanford.

LABS appoints our own fellow, too, to work with all of us on projects of general interest. Tana Horton is our LABS fellow this year. An immigrant from Canada, Tana is especially interested in the intersection between immigration and health.

Every year, the IP law firm of Maschoff Brennan sponsors a fellow to work on research issues related to IP and IP litigation. This year's Maschoff Brennan fellow is 2L Sidney Hecimovich.

The University's Program in Medical Ethics and Humanities brings together faculty from medicine, philosophy, law, communication, English, performance studies, disability studies, nursing, and pharmacy to address current ethical problems in health care through education, research, and professional service. Each year, the PMEHS sponsors a fellow to help in educational programs for physicians and medical students and to engage in research with Program faculty. This year's PMEHS fellow is 3L Savanna Jones.

UCEER is the U's Center for Excellence in ELSI Research. The ELSI program at NIH provides funding to study ethical, legal, and social issues raised by genetics. UCEER is housed in the COL, provides some funding for LABS faculty professors Brown and Francis, and funds three law fellows. Patrick Neville will be in his second year as a UCEER fellow. This year, Patrick will be working with Professor Francis on an article addressing the legal issues raised by the increasing use of polygenic testing.

FACULTY NEWS

Teneille R. Brown, Professor of Law, Adjunct Professor, Internal Medicine, reports the following **publications**: *Needles, Haystacks, and Next-Generation Genetic Sequencing*. 28 *Health Matrix* 217 (2018).

Jorge L. Contreras, Professor of Law, Adjunct Professor, Human Genetics, reports the following **publications**: Jorge L. Contreras, *The False Promise of Health Data Ownership*, 94 *N.Y.U. L. Rev.* (2019, forthcoming) (invited symposium) • Jorge L. Contreras & Francisca Nordfalk, *Liability (and) Rules for Health Information*, 29 *Health Matrix: J. L.-Med.* 179-223 (2019) • Luis Gil Abinader & Jorge L. Contreras, *The Patentability of Genetic Therapies: CAR-T and Medical Treatment Exclusions Around The World*, 34 *Am. U. Intl. L.J.* 705-762 (2019) • *Do You Own Your Genetic Test Results? What About Your Temperature?*, *Bill of Health Blog*, May 13, 2019 • Jorge L. Contreras, *The Anticommons at 20: Concerns for Research Continue*, 361 *Science* 335-337 (2018) • Jorge L. Contreras & Bartha M. Knoppers, *The Genomic Commons*, 19 *Annual Rev. Genomics & Human Genetics* 429-453 (2018) • Jacob S. Sherkow & Jorge L. Contreras, *Intellectual Property, Surrogate Licensing, and Precision Medicine*, 7(2) *IP Theory* 1-19 (2018) • Lisa Anne Cannon-Albright, Sue Dintelman, Tim Maness, Johni Cerny, Alun Thomas, Steven Backus, James Michael Farnham, Craig Carl Teerlink, Jorge Contreras, John S.K. Kauwe, Laurence J. Meyer, *A Population Genealogy Resource shows evidence of familial clustering for Alzheimer's Disease*, 4(4) *Neurology: Genetics* (2018) • Jorge L. Contreras, *Is CRISPR Different? Considering Exclusivity for Research Tools, Therapeutics and Everything In Between*, 18 *Am J. Bioethics* 59 (2018) (Open Peer Commentary) • Jorge L. Contreras, John Rumbold, Barbara Pierscionek, *Patient data ownership*. 319(9) *J. Am. Med. Assn.* 935 (Mar. 6, 2018) (letter to editor) • Jorge L. Contreras, *Considerations Regarding a Canadian Patent Collective*, *CIGI Papers No. 172*, Apr. 2018 • Jorge L. Contreras, *The Evolving Patent Pledge Landscape*, *CIGI Papers No. 166*, Apr. 3, 2018 • *Rambus Redux? Standards, Patents and Non-Disclosure in the Pharmaceutical Sector (Momenta v. Amphastar)*, *Patently-O blog*, Jun. 29, 2018 • *Frontiers in Precision Medicine III: Will Precision Medicine Improve Population Health?* (Conference Proceedings), *Univ. of Utah College of Law Research Paper No. 295* (Nov. 2018) (with multiple co-authors).

Professor Contreras reports the following **presentations**: *Frontiers in Precision Medicine IV: Artificial Intelligence, Assembling Large Cohorts, and the Population Data Revolution*, University of Utah (Salt Lake City, UT, Mar. 2019): "ELSI Issues in Assembling Large Cohorts for Precision Medicine" (conference organizer, panel moderator) • *4th Annual BioIP Scholar Workshop*, Boston University School and Law and Am. Soc'y of Law, Medicine & Ethics (Boston, MA, Apr. 2019),

“The False Promise of Health Data Ownership” (presented paper) • Changing Regulation of Pharmaceuticals: Issues in Pricing, Intellectual Property, Trade and Ethics, McGeorge School of Law (Sacramento, CA, Apr. 2019), “Patenting Genetic Therapies: CAR-T and the Medical Treatment Exclusion Around the World” (presented paper) • Gene Editing and Agriculture: Exploring the Legal and Policy Implications of the CRISPR Revolution, Drake University Law School (Des Moines, IA, Apr. 2019), “The Agricultural CRISPR Patent Landscape” (presented paper) • Consuming Genetics: Ethical and Legal Considerations of New Technologies, Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics at Harvard Law School (Cambridge, MA, May 2019), “DTC Genomics and Data Ownership” (presented paper) • Assn. for Teaching and Research in Intellectual Property (ATRIP) 38th Annual Conference, Vanderbilt Law School (Nashville, TN, Aug. 2019), “The Patentability of Genetic Therapies” (presented paper) • University of Michigan (Ann Arbor, MI): Intellectual Property Workshop, “The Meaning of Myriad” (Oct. 2019) • Utah State Bar IP Summit 2018 (Salt Lake City, Utah, Feb. 2018), “Practical Advice and Future Outlook: Section 101 and Patentable Subject Matter” (panelist) • Tilburg University (Tilburg, Netherlands): Tilburg Institute for Law, Technology, and Society (TILT) Faculty Presentation, “Property Rules, Liability Rules, and Genetic Information” (May 2018) • Assn. of Law, Property & Society (ALPS), 9th Annual Meeting, Maastricht University (Maastricht, Netherlands, May 2018), “A Liability Rule Framework for Health Information” (presented paper) • Public versus Private Perspectives on Open IP, Cambridge University, Centre for Research in the Arts, Social Sciences and Humanities (CRASSH) (Cambridge, England, May 2018), “The Evolving Patent Pledge Landscape” (presented paper) • Nottingham Trent University (Nottingham, England, May 2018): Faculty workshop, “A Liability Rule Framework for Health Information” (presented paper) • Maastricht University (Maastricht, Netherlands): Closing Address, Advanced Masters Programmes in IP Law and Knowledge Management LLM/MSc, “Patent Pledges” (June 2018) • Global Congress on Intellectual Property and the Public Interest, American University (Washington, DC, Sept. 2018) • Fordham University (New York, NY): Faculty workshop, “The False Promise of Health Data Ownership” (Oct. 2018) • Adam Mickiewicz University (Poznań, Poland): Public Lecture, “Patent Pledges” (Oct. 2018) • Rethinking Patent Law as an Incentive to Innovation – International Patent Conference (Warsaw, Poland, Oct. 2018), “The patentability of genetic therapies: CAR-T and the medical treatment exclusion around the world” (presented paper) • Data Law in a Global Digital Economy, NYU School of Law (New York, NY, Nov. 2018) “Data and Property Roundtable” (panelist).

Leslie Francis, Director, Center for Law & Biomedical Sciences, reports the following **publications**: Juergens, Alexis & Leslie Francis, Protecting essential information about genetic variants as trade secrets: a problem for public policy? *Journal of Law and the Biosciences* 5(3): 682-705 • Francis, Leslie, Anita Silvers, and Brittany Badesch. 2019. Women with Disabilities: Ethics of Access and Accommodation for Infertility Care. Ch. 13 in Carolyn Ells & Lori d’Agincourt-Canning, ed., *Ethical Issues in Women’s Healthcare* (Oxford: Oxford University Press) • Francis, Leslie. 2019. Maintaining the Legal Status of People with Disabilities as Parents: the ADA and the CRPD. *Family Court Review* 57(1): 21-36 • Silvers, Anita, & Leslie Francis. 2018. Disability, Identity Justice, and the Politics of Nondiscrimination. Ch. 12 in Andrew I. Cohen, ed. *Philosophy and Public Policy*. London: Rowman & Littlefield International, pp. 215-234 • Francis, John & Leslie Francis. 2018. Privacy, Employment, and Dignity, Ch. 13 in Ann E. Cudd & Mark Navin, eds., *Core Concepts and Contemporary Issues in Privacy*. Switzerland: Springer International Publishing, pp. 207-218 • Francis, Leslie. 2018. Law “Reviews”? The Changing Roles of Law Schools and the Publications They Sponsor. *Marquette Law Review* 101: 1019-1044 • Francis, Leslie & Michael Squires. 2018. Patient Registries and their Governance: A Pilot Study and Recommendations. *Indiana Health Law Review* 16: 43-65 • Francis, Leslie. 2018. Understanding disability civil rights non-categorically: The Minority Body and the Americans with Disabilities Act. *Philosophical Studies* 175(5): 1135-1149 • Francis, Leslie. 2018. Disability and Automation: The Promise of Cars that Automate Driving Functions. *Journal of Health Care Law and Policy* 20: 229-252.

Erika George, Samuel D. Thurman Professor Law, reports the following **publications**: Shareholder Activism and Stakeholder Engagement Strategies: Promoting Environmental Justice, Human Rights and the Sustainable Development Goals, *Wisconsin International Law Journal* (2019) • Bringing Human Rights into Bilateral Investment Treaties: South Africa and a Different Approach to International Investment Disputes, 27 *Transnational Law and Contemporary Problems* 403 (2018) • Corporate Social Responsibility and Social Media Corporations: Promoting Human Rights Through Rankings, Self-Regulation and Shareholder Resolutions 28 *Duke Journal of Comparative and International Law* 521 (2018) • Bringing Human Rights into Bilateral Investment Treaties: South Africa’s Alternative Approach to International Investment Disputes, 27 *Transnational Law and Contemporary Problems* 403 (2018) • The Story of Environmental Justice and Race in the United States: International Human Rights and Equal Environmental Protection in Human Rights and Legal Judgments: The American Story (Cambridge University Press, Austin Sarat (ed.) 2017) • Access to Remedy: Treaty Talks and the Terms of a New Accountability Accord in Building a Treaty on Business and Human Rights: Context and Contours (Cambridge University Press, Surya Deva & David Bilchitz (eds.) 2017) • Recognizing Women’s Rights at Work: Health and Women Workers in Global Supply Chains, 35 *Berkeley Journal of International Law* 1 (2017) (Article with David Wofford, Candace Gibson & Rebecca Sewall).

Professor George reports the following **presentations**: Empirical Approaches to Human Rights Law and the Rise of Indicators, American Association of Law Schools Annual Meeting (January 2019) • Transforming Politics Through Participation: The Struggle to Secure the Right to Vote for Women of All Colors, Women Lawyers of Utah (May 2019) • Duke University (February 2018), “Protecting Human Rights through Rankings and Reporting: Corporate Social Responsibility and Social Media Corporations” • Protecting Human Rights through Rankings and Reporting: Corporate Social Responsibility and Social Media Corporations, Duke University (February 2018) • Corporate Social Responsibility and Social Media Corporations, Boston College Law School (March 2018) • Promoting Environmental Justice Through Partnerships for the Sustainable Development Goals, University of Wisconsin Law School (April 2018) • Bringing Human Rights into Bilateral Investment Treaties: South Africa’s Alternative Approach to International Investment Disputes, National University Singapore (July 2018) • Recognizing Women’s Rights at Work: Health and Women Workers in Global Supply Chains, Yaroslav Mudryl National Law University, Kharkiv, Ukraine (September 2018)(via Skype) • Human Rights and Corporate Responsibilities in the Global Food System, Harvard Law School (October 2018) • Human Rights at a Crossroads: From 1948-2018 and Beyond, City University Hong Kong (December 2018).

Amelia Smith Rinehart, Associate Dean, Faculty Research and Development, Professor, reports the following **publications**: #Squadgoals: A Response To Seth Waxman, 17 Chicago-Kent Journal of Intellectual Property, 490 • E. Bement & Sons v. National Harrow Co.: The First Skirmish Between Patent Law and The Sherman Act, 68 Syracuse Law Review, 81 (2018).

Professor Rinehart reports the following **presentations**: Mammography and Disability, NYU conference on race and IP, 2019 • Multiplex Technology Transfer Law and Biomedical Sciences Colloquium, S.J. Quinney College of Law, February 2018 • Intellectual Property and Information Law Colloquium, Cardozo School of Law, April 2018.

UNIVERSITY OF WISCONSIN LAW SCHOOL

FACULTY NEWS

Nina Varsava, Assistant Professor of Law, reports the following **publications**: Nina Varsava, Human Subjects Research Without Consent: Duties to Return Individual Findings When Participation was Non-Consensual, AMERICAN JOURNAL OF BIOETHICS, commentary (forthcoming 2019).

UNIVERSITY OF WYOMING COLLEGE OF LAW

FACULTY NEWS

Melissa Alexander, was promoted to Professor.

VERMONT LAW SCHOOL

FACULTY NEWS

Laurie Beyranevand, Professor of Law, Director of Center for Agriculture and Food Systems, reports the following **publication**: Retooling American Foodralism, 44 Am. J.L. & Med. 489 (2019) (with Diana Winters).

Professor Beyranevand reports the following **presentations**: 42nd Annual American Society of Law Medicine and Ethics Health Law Professors Conference, “Can Revised Standards of Identify Achieve Greater Public Health Outcomes?” Panelist, Loyola University Chicago School of Law (June 2019) • Food Law Student Leadership Summit, “Food Safety,” Invited Speaker, Georgetown Law Center (April 2019) • Physicians for Human Rights: Planetary Health – Life in Our Changing World, “Food Security,” Invited Panel Speaker, Geisel School of Medicine at Dartmouth College (January 2019).

Professor Beyranevand reports the following **grants, honors, or awards**: \$1.5M Award from the National Agricultural Library of the United States Department of Agriculture.

WAYNE STATE UNIVERSITY LAW SCHOOL

FACULTY NEWS

Lance Gable, Associate Professor, reports the following **publications**: Benjamin Mason Meier and Lance Gable, *Advancing the Right to Health: Eleanor Kinney’s Seminal Contributions to the Development and Implementation of Human Rights for Public Health*, Ind. Health L. Rev. (forthcoming 2019) • Colleen Healy Boufides, Lance Gable, and Peter D. Jacobson, *Learning from the Flint Water Crisis: Restoring and Improving Public Health Practice, Accountability, and Trust*, 47 J. L. MED. & ETHICS 23-26 (Supp. 2, 2019). Available at: <https://doi.org/10.1177/1073110519857310>.

Professor Gable reports the following **presentations**: “Rethinking the Role of Civil Litigation in the Opioid Crisis.” *The Opioid Crisis: Rethinking Policy and Law*, American University Washington College of Law, Washington DC, February 22, 2019 • “Criticized, Fired, Sued, or Prosecuted: Hindsight and Public Health Accountability.” Humanities Center Faculty Presentation, Wayne State University, Detroit, MI, March 20, 2019 • “Oversight and Hindsight: Accountability for Government Failure.” Levin Center Faculty Scholar Presentation, Wayne State University Law School, Detroit, MI, March 26, 2019 • “Structuring Legal Preparedness to Avoid Leadership Failures.” Health Law Professor’s Conference, Loyola University Law School, Chicago, IL, June 6, 2019 • “Criticized, Fired, Sued, or Prosecuted: Hindsight and Public Health Accountability.” National Association of City and County Health Officers Annual Meeting, Orlando, FL, July 10, 2019 • “The Great Debate: One Health and Climate Change.” Global Health, Justice, and the Environment Conference, Wayne State University, Detroit, MI, September 10, 2019 • “Criminal and Civil Liability for Public Health Officials.” Legionella Conference, Los Angeles, CA, September 13, 2019 • “Legal Strategies for Infectious Disease Emergencies.” Public Health and Disasters Conference, Salt Lake City, UT, September 24, 2019 • “State and Local Government Conflict and Competition in the Opioid Litigation.” American Public Health Association Annual Meeting, Philadelphia, PA, November 5, 2019 • “Tort Liabilities and Water Utilities.” 21st Century Legal Challenges in the Water Sector, American Water Works Association, Chicago, IL, December 5, 2019.

WEST VIRGINIA UNIVERSITY COLLEGE OF LAW

FACULTY NEWS

Valarie Blake, Associate Professor, reports the following **publications**: “Ensuring an Underclass: Stigma in Insurance,” 41 CARDOZO L. REV. ____ (forthcoming 2020) • *Regulating Care Robots*, 92 TEMPLE L. REV. ____ (forthcoming 2020) • *Seeking Insurance Parity During the Opioid Crisis*, 2019 UTAH L. REV. 811 (2019) • Valarie K. Blake & Mark L. Hatzenbuehler, *Legal Remedies to Address Stigma-Based Inequalities and Improve Health Equity in the U.S.: Challenges and Opportunities*, ____ MILBANK QUARTERLY ____ (forthcoming 2019) • *Rewritten Opinion, Doe v. Mutual of Omaha Insurance Co.*, in Seema Mohapatra and Lindsay F. Wiley, *FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS* (edited collection) (forthcoming).

WILLIAM & MARY LAW SCHOOL

FACULTY NEWS

Myrisha Lewis, Assistant Professor, moved from Howard University to William & Mary, and reports the following **publication**: Myrisha S. Lewis, *The American Democratic Deficit in Assisted Reproductive Technology Innovation*, 45 *American Journal of Law and Medicine* 128 (forthcoming 2019).

Professor Lewis reports the following **presentations**: “The Coming Age of Gene Editing: Medical Promise, Regulation, and the Revival of Decades of Debate”: 2019 Nova Law Review Symposium, 3rd Annual Junior Faculty Forum for Law and STEM, Lutie A. Lytle Black Women Law Faculty Workshop, 42nd Annual Health Law Professors Conference, Baby Markets Roundtable, Law and Society Association Annual Meeting, Seventh Annual Conference on Governance of Emerging Technologies & Science, Junior Faculty Forum at the University of Richmond, Biolawlapalooza 3.0 • “Innovating Federalism in the Life Sciences”: Promises and Perils of Emerging Health Innovations at Northeastern University, University of Kansas School of Law • “The American Democratic Deficit in Assisted Reproductive Technology Innovation”: American Journal of Law and Medicine Symposium.