



AALS

Section on Law, Medicine and Health Care

NEWSLETTER 2018

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LETTER FROM THE CHAIR

The events of this past year continue to demonstrate the saliency of Law, Medicine, and Health Care in our nation. For instance, in the historic midterm elections in November, Gallup reported that 80% of voters thought that

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healthcare was "extremely or very important" to their vote. Of course, this heightened focus on healthcare among the electorate and lawmakers is due to a variety of issues including: access to affordable care, the staggering toll of the opioid epidemic, and the future of *Roe v. Wade*. Below is my curated list of noteworthy events that occurred in health law over the past year.

- Jan 1: In subsequent months, the CDC will report that over 70,000 Americans died of drug overdoses (vast majority opioids) in the past 365 days and that life expectancy has dropped for a second straight year.
- January 12: CMS approves a Section 1115 waiver to allow Kentucky to implement "work requirements" and monthly premiums for

Medicaid recipients. Several other states announce similar proposals

- January 24: Alex Azar, former executive at pharmaceutical giant Eli Lilly, is confirmed as the new Secretary of HHS following the forced resignation of Secretary Tom Price.
- January 30: Amazon announces plans to partner with Berkshire Hathaway and JPMorgan Chase to "disrupt" healthcare, sending shockwaves across the industry (see CVS-Aetna and Cigna-Express Scripts mergers).
- February 20: In a move to further undermine key components of the ACA, the Trump Administration proposes rules to loosen curbs on short-term plans, often derided as "junk insurance." This rule change would allow insurers to offer cheaper plans by rejecting applicants with preexisting conditions and exclude benefits mandated in the ACA including maternity, mental health, and substance abuse coverage.
- April 13: Federal Judge Dan Polster issues an order scheduling three "bellwether" trials in Ohio filed by cities and counties against the opioid industry to start in 2019.
- June 27: The GAO and HHS OIG launch reviews of the Trump Administration's handling of thousands of migrant children separated from their families at the border. Criticism and alarm

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LETTER FROM THE CHAIR

mounts over HHS's inability to track many of these children.

- June 29: A federal judge blocks implementation of Kentucky's Medicaid work requirements, ruling that CMS did not adequately consider whether this waiver violated a fundamental purpose of Medicaid—providing healthcare to vulnerable low-income patients.
- October 6: The Senate confirms Justice Brett Kavanaugh following contentious hearings over allegations that he committed sexual assault. Despite Senator Collins' assurance that Kavanaugh considers *Roe v. Wade* to be "settled law," reproductive rights advocates signal concern regarding the future of this precedent.
- November 6: Following these historic midterm elections, the ACA appears secure from repeal as Democrats take control of the House, while Republicans maintain control of the Senate. Healthcare dominated as an issue addressed by candidates as voters signaled that access to affordable care was

a prime concern. Calls for "Medicare for all" or a single-payer system make further advances with the election of progressive Congressional candidates like Alexandria Ocasio-Cortez, Rashida Tlaib, Ilhan Omar, and others. Medicaid expansion continues to grow as voters in three states (Idaho, Nebraska, Utah) approved ballot measures and in three other states (Kansas, Wisconsin, Maine) the new Governor-Elect supports expansion.

- November 26: An immediate backlash ensues in the global medical and scientific community after a Chinese scientist, Dr. He Jiankui, announces he used CRISPR to edit the genes of two twin babies.

Our Section has planned an amazing set of programs for the 2019 AALS meeting to address these and related challenges. Roy Spece, our incoming section chair, has done a great job in planning a full day of programming on Thursday January 3, that includes: a panel on the Directions of State Health Care (Law) Reform; co-sponsored

panels with sections on Disability Law, Torts and Compensation, and Clinical Legal Education. These panels conclude at 3:15 PM, and immediately after that we will hold our Business Meeting in the room hosting our panel co-sponsored by Disability Law. NOTE SCHEDULING CHANGE—we will hold our junior scholar Works in Progress (WIP) session immediately after our business meeting from 3:45 PM-4:45 PM—DISREGARD the official AALS program which lists the WIP session as occurring on Saturday January 5th. After the WIP session, everyone is invited to the Section cocktail reception sponsored by the law firm of Jones Day. The cocktail reception will be from 6:30-8:30 PM on January 3 in the courtyard of SoBou at the W Hotel in the French Quarter: 316 Rue Chartes, New Orleans.

With warmest regards,

Fazal Khan
University of Georgia School of Law

2019 HEALTH LAW COMMUNITY SERVICE AWARD



Please join us in congratulating the winner of the 2019 Health Law Community Service Award, Professor Wendy Parmet. Professor Parmet has dedicated countless hours to ensuring health care access to the most vulnerable. Her record of community and professional service over the years has included roles with the Public Health Law Association, the American Bar Association's AIDS Coordinating Committee, and the ABA Commission of Mental & Physical Disability Law. Professor Parmet was previously a president of and is now a

board member of Health Law Advocates, a nonprofit public interest law firm that represents individual low-income residents seeking access to medical care or insurance coverage, provides legal representation to groups facing access issues, and engages in education and outreach. She is also Board Vice President of Health Care for All, which describes its mission as "advocat[ing] for health justice in Massachusetts by working to promote health equity and ensure coverage and access for all." Professor Parmet's community service has often

taken the form of direct provision of legal services. In 2012, Professor Parmet was lead counsel in a case in which the Massachusetts Supreme Judicial Court held that the state's exclusion of legal immigrants from state-subsidized health insurance was unconstitutional. Through her work on these cases, her academic work, and her broader advocacy efforts, Professor Parmet has demonstrated a strong commitment to community service in the areas of health and health care.



PROGRAM AND FACULTY NEWS

ARIZONA STATE UNIVERSITY SANDRA DAY O'CONNOR COLLEGE OF LAW

The Center for Public Health Law and Policy at ASU Law has been working extensively at on scholarly and applied projects at the intersection of law, public health, ethics, and policy. It continues to serve as the host for the Western Region Office of the Network for Public Health Law, funded by the Robert Wood Johnson Foundation. In October 2018, the Center hosted a plenary reception at the Network's National Public Health Law Conference in Phoenix, Arizona. Center Director James Hodge and other colleagues presented at multiple sessions of the 3 day conference, including a late-breaking session focused on health equity and justice issues underlying the nomination of Justice Brett Kavanaugh to the U.S. Supreme Court. Center colleagues continue to publish and present extensively on wide-ranging topics including the opioid epidemic, vaccination policies, obesity, emergency legal preparedness, and health law and policy repercussions related to changes to the Affordable Care Act. In 2019, the Center will host additional regional meetings as part of its Network affiliation and role as convener of the Law, Policy, and Equity division of the Arizona Wellbeing Commons, designed to improve health of Arizonans through law and policy.

BOSTON UNIVERSITY SCHOOL OF LAW

BU Law faculty ranked among the top 20 most cited health law scholars: George Annas, Kevin Outterson, and Nicole Huberfeld were all recognized for their work published in health law reviews and peer-reviewed journals. BU Law Professors Plan to Study Impact of Biopharmaceutical Funder CARB-X

FACULTY NEWS

George J. Annas, William Fairfield Warren Distinguished Professor of Health Law, Ethics & Human Rights, Health Law, Policy & Management, reports these recent publications: George J. Annas & Sandro Galea, Dying Healthy: Public Health Priorities for Fixed Population Life Expectancies, 169 ANNALS INTERNAL MED. 568 (2018) ♦ George J. Annas & Michael A. Grodin, Reflections on the 70th Anniversary of the Nuremberg Doctors' Trial, 108 AJPH 10 (2018) ♦ George J. Annas, Beyond Nazi War Crimes Experiments: The Voluntary Consent Requirement of the Nuremberg Code at 70, 108 AJPH 42 (2018).

Nicole Huberfeld, Professor of Health Law, Ethics & Human Rights, Boston University School of Public Health, report these recent publications: Nicole Huberfeld, Stewart v. Azar and the Purpose of Medicaid: Work as a Condition of Enrollment, PUB. HEALTH REP. (forthcoming 2018) ♦ Nicole Huberfeld, Rural Health, Universality, and Legislative Targeting, 12 HARV. L. & POL'Y

REV. (forthcoming 2018) ♦ Abbe R. Gluck & Nicole Huberfeld, What Is Federalism in Health Care For?, 70 STAN. L. REV. 1689 (2018) ♦ Abbe R. Gluck & Nicole Huberfeld, Health Care Federalism and Next Steps in Health Reform, J. L. MED. & ETHICS (forthcoming 2018) ♦ Nicole Huberfeld, Can Work Be Required in the Medicaid Program?, 378 NEW ENG. J. MED. 788 (2018) ♦ Abbe R. Gluck & Nicole Huberfeld, The New Health Care Federalism on the Ground, 15 IND. HEALTH L. REV. 1 (2018) ♦ Nicole Huberfeld, NFIB v. Sebelius at 5, 12 U. ST. THOMAS J. L. & PUB. POL'Y 48 (2017). ♦ N. Huberfeld, D. Jones & E. Miller, National Federation of Independent Business v. Sebelius, in ENCYCLOPEDIA OF FEDERALISM (2018) ♦ Emily Whelan Parento & Nicole Huberfeld, Opinion, Kentucky Must Provide Stability in Our Medicaid Program, COURIER J. (July 5, 2018, 6:59 PM), <https://www.courier-journal.com/story/opinion/contributors/2018/07/05/kentucky-must-provide-stability-medicaid-recipients/759482002/> ♦ Emily Whelan

Parento & Nicole Huberfeld, Opinion, Kentucky's Medicaid Work Waiver Bad for People and Goes Beyond Law's Intent, COURIER J. (Jan. 25, 2018, 11:19 AM), <https://www.courier-journal.com/story/opinion/contributors/2018/01/25/kentucky-medicaid-work-waiver-bad-illegal/1057698001/> ♦ Emily Whelan Parento & Nicole Huberfeld, Opinion, Kentucky Must Provide Stability in Our Medicaid Program, COURIER J. (July 5, 2018, 6:59 PM), <https://www.courier-journal.com/story/opinion/contributors/2018/07/05/kentucky-must-provide-stability-medicaid-recipients/759482002/> ♦ Emily Whelan Parento & Nicole Huberfeld, Opinion, Kentucky's Medicaid Work Waiver Bad for People and Goes Beyond Law's Intent, COURIER J. (Jan. 25, 2018, 11:19 AM), <https://www.courier-journal.com/story/opinion/contributors/2018/01/25/kentucky-medicaid-work-waiver-bad-illegal/1057698001/> ♦ Nicole Huberfeld, is a semi-regular guest on THE WEEK IN HEALTH LAW ("TWIHL") podcast.

PROGRAM AND FACULTY NEWS

BOSTON UNIVERSITY SCHOOL OF LAW (continued)

Professor Huberfeld presented at Health Reform, Medicaid, and Health Care Federalism, Southeastern Association of Law Schools Annual Meeting, August 2018 ♦ Discussant, Health Law and Bioethics Discussion Group, Southeastern Association of Law Schools Annual Meeting, August 2018 ♦ Presenter, Rural Health, Universality, and Legislative Targeting, Medicaid Matters Panel, ASLME Health Law Professors Conference, June 2018 ♦ Presenter, What Is Federalism in Health Care For?, Stanford Law Review Symposium: Federalism in an Age of Polarization, Stanford Law School, Feb. 2018

Wendy K. Mariner, Edward R. Utey Professor of Health Law, Ethics & Human Rights, Health Law, Policy & Management, reports the following publication: Wendy K. Mariner, Medicaid Waivers, Work Requirements, and Administrative Discretion, *JURIST* (Henna Bagga ed., Feb. 3, 2018, 11:51 AM), <https://www.jurist.org/commentary/2018/02/wendy-mariner-medicaid-waivers/>.

Michael Kevin Outterson, Professor of Law, N. Neal Pike Scholar in Health and Disability Law, Executive Director of CARB-X reports these recent publications: Christine Årdal et al., Insights into Early Stage of Antibiotic Development in Small- and Medium-Sized Enterprises: A Survey of Targets, Costs, and Durations, 11 *J. PHARMACEUTICAL POLY & PRAC.* 1 (2018) ♦ Cecilia Källberg et al., Introduction and Geographic Availability of New Antibiotics Approved Between 1999 and 2014, 13 *PLOS ONE* 1 (2018) ♦ NICOLE HUBERFELD, ELIZABETH WEEKS & KEVIN OUTTERSON, *THE LAW OF AMERICAN HEALTH CARE* (2017) ♦ Taimur Bhatti et al., A Perspective on Incentives for Novel Inpatient Antibiotics: No One-Size-Fits-All, 46 *J. L. MED. & ETHICS* 59 (2018) ♦ Evelina Tacconelli et al., Discovery, Research, and Development of New Antibiotics: The WHO Priority List of Antibiotic-Resistant Bacteria and Tuberculosis, 18 *LANCET INFECTIOUS DISEASES* 318 (2018) ♦ Christine Årdal et al., Revitalizing the Antibiotic Pipeline: Stimulating Innovation while Driving

Sustainable Use and Global Access, *DRIVE-AB* (2018).

Professor Outterson presented at Presentations to UK All-Parties Parliamentary Working Group on Antimicrobial Resistance, Gates Grand Challenges, Max Planck Institute, University of Copenhagen CeBIL, European Commission / Innovative Medicines Initiative / DRIVE-AB, Nature Beijing, and many others ♦ Countering Antimicrobial Resistance, hosted by the Chinese Center for Disease Control and Prevention, Sichuan University, West China Hospital (SCU), Institutes of Pharmaceutical Science (CAMS), Beijing Economic Technological Development Area, Nature Medicine, Nature Microbiology and Nature Biotechnology, Pullman Beijing South, Beijing, China (May 28, 2018) ♦ Boston University's 12th Alumni Lecture Series in Tokyo, TKP Shinbashi Conference Center, Tokyo, Japan (May 31, 2018) ♦ Antibacterial Discovery and Development Summit, part of the 5th Annual Re-Entering Antibacterial Discovery and Development Summit, Boston, MA (September 27, 2018) ♦ Fostering Investment in the Development of New Antibacterial Treatments, UNCTAD World Investment Forum, Geneva, Switzerland (October 23, 2018).

Professor Outterson reports the following grants: Extended US Dept. of Health and Human Services CARB-X grant (\$250,000,000 plus \$50,000,000 of in-kind NIAID services, 2017-2021) with additional grants from the Wellcome Trust (\$155,500,000, 2017-2021), the UK Department of Health and Social Care (\$26,000,000, 2018-2022) and the Bill and Melinda Gates Foundation (\$25,000,000, 2018-2022), all as principal investigator. CARB-X is the world's largest research project on antimicrobial innovation, building on my prior academic work. Boston University is the global lead for CARB-X.

Professor Outterson reports these professional activities: Launched Social Innovation on Drug Resistance (SIDR), with four 2-year post docs to mine CARB-X data for academic research, supported by Boston University ♦ CARB-X Funds SciBac

to Develop a Microbe Drug that Kills *C. Difficile* Superbugs ♦ CARB-X Funds Summit Therapeutics to Support Development of a New Class of Antibiotic to Treat Gonorrhea Superbug.

Michael Ulrich, Assistant Professor of Health Law, Ethics & Human Rights, Health Law, Policy & Management, reports these publications: Michael R. Ulrich & Wendy K. Mariner, Quarantine and the Federal Role in Epidemics, 71 *SMU L. REV.* 391 (2018) ♦ Michael R. Ulrich, Pregnant Women and Equitable Access to Emergency Medical Care, *AM. J. BIOETHICS*, July 2018, at 57 ♦ Megan S. Wright, Claudia Kraft, Michael R. Ulrich & Joseph J. Fins, Disorders of Consciousness, Agency, and Healthcare Decision Making: Lessons from a Developmental Model, 9 *AJOB NEUROSCIENCE* 56 (2018) ♦ Michael R. Ulrich & Julia R. Raifman, How Religious Refusal Laws Are Harming Sexual Minorities, *HEALTH AFF. BLOG* (June 11, 2018), <https://www.healthaffairs.org/doi/10.1377/hblog20180607.856152/full/> ♦ Julia Raifman & Michael Ulrich, What the Masterpiece Cakeshop Decision Means for Public Health and the Rule of Law, *WBUR: COGNOSCENTI* (June 5, 2018), <http://www.wbur.org/cognoscenti/2018/06/05/supreme-court-colorado-baker-julia-raifman-and-michael-ulrich>.

Professor Ulrich presented at A Public Health Approach to Gun Violence, Legally Speaking (Public Health Law Conference, October 2018) ♦ Concealed Carry Reciprocity: A Threat to Public Health and Federalism (Health Law Professors Annual Conference, June 2018).

Kathryn Zeiler, Professor of Law, Nancy Barton Scholar, reports these publications: *RESEARCH HANDBOOK ON BEHAVIORAL LAW AND ECONOMICS* (Joshua C. Teitelbaum & Kathryn Zeiler eds., 2018) ♦ Kathryn Zeiler, What Explains Observed Reluctance to Trade? A Comprehensive Literature Review, in *RESEARCH HANDBOOK ON BEHAVIORAL LAW AND ECONOMICS* 347 (Joshua C. Teitelbaum & Kathryn Zeiler eds., 2018) ♦ Kathryn Zeiler, Mistaken About

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BOSTON UNIVERSITY SCHOOL OF LAW (continued)

Mistakes, EUR. J. L. & ECON. (forthcoming 2018) ♦ Kathryn Zeiler, Investigating the Politics of Legal Empirics: Possible Next Steps, 174 J. INSTITUTIONAL & THEORETICAL ECON. 238 (2018).

Professor Zeiler presented at George Mason University School of Law, Roundtable on Legal Error (February 2018) ♦ Kathryn Zeiler, “Law, Technology and Patient Safety,” Clifford Symposium on Patient Safety: How Might the Law Help?, DePaul University College of Law, Chicago, IL (April 19, 2018) ♦ Workshop on Economics of Healthcare Law for Federal Judges, hosted by Boston University School of Law with George

Mason University Antonin Scalia Law School, Boston, MA (June 2018).

Professor Zeiler is a Fellow of the Society of Empirical Legal Studies, 2015 – present and the Nancy Barton Scholar and Professor of Law, 15 – present.

Professor Zeiler reports these professor activities: Boston University: University Appointments, Promotion and Tenure Committee (18-19) ♦ Boston University: Workshops Committee, Chair (18-19) ♦ Boston University: American Journal of Law & Medicine Faculty Advisor (16-present) ♦ Boston University: Questrom School of

Business Dean Search Committee (17-18) ♦ Boston University: Appointments Committee (16-17, 17-18) ♦ Member of the Society for Empirical Legal Studies: Member of Board of Directors, 15-present ♦ Max Planck Institute: Member of Scientific Advisory Board for Research on Collective Goods (11-18) ♦ Member of the American Law and Economics Association: Annual Meeting Program Director (18) ♦ Co-director, 9th Annual Empirical Health Law Conference, Duke Law School, Durham, NC (April 6, 2018).

CALIFORNIA WESTERN SCHOOL OF LAW

FACULTY NEWS

Joanna Sax, E. Donald Shapiro Professor of Law, reports the following publication: Edward L. Rubin and Joanna K. Sax, Administrative Guidance and Genetically Modified Food, 60 ARIZONA L. REV. 539 (2018).

Professor Sax presented at Administrative Guidance and Genetically Modified Food, FDA: Past, Present, and Future, American

University Washington College of Law and Food and Drug Law Institute, Washington, D.C., October 2018 ♦ Food and Consumer Decision-Making, Eighth International Conference on Health, Wellness & Society, Imperial College London, London, UK., September 2018 ♦ Hot Issues in Law and Bioethics, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, FL., August 2018 ♦ Ambiguity and

Consumer Perceptions of Risk in Various Areas of Biotechnology, Governance of Emerging Technology 2018, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ., May 2018 ♦ Consumer Perceptions of Risk and Our Food Supply, Yale Food Systems Symposium, Yale School of Forestry & Environmental Studies, New Haven, CT., February 2018.

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW

Case Western Reserve University School of Law will host full day conference on April 5, 2019 “Electronic Health Records and Patient Safety: Legal Challenges and Solutions.”

We also invite submissions to “Health Matrix: Law-Medicine Journal.” We are especially eager to receive entries for the annual Oliver Schroeder Prize. The annual prize is awarded the best article that addresses topics at the intersection of health law and ethics. For more information see <https://scholarlycommons.law.case.edu/healthmatrix/contests.html>.

10/30/2018 – “Health Law and the New Supreme Court.” Panel discussion by Professors Jessie Hill and Jonathan Adler ♦ 10/25/2018 - “All Nonprofits Are Not Created Equal: The Role of the Commercial Nonprofit.” Annual Maxwell J. Mehlman Lecture presented by Seth Jacobs, Senior Vice President and General Counsel at Blue Shield of California ♦ 9/27/2018 - “The (Almost) Great Unraveling: Can the Quest for Solidarity Survive?” Annual Oliver Schroeder Lecture presented by George Washington University’s Prof. Sara Rosenbaum ♦ 6/7/2018 - hosted 41st Annual Health Law Professors Conference ♦ 4/10/2018 - “Experience is Treacherous: An Intimate View of the Physician’s Experience of Adverse Patient Outcomes and Malpractice Litigation.” Presented by Dr. Stacia Dearmin and Dirk Riemenschneider, Esq.

FACULTY NEWS

Sharon Hoffman, Edgar A. Hahn Professor of Law, Professor of Bioethics, Co-Director of Law-Medicine Center reports these publications: Healing the Healers: Legal Remedies for Physician Burnout, YALE J. HEALTH POL’Y, L. & ETHICS (forthcoming 2019) ♦ Big Data

Analytics: What Can Go Wrong, 15 IND. HEALTH L. REV. 227 (2018) (invited piece) ♦ Step Therapy: Legal, Ethical, and Policy Implications of a Cost-Cutting Measure,” 73 FOOD & DRUG L. J. 38 (peer-reviewed) (2018) ♦ The Perplexities of Age and Power, 25 ELDER L. J. 327 (2018) ♦ “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 (Cambridge University Press, forthcoming 2018) ♦ “Big Data’s New Discrimination Threats: Amending the Americans with

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CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW (continued)

Disabilities Act to Cover Discrimination Based on Data-Driven Predictions of Future Disease,” in *BIG DATA, HEALTH LAW, AND BIOETHICS* (Cambridge University Press 2018) ♦ “Drug Shortages Pose a Public Health Crisis in the US,” *The Conversation*, June 18, 2018 ♦ “5 Questions to Ask Your Aging Parent’s Doctor,” *The Conversation*, February 20, 2018.

Professor Hoffman presented at “Electronic Health Records and Medical Big Data: Law and Policy,” at CWRU Law Downtown City Club of Cleveland, Sept. 12, 2018 and St. Louis Area Health Lawyers Association, April 13, 2018 ♦ “Step Therapy: Legal, Ethical, and Policy Implications of a Cost-Cutting Measure,” *Health Law Professors Conference*, Cleveland, Ohio, June 8, 2018 ♦ “E-Health Hazards: Provider Liability and Electronic Health Record Systems,” *Academy of Medicine of Brooklyn*, New York HIT Symposium, April 28,

2018 (keynote speaker) ♦ “Big Data and the Americans with Disabilities Act,” at Boston University School of Law Annual Pike Lecture, Boston, March 19, 2018 and University of Pennsylvania Law School Faculty Workshop, April 26, 2018 ♦ “Aging with a Plan: How a Little Thought Today Can Vastly Improve Your Tomorrow.” Book talk given at various professional and community venues in Northeast Ohio.

Professor Hoffman was elected to membership in American Law Institute.

Max Mehlman, Distinguished University Professor, Arthur E. Petersilge Professor of Law and Director, The Law-Medicine Center, Case Western Reserve University School of Law, Professor of Bioethics, Case Western Reserve University School of Medicine reports these publications: *Ethical Issues in the Use of Nudges to Obtain Informed Consent for Biomedical*

Research, 40 *IRB* 1-5 (2018) (feature article) (with Jessica Berg and Eric Kodish) ♦ *The Fragmenting of Humankind?* in Michael Bess and Diana Walsh Pasulka, ed. *Posthumanism: The Future of Homo Sapiens*. Macmillan Interdisciplinary Handbooks. Farmington Hills, MI: Macmillan Reference USA, 2018, pp. 384-399.

Professor Mehlman presented at Presentation on Regulating Genetic Engineering, University of Pennsylvania Law School, February 10, 2018 ♦ “Can Law Help Save Medicine?” Annual Meeting of CEOs and COOs of PIAA (the Physicians Insurance Association of America) in Scottsdale, AZ, March 16, 2018 ♦ Case Downtown talk, “Who Can Patients Trust?” City Club of Cleveland, March 21, 2018 ♦ “Genetic Sequencing in the Military Health System: Legal and Ethical Issues,” (with Efthimios Parasadis), *ASLME Health Law Professors Conference*, June 9, 2018.

DEPAUL UNIVERSITY COLLEGE OF LAW MARY AND MICHAEL JAHARIS HEALTH LAW INSTITUTE

Among its many accomplishments during the 2017-2018 academic year, the health law program hosted its eighth annual symposium. The Jaharis Symposium on Health Law and Intellectual Property: Technological and Emergency Responses to Pandemic Diseases provided a multi-faceted look at pandemics. Speakers discussed how global public health systems should respond to threats, how to develop diagnostic technologies, and how to protect against weaponized diseases. Keynote speakers included Lawrence O. Gostin, Faculty Director and Founding Chair of the O’Neill Institute for National and Global Health Law, and Richard Wilder, now former Associate General Counsel in the Global Health Program at the Bill and Melinda Gates Foundation.

The 2019 Jaharis IP and Health Law Symposium, which will be held on March 14, 2018, is titled “Democratizing” Medicine in a Data and Tech-Driven World. In the wake of technological breakthroughs that enable the adoption of technological and data-driven innovation in medication, many significant and pressing questions of law and policy inevitably arise. Presenters will discuss the claims that biohacking, artificial intelligence, consumer genetics, citizen science and other initiatives with “democratize” medicine and the scientific, ethical and legal implications involved.

For our students, the Jaharis Health Law Fellows continue to be the most important part of our program. Fellows are eligible to apply for summer employment and receive a stipend to work at health care companies, law firms, and health care organizations. This past summer, students impressed employers in a host of positions, including jobs at Husch Blackwell, Baxter International, Lurie Children’s Medical Center, Advocate Health, R1 RCM, Sinai Health, the American Medical Association, Hill-Rom and United Benefits Advisors. Students also have the opportunity to edit the DePaul Journal of Health Care Law and write for the ePulse newsletter, participate in moot court competitions, and take advantage of various volunteer opportunities through the Institute.

Each year, the Institute also hosts many outside speakers for the benefit of the students and to offer CLE credit for attorneys in the area. Last year, JHLI hosted speakers from the Illinois Department of Financial and Professional Regulation, Rush University Medical Center, Presence Health, Ingalls Health System, University of Illinois, Sinai Health System, Hill-Rom, United Benefit Advisors, Alliant Insurance Services, and the Inspector General’s Office, in addition to various academics and attorneys from Winston and Strawn and other firms.

Finally, the Jaharis Faculty Fellow Program continues to be a highlight of the Institute. Ana Santos Rutschman completed a fantastically successful inaugural fellowship in the summer of 2018 and has since begun a tenure-track position at the Saint Louis University School of Law. Among her many accomplishments during her time at DePaul, Professor Rutschman started a podcast in which she interviewed leading

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DEPAUL UNIVERSITY COLLEGE OF LAW MARY AND MICHAEL JAHARIS HEALTH LAW INSTITUTE (continued)

figures on topics at the intersection of health and IP/IT. For the current academic year, DePaul Law welcomes the new Jaharis Faculty Fellow in Health Law and Intellectual Property, Charlotte Tschider. Professor Tschider is a Fulbright Specialist in Cybersecurity and Privacy Law. Her work focuses on the global health care industry with scholarship in artificial intelligence and food and drug law. Professor Tschider is widely published in topics ranging from data collection in the medical industry and internet privacy to global data protection laws, among others.

For more information on Jaharis Health Law Institute activities, we invite you to view our online brochure at <https://law.depaul.edu/about/centers-and-institutes/health-law-institute/Documents/jhli%20brochure%202018.pdf>.

Mary and Michael Jaharis IP and Health Law Annual Symposium: “Democratizing” Medicine in a Data and Tech-Driven World, Thursday, March 14, 2019, DePaul University College of Law, One West Jackson Boulevard, Suite 8005, Chicago, Illinois 60604. If you are interested in speaking, please contact Valerie Gutmann Koch at vkoch1@depaul.edu.

Our health law faculty was prolific in presenting their scholarly work around the country this past year. A sampling of these presentations includes the following: Professor Epstein presented at the Colloquium on Contract and Economic Organization at Columbia University and the University of Chicago Public Law and Legal Theory Workshop, Professor Rutschman at the 2018 Life Sciences Conference and at Regulation and Innovation in The Biosciences Workshop at Washington University in St. Louis School of Law, Professor Koch at the MacLean Center Conference at the University of Chicago and at the American Society for Bioethics and the Humanities Annual Meeting, and Professor Tschider at the Washington University Law Review Symposium on Health Privacy and the 2018 Wiet Life Science Scholars Conference. Professor Sarnoff was the moderator and interlocutor for a public discussion with judges of the U.S. Court of Appeals for the Federal Circuit, held at DePaul during the Federal Circuit’s visit to Chicago. In addition, five DePaul faculty attended and presented at the annual ASLME Health Law Professors Conference.

FACULTY NEWS

Valerie Gutmann Koch, visiting Jaharis Fellow published: Eliminating Liability for Informed Consent to Medical Treatment, *University of Richmond Law Review* (forthcoming 2019) ♦ Research Revolution or Status Quo?: the New Common Rule and Research Arising from Direct-to-Consumer Genetic Testing, 56(1) *Houston Law Review* 81 (2018) (with Kelly Todd) ♦ Preimplantation Genetics: Limitations and Liabilities, book chapter in *Reproductive Ethics* (Julie Chor and Katie Watson, eds.) (forthcoming 2018).

Wendy Netter Epstein, Faculty Director and Professor of Law, published: The Health Insurer Nudge, 91 *S. CAL. L. REV.* 593 (2018) ♦ Payors, Data, and Nudges to Improve Care, *J. LAW., MED. & ETHICS* (forthcoming 2018) (symposium article adapted from *S. CAL. L. REV.* article) ♦ Price Transparency and Incomplete Contracts in Health Care, 67 *EMORY L. J.* 1 (2017) ♦ Price Transparency: A Contracts Solution, in *Transparency in Health and Health Care* (Cambridge University Press, forthcoming 2018) (adapted from *EMORY L. J.* article) ♦ Nudging Patient Decision-Making, 92 *WASH. L. REV.* 1255 (2017).

Professor Netter Epstein presented at the University of Chicago Public Law and Legal Theory Workshop, Paper Presented:

The Health Insurer Nudge ♦ 41st Annual Health Law Professors Conference, Panel: Regulating Hybrid Entities ♦ Colloquium on Contract and Economic Organization, Columbia University, Paper Presented: Price Transparency and Incomplete Contracts in Health Care ♦ AALS Annual Meeting, Panel: Are Patients Ready for Consumer-Driven Healthcare? ♦ Loyola University Chicago, Symposium “Privacy, Big Data and the Demands of Providing Quality Patient Care”, Paper Presented: The Health Insurer Nudge ♦ Conference: Next Steps in Health Reform, sponsored by the American Society for Law, Medicine, and Ethics and American University Washington College of Law, Paper Presented: The Health Insurer Nudge.

Professor Netter Epstein received tenure and promoted to Full Professor and received the Faculty Scholarship Award.

Professor Netter Epstein made various media appearances, including in *Kaiser Health News*, *PBS*, *NPR*, and *Modern Healthcare*.

Ana Santos Rutschman, Jaharis Faculty Fellow, published: IP Preparedness for Outbreak Diseases, 65 *UCLA L. REV.* ___ (forthcoming 2018) ♦ Vaccine Licensure in the Public Interest: Lessons from the Development of the US Army Zika Vaccine,

127 *YALE L. J. F.* 651 (2018) ♦ The Priority Review Voucher Program at the FDA: From Neglected Tropical Diseases to the 21st Century Cures Act, 26 *ANNALS OF HEALTH LAW* 71 (2017) (symposium article).

Professor Ana Santos Rutschman, former JHLI faculty fellow, was named both a Bio IP Scholar and a Health Law Scholar.

Joshua D. Sarnoff, Professor of Law, published: Innovation Law and Policy Choices for Climate Change-Related Public-Private Partnerships (with Margaret Chon), in *Global Intellectual Property, Public-Private Partnerships, and Sustainable Development Goals* (Cambridge U. Press Pedro Roffe et al. eds 2018) ♦ Religious and Moral Grounds for Patent Eligible Subject Matter Exclusions, in *Patents on Life* (Thomas Berg et al. eds., Cambridge U. Press forthcoming 2018/19).

Professor Sarnoff received the 2018 DePaul Spirit of the Inquiry Award, which honors specific research, scholarly or creative achievements that exhibit a commitment to the spirit of creative inquiry.

PROGRAM AND FACULTY NEWS

Charlotte A. Tschider, Jaharis Faculty Fellow in Health Law and Intellectual Property, published: *The Consent Myth: Improving Choice for Patients of the Future*,

Wash. U. L. Rev. (forthcoming Spring 2019) (symposium article) ♦ *Regulating the IoT: Discrimination, Privacy, and Cybersecurity in the Artificial Intelligence Age*, *Denver*

L. Rev. (forthcoming 2018) ♦ *Deus ex Machina: Managing Cybersecurity Threats for Patients of the Future*, *Savannah L. Rev.* (forthcoming 2018).

EMORY UNIVERSITY SCHOOL OF LAW

The Health Law, Policy & Ethics Project (HLPEP) hosted a conference Exploring New Technologies in Biomedical Research with the Human Toxicology Project Consortium on Oct. 23, 2017. The proceedings are forthcoming in 2019 in *Drug Discovery Today*. HLPEP also hosted, through the Health Law Society, a number of events, including career panels about different parts of the health care sector. In October, HLPEP began the University's first-ever programming for Disability Awareness month, including a screening of *Bottom Dollars*.

FACULTY NEWS

Ani B. Satz, Professor, reports these publications: Ani B. Satz, *Animal Protection and the Myth of AWA Preemption*, 25 *Animal L. Rev.* (forthcoming 2019) ♦ Ani B. Satz, *Exploring New Technologies in Biomedical Research*, 24 *Drug Discovery Today* (forthcoming 2019) ♦ Ani B. Satz, *Health Care as Eugenics* (Anita Silvers & Michael Stein eds., forthcoming 2019) ♦ Ani B. Satz, *The Federalism Challenges of Protecting Workers' Medical Privacy*, 94 *Ind. L. J.* (forthcoming 2019) ♦ Ani B. Satz, *Animals as Living Accommodations*, 24 *Animal L. Rev.* 1 (2018) ♦ Ani B. Satz, *The Volkswagen Monkey Experiments Are Cruel and We Are All to Blame*, *Hill* (Feb. 4, 2018, 9:30 AM), <https://thehill.com/opinion/energy-environment/372212-the-volkswagen-monkey-experiments-are-cruel-and-we-are-all-to> ♦ Ani B. Satz, *USDA Inspection Reports are Vital to Safeguard Animals*, *CNN* (Feb. 20, 2017, 12:06 PM), <https://www.cnn.com/2017/02/20/opinions/usda-animal-inspection-reports-satz/index.html>.

Professor Satz presented at Panel (Speaker and Moderator), *The Federalism Challenges of Protecting Workers' Medical Privacy*, Labor and Employment Workshop, *Emerging Issues in Workers' Compensation Law and Policy*, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, Florida (Aug. 9, 2018) ♦ Roundtable, *Health Care as Eugenics*, Workshop of Labor and Employment Law Discussion Group: *Recent Developments in Disability and Health Law*, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, Florida (Aug. 9, 2018) ♦

Panel (Discussant), *Animal Protection and the Myth of AWA Preemption*, Works in Progress Workshop on Constitutional Law, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, Florida (Aug. 10, 2018) ♦ Roundtable, *The Federalism Challenges of Protecting Workers' Medical Privacy*, Health Law Workshop, Discussion Group on Health Law and Bioethics, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, Florida (Aug. 10, 2018) ♦ Panel (Discussant), *Labor and Employment Law Workshop*, *New and Established Voices in Labor and Employment Law*, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, Florida (Aug. 10, 2018) ♦ Selected Participant, *Health Care as Eugenics*, Petrie-Flom Center Annual Conference: *Beyond Disadvantage: Disability, Law, and Bioethics*, Harvard Law School, Cambridge, Massachusetts (June 1, 2018) ♦ *The Role of Professionalism in Creating Resilient Societies: Critical Reflections on Vulnerability Theory*, Medicine, Law, Business and the Humanities, Vulnerability and the Human Condition Initiative, Emory University, Atlanta, Georgia (May 30, 2018) ♦ *Disparities in Access to Health Care*, Legal Association for Women Students/Health Law Society, Emory University School of Law, Atlanta, Georgia (Feb. 3, 2018) ♦ Lecturer, *APIH Health Law & Policy for Public Health Professionals Workshop*, Centers for Disease Control and Prevention, Atlanta, Georgia (Nov. 11, 2017) ♦ Address, *Exploring New Technologies in Biomedical Research*, Human Toxicology Project Consortium and the Health Law, Policy & Ethics Project, Emory University School of Law, Atlanta, Georgia (Oct. 23,

2017) ♦ Panel, *Without Work and Medical Privacy: HIPAA's Privacy Rule, Workers' Compensation, and "Symbiotic Federalism,"* American Society of Law, Medicine & Ethics Health Law Professors Conference, Atlanta, Georgia (June 10, 2017) ♦ Panel, *Disability and Public Health Emergencies*, *Defining the Gap*, *Minding the Gap: Law and Practice in Public Health Emergencies*, Emory Law Journal's Thrower Symposium, Atlanta, Georgia (Feb. 2, 2017) ♦ Panel (Moderator), *Bridging the Gap*, *Minding the Gap: Law and Practice in Public Health Emergencies*, Emory Law Journal's Thrower Symposium, Atlanta, Georgia (Feb. 2, 2017).

Professor Satz was Elected President of University Senate and Faculty Council (will serve 2019-2020) ♦ Appointed Faculty Fellow, Emory University Global Health Institute.

Professor Satz reports these professor activities: Project Leader, Health Law, Policy & Ethics Project ♦ Provost's Class and Labor Two Steering Committee ♦ Co-Chair, Emory University's Committee on Naming Honors ♦ Advisory Board, Center for Faculty Development and Excellence ♦ Strategic Planning Committee, Emory-Georgia Institute of Technology Healthcare Innovation Program ♦ Vulnerability and the Human Condition: An Interdisciplinary Initiative, Laney Graduate School ♦ Sustainability Initiative ♦ Chair, Academic Standings Committee ♦ Tenure and Promotion Committee ♦ Faculty Advisor: J.D./MPH Dual Degree Program (Curriculum), Health Law Students Association, Student Animal Legal Defense Fund, and the Legal Association for Women Students.

PROGRAM AND FACULTY NEWS

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

FACULTY NEWS

Lawrence Gostin, University Professor Founding O'Neill Chair in Global Health Law Faculty Director, O'Neill Institute for National and Global Health Law Director, World Health Organization Collaborating Center on National & Global Health Law, reports in May 2018, Georgetown Law and the O'Neill Institute for National and Global Health Law celebrated the graduation of its 10th class of Global Health Law and Global Health Law and International Institutions LL.M. students. Our recent graduates join a vibrant network of more than 160

alumni from 30 countries. Our graduates are working to improve public health in the private sector, government, non-government organizations, academia, and international organizations. Post-graduate employers include the Campaign for Tobacco Free Kids, Hogan Lovells, the InterAmerican Heart Foundation, the U.S. Food and Drug Administration, the National Institutes of Health, and the World Health Organization. In August 2018, we welcomed the class of 2019, our largest class yet, comprising 26 attorneys from 14 countries.

Our health law LL.M. students develop individually tailored courses of study to gain expertise in domestic or international health law and policy issues including access to health care, food and drug regulation, health and human rights, and governance for health. In 2018-19, Georgetown Law offers more than 35 health law courses. Recently added courses include AIDS Law and Ethics, LGBT Health Law and Policy, Public-Private Partnerships: Law and Governance, and The Role of the World Health Organization in Global Health Law and Governance.

GEORGIA STATE UNIVERSITY COLLEGE OF LAW

2018 was an exciting year for Georgia State University College of Law's Center for Law, Health & Society. The Center announced our new partnership with the American College of Legal Medicine to publish the Journal of Legal Medicine. Center Director Leslie Wolf will serve as the new editor-in-chief. The Journal is interdisciplinary, peer-reviewed, and internationally circulated. Submissions are being accepted year-round.

The Center said goodbye this past spring to our wonderful colleague Sylvia Caley, who retired after 11 years as director of our Health Law Partnership (HeLP). But we are also thrilled to welcome our new colleague Margaret Middleton, co-founder of the Connecticut Veterans Legal Center, to direct our HeLP Legal Services Clinic.

Several Center faculty were recognized for their professional achievements this year. Center Director Leslie Wolf 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. Founding Center Director Charity Scott was named the winner of the AALS Section on Law, Medicine and Health Care 2018 Health Law Community Service Award for her significant contributions to the development of the field of health law, teaching and practice. Jonathan Todres completed a Fulbright Research Fellowship in Ireland on children's rights and literature. Sylvia Caley was recognized by the Health Law Partnership (HeLP) Advisory Council for her efforts in establishing HeLP and her lifetime of work in health equity.

Associate Dean of Academic Affairs Jessica Gabel Cino was promoted to full professor. Courtney Anderson was promoted to associate professor and recognized with the Maleski Award for Teaching Excellence, which celebrates innovative faculty members who have made significant contributions to the promotion of student learning. Associate Professor Patti Zettler received the Patricia T. Morgan Outstanding Scholarship Award, which acknowledges faculty engaged in scholarly research that advances the academy and the profession.

Together with colleagues from Loyola University Chicago Law School and Boston University School of Law, Yaniv Heled, Associate Professor and Co-Director of the Center for Intellectual Property, hosted the 3rd Annual bioIP Faculty Workshop for junior scholars to receive in-depth feedback on works-in-progress from a panel of senior interdisciplinary commenters.

Regents' Professor Paul Lombardo was featured on NPR's Hidden Brain in April discussing *Buck v. Bell*, the 1927 US Supreme Court case endorsing the constitutionality of state eugenics laws. He was featured in October on a 2 hour PBS program *American Experience: The Eugenics Crusade* on the same topic.

Distinguished University Professor Tim Lytton was quoted in numerous media outlets, including the Washington Post, CNN, and Reuters on mass shootings and gun control.

The Center, along with our Student Health Law Association, hosted a variety of events. Georgia State Law was selected as a site for the Order of the Coif Distinguished Visitor Lecture and the Center was pleased to welcome Yale Professor Abbe R. Gluck to speak on the role of litigation in the opioid crisis. In the spring the Center also hosted a CLE session for local attorneys entitled "Pain, Profits, Plaintiffs, Prison: A Prescription for Addressing the Opioid Epidemic in Georgia," the 12th year of Bioethics at the Movies, a Law Week panel on preventing gun violence in schools, and a new wellness series for students. This fall, the Center hosted two panels: "Changes to the Supreme Court and

PROGRAM AND FACULTY NEWS

GEORGIA STATE UNIVERSITY COLLEGE OF LAW (continued)

Implications for Reproductive Health,” and “100th Anniversary of the 1918 Influenza Pandemic: Prevention and Control of Communicable Disease Then and Now.” 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 at the Centers for Disease Control and Prevention, and open to the public in person and online.

FACULTY NEWS

Erin C. Fuse Brown, reports these publications: BARRY R. FURROW, THOMAS L. GREANEY, SANDRA H. JOHNSON, TIMOTHY STOLTZFUS JOST, ROBERT L. SCHWARTZ, BRIETTA R. CLARK, ERIN C. FUSE BROWN, ROBERT GATTER, JAIME S. KING & ELIZABETH PENDO, *HEALTH LAW: CASES, MATERIALS, AND PROBLEMS* (8th ed., West, 2018) ♦ Jaime S. King & Erin C. Fuse Brown, *The Anticompetitive Potential of Cross-Market Mergers in Health Care*, 11 *ST. LOUIS U. J. OF HEALTH L. & POL'Y* 43 (2018) ♦ Jonathan J. Darrow, Erin C. Fuse Brown, Aaron S. Kesselheim, *The Regulatory Accountability Act of 2017--Implications for FDA Regulation and Public Health*, 378 *NEW ENG. J. MED.* 412 (2018) ♦ Erin C. Fuse Brown & Ameet Sarpatwari, *Removing ERISA's Impediment to State Health Reform*, 378 *NEW ENG. J. MED.* 5 (2018) ♦ ERIN C. FUSE BROWN, *MILBANK MEMORIAL FUND, HOSPITAL MERGERS AND PUBLIC ACCOUNTABILITY: TENNESSEE AND VIRGINIA EMPLOY A CERTIFICATE OF PUBLIC ADVANTAGE* (2018).

Professor Fuse Brown presented at “State Single-Payer Preemption,” University of Iowa College of Law (Oct. 2018) ♦ “Consumer Financial Protection in Health Care,” University of Nevada Law Vegas, William S. Boyd School of Law (Oct. 2018) ♦ “Understanding the Health Care Cost-Conundrum,” National Academy for State Health Policy, Plenary Panelist (Aug. 2018) ♦ “Paying the Price: How States Can Catalyze Real Cost Containment,” National Academy for State Health Policy, Speaker and Moderator (Aug. 2018).

Professor Fuse Brown received the Award for Best Antitrust and Mergers Article, for *The Anti-Competitive Potential of Cross-Market Mergers in Health Care*, American Antitrust Institute (2018) (with Jaime S. King) and the Notable Employee Benefits Articles of 2017, for *Consumer Financial*

Protection in Health Care, 159 *TAX NOTES* 365, 369 (Apr. 16, 2018).

Yaniv Heled, Associate Professor of Law reports this publication: *Follow-On Biologics are Set Up to Fail*, 2018 *U. Ill. L. Rev. Online* 113.

Professor Heled presented *Follow-On Biologics are Set Up to Fail*, 2nd *BioLawLapalooza*, Stanford Law, Mar. 20, 2018 ♦ *Toward Effective Competition in Biologics*, *WIET LIFE SCIENCE LAW SCHOLARS CONFERENCE LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW*, Sept. 7, 2018 ♦ *Follow-On Biologics are Set Up to Fail*, *FDA Past, Present & Future*, American University, Oct. 27, 2018.

Professor Heled organized the Third Annual *bioip Faculty Workshop* at Georgia State University College of Law.

Stacie Kershner, Associate Director, Center for Law, Health & Society reports these publications: S. Kershner and K. Ramsey White, “Bringing the Health is a Human Right: Race and Place in America Exhibit to Georgia State University,” *Inclusive Museum Conference*, Granada, Spain, Sept. 2018 ♦ S. Kershner and K. Ramsey White, “Using the Health is a Human Right: Race and Place in America Exhibit as a Teaching Tool,” *Center for Excellence in Teaching and Learning Conference*, Atlanta, GA, May 2018 ♦ S. Kershner, “Using the Health is a Human Right: Race and Place in America Exhibit as a Teaching Tool,” *Health Law Professors Conference*, Cleveland, OH, June 2018.

Professor Kershner is serving as Law Section Program Planner for the 2018 APHA annual meeting expo.

Paul A. Lombardo, Regents Professor, Bobby Lee Cook Professor of Law, reports these publications: “Public Health Eugenics” in *OXFORD HANDBOOK OF PUBLIC HEALTH GENETICS*, Jeffrey Kahn, Nancy Kass & Anna Mastroianni, editors, Oxford University Press (Forthcoming, 2018) ♦

“The Power of Heredity and the Relevance of Eugenic History,” *GENETICS IN MEDICINE* (Online July 31, 2018) ♦ “From In Vivo to In Vitro: How the Guatemala STD Experiments Transformed Bodies into Biospecimens,” 96 *MILBANK QUARTERLY* 244-271 (2018) with K.S. Bagdady.

Professor Lombardo presented at American Society of Bioethics and Humanities, “The Politics of Eugenics: The Lawmakers Who Wrote Sterilization Laws”, “Legal Developments in Bioethics”, Los Angeles, California, October 19 & 20, 2018 ♦ University of Bristol/Wellcome Trust Symposium: Alcoholism, Stigma, and Disability, “Soaking the Germ Plasm in Alcohol”: Racial Poisons, Eugenics, and the Campaign for Prohibition”, Bristol, England, September 14, 2018 ♦ American Society of Law Medicine & Ethics, Health Law Professors Conference, “How the Women’s Christian Temperance Union Joined Eugenic Reformers to Pass Prohibition”, Cleveland, Ohio, June 7, 2018 ♦ American Association for the History of Medicine, “‘The Great Experiment in Eugenics’: Caleb Saleeby, Racial Poisons, and the American Campaign for Prohibition”, Los Angeles, California, May 12, 2018 ♦ Sindh Institute for Medical Sciences, Karachi, Pakistan, Center for Bioethics and Culture, Visiting Professor, Masters Program in Bioethics (MBE), Seminar in Law, Medicine and Contemporary Bioethics, January 26-31, 2018.

Professor Lombardo was a Featured Commentator and Historical Consultant for PBS *The American Experience*: “The Eugenics Crusade”, October 16, 2018 ♦ Featured Interview, *Hidden Brain* (NPR Podcast) “Emma, Carrie, Vivian: How A Family Became A Test Case For Forced Sterilizations”, released April 23, 2018.

Professor Lombardo reports these professional activities: American Association for the History of Medicine, Chair, Nominating Committee ♦ American Association for Bioethics and the

PROGRAM AND FACULTY NEWS

GEORGIA STATE UNIVERSITY COLLEGE OF LAW (continued)

Humanities, Chair, Nominating Committee.

Charity Scott, Catherine C. Henson Professor of Law, reports these publications: *Mindfulness in Law: A Path to Well-Being and Balance for Lawyers and Law Students*, 60 ARIZONA LAW REVIEW 635 (Fall 2018) ♦ *Can Practicing Mindfulness Make You a Better, Happier Lawyer?*, HEALTH LAW DEVELOPMENTS, State Bar of Georgia (Summer 2018).

Professor Scott presented at “Preventing Burnout and Promoting Professionalism: Mindfulness and Wellness for Attorneys,” Georgia State University College of Law, Towers to Trenches Professionalism Program (Oct. 2018) ♦ “Mindfulness in Law: The Path to Lawyer Well-Being,” State Bar of Georgia (Sept. 2018) ♦ “Mindfulness, Improv and Advocacy,” 2018 Annual SEALS Conference (Aug. 2018) ♦ “Early Resolution Programs for Unanticipated Outcomes and Adverse Events,” Georgia Hospital Association (Aug. 2018) ♦ “Law, Ethics, and Politics in Reproductive Rights,” Emory University School of Medicine (July 2018) ♦ “The Path to Lawyer Well-Being Is Through the Law School: Should Health Law Professors Lead the Way?,” 41st Annual ASLME Health Law Professors Conference (June 2018) ♦ “Putting Mindfulness into Practice: Promoting Well-Being, Reflection, and the Formation of Professional Identity,” Externships 9: Coming of Age (AALS & CLEA, Mar. 2018) ♦ “Mindfulness for Health Care Professionals,” Center for Conflict Resolution in Health Care (Memphis, Feb. 2018) ♦ “Mindfulness for Lawyers: A Path to Well-Being and Balance in a Busy and Distraction-Filled World,” State Bar of Georgia (Jan. 2018).

Professor Scott received the Health Law Community Service Award, American Association of Law Schools, Section on Law, Medicine, and Health Care (Jan. 2018).

Jonathan Todres, Professor of Law reports these publications: Jonathan Todres, “Violence, Exploitation, and the Rights of the Child” in INTERNATIONAL HUMAN RIGHTS OF CHILDREN (Ursula Kilkelly & Ton Liefwaard, Springer, 2018) ♦ Jonathan Todres, The Trump Effect, Children, and the Value of Human Rights Education, 56 FAMILY COURT REVIEW 331 (2018) ♦ Jonathan Todres, “Confronting Child

Exploitation: The Optional Protocols and the Role of Children’s Rights Law” in VIOLENCE AGAINST CHILDREN: MAKING HUMAN RIGHTS REAL (Gertrud Lenzer ed., Routledge, 2018) ♦ Jordan Greenbaum, Katherine Yun, Jonathan Todres, Child Trafficking: Issues for Policy and Practice, 46 JOURNAL OF LAW, MEDICINE, AND ETHICS 159 (2018) ♦ Jonathan Todres and Angela Diaz, Adolescents’ Right to Participate: Opportunities and Challenges for Health Care Professionals, 83 ANNALS OF GLOBAL HEALTH, 697 (2017)

Professor Todres received a Fulbright Scholar in residence at University College Cork in Ireland (Spring 2018), where he co-taught an International Children’s Rights course with Ursula Kilkelly and conducted research on children’s rights issues and human rights education.

Professor Todres was appointed to the Board of Editors of the International Journal on Child Maltreatment: Research, Policy, and Practice.

Leslie Wolf, Distinguished University Professor, Professor of Law, and Director, Center for Law, Health & Society [named Distinguished University Professor in April 2018] reports these publications: Wolf LE, Beskow LM, New and Improved? 21st Century Cures Act Revisions to Certificates of Confidentiality, 44 American Journal of Law & Medicine 343 (2018) ♦ Wolf LE, Risks and Legal Protections in the World of Big Data, 11 Asia Pacific Journal of Health, Law & Ethics 1 (2018) ♦ Wolf LE, Fuse Brown E, Kerr R, Razick G, Tanner G, Duvall B, Jones S, Brackney J, Posada T, The Webb of Legal Protections for Participants in Genomic Research, Health Matrix (forthcoming 2019).

Professor Wolf presented “From Shield to Sword? How the 21st Century Cures Act and NIH Policy Have Altered Certificates of Confidentiality (with Catherine Sutherland and Carrie Wolinetz), Public Responsibility in Medicine & Research Advancing Ethical Research Conference, San Diego, November ♦ “Conflicts of Interest,” Louisiana Clinical & Translational Science Center, Tulane School of Medicine, New Orleans, LA, September ♦ “Gaps in Federal Regulations of Human Subjects Research after the New Common

Rule” (with Jennifer Bard and Mark Barnes), American Society for Law, Medicine & Ethics annual Health Law Professors Conference, Case Western Reserve University School of Law, Cleveland, OH, June ♦ “Ethical considerations in child maltreatment research: consent and assent,” Building a Multidisciplinary Pipeline of Researchers in Child Abuse and Neglect: R25 Summer Training Institute, John Jay College of Criminal Justice, New York, NY, June ♦ “Big Data, Research Risks, and State Law,” The 2018 BioLawLapalooza, Stanford Law School, Palo Alto, CA, February ♦ “New and Improved?: 21st Century Cures Act Revisions to Certificates of Confidentiality,” 21st Century Cures Act: A Cure for the 21st Century, American Journal of Legal Medicine symposium, Boston University School of Law, Boston, MA, January.

Professor Wolf was named Distinguished University Professor at Georgia State University and Editor-in-Chief, Journal of Legal Medicine ♦ joined the Expert Working Group, LawSeq: Building a Sound Legal Foundation for Translational Genomics into Clinical Application (NHGRI & NCI, PI: Susan Wolf) ♦ and joined the Expert Working Group, Pregnancy + HIV/AIDS Seeking Equitable Study (PHASES) (NIAID, PI: Anne Drapkin Lyerly)

Professor Wolf was a commentator at the Wiet Life Sciences Law Scholars conference Beazley Institute for Health Law and Policy, Loyola University Chicago School of Law, Chicago, IL, September ♦ commentator at the bioIP Faculty Workshop, Georgia State University College of Law, Atlanta, GA, May.

Patricia Zettler, Associate Professor, reports these publications: Closing the Regulatory Gap for Synthetic Nicotine Products, 59 B.C. L. REV. 1933 (2018) (with Natalie Hemmerich & Micah L. Berman) ♦ Implementing a Public Health Perspective in Drug Regulation, 73 FOOD & DRUG L.J. 221 (2018) (with Margaret Foster Riley & Aaron S. Kesselheim) ♦ Promoting Patient Interests in Implementing the Federal Right to Try Act, 320 JAMA 869 (2018) (with Holly Fernandez Lynch & Ameet Sarpatwari) ♦ Anticipating Industry Arguments: The FDA’s Authority to Reduce Nicotine Levels in Cigarettes, 133 PUB. HEALTH REP. 502

PROGRAM AND FACULTY NEWS

GEORGIA STATE UNIVERSITY COLLEGE OF LAW (continued)

(2018) (with Micah L. Berman & David Ashley) ♦ Prevalence of Publicly Available Expanded Access Policies, *CLINICAL PHARMACOLOGY & THERAPEUTICS* (2018) (with Emily Jung & Aaron S. Kesselheim) ♦ Is It 'Gene Therapy?', *J.L. & BIOSCI.* (with Jacob S. Sherkow & Henry T. Greely) (published online 2018; forthcoming in print) ♦ FDA's Regulatory Shift on Direct-to-Consumer Genetic Tests for Cancer Risk, *CANCER* (published online 2018; forthcoming in print) (with Y. Tony Yang).

Professor Zettler presented at Regulating

Biohacking Biohack the Planet, Oakland, CA (Sept. 1, 2018) ♦ U.S. Special Operations Command Legal Conference, MacDill Air Force Base (Mar. 29, 2018) ♦ Non-Therapeutic Uses and the FDA Public Policy Conference on Permits, Licenses, and the Administrative State, Antonin Scalia Law School, George Mason University (Oct. 24, 2018) ♦ FDA: Past, Present, and Future, American University Washington College of Law (Oct. 19, 2018) ♦ Wiet Life Sciences Law Scholars Conference, Loyola University Chicago School of Law (Sept. 7, 2018) ♦

Implementing a Public Health Perspective in FDA Drug Regulation Law and the Biosciences Conference, Stanford Law School (Mar. 22, 2018).

Professor Zettler received the Patricia T. Morgan Award for Outstanding Scholarship, Georgia State University College of Law.

Professor Zettler is an Editorial Advisory Board Member, *Food and Drug Law Journal*.

HOWARD UNIVERSITY SCHOOL OF LAW

FACULTY NEWS

Myrisha Lewis, Assistant Professor of Law reports these publications: How Subterranean Regulation Hinders Innovation in Assisted Reproductive Technology, 39 *CARDOZO LAW REVIEW* 1239 (2018) ♦ Halted Innovation: The Expansion of Federal Jurisdiction over Medicine and the Human Body, 2018 *UTAH LAW REVIEW* ____ (forthcoming).

Professor Lewis presented at "Improving Life Sciences Regulation: Solutions to the Current Impasse," FDA: Past, Present, and Future, Washington, D.C., October 19, 2018 ♦ "Improving Life Sciences Regulation: Solutions to the Current Impasse," Marquette University Law School's Sixth Annual Junior Faculty Scholars Works-in-Progress Conference, Milwaukee, Wisconsin, October 4-6, 2018 ♦ "Improving Life Sciences Regulation: Solutions to the Current Impasse," 2018 Health Law Scholars Workshop, St. Louis, Missouri, September

27-9, 2018 ♦ "Improving Life Sciences Regulation: Solutions to the Current Impasse," Wiet Life Sciences Law Scholars Conference, Chicago, Illinois, September 7, 2018 ♦ "Improving Life Sciences Regulation: Solutions to the Current Impasse," Southeastern Association of Law Schools Annual Conference, Fort Lauderdale, Florida, August 8, 2018 ♦ "Improving Life Sciences Regulation: Solutions to the Current Impasse," Lutie A. Lytle Black Women Law Faculty Writing Workshop, Dallas, Texas, July 14, 2018 ♦ "Improving Life Sciences Regulation: Solutions to the Current Impasse," American Society of Law, Medicine & Ethics' 41st Annual Health Law Professors Conference, June 9, 2018 ♦ "Improving Life Sciences Regulation: Solutions to the Current Impasse," Mid-Atlantic Junior Faculty Forum, University of Richmond School of Law, May 16, 2018 ♦ "Halted Innovation: The Expansion of

Federal Jurisdiction over the Human Body and Medical Practice," Second Annual Regional Health Law Works-in-Progress Retreat at Seton Hall Law School, Newark, New Jersey, February 9, 2018 ♦ "Halted Innovation: The Expansion of Federal Jurisdiction over the Human Body and Medical Practice," Association of American Law Schools (AALS) Annual Meeting, AALS Section on Law, Medicine, & Health Care Works-in-Progress, San Diego, California, January 4, 2018.

Professor Lewis was selected as a 2018 Health Law Scholar and presented her work-in-progress, "Improving Life Sciences Regulation: Solutions to the Current Impasse" at the 2018 Health Law Scholars Workshop at the Saint Louis University School of Law.

IIT CHICAGO-KENT COLLEGE OF LAW

FACULTY NEWS

Lori Andrews, University Distinguished Professor of Law, reports these publications: Lori Andrews, Derechos Fundamentales, Privacidad y Aplicaciones Móviles Médicas, *EN LETRA DERECHO CIVIL Y COMERCIAL* (forthcoming 2018) ♦ Lori Andrews, A New Privacy Paradigm in the Age of Apps, 53 *WAKE FOREST*

L. REV. 421 (2018) ♦ Lori Andrews, Kayla Kostelecky, Stephanie Spritz, & Alexandra Franco, Virtual Clinical Trials: One Step Forward, Two Steps Back, 19 *JOURNAL OF HEALTH CARE LAW AND POLICY* 189 (2017) (published in 2018) ♦ Dorothy Nelkin & Lori Andrews, DNA Identification and Surveillance Creep, in *SURVEILLANCE*

STUDIES: A READER (Torin Monahan & David Murakami Wood eds., 2018).

Professor Andrews presented "The Need for Regulation: Privacy Law, the FDA, and Beyond," Panelist, The Law & Policy of AI, Robotics and Telemedicine in Health Care, Yale Law School, New Haven, CT, November 2, 2018 ♦ "Innovation, Technology

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and Emerging Ethical Challenges: Biospecimens, Data from Apps, and Virtual Clinical Trials,” 37th Annual Philippa Harris Lecture on Bioethics Issues in Cancer, University Health Network’s Princess Margaret Cancer Centre, Toronto, Canada, October 17, 2018 ♦ “Mobile Apps and Personal Health Data: Privacy Risks and Current Regulatory Environment,” DRI Cybersecurity and Data Privacy Seminar, Chicago, IL, September 6, 2018 ♦ “A New Privacy Paradigm in the Age of Apps,” Panelist, Data and Surveillance Mini-

Plenary Panel, 2018 Annual Meeting on Law and Society, Toronto, Canada, June 8, 2018 ♦ “Designing Women: Challenging Technological Imperatives,” Keynote Speech, Women, Law, & Technology Symposium, University of California, Irvine School of Law, Irvine, CA, April 20, 2018 ♦ “Genetics, Art, and Policy,” INTEGRIS Lecture, Oklahoma City University School of Law, Oklahoma City, OK, January 25, 2018 ♦ “Digital Diagnostics: A Paradigm Shift for Privacy,” Faculty Luncheon Workshop, Oklahoma City University School of Law, Oklahoma

City, OK, January 25, 2018.

Professor Andrews was chosen as a 2018 “Researcher You Should Know” by the Illinois Science and Technology Coalition ♦ recognized as 2019 Chicago Biotechnology and Life Sciences Practice “Lawyer of the Year” by Best Lawyers in America ♦ 2018 AALL Spectrum Article of the Year Award Recipient for “iSpy: Threats to Individual and Institutional Privacy in the Digital World,” AALL SPECTRUM (May/June 2017).

IU MCKINNEY SCHOOL OF LAW

PAST EVENTS

November 1, 2018, Hall Center for Law and Health Grand Rounds Series

Legal Alternatives to Guardianship – Means to Assist Incapacitated Individuals Without Fully Taking Away Rights, Presenter: Rebecca W. Geyer, Founder of Rebecca W. Geyer & Associates, PC

October 26, 2018, Hall Center for Law and Health: Indiana Health Law Review Symposium

The Intersection of Immigration Law and Health Policy, Keynote Speaker: Wendy E. Parmet, JD, Matthews Distinguished University Professor of Law and Director, Center for Health Policy and Law; Professor of Public Policy and Urban Affairs, Northeastern University School of Public Policy and Urban Affairs, Presenters: Brietta R. Clark, JD, Professor of Law and J. Rex Dibble Fellow, Loyola Law School Los Angeles ♦ Y.Y. Brandon Chen, JD, MSW, Assistant Professor, University of Ottawa Faculty of Law (Common Law Section) ♦ Grace Shelton, JD, ‘16, Attorney, Hall Render Killian Heath Lyman, P.C. ♦ Lori A. Nessel, JD, Professor of Law, Center for Social Justice Director, Seton Hall University School of Law ♦ Medha D. Makhoul, JD, Assistant Professor of Law, Director, Medical-Legal Partnership Clinic, Penn State’s Dickinson School of Law ♦ Valarie Blake, JD, MA, Associate Professor, West Virginia College of Law ♦ Jonathan Todres, JD, Professor of Law, Center for Law Health and Society, Georgia State University College of Law ♦ Polly J. Price, JD, Asa Griggs Candler Professor of Law, Emory University School of Law

October 4, 2018, Hall Center for Law and Health Grand Rounds Series

Regulatory Silence at the FDA: Impact on Access and Innovation, Presenter: Jordan Paradise, Georgia Reithal Professor of Law, Loyola University Chicago School of Law

September 13, 2018, Hall Center for Law and Health Grand Rounds Series

Foodborne Litigation, Presenter: William Marler, Managing Partner, Marler Clark, The Food Safety Law Firm

April 19, 2018, Hall Center for Law and Health Grand Rounds Series

Current Legal Issues in Health Information Technology (That You Might Not Have Thought About), Presenters: Ammon Fillmore and Kristin Looney

March 1, 2018, Hall Center for Law and Health Grand Rounds Series

Indiana Medical Malpractice Update, Presenter: Tina M. Bell

February 16, 2018, Hall Center for Law and Health: McDonald-Merrill-Ketcham Award Lecture

Not Just for Lawyers: A Transdisciplinary Model of Health Law and Its Implications for Practice and Policy Change, Winner: Scott Burris, Professor of Law and Public Health, Temple University; Director, Center for Public Health Law and Research

FACULTY NEWS

Aila Hoss, Visiting Assistant Professor, reports these publications: Beth Meyerson, Jon Agle, Alissa Davis, Wasantha Jayawardene, Aila Hoss, DJ Shannon, Priscilla Ryder, Karleen Ritchie, Ruth Gassman, Predicting pharmacy naloxone

stocking and dispensing following a statewide standing order, *Indiana* 2016, 188 *Drug and Alcohol Dependence* 187-192 (July 2018), available at <https://www.sciencedirect.com/science/article/pii/S0376871618302321> ♦ Aila Hoss and Nicolas Terry, *Opinion:*

Indiana hit hard by opioid overdose epidemic, *Indianapolis Star* (September 1, 2018), available at <https://www.indystar.com/story/opinion/2018/09/01/op-ed-indiana-hit-hard-opioid-overdose-epidemic/1157712002/> ♦ Nicolas Terry, Ross Silverman, Aila Hoss,

IU MCKINNEY SCHOOL OF LAW (continued)

and Emily Beukema, Innovations in Opioid Law and Policy Interventions Workshop: Summary of Proceedings, Ind. Univ. Grand Challenge: Responding to the Addiction Crisis (August 2018), <https://grandchallenges.iu.edu/doc/iu-grand-challenges-innovations-in-opioid-law-and-policy.pdf> ♦ Aila Hoss, Many State Laws Undermine Harm Reduction Strategies in the Opioid Crisis, Bill of Health, Harvard Law Petrie-Flom Center (July 20, 2018), <http://blogs.harvard.edu/billofhealth/2018/07/20/many-state-laws-undermine-harm-reduction-strategies-in-the-opioid-crisis/> ♦ Nicolas Terry, Ross Silverman, and Aila Hoss, Opinion: On Opioids, We Found a Consensus Among Hoosier Experts: It's Time to Act, Inside Indiana Business (Jun. 8, 2018), available at <http://www.insideindianabusiness.com/story/38380000/on-opioids-we-found-a-consensus-among-hoosier-experts-its-time-to-act> ♦ Nicolas Terry and Aila Hoss, Opioid Litigation Proceeds: Cautionary Tales From The Tobacco Settlement, Health Affairs Blog (May 23, 2018), <https://www.healthaffairs.org/doi/10.1377/hblog20180517.992650/full/> ♦ Nicolas Terry, Ross Silverman, Aila Hoss, Rebecca Crister, Emily Beukema, and Catherine Sterling, Legal and Policy Best Practices in Response to the Substance Abuse Crisis: A Preliminary Report, Ind. Univ. Grand Challenge: Responding to the Addictions Crisis (March 30, 2018), <https://grandchallenges.iu.edu/doc/iu-grand-challenges-legal-and-policy-best-practices.pdf> ♦ Alexandra Bhatti, Lauren Tonti, Dawn Pepin, and Aila Hoss, Menu of State Healthcare Facility Measles, Mumps, and Rubella (MMR) Laws, Centers for Disease Control and Prevention Public Health Law Program (February 6, 2018), <https://www.cdc.gov/phlp/docs/menu-mmrvaccinationlaws.pdf>.

Professor Hoss presented: Harm Reduction Strategies, Cohen & Malad Symposium: The Opioid Scourge: Social Justice in Helping Victims, Families and Communities, Indianapolis, Indiana (invited November 2, 2018) ♦ Legalizing Harm Reduction, Ohio Law Journal Symposium: Facing Opioids: Drug Enforcement & Health Policy in Today's Epidemic, Columbus, Ohio (October 19, 2018) ♦ Legal and Policy

Interventions and the Opioid Epidemic, Indiana Public Health Conference, Indianapolis, Indiana (October 11, 2018) ♦ Tribal Public Health and the Law, Ohio State University Moritz College of Law Faculty Workshop, Columbus, Ohio (August 15, 2018). ♦ Legal and Policy Barriers to Responding to the Opioid Crisis, Statewide Judicial Opioid Summit Indianapolis, Indiana (July 25, 2018) ♦ State Laws Supporting Tribal Consultation, Health Law Professors Annual Conference, Cleveland, Ohio (June 9, 2018) ♦ Keynote Speaker, Introduction to Tribal Emergency Preparedness Law, Council for State and Territorial Epidemiologist Disaster Epidemiology Subcommittee, Atlanta, Georgia (May 16-17, 2018) ♦ Panel Presentation, Legal and Policy Barriers to Responding to the Opioid Crisis, Press and Congressional Delegation Informational Session, Washington DC (April 26, 2018) ♦ Health Disparities and American Indians, Indiana State University Wittman Lecture Panel (March 23, 2018).

Professor Hoss received the following honors and awards: "Monitoring Legal and Policy Interventions and Barriers" Indiana University Grand Challenge: Responding to the Addictions Crisis, Key Personnel, (October 2018 – May 2020) ♦ "Legal & Policy Best Practices in Response to the Substance Use Crisis," Indiana University Grand Challenge: Responding to the Addictions Crisis, Key Personnel, (January 2018 – July 2018) ♦ IU McKinney 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 (2018).

Professor Hoss is the Chair, Indiana State Department of Health Eliminate Hepatitis Policy Workgroup (2018) ♦ Member, Indy HeartBeat's Data Workgroup (2018) ♦ Board Member, American Indian Center of Indiana (September 2017 – present).

Professor Hoss had the following media exposure: Indiana law professors sign letters opposing Kavanaugh confirmation, Indiana Lawyer (October 3, 2018) ♦ Responding to the Addictions Crisis Grand Challenge Update, Indiana University (September 28, 2018) ♦ Klein: IU McKinney faculty, students confront opioid challenge, Indiana Lawyer

(June 13, 2018) ♦ IU researchers release recommendations to combat Indiana's opioid addictions crisis, Rushville Republican (May 1, 2018) ♦ Changes in some laws might help combat opioid epidemic, IU report says, Indianapolis Star (April 30, 2018) ♦ IU Report Offers Suggestions to Fix Opioid Crisis, Inside Indiana Business (April 27, 2018) ♦ IU report: Opioid lawsuit settlement funds should go to fight crisis, Herald Bulletin (April 26, 2018) ♦ IU report: Settlements should fight opioid crisis, Pharos-Tribune (April 26, 2018).

Seema Mohapatra, Tenured Associate Professor at Law, reports these publications: A Tale of Two Epidemics: Examining Legal Responses to Drug Use During Pregnancy, UTAH LAW REVIEW (invited symposium submission) (forthcoming 2019) ♦ Law in the Time of Zika: Disability Rights and Reproductive Justice Collide, BROOKLYN LAW REVIEW (submitted for publication May 2018, forthcoming 2019) ♦ Rewritten Opinion, In re: T.J.S., in FEMINIST JUDGMENTS: REWRITTEN FAMILY LAW OPINIONS (Rachel Rebouche, ed.) (Cambridge University Press, forthcoming 2018) ♦ Other News: Lindsay Wiley and I are excited about the many health law scholars who are writing rewritten opinions and commentaries for our forthcoming volume: FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS (Seema Mohapatra and Lindsay F. Wiley, eds. (under review by Cambridge University Press, expected publication 2020). We hosted the authors at a workshop for the book at the IU Robert H. McKinney School of Law on December 7, 2018 ♦ An excerpt of my article Unshackling Addiction: A Public Health Approach to Drug Use during Pregnancy, 26 WISCONSIN JOURNAL OF LAW, GENDER & SOCIETY 241 (2011) will be published in Cynthia Lee and Angela Harris' Criminal Law: Cases and Materials, 4th Edition (West Academic Publishing, 2019).

Professor Mohapatra presented: Discussant, Health Law and Bioethics Discussion Group, Southeastern Association of Law Schools Annual Meeting, Fort Lauderdale, FL, August 10, 2018 ♦ Moderator and Commentator, Works-in-Progress Workshop (Private/Corporate Law), Southeastern Association of Law Schools Annual Meeting,

PROGRAM AND FACULTY NEWS

IU MCKINNEY SCHOOL OF LAW (continued)

Fort Lauderdale, FL August 10, 2018 ♦ Speaker, Family Law and Feminist Opinions Roundtable (Part of the Feminist Legal Theory CRN), Annual International Meeting on Law and Society, Toronto, Canada, June 9, 2018 ♦ Moderator and Commentator, Intersectionality Panel (Part of the Feminist Legal Theory CRN) Annual International Meeting on Law and Society, Toronto, Canada, June 8, 2018 Invited Speaker ♦ The Role of Torts and Food Safety Insurance in Promoting Food Safety in a Deregulatory Environment, International Conference on China-U.S. Food Safety Governance and Public Health at Renmin University of China Law School, Beijing, China, May 28, 2018 Invited Speaker ♦ Considering the Pregnant Woman in “Fetal Surgery,” Baby Markets Roundtable, University of California Hastings College of Law, San Francisco, CA, May 2018 ♦ Speaker, Considering the Pregnant Woman in “Fetal Surgery,” BioLawPalooza, Stanford Law School, Palo Alto, CA, March 23, 2018 ♦ Invited Speaker, Politically Correct Eugenics, Marquette IP Colloquium Series, Marquette University Law School, Milwaukee, WI, March 5, 2018

Professor Mohapatra is Co-Chair, Feminist Jurisprudence Collaborative Research Network, Law and Society Conference 2018 ♦ Vice-Chair, Works-in-Progress Committee, Southeastern Association of Law Schools ♦ Health Law Liaison and Family Law Liaison to help with health law and family law programming at the Southeastern Association of Law Schools Conference ♦ Admissions Committee IU McKinney ♦ Lead reviewer for the diversity and inclusion abstract submissions for the American Society of Humanities and Bioethics Annual Meeting 2018.

Nicolas P. Terry, Hall Render Professor of Law & Executive Director Hall Center for Health Law, reports these publications: Big Data and Regulatory Arbitrage in Health Care in G. Cohen, et al, Big Data, Health Law, and Bioethics (Cambridge University Press, 2018) ♦ “Prime Health” and the Regulation of Hybrid Healthcare, NYU JIPEL (forthcoming 2018/19) ♦ Structural

Determinism Amplifying the Opioid Crisis: It’s the Healthcare, Stupid, Northeastern University Law Review, (forthcoming, 2019) ♦ Appification, AI, and Healthcare’s New Iron Triangle, 20 J. Health Care Law & Policy, 117 (2018) ♦ Terry NP, & Gunter TD. Regulating mobile mental health apps. Behav Sci Law. 2018;36:136–144 ♦ Reports on the Opioid Crisis are Full of Misidentified Problems and Poorly Calibrated Solutions, NUSL/Harvard Law Bill of Health Blog Symposium on the Diseases of Despair, July 19, 2018, <http://blogs.harvard.edu/billofhealth/2018/07/19/reports-on-the-opioid-crisis-are-full-of-misidentified-problems-and-poorly-calibrated-solutions/#more-26109> ♦ Unpacking Safety and Civil Rights Regulation of Genetic Data, JOTWELL (July 16, 2018) (reviewing Barbara J. Evans, The Genetic Information Nondiscrimination Act at Age 10: GINA’s Controversial Assertion that Data Transparency Protects Privacy and Civil Rights, 60 William & Mary L. Rev. 2018) <https://health.jotwell.com/unpacking-safety-and-civil-rights-regulation-of-genetic-data/> ♦ Nicolas Terry & Aila Hoss, Opioid Litigation Proceeds: Cautionary Tales From The Tobacco Settlement, Health Affairs Blog, May 23, 2018, DOI: 10.1377/hblog20180517.992650, <https://www.healthaffairs.org/doi/10.1377/hblog20180517.992650/full/> ♦ Legal and Policy Best Practices in Response to the Substance Abuse Crisis, Grand Challenges: Addictions, Indiana University, March 2018, <https://grandchallenges.iu.edu/doc/iu-grand-challenges-legal-and-policy-best-practices.pdf> (with Aila Hoss and Ross Silverman) ♦ Innovations in Opioid Law and Policy Interventions Workshop, Summary of Proceedings, August 2018, Grand Challenges: Addictions, Indiana University, <https://grandchallenges.iu.edu/doc/iu-grand-challenges-innovations-in-opioid-law-and-policy.pdf> (with Aila Hoss and Ross Silverman)

Professor Terry presented: Healthcare as a Structural Determinant, University of Utah Law Review Symposium, S.J. Quinney College of Law, Nov. 30, 2018 ♦ McDermott Will and Emery/FSMB AI Conference,

DC, Nov. 14, 2018 ♦ AI and the Practice of Medicine, Yale Law School Conference on Healthcare AI & Robots, Nov. 2, 2018 ♦ Legal barriers and Healthcare as a Structural Determinant of the Opioid Crisis, Public Health Conference, IU FSPH, Indianapolis, Oct. 10, 2018 ♦ Healthcare as a Structural Determinant of the Opioid Crisis, Safety Net Panel, From Punishment to Public Health: Ending the Overdose Crisis, Ohio State University/Drug Policy Alliance, Sept. 28, 2018 ♦ State Reactions to ACA Sabotage, Panelist, Health Law in the Age of Trump, SEALS, Ft. Lauderdale, Aug. 9, 2018 ♦ Participant, Health Law Policy Discussion Group, SEALS, Ft. Lauderdale, Aug. 9, 2018 ♦ Legal & Policy Barriers to Opioid Interventions, Statewide Opioid Summit, A Medication Assisted Treatment and Addictions Primer for Justice Professionals, Indiana Convention Center, July 25, 2018, <https://www.in.gov/recovery/files/opioid-summit-agenda-draft.pdf> ♦ Testimony before Senate Committee on Aging, “Preventing and Treating Opioid Misuse Among Older Americans,” May 23, 2018, <https://www.aging.senate.gov/hearings/preventing-and-treating-opioid-misuse-among-older-americans> ♦ Regulatory Challenges of Healthcare’s AI “Tsunami,” S.J. Quinney College of Law, University of Utah, Feb. 21, 2018 ♦ Big Data Governance, The Ohio State Law School, Columbus, Ohio, Feb. 8, 2018

Professor Terry is the Principal Investigator, IU Grand Challenges Grant on Opioids Law & Policy, 2018-20 and Co-Principal Investigator, IU Grand Challenges Grant on Opioids Law & Policy, 2017.

Professor Terry is a Member, Scientific Leadership Team, IU/State of Indiana Addictions Grand Challenge, 2017 ♦ Member, Indiana Addictions Data Commons (IADC) Governance Advisory Team, 2018- ♦ Member, Chief Justice’s Planning Committee for Indiana Justice Professionals Conference on Medication-Assisted Treatment, 2018

PROGRAM AND FACULTY NEWS

LOYOLA LAW SCHOOL, LOS ANGELES

Brietta Clark, Associate Dean for Faculty & Professor of Law reports this publication: Barry R. Furrow et al., *Health Law: Cases, Materials, and Problems* (8th ed. 2018) (co-authored).

LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW

The Beazley Institute for Health Law & Policy at Loyola University Chicago School of Law has had an exciting year.

Our health law program was Ranked #6 in the country by U.S. News & World Report; Ranked #1 in the country by Law Street Media; and received an A+ letter grade from PreLaw magazine.

Loyola's Health Justice Project received the Clinical Legal Education Association's Award for Excellence for its work to eliminate lead poisoning in federal housing.

Our faculty received numerous awards and accolades this year. John Blum was appointed Loyola's inaugural Beazley Chair in Health Law & Policy. Jordan Paradise and Nadia Sawicki were named Georgia Reithal Professors of Law. Larry Singer was lead author of a New York Times letter to the editor—sponsored by ASLME and signed by top U.S. health law professors—protesting legislative efforts to eliminate the ACA and highlighting the bill's negative effects on the country's most vulnerable citizens. Kate Mitchell was awarded a grant to strengthen interdisciplinary collaboration at Loyola. Ryan Meade was selected as a visiting research scholar in law and philosophy at the University of Oxford.

Finally, we hosted a number of important conferences and events aimed at the scholarly community, students, and the public at large. In March 2018, we hosted the seventh annual L. Edward Bryant Jr. National Health Law Transactional Competition; our students placed first out of 20 teams from 18 participating law schools. In September 2018, we held the second annual Wiet Life Science Law Scholars Conference, fostering recognition of life science law as a cohesive and dynamic area of legal study, and strengthening connections among more than 40 national scholars in the field. This year's annual Beazley Symposium on Health Law and Policy, the theme of which is "Serving the Needs of Medicaid Populations," will be held on Friday, November 16, 2018.

On June 5-7, 2019, Loyola University Chicago's Beazley Institute for Health Law & Policy will proudly host the American Society of Law, Medicine & Ethics 42nd Annual Health Law Professors Conference. This prestigious conference updates health law faculty on issues at the forefront of law and medicine, and provides participants with the opportunity to share their scholarship. A call for proposals will be going out shortly. Contact health-law@luc.edu for more information.

FACULTY NEWS

Jordan Paradise, Georgia Reithal Professor of Law reports these publications: Jordan Paradise, *Regulatory Frameworks for Precision Medicine*, 15(1) ABA SCITECH LAWYER 12 (2018) ♦ Jordan Paradise, 21st Century Citizen Pharma, 44 AM. J. L. & MED. 309 (2018) ♦ Jordan Paradise, *Regulatory Silence at the FDA*, 102 MINN. L. REV. 2383 (2018) ♦ Jordan Paradise, *Exploring Precision FDA, an Online Crowdsourcing Platform for Genomics*, 58 JURIMETRICS 267 (2018) ♦ Jordan Paradise, *Revisiting Regulatory Evasion*, 2018 ILL. L. REV. ONLINE 93 (2018) ♦ Jordan Paradise, *Public Health Preparedness & Response: An Exercise in Administrative Law*, forthcoming DEPAUL J. HEALTH CARE L. (with John Blum) ♦ Jordan Paradise, *Nanomedicine & the FDA*, forthcoming AMA J. ETHICS.

Professor Paradise presented at 21st Century Citizen Pharma, FDA: Past, Present & Future, American University Washington School of Law, Washington, D.C., Oct. 19, 2018 ♦ Health Law Grand Rounds, Indiana University Robert H. McKinney School of Law, Indianapolis, IN, Oct. 4, 2018 ♦ 21st Century Citizen Pharma, American Society of Law, Medicine & Ethics 41st Annual Health Law Professors Conference, Cleveland, OH, June 9, 2018 ♦ FDA Medical Countermeasures, Jaharis Symposium on Health Law and Intellectual Property: Technological and Emergency Responses to Pandemic Diseases, DePaul University School of Law, Chicago, IL, Feb. 22, 2018 ♦ 21st Century Citizen Pharma, The 21st Century Cures Act: A Cure for the 21st Century?, Boston University School of Law, Boston, MA, Jan. 26, 2018.

Professor Paradise was named a Georgia Reithal Professor of Law.

Nadia N. Sawicki, Georgia Reithal Professor of Law (named in 2018); Academic Director, Beazley Institute for Health Law and Policy, reports these publications: *Disentangling Conscience Protections*, 48:5 HASTINGS CENTER REPORT 14 (2018) ♦ *Conscience as a Civil and Criminal Defense*, 18:7 AMERICAN JOURNAL OF BIOETHICS 69 (2018) ♦ *Choosing Medical Malpractice*, 93 WASHINGTON LAW REVIEW 891 (2018) ♦ *A Common Law Duty to Disclose Conscience-Based Limitations on Medical Practice*, in HOLLY FERNANDEZ LYNCH, I. GLENN COHEN, AND ELIZABETH SEPPER, EDS., *LAW, RELIGION AND HEALTH IN THE UNITED STATES* (Cambridge 2018).

PROGRAM AND FACULTY NEWS

LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW

Professor Sawicki presented Protecting Patient Autonomy in Labor and Delivery, Cleveland Clinic Bioethics Grand Rounds (Dec. 2018) ♦ Disentangling Law's Conscience Protections, American Society for Bioethics and the Humanities (Oct. 2018) ♦ Conscience as a Defense to Malpractice, American Society of Law, Medicine & Ethics (June 2018) ♦ Medical Ethics and Legal Recovery for Obstetric Violence, Albany Medical College Alden March Bioethics Institute Reproductive Ethics

Conference (Apr. 2018) ♦ Medical Ethics and Legal Recovery for Obstetric Violence, Birth Rights Bar Association Conference on Childbirth and the Law (Apr. 2018) ♦ Medical Ethics and Legal Recovery for Obstetric Violence, Cambridge University Press International Bioethics Retreat (June 2018) ♦ Disentangling Conscience Protections in Health Care, American University Journal of Gender, Social Policy, & the Law Symposium, "Church and State: A Symposium on Religion and Individual

Rights" (March 2018).

Professor Sawicki was named Georgia Reithal Professor of Law (2018) ♦ Public Voices Fellow, The Public Voices Greenhouse Op-Ed Project (2018) ♦ Participant, Cleveland Clinic Clinical Ethics Immersion Program (2018).

Professor Sawicki co-chaired the Law Affinity Group, American Society for Bioethics and the Humanities.

MITCHELL HAMLINE SCHOOL OF LAW

See our 20 page colorful annual Highlights: <https://bit.ly/2A6XiSM>. Below are just a few of the things we did this year:

Awards and recognition: Ranked 11th Nationwide by US news and world report 2019 ♦ 'A' rating by National Jurist 2019

Events: Impact on the Gridiron: Safety, Accountability, and the Future of Football 1/19/2018 ♦ Hot Topics in Healthcare Compliance: Engage with Leaders 3/16/2018 ♦ Healthcare Fraud Prosecution Legitimate Execution or Government Overreach? Criminal Enforcement or Criminalization? 9/21/2018 ♦ Scandinavian Health Law: Foundations and Challenges 11/13/2018 ♦ Building a Compliance Program in a Virtual Care Center 11/13/2018 ♦ Food Sustainability Seminar 12/6/2018

Innovation and access are common threads that run through Mitchell Hamline's new strategic plan. HLI is proud to have actively carried out these strategies this year. We have pursued new partnerships that allow online MBA and visiting J.D. students to earn our certificates. Even more broadly, we rethought traditional teaching methods to bring our health law curriculum to students around the world. This year, we graduated the first two cohorts of HYBRID J.D. students. While they were on campus only 2 weeks a year, they engaged from where they live, from New Mexico to Florida.

FACULTY NEWS

Laura Hermer, Professor of Law, reports these publications: Independence Is the New Health, ST. LOUIS U. J. HEALTH L. & POL'Y (forthcoming, 2019) ♦ Medicaid: Welfare Program of Last Resort, or Safety Net?, 44 MITCHELL HAMLINE L. REV. 1203 (2018) ♦ What to Expect When You're Expecting...Welfare Reform-Style Medicaid Waivers, 27 ANN. HEALTH L. 37 (2018).

Thaddeus Mason Pope, Director of the Health Law Institute, Professor of Law, reports these publications: Legal History of Medical Aid in Dying: Physician Assisted Death in U.S. Courts and Legislatures, 48(2) NEW MEXICO LAW REVIEW 267-301 (2018) ♦ The Best Interest Standard for Health Care Decision Making: Definition and Defense, 18(8) AMERICAN JOURNAL OF BIOETHICS 36-38 (2018) ♦ Medical Aid in Dying in Hawaii: Appropriate Safeguards or Unmanageable Obstacles? HEALTH AFFAIRS BLOG (August 2018) (with Mara Buchbinder) ♦ The 50-Year Legacy of the Harvard Report on Brain Death, 320(4) JAMA 335-

336 (2018) (with Robert Truog & David Shumway Jones) ♦ Case Study - Mrs. Selano: An Interprofessional Perspective, in Ethical Aspects of Care, in PALLIATIVE CARE NURSING: QUALITY CARE TO THE END OF LIFE 70-71 (M. Matzo & D. Sherman eds., 5th ed. Springer 2018) ♦ Charlie Gard's Five Months in Court: Better Dispute Resolution Mechanisms for Medical Futility Disputes, 44(7) JOURNAL OF MEDICAL ETHICS 436-437 (2018) ♦ Law and Ethics in Oncology: New Laws Limiting Opioid Prescriptions Create Undue Barriers for Cancer Patients and Survivors, ASCO POST (September 25, 2018) ♦ Law and Ethics in Oncology: Expanding the Use of Provider Orders for Life Sustaining Treatment for Patients with Advanced Cancer, ASCO POST (September 10, 2018) ♦ Law and Ethics in Oncology: Why Oncologists Should Decline to Participate in the Right to Try Act, ASCO POST (August 10, 2018) ♦ Law and Ethics in Oncology: Voluntarily Stopping Eating and Drinking Is a Legal and Ethical Exit

Option, ASCO POST (June 25, 2018) ♦ Safeguards, in PHYSICIAN-ASSISTED DEATH: SCANNING THE LANDSCAPE 5-2 to 5-4 (National Academies of Science Engineering & Medicine 2018) ♦ Voluntary Stopping and Eating and Drinking Among Patients With Serious Advanced Illness—A Label in Search of a Problem?—Reply, 178(5) JAMA INTERNAL MEDICINE 727 (2018) (with Timothy Quill, Linda Ganzini, Bob Truog) ♦ Voluntarily Stopping Eating and Drinking: Clinical, Psychiatric, Ethical and Legal Aspects, 178(1) JAMA INTERNAL MEDICINE 123-127 (2018) (with Timothy Quill, Linda Ganzini, Bob Truog) ♦ Medical Futility and Potentially Inappropriate Treatment: Better Ethics with More Precise Definitions and Language, 60(3) PERSPECTIVES IN BIOLOGY AND MEDICINE 423-427 (2018) ♦ Law and Ethics in Oncology: Decision Aids Reflect Patients' Values and Preferences for Care. So Why Aren't More Oncologists Using Them? ASCO POST (May 10, 2018) ♦ How to Respond to a Patient's Discriminatory

MITCHELL HAMLINE SCHOOL OF LAW (continued)

Request for a Different Clinician, ASCO POST (April 10, 2018) ♦ Legal Duties of Clinicians When Terminally Ill Patients With Cancer or Their Surrogates Insist on 'Futile' Treatment, ASCO POST (Mar. 10, 2018) ♦ Providing Cancer Treatment Without Patient Consent, ASCO POST (Feb. 25, 2018) ♦ Medical Futility Blog (2018) (new posts almost daily - this year, the blog will surpass four million pageviews, plus is republished on WestlawNext and other places).

Professor Pope presented Assessing the First Half-Century of Informed Consent, MAYO CLINIC, Rochester, Minnesota (December 13, 2018) ♦ Increasingly Uncertain Legal Status of Brain Death in the United States, VIII INTERNATIONAL SYMPOSIUM ON BRAIN DEATH AND DISORDERS OF CONSCIOUSNESS, Havana, Cuba (December 4-7, 2018) ♦ Ethics Committees Are Not Just for Hospitals: Advancing Person-Centered Care in Long-Term Care Facilities, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 20TH ANNUAL MEETING, Anaheim, California (October 18-21, 2018) ♦ Top 10 Legal Developments in Bioethics, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 20TH ANNUAL MEETING, Anaheim, California (October 18-21, 2018) ♦ Shared Decision Making and Advance Care Planning: Using Decision Aids to Improve Patient Safety, MICHIGAN ADVANCE CARE PLANNING CONFERENCE, Lansing, Michigan (October 11-12, 2018) ♦ Dementia, Withholding Food and Water, and Overcoming Barriers to VSED by Advance Directive, MICHIGAN ADVANCE CARE PLANNING CONFERENCE, Lansing, Michigan (October 11-12, 2018) ♦ Ending Self-Regulation of Medicine: Does Less Physician Control Improve Patient Safety and Protect Patient Rights? MICHIGAN STATE UNIVERSITY CENTER FOR ETHICS AND HUMANITIES IN THE LIFE SCIENCES, Lansing, Michigan (October 10, 2018) ♦ Medical Aid in Dying: Pro-Con Debate, UNIVERSITY OF MINNESOTA SCHOOL OF NURSING, Minneapolis, Minnesota (October 8, 2018) (with Sen. Chris Eaton, Dr. Kirk Allison, Prof. Dennis O'Hare) ♦ Brain Death Challenges Facing Children's Hospitals,

CHILDREN'S HOSPITALS CHIEF LEGAL OFFICERS MEETING, Minneapolis, Minnesota (October 4, 2018) ♦ Medical Aid in Dying, MINNESOTA STATE BAR ASSOCIATION ELDER LAW SECTION, Minneapolis, Minnesota (September 27, 2018) ♦ Revolutionizing Informed Consent Law and Practice: Empowering Patients with Certified Decision Aids, 6th INTERNATIONAL CONFERENCE ON COMMUNICATION IN HEALTHCARE, Faculty of Engineering of the University of Porto (FEUP), Porto, Portugal (September 1-4, 2018) ♦ Medical Futility Dispute Resolution Options in the UK and USA: Law and Ethics Fundamentals, Charlie Gard, and the Transfer Requirement, 14th INTERNATIONAL CONFERENCE ON CLINICAL ETHICS CONSULTATION (ICCEC), Oxford, England (June 20-23, 2018) ♦ Rationing Organs in the United States, UNIVERSITY OF OXFORD, Oxford, England (June 20, 2018) ♦ Revolutionizing Informed Consent Law and Practice: Empowering Patients with Certified Decision Aids, INSTITUTE OF MEDICAL ETHICS SUMMER RESEARCH CONFERENCE, Oxford, England (June 19, 2018) ♦ When Is the Patient Dead? When May Clinicians Stop Treating Dead Patients? Growing Challenges to the Status of Brain Death and Strategies for Clinical Ethics Consultants, INSTITUTE OF MEDICAL ETHICS SUMMER RESEARCH CONFERENCE, Oxford, England (June 19, 2018) ♦ Understanding New and Emerging Issues Regarding Medical Decision Making for Incapacitated Patients, MINNACLE HEALTH LAW INSTITUTE, Minneapolis, Minnesota (June 13, 2018) ♦ Die Better: A Legal Toolkit, AMERICAN SOCIETY FOR LAW, MEDICINE & ETHICS (ASLME) 41ST HEALTH LAW PROFESSORS CONFERENCE, Cleveland, Ohio (June 7-9, 2018) ♦ Next Steps: Moving from Science and Policy to Practice: The Development and Certification of Decision Aids to Promote Shared Decision Making for Patients with Serious Illness, HARVARD LAW SCHOOL, Cambridge, Massachusetts (April 18, 2018) (Project on Advanced Care and Health Policy by the Petrie-Flom Center at Harvard Law School and the Coalition to Transform Advanced Care) ♦ Washington State Experience: The Development and

Certification of Decision Aids to Promote Shared Decision Making for Patients with Serious Illness, HARVARD LAW SCHOOL, Cambridge, Massachusetts (April 18, 2018) ♦ Is Informed Consent Necessary Before Brain Death Testing? DEFINING DEATH: ORGAN TRANSPLANTATION AND THE 50-YEAR LEGACY OF THE HARVARD REPORT ON BRAIN DEATH, HARVARD MEDICAL SCHOOL, Boston, Massachusetts (April 11-13, 2018) ♦ Brain Death and the Law: Hard Cases and Legal Challenges, DEFINING DEATH: ORGAN TRANSPLANTATION AND THE 50-YEAR LEGACY OF THE HARVARD REPORT ON BRAIN DEATH, HARVARD MEDICAL SCHOOL, Boston, Massachusetts (April 11-13, 2018) ♦ Right to Die? The Bioethical and Legal Issues in End of Life Care, AMERICAN CONSTITUTION SOCIETY, UNIVERSITY OF MINNESOTA LAW SCHOOL, Minneapolis, Minnesota (April 3, 2018) ♦ Under-examined End-of-Life Option: Hastening Death by Voluntarily Stopping Eating and Drinking (VSED), DYING IN THE AMERICAS, Henderson, Nevada (March 21-25, 2018) ♦ Importance of Bioethics for Post-Acute Care: Compliance and Risk Management Benefits, AMERICAN HEALTH LAWYERS ASSOCIATION - LONG TERM CARE AND THE LAW, New Orleans, Louisiana (March 2, 2018) (with Christine Wilson) ♦ Current Landscape: Implementation and Practice, Physician-Assisted Death: Scanning the Landscape and Potential Approaches - A Workshop, NATIONAL ACADEMY OF SCIENCES, Washington, DC (February 12-13, 2018) ♦ Making Better Healthcare Decisions for Unrepresented Patients in California, UCLA HEALTH, Los Angeles, California (January 17, 2018) ♦ Five New California Bioethics Cases, SOUTHERN CALIFORNIA BIOETHICS COMMITTEE CONSORTIUM, Los Angeles, California (January 17, 2018) ♦

Professor Pope was in the Top 20 Most Cited Health Law Scholar <https://blogs.harvard.edu/billofhealth/2018/09/17/most-cited-health-law-scholars-in-web-of-science-2013-2017/>

PROGRAM AND FACULTY NEWS

NORTHEASTERN UNIVERSITY

The Center for Health Policy and Law is hiring a Legal Fellow to oversee the Public Health Law Watch initiative, a collaboration between the Center and the George Consortium, a network of public health lawyers, academics, experts, practitioners, and advocates. The fellowship is a one-year position. Interested candidates can find more information and apply directly: <https://neu.peopleadmin.com/postings/56803>.

Northeastern University School of Law is seeking candidates for full-time, tenured or tenure-track faculty positions. Areas of particular interest include: health law (including FDA law, public health law, health care financing and other health-related fields), intellectual property, law and technology, and information security. Interested candidates can find more information and apply directly: <https://neu.peopleadmin.com/postings/57695>.

Brigitte Amiri '99, deputy director of the Reproductive Freedom Project at the American Civil Liberties Union (ACLU), will deliver this year's Annual Lecture in Health Policy and Law. Amiri has been at the center of a national, high-profile lawsuit challenging the Trump Administration's policy of preventing young immigrant women from having abortions. The lecture will take place at the School of Law on November 9, 2018. For more information and to watch a recording of the lecture (post-event) visit: www.northeastern.edu/law/health.

Two of the law school's Centers of Excellence – the Center for Health Policy and Law and the Center for Law, Innovation and Creativity (CLIC) – are joining forces with the law school's New Markets Partnership to launch a Lunch & Learn Speaker Series aimed at increasing student access and engagement with graduates and practitioners in non-traditional legal roles. The first Lunch & Learn took place this October.

A one-day conference on December 14, 2018 will focus on Finding the Nexus: Linking Systems for Domestic Violence Survivors. This first-time conference is a collaboration between the Center for Health Policy and Law and the law school's Domestic Violence Institute. www.northeastern.edu/law/findingthenexus.

Our 2019 Health Law Conference, Promises and Perils of Emerging Health Innovations, will take place April 11-12, 2019 in Boston, MA. More information at www.northeastern.edu/law/promisesandperils

We also issued a Call for Papers in conjunction with the conference. Abstract submissions are due November 12, 2018. Selected authors will be invited to present at our conference and publish papers in the Northeastern University Law Review. The full call can be found on the conference webpage, link above.

Northeastern University School of Law will host the 2020 Health Law Professors Conference, in collaboration with the American Society of Law, Medicine, & Ethics (ASLME), in Boston on June 3-5, 2020.

FACULTY NEWS

Wendy Parmet, Matthews Dist. Prof. of Law and Prof. of Public Policy & Urban Affairs reports these publications: Wendy E. Parmet and Jason Smith, *Free Speech and Public Health: Unraveling the Commercial-Professional Speech Paradox*, 78 Ohio St. L.J. 887 (2017) ♦ W.E. Parmet, M.L. Berman & J.A. Smith, *The Supreme Court's Crisis Pregnancy Center Case: Implications for Health Law*, 379 N.Eng. J. Med. 1489 (2018)

♦ Peter A. Jacobson & Wendy E. Parmet, *Public Health and Health Care: Integration, Disintegration, or Eclipse*, J.L. Med. & Ethics (forthcoming 2019).

Professor Parmet gave the keynote address at a symposium, *The Intersection of Immigration Law and Health Policy*, at the Indiana Univ. Robert H. McKinney School of Law of Oct. 26, 2018. She was on the

opening plenary panel at the 2018 Public Health Law Conference in Phoenix, Arizona on Oct. 5, 2018, as well as two other panels.

Professor Parmet along with Mark Rothstein, edited a special section of the *American Journal of Public Health* on the 1918 Influenza Pandemic which was published in November 2018.

NOVA SOUTHEASTERN UNIVERSITY SHEPARD BROAD COLLEGE OF LAW

We took part in a multi-disciplinary symposium, *Progression 2018: Using Law to Facilitate and Efficacious Innovation Economy*, Friday, October 5, 2018, at the law school, involving intellectual property, health law, and innovation scholars.

FACULTY NEWS

Kathy Cerminara, Professor of Law, reports these publications: *Removing Obstacles to a Peaceful Death*, 25 ELDER L.J. 197 (2018) (co-authored) ♦ *Rip Currents: Rough Water for End-of-Life Decisionmaking*, 21 J. HEALTH CARE L. & POL'Y 59

(2018) ♦ *Whose Freedom? Teaching the Contraception Coverage Cases as a Bridge from Policy to Bioethics* 61 ST. LOUIS U. L. J. 529 (2017) (invited symposium issue) ♦ *Therapeutic Jurisprudence's Future in Health Law: Bringing the Patient Back Into The Picture*, ___ INTL. J. L. & PSYCH. ___ (2018) (forthcoming) ♦ *End of Life*

Decision Making: A Balancing Act, chapter in *ETHICS AND VULNERABLE ELDERLY: THE QUEST FOR INDIVIDUAL SOCIETY AND A JUST SOCIETY* (Pamela B. Teaster, et al., eds., forthcoming) (co-authored).

Professor Cerminara presented at *Removing*

PROGRAM AND FACULTY NEWS

Obstacles to a Peaceful Death by Revising Health Professional Training and Payment Systems, Creighton University School of Law, October 24, 2018, Omaha, NE ♦ Health Law and Bioethics, discussion group participant, Southeastern Association of Law Schools, August 10, 2018, Ft. Lauderdale, FL ♦ Scholarship Fundamentals: Becoming a Productive and Fulfilled Scholar, discussion group moderator, Southeastern Association of Law Schools, August 7, 2018, Ft. Lauderdale, FL ♦ Teaching Health Law Overseas, discussion group participant, Southeastern Association of Law Schools, August 5, 2018, Ft. Lauderdale, FL ♦ Topics in Neurology and the Legal and Ethical Aspects of End-of-Life Care, series of presentations with Dr. Aatif M. Hasain, Continuing Education Inc. University at Sea, June 17-24, 2018, Royal Caribbean Allure of the Seas ♦ Disability, Diversity, and Decisions Across the Lifespan, panelist discussing End of Life Decision Making, American Society of Law, Medicine & Ethics Health Law Professors Conference, Case

Western University School of Law, June 9, 2018, Cleveland, OH ♦ Withdrawal of Treatment in Disorders of Consciousness, member of working group, Galveston Brain Injury Conference, May 2-4, 2018, Galveston, TX ♦ Searching For Dignity in Health Care Through Therapeutic Jurisprudence, Amy Ronner Symposium, St. Thomas University School of Law, April 6, 2018, Miami, FL ♦ End of Life Update on Legal and Ethical Issues, NSU College of Health Sciences, February 22, 2018, Ft. Lauderdale, FL (co-presented with Alina Perez and Akiva Turner) ♦ Therapeutic Jurisprudence's Future in Health Law: Bringing the Patient Back Into The Picture, Therapeutic Jurisprudence Workshop, St. Thomas University School of Law, January 3, 2018, Miami, FL.

Professor Cerninara reports these significant professional activities: became Secretary, Southeastern Association of Law Schools, August, 2018 ♦ Abstract, Improving End-of-Life Care for Minorities in South Florida:

Knowledge, Choices, and Policies (with co-authors), 21st Annual IAGG (International Association of Gerontology and Geriatrics) World Conference on Gerontology and Geriatrics, July 23-27, 2017, presented as a poster by Alina Perez ♦ Abstract, Knowledge and Preferences of End of Life Choices of Hispanics in South Florida: Informing Policy and Future Directions in End of Life Care (with co-authors), American Public Health Association Annual Meeting, November 4-8, 2017, presented as a poster by Alina Perez ♦ Abstract, Understanding End of Life Choices in the Aging Minority Population of South Florida: Policy Implications (with co-authors), American Public Health Association Annual Meeting, November 4-8, 2017, presented as a poster by Akiva Turner ♦ Abstract, Legal and Policy Implications of Physicians Counseling Minority Patients Regarding Their End-of-Life Choices (with co-authors), American Public Health Association Annual Meeting, November 4-8, 2017, presented as a poster by Matthew Slingbaum.

PENN STATE UNIVERSITY – DICKINSON LAW

FACULTY NEWS

Medha Makhlouf, Assistant Professor of Law; Director, Medical-Legal Partnership Clinic, reports this publication: Health Justice for Immigrants, 4 U. PA. J.L. & PUB. AFF. — (2018).

Professor Makhlouf presented at “The Public Charge Rule as Public Health Policy,”

Indiana Health Law Review Symposium: The Intersection of Immigration Law and Health Policy, Invited Presenter, Indiana University Robert H. McKinney School of Law, Indianapolis, IN; ♦ “Destigmatizing Disability under U.S. Immigration Law,” Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics Annual Conference, Selected

Presenter, Harvard Law School, Cambridge, MA.

Professor Makhlouf provided training to legal services advocates at the PA Legal Aid Network Statewide Conference on “Immigrant Eligibility for Public Benefits: What Every Advocate Should Know.”

SAINT LOUIS UNIVERSITY SCHOOL OF LAW

The Center for Health Law Studies will hold its 31st Annual Health Law Symposium on April 5, 2019.

SLU's Center for Health Law Studies added two new faculty members: Ana Santos Rutschman and Ruqaiyah Yearby.

Ana Santos Rutschman is an expert in biotechnology who teaches and writes in the areas of health law, intellectual property, innovations in life sciences and law and technology. She has published and presented widely on topics related to emerging biotechnologies, biobanking, artificial intelligence, and e-health. She is teaching FDA Law and Policy, Innovation Law & Policy in Biomedical Technologies, and Property.

Ruqaiyah Yearby is a nationally and internationally recognized scholar in health law, specifically racial disparities in health care and law, justice and medical research. Particularly interested in health care equality and eradicating racial disparities, Yearby leads a new program focused on social justice at the University. The program will work to connect the community, corporations and academia to provide an equity framework and solutions that will equalize access to resources. She is teaching Health Care Regulation, Race, Health and Justice.

17th Annual SLU LAW/ASLME Health Law Scholars Workshop Welcomed New Scholars. SLU LAW was again honored to partner with ASLME to host this collegial forum in which faculty new to the field present works-in-progress and receive in-depth advice from more experienced colleagues from across the country. In September 2018 we reviewed papers by Claudia E. Haupt (Northeastern University School of Law), Myrisha Lewis (Howard University School of Law), Ana Santos Rutschman (Saint Louis University School of Law), Megan S. Wright

PROGRAM AND FACULTY NEWS

SAINT LOUIS UNIVERSITY SCHOOL OF LAW (continued)

(Penn State-Dickinson School of Law and Penn State College of Medicine).

Special thanks to our guest readers: Sam Halabi (University of Missouri School of Law) ♦ Diane Hoffman (University of Maryland School of Law) ♦ Nina Kohn (University of Syracuse College of Law) ♦ Liz McCuskey (University of Toledo College of Law) ♦ Nadia Sawicki (Loyola University Chicago School of Law).

Health Law Distinguished Speaker Series

We hosted five distinguished health law speakers in 2018 on a wide variety of topics: Kimberly Mutcherson, Vice Dean and Professor of Law at Rutgers Law School-Camden, “Shedding our Skins: Reproductive Justice, Assisted Reproduction and our Post-Human Future.” ♦ Barak Richman, Edgar P. and Elizabeth C. Bartlett Professor of Law & Professor of Business Administration at Duke Law, “Toward a New Healthcare Architecture.” ♦ Fred Rottnek, Professor and Director of Community Medicine, Saint Louis University School of Medicine, “Missouri’s Opioid State-Targeted Response.” ♦ Jacob Sherkow, Professor of Law at the Innovation Center for Law and Technology at New York Law School, “CRISPR, Patents, and the Public Health.” ♦ Lindsay Wiley, Professor of Law & Director, Health Law and Policy Program, American University Washington College of Law, “Social Norms, Health-related Behaviors, and the Law.”

30th Annual Health Law Symposium

“Public Health Law in the Era of Alternative Facts, Isolationism, and the One Percent,” April 6, 2018: Micah Berman, Associate Professor The Ohio State University Moritz College of Law and College of Public Health, “Is the End of Smoking in Sight?: Tobacco Control in the Trump Years and Beyond” ♦ Amy T. Campbell, Associate Professor of Law The University of Memphis, Cecil C. Humphreys School of Law, “One-Percent ‘Answers’ to 99-Percent Concerns: How the Trump Administration’s ‘Math’ Challenges a ‘Health in All Policies’ Approach” ♦ Kimberly Cogdell Grainge, Professor of Law North Carolina Central University School of Law, “What Do You Have to Lose? Everything! The Health Care Plight of Blacks and Latinos in Trump’s America” ♦ Robert Gatter, Professor of Law, Saint Louis University, “Securing Science in Public Health Law” ♦ Keon L. Gilbert, Associate Professor, Behavioral Science and Health Education SLU College for Public Health and Social Justice, “The Context of Justifiable Homicides: Examining Fatal Interactions between Police and Men of Color” ♦ Laura Hermer, Professor of Law Mitchell Hamline School of Law, “Harming Public Health in the Undoing of Medicaid” ♦ Heather A. McCabe, Assistant Professor Indiana University School of Social Work, “You want me to do what? Interprofessional Collaboration as a Public Health Policy Advocacy Tool in the Current Political Environment” ♦ Elizabeth Tobin-Tyler, Assistant Professor Brown University, Alpert Medical School and School of Public Health, “Health Justice in the Age of Alternative Facts and Tax Cuts: Medicaid Reform, Value-Based Care and the Social Determinants of Health” ♦ Elizabeth Van Nostrand, Assistant Professor Department of Health Policy and Management, University of Pittsburgh School of Public Health, “Stroke of the Pen. Law of the Land. Kinda Cool.”

Practitioner-in-Residence

We regularly invite a health law practitioner to spend a week or more 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 2018, we were pleased that Barry Joyce, Trial Attorney, U.S. Department of Justice, Antitrust Division resided with us for an intensive week. He spoke to students on “DOJ Antitrust Enforcement in Healthcare,” “Diving into Healthcare Antitrust: Aetna/Humana and Anthem/Cigna,” and “Working for the Department of Justice in the Nation’s Capital.” He also hosted informal round-tables with students and lectured in our Health Care Finance and Business Planning course.

Saint Louis University Journal of Health Law and Policy published in 2018 the proceedings of the 29th Annual Health Law Symposium, “Coping with Health Care Market Concentration,” Volume 11, Issue 1.

FACULTY NEWS

Robert Gatter, Professor of Law and Director, Center for Health Law Studies, reports these publications: HEALTH LAW: CASES, MATERIALS AND PROBLEMS, 8th edition, American Casebook Series, West (2018) (with Barry R. Furrow, Thomas L. Greaney, Sandra H. Johnson, Timothy Stoltzfus Jost, Robert L. Schwartz, Erin C. Fuse Brown, Brietta R. Clark, Jaime S. King, and Elizabeth Pendo) ♦ HEALTH LAW: CASES, MATERIALS AND PROBLEMS, abridged version, 8th edition, American

Casebook Series, West (2018) (with Barry R. Furrow, Thomas L. Greaney, Sandra H. Johnson, Timothy Stoltzfus Jost, Robert L. Schwartz, Erin C. Fuse Brown, Brietta R. Clark, Jaime S. King, and Elizabeth Pendo) ♦ TEACHER’S MANUAL TO HEALTH LAW: CASES, MATERIALS AND PROBLEMS, 8th edition, American Casebook Series, West (2018) (with Barry R. Furrow, Thomas L. Greaney, Sandra H. Johnson, Timothy Stoltzfus Jost, Robert L. Schwartz, Erin C. Fuse Brown, Brietta R. Clark, Jaime S. King, and Elizabeth Pendo) ♦ THE LAW OF HEALTH CARE

ORGANIZATION AND FINANCE, 8th edition, American Casebook Series, West (2018) (with Barry R. Furrow, Thomas L. Greaney, Sandra H. Johnson, Timothy Stoltzfus Jost, Robert L. Schwartz, Erin C. Fuse Brown, Brietta R. Clark, Jaime S. King, and Elizabeth Pendo) ♦ HEALTH CARE QUALITY, PATIENT SAFETY, AND LIABILITY, 8th edition, American Casebook Series, West (2018) (with Barry R. Furrow, Thomas L. Greaney, Sandra H. Johnson, Timothy Stoltzfus Jost, Robert L. Schwartz, Erin C. Fuse Brown, Brietta R. Clark, Jaime S. King, and Elizabeth Pendo).

SAINT LOUIS UNIVERSITY SCHOOL OF LAW (continued)

Professor Gatter presented *Securing Science in Public Health Law*, ASLME Health Law Professors Conference, Case Western Reserve University School of Law, Cleveland OH, June 2018 ♦ *Securing Science in Public Health Law*, 30th Annual Health Law Symposium: “Public Health Law in the Era of Alternative Facts, Isolationism, and the One Percent,” Saint Louis University School of Law, April 6 2018 ♦ CDC’s Foreign Quarantine Rule, U.S. Borders, and “Shithole” Countries, invited presentation, Symposium: “Isolated by the Law,” Wake Forest University School of Law, February 23, 2018.

Professor Gatter was on the Nominating Committee, ASLME Health Law Scholars Program ♦ was a reviewer, NIH Career Award Proposal (K12) related to Medical-Legal Partnerships, administered by Washington University in St. Louis, March 2018 ♦ was a reviewer for 2018 ASLME Public Health Law Conference proposals, Feb.-Mar. 2018 ♦ was the Symposium Organizer, 30th Annual Health Law Symposium, Center for Health Law Studies, Saint Louis University School of Law, March 2018 ♦ was a Faculty Mentor, Career Workshop, Network for Public Health Law/ASLME Public Health Law Conference, Chandler Arizona, Oct. 2018.

Sandra Johnson, Professor Emerita of Law and Health Care Ethics, reports these publication: *Furrow et al., Health Law: Cases, Materials, and Problems* (West 8th Ed.) ♦ *Proposed Regulations Favor Providers’ Conscience Rights over Patients’ Rights*, 48 *Hastings Ctr. Rep’t* 3 (2018) ♦ *Nazi Experiments, the Nuremberg Code, and the United States in Nazi Law: From Nuremberg to Nuremberg* (ed. John J. Michalczyk, Bloomsbury Academic, 2018)

Elizabeth Pendo, Joseph J. Simeone Professor of Law, reports these publications: *Accessibility of Medical Equipment – Implications for People with Disability*, 378 *NEJM* 378 (April 12, 2018) (co-authored with lead author Lisa I. Iezzoni, Professor of Medicine, Harvard Medical School and Director, Mongan Institute for Health Policy) ♦ *HEALTH LAW: CASES, MATERIALS AND PROBLEMS*, 8th edition, American Casebook Series, West (2018) (with Barry R. Furrow, Thomas L. Greaney, Sandra H.

Johnson, Timothy Stoltzfus Jost, Robert L. Schwartz, Erin C. Fuse Brown, Brietta R. Clark, Robert Gatter, and Jaime S. King).

Professor Pendo presented: *Complex Health Needs: Legal, Ethical, and Public Health Perspectives*, ASBH Annual Meeting, Anaheim, CA ♦ *Career Paths in Public Health Law and Policy*, 2018 Public Health Law Conference, Health Justice: Empowering Public Health and Advancing Health Equity, Phoenix, AZ ♦ *Disability, Race, and Barriers to Health and Life in Community*, SLU Bicentennial Health and Social Justice Conference, Saint Louis, MO ♦ *Current Legal Issues in Health Care Discrimination*, SEALS Annual Meeting, Ft. Lauderdale, FL, 2018 *Recent Developments in Disability Employment and Health Law*, SEALS Annual Meeting, Ft. Lauderdale, FL, 2018, ♦ *The Role of Disability Law and Policy in Improving the Health of Older Americans*, Healthy Aging Summit sponsored by HHS Office of Disease Prevention and Health Promotion, HHS Office of Women’s Health, and the American College of Preventive Medicine, Washington DC, 2018 ♦ *The Role of Law and Policy in Improving the Health of People with Disabilities*, American Association of Visually Impaired Attorneys Annual Meeting, Saint Louis, MO, 2018 ♦ *Disability and Workplace Wellness Plans*, 5th National Conference: Disability Issues in Employment and Education Law sponsored by the ABA Center for Professional Development and the ABA Commission on Disability Rights, Philadelphia, PA, 2018 ♦ *Improving Access to Care for Individuals with Disability and Older Adults*, ASLME Health Law Professors Conference, Cleveland, OH, 2018 ♦ *Understanding Your Rights in the Doctor’s Office*, Jacobus tenBroek Disability Law Symposium, Baltimore, MD, 2018 (with Sylvia Yee, DREDF) ♦ *Ethical Considerations: Confidentiality and HIPAA*, National Association of Disability Representatives Annual Meeting, Saint Louis, MO, 2018 ♦ *Could We Pass the ADA Today? Disability Rights in an Age of Partisan Polarization*, AALS Annual Meeting, San Diego, CA, 2018.

Professor Pendo was appointed to Executive Committee, Saint Louis University School of Medicine Bander Center for Medical Ethics

and appointed to American Bar Association, Commission on Disability Rights.

Ana Santos Rutschman, Assistant Professor of Law, reports these publications: *IP Preparedness for Outbreak Diseases*, 65 *UCLA L. REV* 1200 (2018) ♦ *Vaccine Licensure in the Public Interest: Lessons from the Development of the US Army Zika Vaccine*, 127 *YALE L.J. F.* 651 (2018).

Professor Rutschman presented at Public Health Conference, Pontificia Universidad Javeriana of Bogotá, (Nov. 2018) ♦ Intellectual Property Scholars Roundtable, Texas A&M University School of Law (Oct. 2018) ♦ Health Law Scholars Workshop, Saint Louis University School of Law (Sept. 2018) ♦ Health and Social Justice Conference, Saint Louis University (Sept. 2018) ♦ Wiet Life Sciences Law Scholars Conference, Loyola University of Chicago School of Law (Sept. 2018) ♦ Intellectual Property Scholars Conference, UC Berkeley School of Law (Aug. 2018) ♦ Junior Intellectual Property Scholars Association Workshop, Northwestern University Pritzker School of Law (Jul. 2018) ♦ 2018 Life Sciences Conference, American Bar Association Section of International Law, Copenhagen, Denmark (Jun. 2018) ♦ 41th Annual Health Law Professors Conference, Case Western Reserve University School of Law (Jun. 2018) ♦ Institute for Global Law and Policy 2018 Conference, Harvard Law School (Jun. 2018) ♦ Regulation and Innovation in The Biosciences Workshop, Washington University in St. Louis School of Law (Apr. 2018) ♦ Bio Lawpalalozza, Stanford Law School (Mar. 2018) ♦ Jaharis Symposium on Health Law and Intellectual Property: Technological and Emergency Responses to Pandemic Diseases, DePaul University College of Law (Feb. 2018) ♦ Junior Intellectual Property Scholars Association Workshop, University of Oklahoma College of Law (Jan. 2018) .

Professor Rutschman is a Health Law Scholar, American Society of Law Medicine and Ethics.

Professor Rutschman’s opinion piece, “U.S. Health Care Companies Begin Exploring Blockchain Technologies” was reprinted in *Scientific American* (Jul. 19, 2018).

PROGRAM AND FACULTY NEWS

SAINT LOUIS UNIVERSITY SCHOOL OF LAW (continued)

Sidney Watson, Jane and Bruce Robert Professor of Law, reported these publications: *Rule of Law and Work Requirements in Medicaid: Reigning in Agency Overreaching*, *J. L. MED. & ETHICS* (forthcoming 2018) ♦ *Putting the Brakes on Consumer Driven Medicaid: The Failures and Harms of Healthy Indiana Plan (HIP) 2.0*, 11 *SAINT LOUIS J. HEALTH LAW & POLY* 275 (2018).

Professor Watson presented as a Panelist & Moderator, *Race, Health and Justice, Childless Symposium Forward Through Ferguson*, SLU Law School, October 2018 ♦ *Medicaid Waivers, Work & Litigation: Struggle for the Soul of Medicaid*, American Society of Law, Medicine and Ethics, Case Western Reserve University School of Law, Cleveland, OH, June 2018 ♦ *Innovations to Medicaid: Poor People, Opioids and States*, Symposium *Diseases of Despair the Role of Law and Policy*, Northeastern University, April 2018 ♦ *Health Reform: The Affordable Care Act, Medicaid and Beyond*, Child and Maternal Health class, SLU School of Public Health, April 2018 ♦ *Testimony in Opposition to SB 562, a bill to block grant Missouri Medicaid*, before Missouri Senate Committee on Seniors, Families and Children, Jefferson City, MO, January 2018 ♦ *Consumer Driven Medicaid*, American Association of Law Schools Annual Meeting, Section on Law, Medicine and Health Care, San Diego, CA, January 2018.

Professor Watson received the DR. NORMAN A. WHITE AWARD FOR ENGAGED SCHOLARSHIP AND SERVICE, Saint Louis University, 2018.

Professor Watson's Funded Research: 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, 2016-2018.

Professor Watson is a member of the HEALTH EQUITY IN AMERICA NATIONAL ADVISORY COUNCIL, John Hopkins University Press & Health Equity Leadership & Exchange Network (HELEN), 2018.

Professor Watson prepared an AMICUS BRIEF ON BEHALF OF DEANS, CHAIRS, AND SCHOLARS IN SUPPORT OF PLAINTIFFS, *STEWART V AZAR*, 13 F. Supp. 3d 237 (D.D.C. 2018), support of plaintiff's claims challenging HHS's approval of Section 1115 waiver to allow Medicaid work requirements and an AMICUS BRIEF ON BEHALF OF DEANS, CHAIRS, AND SCHOLARS IN SUPPORT OF PLAINTIFFS, *STEWART V AZAR II*, CIVIL ACTION NO. 1:18-CV-01900 (D.D.C. 2018), support of plaintiff's claims challenging HHS's approval of Section 1115 waiver to allow Medicaid work requirements.

Ruqaiyah Yearby, Professor of Law, reports these publications: *Racial Disparities in Health Status and Access to Health Care: The Continuation of Inequality in the United States Due to Structural Racism*, 77 *AM. J. ECONOMICS AND SOCIOLOGY* 1113-1152 (2018) ♦ *The Impact of Structural Racism in Employment and Wages on Minority Women's Health*, 43 *ABA HUMAN RIGHTS JOURNAL* 21 (2018) ♦ *Medicaid Work Requirements: Are They Illegal and Will They Increase Poverty?*, *JURIST - Academic Commentary*, February 3, 2018 (<http://www.jurist.org/forum/2018/02/Ruqaiyah-Yearby-medicaid-poverty.php>).

Professor Yearby presented at the American Anthropological Association, San Jose, CA, Invited Speaker, November 14, 2018, "Understanding Values to Institutionalize Equity" ♦ Seton Hall University, School of Law, Newark, NJ, Invited Speaker, November 2, 2018, "When Equal Pay is Not Enough: The Continuation of Bias in Employment and its Influence on Health Disparities" ♦ International Society for Justice

Research Conference, Atlanta, GA, Invited Speaker, July 28, 2018, "Racial Disparities in Health: The Continuation of Inequality in the U.S. Due to Structural Racism" ♦ Association for the Promotion of Political Economy and the Law and University of Massachusetts Political Economy Research Institute Workshop, Amherst, MA, Invited Speaker and Group Facilitator, June 14, 2018, "Enforcing Structural Bias: The Political Economy of Medicaid Work Requirements" ♦ City of Cleveland Health Equity Symposium, Cleveland, OH, Keynote Speaker, April 19, 2018, "Creating a Framework to Advance Health Equity" ♦ Humanities Festival, Dittrick Museum, Cleveland, OH, Invited Speaker, March 29, 2018, "Racism and Infant Mortality" ♦ Case Western Reserve University, Comprehensive Cancer Center, Cleveland, OH, Keynote Speaker, March 23, 2018, "The Impact of Inequality on Racial Disparities in Breast Cancer" ♦ Ohio Northern University, Petit College of Law, Ada, OH, Invited Speaker, March 16, 2018, "Separate and Unequal: Health Care on the Past, Present, and Future" ♦ American Association of Law Schools, San Diego, CA, Invited Speaker, January 4, 2018, "Continued Inequality: Medicaid and Work Requirements".

Professor Yearby is the Co-Principal Investigator, *Using Law and Policy to Address Discrimination and Create Healthier and More Equitable Communities*, Robert Wood Johnson Foundation Policies for Action Research Hub (semi-finalist 2018). She is a Research Consultant and Board Member, *Investigating Conceptions of Health Equity and Barriers to Making Health a Shared Value*, Robert Wood Johnson Foundation grant (2017 - present).

Professor Yearby is the Co-Founder, *Institute for Healing Justice and Equity*, July 2018 - present and Co-Director, *Center for Equity*, July 2018 - present.

SETON HALL LAW SCHOOL

Seton Hall Law's Center for Health & Pharmaceutical Law & Policy continues to focus on ethical and compliance issues emerging from marketing and sale of drugs and devices; the rights of individuals with disabilities, behavioral health disorders, and cognitive impairments; on regulations governing human subject research; and on the complex issues surrounding opioid addiction. We also continue to produce White Papers, provide technical assistance to state regulatory agencies, and expand our global compliance training programs to some of the most

PROGRAM AND FACULTY NEWS

SETON HALL LAW SCHOOL (continued)

challenging markets. The Law School's Institute for Privacy Protection works in tandem with the Center for Health to produce scholarship and address the continually evolving challenges related to privacy preservation.

New Faculty Hiring

Seton Hall Law is pleased to announce that Jacob T. Elberg, who has served since 2013 as Chief of the U.S. Attorney's Office for the District of New Jersey's Health Care & Government Fraud Unit, has accepted a full-time faculty position of Professor of Law beginning in January 2019. For the past two years, Mr. Elberg taught the Health Care Fraud and Corruption seminar as an Adjunct Professor at Seton Hall Law. In March 2018, Seton Hall Law's health law program enhanced its health law faculty by welcoming Dr. Laura C. Hoffman as an Assistant Professor of Law and Faculty Researcher. Professor Hoffman holds a S.J.D. in Health Law and Policy from Loyola University Chicago School of Law.

Grant Funding

The Pharmaceutical Compliance Forum, an organization of life sciences company compliance professionals, provided a grant to the Center for Health to weigh in on the perennial debate about the place of compliance within the corporate organization. The resulting white paper, co-authored by Seton Hall Law Dean Kathleen M. Boozang and Associate Dean Timothy Glynn, entitled "The Role and Place of Compliance within Life Science: The Imperative of Chief Ethics and Compliance Officer Independence," will be published by the end of 2018. Professor Tara Adams Ragone received grant funding for the Center for Health by leading a project for the Michigan Health Information Network Shared Services (MiHIN). MiHIN is a nonprofit organization created for the purpose of coordinating and building bridges between healthcare providers throughout the state. The project analyzed Michigan laws and regulations related to sharing health information between and among physical and behavioral health providers. Professor Ragone developed a white paper summarizing her analysis and presented the preliminary findings at a one-day legal workshop in Michigan in June 2018. The Nicholson Foundation awarded a substantial grant to Seton Hall Law health law professors John V. Jacobi and Tara Adams Ragone for the project entitled "Consultation and Regulatory Implementation Assistance in Furtherance of Behavioral Health Integration for the New Jersey Departments of Health and Human Services". This sixteen-month grant will fund Seton Hall Law School to provide 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.

Conferences/Symposiums

In February 2018, the Center for Health held a conference organized by Seton Hall Law health law professors John V. Jacobi and Tara Adams Ragone titled "Opioids: Care Coordination, Transitions, and Engagement". The conference, which was co-sponsored by the Legislative Journal and Seton Hall Circuit Review, brought together policymakers, caregivers, and advocates from New Jersey and other states to discuss innovative programs that seek to stem the tide of opioid addiction and overdoses by implementing strategies to connect patients to care across the continuum. The keynote speaker was New Jersey Attorney General Gurbir S. Grewal. Based on the dialogue that emerged from the February 2018 conference on opioid addiction, the Center for Health decided to further explore the issue of race and the opioid crisis through a symposium held in November 2018 titled "Race and the Opioid Crisis: History and Lessons," co-presented by the Seton Hall Law Review. This symposium included legal, medical, and social science experts who addressed the issue of health disparities, disparate treatment of those suffering from addiction, and lessons for advancing racial justice in areas including criminal justice and gender equality. In November 2018, Seton Hall's Center for Health, the Hackensack Meridian School of Medicine at Seton Hall University, and the American Society of Law, Medicine & Ethics sponsored an all-day symposium titled "Reimagining Human Subject Protection for the 21st Century: A Critical Assessment of the Revised Common Rule" led by Seton Hall Law health law professor Carl H. Coleman, which explored amendments to the regulations governing human subject research conducted or supported by 15 federal agencies, most of which are scheduled to go into effect in early 2019.

Compliance Programming

In February 2018, the Center for Health hosted its annual Diversity in the Compliance Profession program which focused on Building Diverse Compliance Teams. Additionally, in February 2018, the Center for Health, in conjunction with Porzio, Bromberg & Newman, P.C. and Porzio Life Sciences, LLC, hosted a Life Sciences Compliance and Cybersecurity Forum that focused on issues of cybersecurity, privacy, and transparency. The U.S. Healthcare Compliance Certification Program (HCCP), which has been offered twice a year at Seton Hall Law since 2004, took place on June 11-14, 2018 and again on October 8-11, 2018. This year, Seton Hall Law also offered an advanced supplemental day to its flagship program, HCCP PLUS, on June 15th and October 12th, which focused on data analytics, metrics and measurement, and the value of compliance. On the international healthcare compliance front, Seton Hall Law offers annual or bi-annual Healthcare Compliance Certificate programs in Europe, Asia, and Latin America. These programs educate compliance professionals on the evolving regulatory framework affecting life sciences companies conducting business around the world. The international compliance program offerings will be expanding in 2019 to include a new Middle East-focused program. In October 2018, Seton Hall Law's Center for Health and Mayer Brown collaborated to present a symposium on the up-and-coming legal issues and trends impacting the life sciences industry. The symposium

PROGRAM AND FACULTY NEWS

SETON HALL UNIVERSITY SCHOOL OF LAW (continued)

addressed a number of contemporary topics, including how to respond to ever-growing cybersecurity threats and dangers; how to handle acquisition of new drug products and returns on investment; how AI, blockchain, and automation will impact life sciences; and how to conduct internal investigations in light of the #MeToo movement.

Fostering Health Law and Policy Scholarship Development

The Center for Health continued to promote the development of outstanding health law and policy scholarship by hosting its Second Annual Regional Health Law Works-In-Progress Retreat in February 2018. The retreat brought together health law scholars for an in-depth discussion of papers on the opioid crisis, informed consent, health insurance benefit design, federal jurisdiction over the human body, and perceptions of protection under anti-discrimination laws. The Center for Health looks forward to hosting its Third Annual Regional Health Law Works-In-Progress Retreat in February 2019.

Health Law Faculty Presentations at ASLME

In June 2018, Seton Hall Law's health law program was well represented at the 41st Annual Health Law Professors Conference presented by the American Society of Law, Medicine & Ethics (ASLME) and Case Western Reserve University School of Law held in Cleveland, Ohio. Seton Hall Law health law professors John V. Jacobi, Carl H. Coleman, Tara Adams Ragone, and Solangel Maldonado all delivered presentations on their respective health law and policy research during the conference.

2018 preLaw Magazine "A" Rating in Health Law

We are proud that Seton Hall Law School achieved an "A" rating in the Back to School 2018 issue of the prelaw Magazine as a premier law school for students and professionals interested in pursuing opportunities in health law careers.

Health Law Forum

Seton Hall Law continues to demonstrate a strong commitment to and passion for health law within the law school community through the active involvement of its students. The Health Law Forum is a student run organization with a primary focus on topics related to health law and healthcare compliance. During the 2018-19 academic year, the Health Law Forum will produce an online law journal known as Health Law Outlook, which will feature articles written and edited by its members that will explore current health law and policy issues. Additionally, the Health Law Forum will host and sponsor a number of events and activities throughout the academic year to create awareness, promote thoughtful discussion and reflection, and encourage interest in careers in health law.

Medical-Legal Partnership

The Seton Hall Law Medical-Legal Partnership, led by Professor Katherine L. Moore, is set to begin in the Spring 2019.

Institute for Privacy Protection

The Institute for Privacy Protection at Seton Hall Law recently launched an innovative school outreach program and curriculum that partners with parents and educational leaders to raise awareness about personal privacy and social media. The Institute's curriculum focuses on elementary and middle school children in New Jersey and New York and highlights topics such as reputational impact, advertisements and content choice, with a focus on balancing time spent on screens and time spent offline. The curriculum was designed by the Privacy Institute's faculty and is taught by the Institute's law student fellows. The program has appeared in features by the Washington Post, CBS Morning News and Commons Sense Media ♦ In April 2018, the Institute for Privacy Protection co-sponsored a conference with the Gibbons Institute of Law, Science & Technology titled "Artificial Intelligence and the Law". Scholars, legal practitioners, and policymakers have begun to consider pressing issues raised by artificial intelligence technologies including their impact on health issues. Speakers included Nicholson Price, Assistant Professor of Law, University of Michigan School of Law who presented "Regulating Black-Box Medicine," and Mason Marks, Visiting Fellow, Information Society Project, Yale Law School, who presented "The Legal Duties of Social Media Conducting AI-Mediated Health Analytics". This conference brought together technologically-literate lawyers, policymakers, advocates, and academics across disciplines and sectors to discuss possible solutions grounded in law, administrative policy, or organizational practice ♦ In October 2018, the Institute for Privacy Protection hosted a workshop on Kids' Technology Over-Use. It convened experts in the areas of technology design, corporate activism, mental health, education, public advocacy and law to address kids' excessive use of technology.

Notable 2018 Center for Health & Pharmaceutical Law & Policy Events

Celebrating Diversity in the Compliance Profession, February 1, 2018, Newark, NJ ♦ Second Annual Regional Health Law Works-in-Progress Scholarship Retreat, February 9, 2018, Newark, NJ ♦ Life Sciences Compliance and Cybersecurity Forum, February 16, 2018, Newark, NJ (co-sponsored by Porzio, Bromberg, & Newman, P.C. and Porzio Life Sciences, LLC), Newark, NJ ♦ Seton Hall Law conference, "Opioids: Care

PROGRAM AND FACULTY NEWS

SETON HALL UNIVERSITY SCHOOL OF LAW (continued)

Coordination, Transitions and Engagement”, February 22, 2018, Newark, NJ (co-sponsored by the Legislative Journal and Seton Hall Circuit Review and was supported by a generous grant from The Nicholson Foundation) ♦ Seton Hall Law Asia-Pacific Healthcare Compliance Certificate Program, March 5-8, 2018, Singapore ♦ European Healthcare Compliance Certificate Program, June 4-7, 2018, Warsaw, Poland ♦ U.S. Healthcare Compliance Certificate Program, June 11-14, 2018, Newark, NJ ♦ U.S. Healthcare Compliance Certificate Program PLUS, June 15, 2018, Newark, NJ ♦ Latin America Healthcare Compliance Certificate Program, September 24-27, 2018, Sao Paulo, Brazil ♦ U.S. Healthcare Compliance Certificate Program, October 8-11, 2018, Newark, NJ ♦ U.S. Healthcare Compliance Certificate Program PLUS, October 12, 2018, Newark, NJ ♦ Hot Topics in Life Sciences Law, October 25, 2018, Newark, NJ ♦ “Race and the Opioid Crisis: History and Lessons” Symposium, November 2, 2018, Newark, NJ (co-sponsored with Seton Hall Law Review) ♦ European Healthcare Compliance Certificate Program, November 5-8, 2018, Paris, France ♦ “Reimagining Human Subject Protection for the 21st Century: A Critical Assessment of the Revised Common Rule” Program (co-sponsored with Hackensack University Medical Center, the American Society of Law, Medicine and Ethics (ASLME), and Hackensack Meridian School of Medicine), November 9, 2018, Newark, NJ

FACULTY NEWS

Gaia Bernstein, Michael J. Zimmer Professor of Law; Director, Institute for Privacy Protection; Co-Director, Gibbons Institute for Law Science and Technology, reports this publication: *The Over-Users: Happiness, Technology Addiction and the Power of Awareness* (book project in progress).

Professor Bernstein presented *Fighting the Screen Wars*, Women Law Society and Technology Symposium, UC Irvine Law School, April 2018 ♦ Second Annual Regional Health Law Works-in-Progress Retreat, Seton Hall Law School, February 2018 ♦ *Our Kids, Our Screens and What Should We do?* Multiple schools in NY and NJ, 2018 ♦ *The Over-Users: Happiness, Technology Addiction and the Power of Awareness*, Hofstra IP Colloquium, November 2017.

Professor Bernstein spear-headed and co-developed a school outreach program for students and parents about privacy and technology over-use, which was featured in the *Washington Post*, *CBS Morning News* and *Common Sense Media* ♦ Organized and led an inter-disciplinary workshop on *Kids Technology Over-Use*.

Carl H. Coleman, Professor of Law, reports these publications: *Regulating Physician Speech*, 97 NORTH CAROLINA LAW REVIEW ____ (forthcoming 2019) ♦ *The Right to Refuse Treatment for Infectious Disease*, in *ETHICS AND DRUG RESISTANCE: COLLECTIVE RESPONSIBILITY FOR GLOBAL PUBLIC HEALTH* (Zeb Jamrozik & Michael Selgelid eds., forthcoming 2019).

Professor Coleman presented “Human Subjects Research, the Revised Common Rule, and the Future of Data and

Biospecimen Use,” *This Week in Health Law* (podcast) (January 2018) ♦ “New Directions in End-of-Life Legislation,” Columbia University Seminar on Death, New York (February 2018) ♦ “Reining In IRB Review in the Revised Common Rule,” American Society of Law, Medicine & Ethics Health Law Professors Conference, Cleveland (June 2018) ♦ “Compliance Issues in Clinical Studies,” Seton Hall-Sciences Po European Healthcare Compliance Program, Warsaw (June 2018).

Professor Coleman was a consultant to World Health Organization on the 11th Revision of the International Classification of Diseases (ICD-11) and on a project to develop guidance on ethical issues in managing vector-borne diseases. He is a member, The Consortium to Advance Effective Research Ethics Oversight (AAERO), a new initiative coordinated by the University of Pennsylvania, Department of Medical Ethics & Health Policy.

Laura Hoffman, Assistant Professor of Law and Faculty Researcher, reports this upcoming publication: Spring 2019, *Nova Law Review* titled “Telehealth, Children, & Pediatrics: Should the Doctor Make House Calls Again, Digitally?”

Tara Adams Ragone, Assistant Professor of Law, reports this publication: *Integrating Physical and Behavioral Health Care in Michigan: State Laws and Regulations Impacting the Ability to Share Health Information among Treatment Providers*, Michigan Health Information Network Shared Services (May 2018) (White Paper made possible through funding from the Michigan Department of Health and Human Services) (public release pending).

Professor Ragone presented “Integrating Physical and Behavioral Health Care in Michigan: State Laws and Regulations Impacting the Ability to Share Health Information among Treatment Providers,” Michigan Legal Summit: Health Information and the Law: What’s Next?, Lansing, MI (June 5, 2018) ♦ “Medication Administration in Schools: Addressing Scope of Practice and Disability Law Tensions,” ASLME Health Law Professors Conference, Case Western Reserve University School of Law, Cleveland, OH (June 8, 2018) ♦ “The Mental Health Parity and Addiction Equity Act (MHPAEA) Turns 10: Reflecting on Its Accomplishments and Continued Implementation Challenges,” Rutgers University Institute for Health Interdisciplinary Faculty Seminar, New Brunswick, NJ (Oct. 4, 2018).

Professor Ragone received a grant from the Michigan Health Information Network Shared Services (MiHIN) to analyze Michigan laws and regulations related to sharing health information between and among physical and behavioral health providers. She received additional grant from The Nicholson Foundation, along with Professor John Jacobi, to continue work with the New Jersey Departments of Health and Human Services to facilitate the integration of behavioral and physical health care in outpatient settings in the state.

Professor Ragone served on a number of advisory committees, including the New Jersey iPHD Advisory Committee; ClearHealth Quality Institute Mental Health Parity Accreditation Program’s Parity Standards Committee, and the Good Care Collaborative’s Steering Committee. Faculty Supervisor of the Health Law Semester in Washington, D.C. Program.

PROGRAM AND FACULTY NEWS

SUFFOLK UNIVERSITY LAW SCHOOL

Nancy J. Altman was the Health Law and Public Policy Forum speaker at Suffolk University Law School on November 8, 2018, speaking on the topic of her most recent book, "The Truth About Social Security: The Founders' Words Refute Revisionist History, Zombie Lies, and Common Misunderstandings. Altman is the Co-Director, Social Security Works, Co-Chair, Strengthen Social Security Coalition, and a member of the Social Security Advisory Board. Altman is the Chair of the Board of Directors of the Pension Rights Center and received the Robert M. Ball Award for distinguished contributions to the field of social insurance from the National Academy of Social Insurance in June 2018.

Free registration || Save the Date: Telehealth Symposium: Journal of Health & Biomedical Law

On April 11, 2019, Suffolk law students are bringing together experts on telehealth to assess the legal implications of remote administration of medicine, cutting-edge medical robotics, and related topics.

Sarah Boonin, Associate Director of Clinical Programs and Clinical Professor of Law reports this publication: "Ten Years Too Long: Reforming Social Security's Marriage Duration Requirement in Cases of Domestic Violence," 39 Harvard Journal of Law and Gender 369 (2016).

Professor Boonin presented "Handmaid's Tale? The Future of Reproductive Health and the Supreme Court." Salem State University, Constitution Day Lecture (September 2018) ♦ "Substitute Decision-Making: Guardianship and its Alternatives," Parent Professional Advocacy League, state-wide network of mental health advocates and parents (August 2018) ♦ "Conservatorship and Other Options for Partners Healthcare," Centers for Population Health, Partners Healthcare, training on adult guardianship (December 2017).

Professor Boonin taught a new course, "Mental Health and Disability Law in a Comparative Context," with faculty at the National University of Ireland in Galway as part of Suffolk's summer study program. The course focused on comparative legal approaches to alleged "incapacity" and decisional autonomy.

Renée M. Landers, Professor of Law and Faculty Director, Health and Biomedical Law Concentration, reports this publication: Landers, Renée M., "Practicing Dialogues about Difference: Using Multiple Perspectives in Teaching the Fourteenth

Amendment," 62 ST. L. U. L.J. 701 (Spring 2018) ".

Professor Landers presented, "Social Insurance in the United States: Current Status and Emerging Challenges in a Global Context," Asia-Pacific Economic Cooperation (APEC) 2018 Workshop on Promoting Sustainable and Inclusive Growth by Enhancing Social Protection in the Digital Age, Taipei, Taiwan (November 5-9, 2018) ♦ "Developments in Administrative Law and the Impact on Public Health and Health Care," 2018 Health Law Teachers Conference sponsored by the American Society for Law, Medicine, and Ethics, Cleveland, Ohio (June 2018) ♦ "Using Science and Technology to Inform the Regulatory Process," at the 14th Annual Administrative Law and Regulatory Practice Institute and Spring Conference of the Section in Washington, DC. (April 2018) ♦ "Diseases of Despair: The Role of Policy and Law," panelist, Center for Health Policy and Law at Northeastern University School of Law (April 2018) ♦ "Black Market Gold: Medical and Transplant Tourism: How Have the Scientific and Medical Communities Responded to Stringent Regulation and the Organ Shortage Crisis?," moderator, Suffolk Law Journal of Health & Biomedical Law's 8th Annual Symposium (March 2018).

On November 2, 2018, Prof. Renée M. Landers was named a Fellow of the ABA's Section of Administrative Law & Regulatory Practice in Washington, D.C., for her many years of devoted service to administrative law.

During her sabbatical in fall 2018, Renée M. Landers is serving as the Distinguished Visiting Fellow at the National Academy of Social Insurance in Washington, D.C. She is working with Academy staff and members on policy analyses and study panel reports examining ways to improve the social insurance policies on Social Security, family and caregiver leave, assured income, and other issues.

Marc A. Rodwin, Professor of Law, reports these publications: "Should We Try to Manage Non-Financial Interests? No." British Medical Journal, 361 k:1240 (2018) ♦ "Attempts to Redefine Conflicts of Interest," Accountability in Research 25:2, 67-78 (2018) ♦ "The Legal Origins of the New England Compounding Center Crisis and the Future of Drug Compounding Regulation," 21 Quinipiac Health L.J. 1 (2018).

Professor Rodwin presented "Retail Pharmaceutical Prices in the U.S.: A case of Market Failure or Market Competition?" IMéRA, Seminar: Marseille (December 2018) ♦ "Six Points on Conflicts of Interest for Science Journalists to Remember." 5th European Conference of Science Journalists, Toulouse, France (July 2018) ♦ "Conflicts d'intérêts dans la recherche biomédical. (Conflicts of Interest in Biomedical Research)" 10 eme Table Ronde de L'Arbois Sante, Société Environnement. Aix-en-Provence (March 2018).

SOUTHERN UNIVERSITY LAW CENTER

FACULTY NEWS

Deleso Alford, Visiting Law Professor, presented: (Her)story & (His)tory: A Perspective on the Narrative of Medical Gynecology in Pursuit of Cultural Competence and Health Equity Speaker,

Lunch and Learn co-sponsored by University Central Florida (UCF) Student National Medical Association, the American Medical Women's Association, and the Office of Diversity and Inclusion, UCF College of

Medicine Lake Nona, FL (October 19, 2018).

PROGRAM AND FACULTY NEWS

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

The Center for Public Health Law Research continues to expand its work and reach. In January 2018, it hosted the first conference on policy surveillance, convening nearly 50 invited experts from the US and abroad to discuss the field and its future (<http://phlr.org/january-2018-policy-surveillance-conference>).

The Center continues to develop its vast database of policy surveillance resources. Its website, LawAtlas.org, is now home to more than 80 distinct legal datasets. This year, we published 20 new or updated datasets on housing law, reproductive rights, e-cigarette laws, syringe exchange and possession laws, youth sports concussion laws, food safety laws (cottage foods), substance use disorder and civil commitment laws, and laws and policies that support breastfeeding, among others.

The Center has trained more than 600 US- and internationally-based professionals in our methods, and is launching the first certificate program for public health law research with the Temple University College of Public Health.

Work with the CDC Public Health Law Program, the Network for Public Health Law, and ChangeLab Solutions continues to yield significant resources for the field, including the Legal Epidemiology Center in the Public Health Law Academy (<https://www.changelabsolutions.org/public-health-law-academy>), the Five Essential Public Health Law Services, and a project providing technical assistance to local-level public health departments interested in policy surveillance and scientific legal mapping.

FACULTY NEWS

Scott Burris, Professor and Director, Center for Public Health Law Research, reports these publications: *THE NEW PUBLIC HEALTH LAW: A TRANSDISCIPLINARY APPROACH TO PRACTICE AND ADVOCACY* (Oxford University Press, 2018) (with Berman, Penn and Ramanathan Holiday) ♦ *How to Write a Legal Mapping Paper* (Center for Public Health Law Research/Temple University Legal Studies Research Paper No. 2018-10, 2018). Available at SSRN: <http://dx.doi.org/10.2139/ssrn.3133065>.

Professor Burris presented “The Five Essential Public Health Law Services: Where We are Now and Where We are Going,” Public Health Law Conference 2018, Phoenix ♦ “Becoming Better Messengers: The Public Health Advantage,” Public Health Law Conference 2018, Phoenix ♦ “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, 2018 ♦ “The Public Health Advantage: How Everyone in Public Health Can Craft Better Messages and Be Better Messengers,” 2018

National Meeting, American Immunization Registries Association, Salt Lake City, UT 2018 ♦ “Scientific Legal Data and Why It Matters,” Prematurity Prevention Summit: Building a Birth Equity Movement, March of Dimes, Arlington, VA, 2018 ♦ “Law and Deaths of Disorganization,” 2018 Annual Health Law Conference: Diseases of Despair: The Role of Policy and Law, Northeastern University School of Law, Boston, 2018 ♦ “Not Just for Lawyers: A Transdisciplinary Model of Health Law and Its Implications for Practice and Policy Change,” McDonald-Merrill-Ketcham Award Lecture, Indiana University Robert H. McKinney School of Law, Indianapolis, IN, 2018

Professor Burris was the 2018 Jay Healey Health Law Teachers Award Winner (<http://phlr.org/news/2018/6/scott-burris-receives-jay-healey-health-law-teachers-award>).

Hosea H. Harvey, Associate Professor of Law (and Political Science by Courtesy) reports these publications: Davies S., Coxe K., Harvey H.H., Singichetti B., Guo J.H., and Yang JZ. Qualitative Evaluation of High School Implementation Strategies for Youth Sports Concussion Laws, 53:9 J. ATHL. TRAIN. doi: 10.4085/1062-6050-529-17 (peer reviewed) (in press) (2018) ♦ Kathryn Coxe, Kelsey Hamilton, Hosea H. Harvey, Yuxi Xiang, Marizen R. Ramirez, and

Jingzhen Yang, Consistency and Variation in the Policy Content of Youth Sports TBI Laws, 17 J. ADOLESCENT HEALTH 1054 (2018) (peer reviewed) ♦ Jingzhen Yang, R. Dawn Comstock, Yi Honggang, Hosea H. Harvey, and Pengchen Xun, Trends of New and Recurrent Concussions in High School Athletes Before and After TBI Laws, 2005-2016, AM. J. PUB. HEALTH, DOI: 10.2105/AJPH.2017.304056 (2017) (peer reviewed).

Professor Harvey presented “Policy Surveillance 2.0: Evaluating the Impact of Law on Public-Health through a Longitudinal Outcome-Centered Approach”, presenting at the American Public Health Association Annual Meeting, San Diego, CA (2018) (November) ♦ “Policy Surveillance 2.0 – Lessons Learned”, presented at the 41st Annual Health Law Professors Conference, Cleveland, OH (2018) ♦ “How to Fix Youth Sports Concussion Laws: Neuroscientific Perspectives”, presented at Harvard Law School, Cambridge, MA (2018) ♦ “The Law and Policy of Pennsylvania Firearm Regulation: Critical Perspectives”, presented at The Rosenbach, Philadelphia, PA (2018) ♦ “Concussions and the Law – 2018”, presented at the Pennsylvania Athletic Trainers Annual Meeting, Philadelphia, PA (2018).

UC HASTINGS COLLEGE OF LAW

The UCSF/UC Hastings Consortium on Law, Science and Health Policy proudly welcomed its third cohort into the Masters of Science in Health Policy and Law this fall.

PROGRAM AND FACULTY NEWS

UC HASTINGS COLLEGE OF LAW (continued)

The Consortium's web-based resource The Source on Healthcare Price and Competition (sourceonhealthcare.org) launched its new look in August with lots of upgrades in content (a new pharmaceuticals page) and user experience! While continuing to track legislation and litigation developments in all 50 states related to health care price and competition, we are also in the process of building a searchable, dynamic database of State Laws Impacting Cost and Quality in Healthcare (The SLICQH Database). Look for it in early Summer 2019!

The ABA published the Advance Directives: Counseling Guide for Lawyers, which was developed by a team that included experts from the ABA Commission on Law & Aging, the UCSF/UC Hastings Consortium, the American Academy of Hospice and Palliative Medicine, and The John A. Hartford Foundation. The guide is designed to help close the gap between the legal practice of advance care planning, and the clinical realities of end of life care.

UC Hastings also hosted this year's Baby Market's Roundtable, which was co-chaired by Consortium-affiliated Professor, Radhika Rao. The Baby Markets Roundtable brought together an interdisciplinary group of scholars, policy-makers, civil society advocates, journalists, activists, and others to examine the myriad ways in which families are created, shaped, formed, and regulated. The discussions addressed the role and status of the child, mother, father, surrogate, grandparents, and the state in the creation and deconstruction of the family.

FACULTY NEWS

Jennifer Dunn, Lecturer in Law and UCSF/UC Hastings Consortium on Law, Science & Health Policy, reports this publication: Jennifer Templeton Dunn, Katherine Lesyna-Mlaponi, Anna Zaret, The Role of Human Rights Litigation in Improving Access to Reproductive Health Care and Achieving Reductions in Maternal Mortality, *BMC PREGNANCY AND CHILDBIRTH* (2017).

Professor Dunn presented: Speak Out and Speak Loud: Discrimination in the Legal Field, UC Hastings Women of Color Initiative and Women's Law Journal Symposium, San Francisco, CA, 2018 ♦ Social and Legal Implications Arising from Forced Obstetrical Interventions in the United States, California Preterm Birth Initiative, San Francisco, CA, 2018.

Thomas Greaney, Visiting Professor, University of California Hastings College of Law, Distinguished Senior Fellow, UCSF/UC Hastings Consortium on Law, Science and Health Policy, Professor Emeritus, Saint Louis University School of Law reports these publications: Barry Furrow et al., *Health Law* (8th Edition 2018) ♦ Coping with Concentration, 36 *Health Aff.* 1564 (Sept. 2017) ♦ The New Merger Wave: Does the "Vertical, Good" Maxim Apply? 46 *J. L. Med. & Ethics* 918 (2018).

Professor Greaney testified at the California Department of Insurance hearings on CVS/Aetna Merger, San Francisco (September 2018).

Professor Greaney presented at the Annual Meeting of National Association of Attorneys General, Denver CO, (October 2018) ♦ California House of Delegates, California Medical Association, Sacramento CA (October 2018) ♦ American Medical Association, State Legislative Strategy Conference, Park City UT (July 2018) ♦ ABA/AHLA Conference on Antitrust in Healthcare (May, 2018) ♦ ASLME Health Law Teachers Meeting (June, 2018).

Jaime King, Bion M. Gregory Chair in Business Law and Professor of Law, Associate Dean and UCH Faculty Director for the UCSF/UC Hastings Consortium on Law, Science and Health Policy, reports these publications: FURROW, ET AL., *HEALTH LAW: CASES, MATERIALS AND PROBLEMS*, 8TH ED., West Academic Publishing (2018) ♦ California's Drug Transparency Law: Navigating the Boundaries of State Authority on Drug Pricing, 37 *Health Affairs* 1503 (Sept 2018) (with Katherine Gudiksen, Timothy Brown, and Christopher Whaley) ♦ The Legal Dimensions of Genomic Sequencing in Newborn Screening, 48 *Hastings Center Special Report* S39 (2018) (with Rachel Zackarias and Monica Smith).

Professor King testified before the Subcommittee on Oversight and Investigations of the Committee on the Energy and Commerce of the U.S. House of Representatives, Examining State Efforts to Improve Transparency in Healthcare Costs

for Consumers, July 17, 2018.

Professor King presented "California's Drug Transparency Law: Navigating the Boundaries of State Authority on Drug Pricing" RAND-Health Affairs Public Forum on Health Policy in California, September 17, 2018 ♦ "Controlling Health Care Costs" Plenary Speaker, National Academy for State Health Policy Annual Meeting, Jacksonville, FL August 16, 2018 ♦ "Paying the Price: How Can States Catalyze Real Cost Containment?" States Only Preconference Event, National Academy for State Health Policy Annual Meeting, Jacksonville, FL August 15, 2018 ♦ "Teaching Health Law in a Time of Uncertainty", ASLME Health Law Professors Conference, Case Western Reserve University, June 8, 2018.

Professor King awarded the Best Antitrust and Mergers Paper of 2017, Awarded at The American Antitrust Institute 2018 Annual Meeting for The Anticompetitive Potential of Cross-Market Mergers in Healthcare, 11 *ST. L. J. HEALTH L. & POLY* 44 (2017) (with Erin C. Fuse Brown).

Professor King convening on California Policy Options to Control Healthcare Costs, Berkeley Labor Center, September 11, 2018 ♦ Technical Expertise Panel on Price Transparency, RAND and Office of the Assistant Secretary for Planning and Evaluation for the U.S. Dept. of Health and Human Services, June 18, 2018.

PROGRAM AND FACULTY NEWS

UNC SCHOOL OF LAW

FACULTY NEWS

Joan Krause, Dan K. Moore Distinguished Professor of Law, reports this publication: “Real World Evidence in the Real World: Beyond the FDA” (with Richard S. Saver), 44 AM. J.L. & MED. 161 (2018).

Professor Krause presented “Government Overreach in Context,” Mitchell Hamline School of Law, Health Law Institute, Health Care Fraud Prosecution – Legitimate Execution or Government Overreach? Criminal Enforcement or Criminalization? (Sept. 2018) ♦ “Hot Topics in Health Law & Policy: Real World Evidence in the Real World – Beyond the FDA,” UNC School of Law, Festival of Legal Learning (Feb.

2018) ♦ “Real World Evidence in the Real World: Beyond the FDA,” American Journal of Law & Medicine 2018 Symposium: The 21st Century Cures Act: A Cure for the 21st Century? (Jan. 2018).

Richard Saver, Arch T. Allen Distinguished Professor of Law; Professor (Secondary Appointment), UNC School of Medicine, reports these publications: Real World Evidence in the Real World: Beyond the FDA, 44 AM. J.L. & MED. 161 (2018) (with Joan Krause) ♦ Financial Conflicts in the New Era of Sunshine: What We Know and Still Need to Know, 15 IND. HEALTH L. REV. 67 (2018) ♦ Transparency and Financial

Conflicts: The Uncertain Case for Sunshine , in TRANSPARENCY IN HEALTH AND HEALTH CARE: LEGAL AND ETHICAL RESPONSIBILITIES AND LIMITS (G. Cohen, B. Evans, & H. Fernandez-Lynch, eds.; Cambridge Univ. Press, forthcoming 2018).

Professor Saver presented Real World Evidence in the Real World: Beyond the FDA, 21st Century Cures Act Symposium, BU Law School (with Joan Krause).

Professor Saver was the PI on awarded grant from NCSHCA: Resource for Access to Medical Services.

UNLV HEALTH LAW PROGRAM, UNLV WILLIAM S. BOYD SCHOOL OF LAW & UNLV SCHOOL OF COMMUNITY HEALTH SCIENCES

Upcoming 2019 Events

Our annual health law symposium will be held on February 22 with “Making the Affordable Care Act Affordable: How Can We Contain Healthcare Costs?”. We will round out our 2018-2019 Health Law Speakers Series by hosting 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).

2018 Events

Nevada Population Health Conference 2018, 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 30) ♦ Health Law Lecture: “Consumer Financial Protection in Healthcare,” Erin C. Fuse Brown, JD, MPH Associate Professor of Law, Georgia State University College of Law (October 3) ♦ Health Law Lecture: “Information, Healthcare, and the Internet Age,” George Loewenstein, PhD, the Herbert A. Simon University Professor of Economics and Psychology and Co-Director of the Center for Behavioral Decision Research, Carnegie Mellon University (April 17) ♦ Health Law Symposium: Battling the Opioid Epidemic: Critical Insights from Healthcare and Law. This day-long event brought together leading experts to discuss the science of addiction and model policy reforms in Nevada, other states, and other countries (February 23).

CLE: SUSTAINED: Good Samaritan Immunity and Setting Up NRS 453C (February 22) designed to understand Nevada’s 2015 Good Samaritan Drug Overdose Act.

Health Law Lecture: “Fracking Healthcare,” William M. Sage, MD, JD, James R. Dougherty Chair for Faculty Excellence, University of Texas School of Law (February 1).

FACULTY NEWS

Max Gakh, Assistant Professor, School of Community Health Sciences, Associate Director, UNLV Health Law Program reports these publications: Maxim Gakh, Karen Callahan, Aaliyah Goodie & Lainie Rutkow, How Have States Used Executive Orders to Address Public Health? J. PUB. HEALTH MANAGEMENT & PRAC. (forthcoming 2018), doi: 10.1097/PHH.0000000000000802 ♦ Amit Suneja,

Maxim Gakh & Lainie Rutkow, Burdens and Management of Non-Communicable Diseases After Earthquakes and Tsunamis. 16 HEALTH SEC. 30 (2018).

Professor Gakh presented “How Have States Used Executive Orders to Address Public Health?” (roundtable co-presenter), 2018 American Public Health Association Annual Meeting, San Diego, CA (November 12, 2018) ♦ “How Health Impact Assessments

are Portrayed in the Press: Lessons to Inform Policy from a Media Analysis of Widely Circulated U.S. Newspapers” (co-presenter), 2018 Nevada Public Health Association Annual Conference, Las Vegas, NV (September 26, 2018) ♦ “Roadmap for Health in All Policies: Practical Approaches to Operationalizing HiAP” (co-presenter), 2018 Nevada Public Health Association Annual Conference, Las Vegas, NV (September

UNLV HEALTH LAW PROGRAM, UNLV WILLIAM S. BOYD SCHOOL OF LAW & UNLV SCHOOL OF COMMUNITY HEALTH SCIENCES (continued)

26, 2018) ♦ “Nevada’s Full-Day Kindergarten Health Impact Assessment,” Grantee Meeting of the Health Impact Project (a collaboration of the Robert Wood Johnson Foundation and The Pew Charitable Trusts), Washington, DC (February 27, 2018).

Professor Gakh received the School Excellence in Research Award, UNLV School of Community Health Sciences (April 2018).

Sara Gordon, Associate Dean for Academic Affairs, Associate Professor of Law, reports these publications: About a Revolution: Toward Integrated Treatment in Drug & Mental Health Courts, 97 N.C. L. REV. ____ (forthcoming 2018) ♦ The Use and Abuse of Mutual Support Programs in Drug Courts, 2017 U. ILL. L. REV. 1503.

Professor Gordon presented “The Impact of Nevada Policing Practices on the Administration of Justice” (panelist), Nevada Advisory Committee to the U.S. Commission on Civil Rights, Las Vegas, NV (August 9, 2018) ♦ “Toward Integrated Treatment in Drug Courts” (presenter), Battling the Opioid Epidemic: Critical Insights from Healthcare and Law (2018 Opioids Symposium), William S. Boyd School of Law, University of Nevada, Las Vegas (February 23, 2018).

Leslie C. Griffin, Visiting Scholar, The Institute for the Medical Humanities, University of Texas Medical Branch, Galveston reports this publication: How Would You Like to Be Treated if You Had Dementia?, BILL OF HEALTH, Oct. 9, 2018, at <http://blog.petrieflom.law.harvard.edu/2018/10/09/how-would-you-like-to-be-treated-if-you-had-dementia/>.

Professor Griffin presented “Traumatic Brain Injury: Clinical, Ethical, Legal and Social Issues” (panelist), American Society for Bioethics and the Humanities Conference, Anaheim, CA (October 18, 2018).

Ann C. McGinley, Professor of Law reports these publications: (with Benjamin Edwards), Venture Bearding, ____ U.C. DAVIS L. REV. ____ (forthcoming 2019) ♦ Gender, Law, and Culture in the Legal Workplace: A Chilean Case Study, 60 ARIZ. L. REV. 675 (2018) ♦ Genero, derecho y cultura en los lugares de trabajo jurídicos: Un caso chileno de estudio,

3 LATIN AMER. LEG. STUD. (2018) <http://lals.uai.cl/index.php/rld/article/view/38> (can be downloaded in English or Spanish) ♦ The Masculinity Motivation, STAN. L. REV. ONLINE (June 2018), <https://www.stanfordlawreview.org/online/the-masculinity-motivation/>.

Professor McGinley presented “Schools as Training Grounds for Harassment”, Chicago Legal Forum, University of Chicago, Chicago, IL. (November 2018) ♦ “The Masculinity Motivation”, Colloquium of Scholars in Employment and Labor Law, University of South Carolina Law School, Columbia, S.C. (September 2018) ♦ “Gender and Culture in Legal Workplaces: A Chilean Case Study” (Guest Lecturer), UNLV Boyd Law Course on The Global Workplace, Las Vegas, NV (September 2018) ♦ “Sexual Harassment in the Workplace: Lessons from Hollywood” (Panelist), UNLV College of Fine Arts, Fall 2018 Symposium, Las Vegas, NV (September 2018) ♦ “La Ley del Acoso Sexual en Los Estados Unidos” (Visiting Foreign Professor), Universidad Adolfo Ibañez, Santiago, Chile (August 2018) ♦ “Gender and Culture in Legal Workplaces: A Chilean Case Study” (Panelist), Law & Society Annual Meeting, Toronto, Canada (June 2018) ♦ Feminist CRN, Law & Society Annual Meeting (Moderator and Commentator), Toronto, Canada (June 2018) ♦ “#MeToo, The Masculinity Motivation” (Panelist), Stanford University Law Review, Palo Alto, CA (May 2018).

David Orentlicher, The Cobeaga Law Firm Professor, Co-Director, UNLV Health Law Program reports these publications: Mark Hall, David Orentlicher, Mary Anne Bobinski, Nicholas Bagley and I. Glenn Cohen, HEALTH CARE LAW AND ETHICS (9th ed., Wolters Kluwer 2018) ♦ Mary Anne Bobinski, David Orentlicher and Mark Hall, BIOETHICS AND PUBLIC HEALTH LAW (4th ed., Wolters Kluwer 2018) ♦ Supreme Court Reform: Desirable—and Constitutionally Required, 92 S. CAL. L. REV. POSTSCRIPT (forthcoming 2018) ♦ The Physician’s Duty to Treat During Pandemics, 108 AM. J. PUB. HEALTH 1459 (2018) ♦ Healthcare, Health, and Income, 46 J. L. MED. & ETHICS 567 (2018) ♦ Law, Religion, and Health Care, 8 UC IRVINE L. REV. 617 (2018) ♦ Health Care Reform: What Has

Been Accomplished? What Comes Next?, 44 OHIO N. U. L. REV. 397 (2018) ♦ David Orentlicher, Politics and the Supreme Court: The Need for Ideological Balance, 79 U. PITT. L. REV. 411 (2018).

Professor Orentlicher presented “Supreme Court Reform: Desirable—and Constitutionally Required,” AALS Annual Meeting, New Orleans, LA (January 3, 2019) ♦ “The Changing Legal Climate for Physician Aid in Dying,” American College of Physicians Nevada Chapter Annual Meeting, Las Vegas, NV (October 20, 2018) ♦ “Economic Inequality and College Admissions Policies,” Poverty States: Federalism, Rights, and State Anti-Poverty Efforts Conference, American University Washington College of Law, Washington, DC (March 24, 2018) ♦ “Economic Segregation and College Admission Policies,” Thirteenth Amendment and Economic Justice Symposium, UNLV William S. Boyd School of Law, Las Vegas, NV (March 3, 2018) ♦

“Physician-Assisted Death in the U.S.: Where Is It Legal, What Is Legal, and What May Be on the Horizon?,” Physician-Assisted Death: Scanning the Landscape and Potential Approaches -- A Workshop, National Academies of Science, Engineering, and Medicine, Washington, DC (February 12, 2018).

Stacey A. Tovino, Judge Jack and Lulu Lehman Professor of Law, Founding Director, UNLV Health Law Program, reports these publications: Going Rogue: Mobile Research Applications and the Right to Privacy (forthcoming) ♦ Big Health Data: Velocity, Volume, and Variety (forthcoming) ♦ A Right to Care, 70 ALA. L. REV. ____ (forthcoming) ♦ A Timely Right to Privacy, 103 IOWA L. REV. ____ (forthcoming) ♦ Fraud, Abuse, and Opioids, U. KAN. L. REV. ____ (forthcoming) (invited symposium) ♦ State Benchmark Plans and Opioid Addiction Treatment, S.C. L. REV. ____ (forthcoming) (invited symposium). ♦ A Florida Focus: Responding to Mobile Application-Mediated Research, NOVA L. REV. ____ (forthcoming) (invited symposium) ♦ Rewriting Lisa M. v. Henry Mayo Newhall Memorial Hospital, in FEMINIST JUDGMENTS: REWRITTEN TORT OPINIONS ____ (Martha Chamallas &

PROGRAM AND FACULTY NEWS

UNLV HEALTH LAW PROGRAM, UNLV WILLIAM S. BOYD SCHOOL OF LAW & UNLV SCHOOL OF COMMUNITY HEALTH SCIENCES (continued)

Lucinda Findley eds., 2019) (invited chapter) ♦ Problem Gambling and the Business Lawyer, in *WHAT EVERY BUSINESS LAWYER NEEDS TO KNOW ABOUT GAMING LAW* — (Keith Miller ed., 2019) (invited chapter) ♦ Megan Collins, Steven Rum, Jane Wheeler, Karen Antman, Henry Brem, Joseph Carrese, Michelle Glennon, Jeffrey Kahn, E. Magnus Ohman, Reshma Jagsi, Sara Konrath, Stacey Tovino, Scott Wright & Jeremy Sugarman, *Ethical Issues and Recommendations in Grateful Patient Fundraising and Philanthropy*, 93 *ACADEMIC MED.* — (forthcoming 2018) ♦ Remarks on Patient Privacy: Problems, Perspectives, and Opportunities, 27 *ANNALS HEALTH L.* 243 (2018).

Professor Tovino presented “Fraud, Abuse, and Opioids,” XXXVIth International Congress on Law and Mental Health, sponsored by the International Academy of Law and Mental Health, Rome, Italy (July 23, 2019) ♦ “Poverty, Essential Health Benefits, and Incremental Health Care Reform,” Creighton Law Review Symposium, Creighton University School of Law, Omaha, Nebraska (March 7, 2019) ♦ “State Benchmark Plans and Opioid Addiction Treatment,” South Carolina Law Review Symposium (The Opioid Crisis and the Practice of Law), University of South Carolina School of Law, Columbia, South Carolina (February 8, 2019) ♦ “HIPAA Privacy Law,” Center for Health Law Studies, Saint

Louis University School of Law, St. Louis, Missouri (February 2-3, 2019) ♦ “Health Care Compliance,” Cambridge Handbook of Compliance Conference, University of Florida Levin College of Law, Gainesville, Florida (January 18, 2019) ♦ “Mental Health Law,” Health Law & Policy Institute, University of Houston Law Center, Houston, Texas (January 7-11, 2019) ♦ “Health Law and Tort Law: Intersections and Opportunities,” Section on Torts and Compensation Systems Panels, Association of American Law Schools Annual Conference, New Orleans, Louisiana (January 5, 2019) ♦ (with Dr. Wei Li), “Artificial Intelligence and Surgical Care,” Artificial Intelligence and Robotics in Medicine Roundtable, sponsored by the Information Society Project and the Solomon Center for Health Law and Policy, Yale Law School, New Haven, Connecticut (November 2, 2018) ♦ “Mobile Application-Mediated Research: Privacy and Security Regulatory Challenges and Opportunities,” Data Min(d)ing: Privacy and Our Digital Identifies Conference, sponsored by the Federal Department of Health and Human Services, Washington, D.C. (October 21, 2018) ♦

“State Innovation in Data Privacy, Security, and Breach Notification,” Nova Law Review Symposium (Innovation 2018: Using Law to Facilitate an Efficacious Innovation Economy), Nova Southeastern University Shepard Broad College of Law, Davie, Florida (October 5,

2018) ♦ “Fraud, Abuse, and Opioids,” 2018 Kansas Law Review Symposium (Addicted: Legal Perspectives on the Opioid Epidemic), University of Kansas School of Law, Lawrence, Kansas (September 21, 2018) ♦ “Gaming Law Basics for Business Lawyers,” Annual Meeting of the American Bar Association’s Business Law Section, Austin, Texas (September 15, 2018) ♦ “The Law and Ethics of Skilled Care Coverage Decision Making,” Discussion Group on Health Law and Bioethics, Southeastern Association of Law Schools Annual Meeting, Fort Lauderdale, Florida (August 10, 2018) ♦ “Scholarship Fundamentals: Becoming a Productive and Fulfilled Scholar,” Southeastern Association of Law Schools Annual Meeting, Fort Lauderdale, Florida (August 7, 2018) ♦ “Teaching Health Law,” Southeastern Association of Law Schools Annual Meeting, Fort Lauderdale, Florida (August 5, 2018) ♦ “The HIPAA Privacy Rule and Research with Mobile Devices,” Addressing ELSI Issues in Unregulated Health Research Using Mobile Devices, US NIH No. 1R01CA207538, Chicago, Illinois (April 24, 2018) ♦ “The HIPAA Privacy Rule: Perspectives on Compliance and Enforcement,” Mercer Law School, Macon, Georgia (April 10, 2018) ♦ “HIPAA Privacy Law,” Center for Health Law Studies, Saint Louis University School of Law, St. Louis, Missouri (January 4-7, 2018).

UNIVERSITY AT BUFFALO, STATE UNIVERSITY OF NEW YORK

FACULTY NEWS

Danielle Pelfrey Duryea, Assistant Dean for Interprofessional Education & Health Law Initiatives (2017); Director, Health Justice Law & Policy Clinic; Associate Director, UB Center for Successful Aging (2017) reports that under her leadership, the University at

Buffalo School of Law is reestablishing its J.D. health law concentration and developing a health law program that will include innovative partnerships with UB’s Jacobs School of Medicine & Biomedical Sciences. LegalCare at Roswell Park, the UB Health Justice Clinic’s

medical-legal partnership with our top-50 comprehensive cancer center, is entering its fourth year of operation with certified student-attorneys onsite at the hospital five days a week during the academic year.

UNIVERSITY OF ARIZONA JAMES E ROGERS COLLEGE OF LAW

University of Arizona Law launches new graduate certificates in Health Law. The online certificate programs allow working professionals to gain specialized legal knowledge and training to help navigate complex legal issues in the health care industry. Each program is accepting applications for courses that will begin in January 2019. Coursework for either certificate can be completed in less than one year, and all credits may be applied to a Master of Legal Studies degree.

PROGRAM AND FACULTY NEWS

UNIVERSITY OF ARIZONA JAMES E ROGERS COLLEGE OF LAW (continued)

Graduate Certificate in Regulatory Science

Offered in collaboration with the University of Arizona College of Pharmacy and the nonprofit Critical Path Institute (C-Path), the online Graduate Certificate in Regulatory Science provides students with the knowledge and tools to bridge the path from early discovery and development to bringing medical products to market. Courses feature an in-depth focus on policies, ethics, and regulations covering pre-clinical trials and post-marketing responsibilities.

Graduate Certificate in Health Law for Health Professionals

This program provides a 360-degree view on the practice and delivery of how health care is regulated. Our goal is to help current and future health professionals understand the laws and regulations in their work setting in order to know how to innovate and improve outcomes to better meet patient needs. As part of the program, students will study federal laws and regulations, along with scope of practice licensing requirements, that govern health professionals. In collaboration with industry experts, we also address emerging trends in health care from an ethical and legal perspective, such as advances in health IT with decision support methods, information exchanges and the growing use of telemedicine. More information: Visit: <https://law.arizona.edu/health-law-certificates>. Contact the program at: law-health@email.arizona.edu. Application deadline: Dec. 15, 2018.

FACULTY NEWS

Tara Sklar, Professor of Health Law and Director, Graduate Health Sciences Programs, reports these publications: Characteristics of Lawyers Who are Subject to Complaints and Misconduct Findings, 15 J. Empirical Legal Stud. (forthcoming 2018) (co-author, with Yamna Taouk et al.) ♦

Preparing to Age in Place: The Role of Medicaid Waivers in Elder Abuse Prevention — Ann. Health L. — (forthcoming 2019) (co-author, with Rachel Zuraw).

Professor Sklar presented Preparing to Age in Place: The Role of Medicaid Waivers in Elder Abuse Prevention. Beazley Symposium on Health Law and Policy, Loyola University

Chicago School of Law, November 16, 2018 ♦ Vulnerability to Legal Misconduct: Qualitative Study of Problem Lawyers and Their Clients in Australia. ASLME Health Law Professors Conference, Case Western University, June 8, 2018.

UNIVERSITY OF CONNECTICUT SCHOOL OF LAW

FACULTY NEWS

John Aloysius Cogan Jr., Associate Professor of Law and Roger S. Baldwin Scholar, reports this publication: Does Small Group Health Insurance Deliver Group Benefits? An Argument in Favor of Allowing the Small Group Market to Die, 93 Wash. L. Rev. 1122 (2018).

UNIVERSITY OF GEORGIA SCHOOL OF LAW

FACULTY NEWS

Elizabeth Weeks, Associate Dean for Faculty Development (recent appointment, effective July 2018) & J. Alton Hosch Professor of Law, reports these publications: HEALTHISM: HEALTH-STATUS DISCRIMINATION AND THE LAW (Cambridge University Press, 2018) (with Jessica L. Roberts) ♦ THE LAW OF AMERICAN HEALTH CARE (Aspen/Wolters Kluwer Law & Business, 2016; 2d ed. 2018) (with Nicole Huberfeld & Kevin Outterson) ♦ What Is (and Isn't) Healthism, 50 GA. L. REV. 833 – 907 (2016) (with Jessica L. Roberts) ♦ Medicalization of Rural Poverty: Challenges for Access, 46 J. L. MED. & ETHICS 651 – 657 (2018).

Professor Weeks presented Financial Impact of Opioids on Local Governments,

Interdisciplinary Opioid Epidemic Symposium, University of Georgia, Athens, GA, Oct. 20, 2018 ♦ Financial Impact of Opioids on Local Governments, Kansas Law Review, Symposium on Addicted: Legal Perspectives on the Opioid Epidemic, Lawrence, KS, September 21, 2018 ♦ Rural Health Care Sustainability, Panel on Medicaid, Rural Health, Health Law Professors Conference, American Society of Law, Medicine & Ethics, Case Western Reserve University School of Law, Cleveland, OH, June 8, 2018 ♦ Medicalization of Rural Poverty, Carl Vinson Institute of Government, University of Georgia, May 1, 2018.

Professor Weeks is the Women's Leadership Fellow, University of Georgia, 2018 – 2019 ♦ Public Service and Outreach Fellow,

University of Georgia, 2017 – 2018.

Professor Weeks reports these professional activities Authors' Workshop, Feminist Judgments: Rewritten Health Law Opinions, Indiana University Robert H. McKinney School of Law, Indianapolis, IN, Dec. 4, 2018 ♦ Conference Convener and Senior Commenter, Southeastern Junior-Senior Faculty Workshop, University of Georgia School of Law, Athens, GA, Oct. 26 – 27, 2018 ♦ Workshop Convenor and Presenter, One Child Town: The Health Care Argument for Saving Rural America, University of Georgia-Emory Summer Faculty Workshop, University of Georgia School of Law, Athens, GA, Aug. 2, 2018 ♦ Co-editor and Contributing Editor, JOTWELL, Health Law Section.

PROGRAM AND FACULTY NEWS

UNIVERSITY OF ILLINOIS COLLEGE OF LAW

FACULTY NEWS

Robin Fretwell Wilson, Roger and Stephany Joslin Professor of Law, co-edited a special issue of the *Journal of Law, Ethics and Medicine* called “The Medicalization of Poverty” (Fall 2018). It includes articles on a wide range of legal and medical issues and features Professor Wilson’s article “Moving Beyond Marriage: Healthcare and the Social Safety Net for Families.” The other contributors can be found here. They include David Orentlicher (University of Nevada Law Vegas) “Healthcare, Health and Income,” Honorable Tommy Thompson (former Secretary of Health and Human Services) “Reflections on Bipartisan Solutions to Addressing Poverty,” Marissa Levine (University of South Florida College of Public Health and former Virginia State Health Commissioner) “Intentionally Designing Communities for Health and Well-Being: A Vision for Today.”

The articles in the issue began as

presentations for a Medicalization of Poverty conference at the University of Illinois organized by Professor Wilson and co-hosted by the Epstein Health Law and Policy Program at the University of Illinois, the Carle health system, the University of Virginia Department of Public Health Sciences, the University of Virginia School of Medicine Center for Biomedical Ethics and Humanities, the Carl R. Woese Institute for Genomic Biology at the University of Illinois at Urbana-Champaign, the College of Business at the University of Illinois at Urbana – Champaign, the Carle Illinois College of Medicine, and MedAxiom.

Professor Wilson has also recently published a book (enter code RWILSON2018 for 20% discount), *The Contested Place of Religion in Family Law* which includes a number of chapters on related to health law issues, such as contraception, circumcision, end of life decision-making, and vaccinations.

Professor Wilson’s chapter in the book, “By Faith Alone: When Religious Beliefs and Child Welfare Collide,” is co-authored with Professor Shaakirah Sanders. New York Times best-selling author Dr. Paul Offit writes about vaccination, Professors Elizabeth Sepper and Michael Helfand write about Hobby Lobby, Professors Michele Goodwin and Mark Rienzi write about contraception, Professors Richard Kaplan and Naomi Cahn with Amy Zietlow write about end of life matters.

Professor Wilson has a forthcoming piece *Being Transgender in the Era of Trump: Compassion Should Pick Up Where Science Leaves Off*, 8 U.C. IRVINE LAW REVIEW 583 (forthcoming 2018). This piece explores the public health implications of failing to protect transgender persons from discrimination.

UNIVERSITY OF MARYLAND SCHOOL OF LAW

Law & Health Care Program
Year in Review
January 2018-December 2018

7th Annual Health Law Regulatory and Compliance Competition, February 17, 2018

The Law & Health Care Program held the 7th Annual Health Law Regulatory and Compliance Competition on Saturday, February 17, 2018 at the law school. This year, eleven teams participated including: American University Washington College of Law ♦ Drexel University School of Law ♦ DePaul University College of Law ♦ Georgia State University College of Law ♦ The George Washington University Law School (2 teams) ♦ Hamline University School of Law ♦ Loyola University Chicago School of Law ♦ Saint Louis University School of Law ♦ University of Maryland Carey School of Law – 2 teams

Microbiota Transplantation Working Group Meeting #4 February 23, 2018

Professor Diane Hoffmann and co-investigators from the University of Maryland Schools of Law, Pharmacy and Medicine hosted the final meeting of the Microbiota Transplantation Working Group on February 23, 2018. The meeting was the fourth in a series of meetings supported by Professor Hoffmann’s NIH-funded project, *Microbiota-Transplantation: Recommendations for a Regulatory Framework*.

The Stuart Rome Lecture March 8, 2018

On March 8, 2018, the Law & Health Care Program held the and the Center on Drugs and Public Policy at the University of Maryland School of Pharmacy co-hosted the 2018 Rome Lecture & Panel, “Drug Pricing and Prospects.” The Stuart Rome Lecture was established in 1984 to honor the memory of Stuart Rome, a prominent health law attorney in the Baltimore Area. This year’s lecture was delivered by Aaron Kesselheim, MD, JD, MPH, Director of the Program on Regulation, Therapeutics and Law in the Division of Pharmacoepidemiology & Pharmacoeconomics, Department of Medicine, Brigham and Women’s Hospital and Associate Professor of Medicine at Harvard Medical School. Dr. Kesselheim’s lecture was followed by a panel of experts on pharmaceutical drug pricing including: Frank Palumbo, JD, PhD, Professor, Pharmaceutical Health Services Research and Executive Director of the Center on Drugs and Public Policy at the University of Maryland School of Pharmacy, Joshua Auerbach, Esq., Special Assistant & Senior Litigation Counsel, Maryland Office of the Attorney General, William V. Padula, PhD, MS, MSc, Assistant Professor, Department of Health Policy & Management, Johns Hopkins Bloomberg School of Public Health, Ameet Sarpatwari, JD (‘13), PhD, Instructor in Medicine at Harvard Medical School and Assistant Director, Program

PROGRAM AND FACULTY NEWS

on Regulation, Therapeutics and Law in the Division of Pharmacoepidemiology & Pharmacoeconomics, Department of Medicine, Brigham and Women's Hospital.

Journal of Health Care Law & Policy Celebrates 20th Anniversary March 8, 2018

The Journal of Health Care Law & Policy celebrated its 20th Anniversary with a dinner attended by faculty, current student editors and alumni. The night was highlighted by recollections from faculty on the Journal's history and accomplishments and from alumni on their experiences working on the student-led publication.

Law & Health Care Program - Johns Hopkins Berman Institute of Bioethics Faculty Retreat

On April 11, 2018, faculty from the Law & Health Care Program participated in a collaborative retreat with faculty from the Johns Hopkins Berman Institute of Bioethics. Although L&HCP faculty members Prof. Karen Rothenberg and Prof. Leslie Henry have held affiliate faculty appointments at the Berman Institute for many years, the retreat marked the first time that faculties from both programs had the opportunity to discuss current research interests. The day's schedule included brief presentations from faculty on their research in the areas of new and emerging technologies, infectious diseases, and opioids and pain. The presentations focused on the relationship of the different topic areas to issues of justice and the identification of research questions that would benefit from interdisciplinary collaboration.

Trump & the ACA: A Panel Discussion on the Multi-City Litigation

On October 25, 2018, the Law & Health Care Program held a panel discussion on the multi-city lawsuit brought against the Trump Administration for failure to implement the Affordable Care Act. Panelists included Andre M. Davis '78, Baltimore City Solicitor (a party to the law suit); Vincent DeMarco, President, Maryland Citizens' Health Initiative; and Mark Graber, University System of Maryland Regents Professor, Maryland Carey Law. Prof. Diane Hoffmann moderated the panel.

In the Aftermath of Hurricane Maria: A Year in the Life of Puerto Rico (Co-Sponsored by the Law & Health Care Program) October 26, 2018

Along with the law school's Latinx Law Students Association, the Law & Health Care Program -sponsored a symposium focused on the massive impact Hurricane Maria has had on Puerto Rico. Faculty from the Maryland Carey School of Law, University of Puerto Rico School of Law and the Inter-American University of Puerto Rico School of Law were joined by professional experts to discuss the health, environmental, and constitutional implications of the natural disaster.

Fifth Annual Interprofessional Forum on Ethics and Religion in Health Care:

Exploring Mental Health from a Trauma-Informed Care Lens, Thursday, Nov. 8 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, presented its Fifth Annual Interprofessional Forum on Ethics and Religion in Health Care: Exploring Mental Health from a Trauma-Informed Care Lens.

Sept. 26 - 27, 2019 How Law informs bioethics and how bioethics informs law (co-sponsored with the Berman Institute). More information will be forthcoming.

FACULTY NEWS

Diane Hoffmann, Jacob A. France Professor of Health Law and Director, Law & Health Care Program, reports these publications: Diane Hoffmann et al., Improving Regulation of Microbiota Transplants, 358 SCIENCE 1390 (2017) ♦ Diane Hoffmann et al., Will the FDA's Approval of Epidiolex Lead to Rescheduling Marijuana?, HEALTH AFF. BLOG (July 12, 2018), <https://www.healthaffairs.org/doi/10.1377/hblog20180709.904289/full/>.

Professor Hoffmann presented "Using the law to improve the treatment of chronic pain," California Pain Summit, California Endowment, Los Angeles, CA (Nov. 2, 2018) ♦ "Physicians and the Supreme Court," Annual Health Law Professors Conference, Case Western Reserve Law School,

Cleveland, OH (June 8, 2018) ♦ Regulating Microbiota Transplants: Justice Issues, The Berman Institute Retreat, Johns Hopkins University, Baltimore, MD (April 11, 2018) ♦ Regulatory Considerations for Microbiota Transplants, Crohn's & Colitis Foundation Congress, Las Vegas, NV (Jan.18, 2018).

Professor Hoffmann received a \$50,000 grant from Dr. Leslie Glickman to develop a new legal theory and practice course in collaboration with the University of Malawi College of Law that will focus on public health, environmental and human rights. The course will combine both a classroom component where the University of Maryland School of Law and University of Malawi faculty will co-teach via skype and students at both schools will work on a law project in

Malawi that uses the law to improve public health, the environment and human rights.

Professor Hoffmann was invited to become a member of the Executive Committee of the University of Maryland Center to Advance Chronic Pain Research.

PROGRAM AND FACULTY NEWS

UNIVERSITY OF PITTSBURGH LAW SCHOOL

FACULTY NEWS

Greer Donley, Assistant Professor of Law, reports these publications: Greer Donley, The Dysfunctional Medicare Appeals Process: Failed Regulatory Solutions and the Promise of Federal Litigation, 28 HEALTH

MATRIX 269 (2018) ♦ Greer Donley, Regulation of Encapsulated Placenta, 86 TENN. L. R. (forthcoming 2019) ♦ Greer Donley, 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).

UNIVERSITY OF TOLEDO COLLEGE OF LAW

FACULTY NEWS

Elizabeth McCuskey, Professor of Law, reports these publications: The Body Politic: Federalism as Feminism in Health Reform, 11 St. Louis U. J. Health L. & Pol'y 303 (2018) ♦ On Drugs: Presumption, Preemption, & Remedy, 38 J. Legal Med. ___ (forthcoming 2018) ♦ Big Waiver under Statutory Sabotage, 44 Oh. N. L. Rev. ___ (forthcoming 2018).

Professor McCuskey presented: "ERISA and the Federalism Trap for State Health Reform," National Council of Insurance

Legislators, Annual Conference, Dec. 6, 2018 ♦ "On Drugs: Renovating Preemption," FDA: Past, Present, and Future, Food & Drug Law Institute and American University College of Law, October 19, 2018 ♦ "A Unified Theory of Health Law Waiver," 41st Annual Health Law Professors Conference, American Society for Law, Medicine, & Ethics, June 6, 2018 ♦ "Repeal or Repair from Within: Activating the ACA's Big Waiver," Symposium, Ohio Northern University Law Review, March 16, 2018. ♦ "Health Reform Feminism," Open

Source: Mainstreaming Feminism, American Association of Law Schools Annual Meeting, January 4, 2018.

Professor McCuskey received the President's Award for Outstanding Contribution in Scholarship and the Eastman & Smith Faculty Achievement Award.

Professor McCuskey received a joint appointment to University of Toledo School of Population Health.

UNIVERSITY OF TENNESSEE COLLEGE OF LAW

FACULTY NEWS

Zack Buck, Associate Professor (tenured and promoted, Aug. 1, 2018), reports this publication: Isaac D. Buck, A Farewell to Falsity?: Shifting Standards in Medicare Fraud Enforcement, 49 Seton Hall L. Rev. ___ (forthcoming, 2018).

Professor Buck presented as a Guest Lecture, Health Law Workshop: The Cost of Universality, Harvard Law School, Boston, MA, Sept. 24, 2018 ♦ States of Emergency,

Loyola University Chicago School of Law, Wiet Life Sciences Scholars, Chicago, IL, Sept. 7, 2018 ♦ Discussion Group: Health Law and Bioethics, 2018 Southeastern Association of Law Schools Conference (SEALS), Fort Lauderdale, FL, Aug. 10, 2018 ♦ Workshop on Health Law: Healthcare in the Era of the Trump Administration, 2018 Southeastern Association of Law Schools Conference (SEALS), Fort Lauderdale, FL, Aug. 9, 2018 ♦ States of Emergency, 2018 ASLME Health

Law Professors Conference, Case Western Reserve University School of Law, Cleveland, OH, Jun. 8, 2018 ♦ States of Emergency: Illegal Pharmaceutical Pricing, University of Kentucky College of Law, Lexington, KY, Feb. 27, 2018 ♦ Healing Appalachia: The Role of Professionals in Solving the Opioid Epidemic, Tennessee Journal of Law and Policy Symposium, University of Tennessee College of Law, Knoxville, TN, Feb. 22, 2018.

CENTER FOR LAW & BIOMEDICAL SCIENCES (LABS) UNIVERSITY OF UTAH S. J. QUINNEY COLLEGE OF LAW

The Center for Law & Biomedical Sciences (LABS) at Utah is continuing to have exciting years of growth. Now in our third year as an official center, we have five faculty pursuing a wide variety of research, innovative teaching, and service in the areas of bioethics, health law, health and human rights, disability, privacy, personalized medicine, and intellectual property law. A highlight of our program is our twelve fully funded law student fellows. Our students prepare preliminary patent applications for student inventors at the University, publish their own research engage in research with faculty, and participate in educational activities with medical students. Several of our students have competed successfully for national funding and internship opportunities. Katie Cox has a grant from the Social Security Administration to study the mismatch between accommodation needs for people receiving SSDI but seeking to return to work and legal protections for accommodations. Carlos Quijada received internships from the CDC and HHS in Atlanta and Maura Murphy received an internship from the NCAA in Indianapolis. We have recently sponsored conferences and colloquia on topics ranging from Targeted Regulation of Abortion Providers (TRAP) laws, to precision medicine, to regulatory failures and the problems of opioid addiction. This upcoming year, we will be continuing to pursue our goals of bringing law faculty and law students together with others in the University and the larger national community to develop innovative ways of improving the law as it relates to health policy, medicine, life sciences, biotechnology and bioethics.

PROGRAM AND FACULTY NEWS

CENTER FOR LAW & BIOMEDICAL SCIENCES (LABS) UNIVERSITY OF UTAH S. J. QUINNEY COLLEGE OF LAW (continued)

Center programs this year include our co-sponsorship of the Utah Law Review annual symposium (Nov. 30, 2018), on “The Opioid Crisis: Paths Forward to Mitigate Regulatory Failure.” The symposium critically examines the failure of the pharmaceutical market, the subsequent inadequate regulatory response, and possible solutions as the nation moves forward in addressing the crisis. Scholars from around the country discuss the impact of regulation from the national and state level, the impact of addiction on communities, and how public health research

FACULTY NEWS

Teneille Brown, Professor of Law, reports these publications: “Regulating Pseudo-Clinics” is forthcoming in 2019 in the Yale Journal of Law and Feminism ♦ “Needles, Haystacks, and Next-Generation Genetic Sequencing appeared at 28 Health Matrix 217 (2018)

Professor Brown presented on this research to Utah Pathologists and Geneticists at their annual update in Park City in August, and at the World Congress on Psychiatric Genetics in Glasgow, Scotland, in October.

Jorge Contreras, Professor of Law, reports these publications: The Anticommons at 20: Concerns for Research Continue, 361 Science 335-337 (2018) ♦ Is CRISPR Different? Considering Exclusivity for Research Tools, Therapeutics and Everything In Between, — Am J. Bioethics— (2018, forthcoming) (Open Peer Commentary) ♦ The Genomic Commons. 19 Annual Rev. Genomics & Human Genetics 429-453 (2018) (with Bartha M. Knoppers) ♦ Patient data ownership. 319(9) J. Am. Med. Assn. 935 (Mar. 6, 2018) (letter to editor) (with John Rumbold, Barbara Pierscionek) ♦ Intellectual Property, Surrogate Licensing, and Precision Medicine, 7(2) IP Theory 1-19 (2018) (with Jacob S. Sherkow) ♦ Rambus Redux? Standards, Patents and Non-Disclosure in the Pharmaceutical Sector (Momenta v. Amphastar), Patently-O blog, Jun. 29, 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).

Professor Contreras present at Fordham University (New York, NY, Oct. 2018): Faculty workshop, The False Promise of Data Ownership (Oct. 2018) ♦ Tilburg University (Tilburg, Netherlands): Tilburg Institute for Law, Technology, and Society (TILT) Faculty

Presentation, “Property Rules, Liability Rules, and Genetic Information” (May 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) ♦ Global Congress on Intellectual Property and the Public Interest, American University (Washington, DC, Sept. 2018), “Patent Pledges as Flexible Mechanisms for Social Change” (talk), “Fueling the Affordable Smartphone Revolution in India” (panelist), “Exploring the Patentability of Cell- and Gene-based Therapies” (panelist) ♦ Assn. of Law, Property & Society (ALPS), 9th Annual Meeting, Maastricht University (Maastricht, Netherlands, May 2018), “A Liability Rule Framework for Health Information” (presented paper) ♦ Nottingham Trent University (Nottingham, England, May 2018): Faculty workshop, “A Liability Rule Framework for Health Information” (presented paper).

Leslie Francis, Alfred C Emery Endowed Professor of Law, reports these recent publications: Francis, LP, Anita Silvers, and Brittany Badesch. 2018. 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) ♦

Silvers, Anita, and Leslie P. Francis. 2018. Disability, Identity Justice, and the Politics of Discrimination, Ch. 12 in Andrew I. Cohen, ed. Philosophy and Public Policy (London, UK., Rowman & Littlefield International) ♦ Francis, LP. 2018. Law “Reviews”? The Changing Roles of Law Schools and the Publications They Sponsor. Marquette Law Review 101:1019-1044 ♦ Francis, LP. 2018. Disability and Automation: The Promise of Cars that Automate Driving Functions. Journal of Health Care Law and Policy 20: 229-252 ♦ Silvers, Anita, & LP Francis. 2017.

An Americans with Disabilities Act for Everyone, and for the Ages as Well. Cardozo Law Review 39: 669-697.

Professor Francis presented on accommodation, modification, and justice in access to health care at the Tennessee conference on ethics and values (keynote address) and at the Petrie Flom Center annual conference.

Erika George, Samuel D. Thurman Professor of Law, reports these recent publications: Incorporating Rights: Corporate Social Responsibility, Conscious Communities and Transnational Order (forthcoming under contract Oxford University Press) ♦ 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 Judgements: 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) (with Lisa Laplante) ♦ Recognizing Women’s Rights at Work: Health and Women Workers in Global Supply Chains 35 Berkeley Journal of International Law 1 (2017) (with David Wofford, Candace Gibson & Rebecca Sewall).

PROGRAM AND FACULTY NEWS

CENTER FOR LAW & BIOMEDICAL SCIENCES (LABS) UNIVERSITY OF UTAH S. J. QUINNEY COLLEGE OF LAW (continued)

Professor George presented:
Incorporating Rights, American Bar Foundation, Chicago (October 2018) ♦ Human Rights Corporate Responsibilities and the Global Food System Transformation through Transparency, Food Law Academy, Harvard Law School (October 2018) ♦ Recognizing Women's Rights at Work: Health and Women Workers in Global Supply Chains, Kharkiv International Legal Forum on Ukraine Business and Human Rights, Yaroslav Mudryi National Law University, National Academy of Legal Sciences of Ukraine (September 2018) ♦ Bringing Human Rights into Bilateral Investment Treaties: A Third World Approach to International Investment Disputes, Third World Approaches to International Law Conference, National University Singapore (July 2018) ♦ Promoting Environmental Justice Through Partnerships for the Sustainable Development Goals, University of Wisconsin Law School (April 2018) ♦ Corporate Social Responsibility and Social Media Corporations, Boston College Law School (February 2018) ♦ Protecting Human Rights through Rankings and Reporting: Corporate Social Responsibility and Social Media Corporations, Duke

University (February 2018) ♦ Access to Remedy: Treaty Talks and the Terms of a New Accountability Accord, United Nations Forum on Business and Human Rights, UN High Commissioner for Human Rights, Geneva (November 2017) ♦ Enforcing Corporate Social Responsibility by Reporting and Ranking, HEC Law Paris (November 2017) ♦ Hate Speech vs. Freedom of Speech: How Social Justice Advocates can Promote Diversity for All People in a Period of Intolerance, Achievement Week Keynote Address, Omega Psi Phi Fraternity (November 2017) ♦ Combatting Corruption: Transparency, Certification and Codes of Conduct to Change the Fate of Myanmar's Forests, Ingram Colloquium Improving Environmental Governance in Developing Countries, UNSW Sydney (November 2017) ♦ Incorporating Rights: Coding CSR Commitments, Global Business and Human Rights Scholars Association Conference, Santa Clara University (September 2017) ♦ Incorporating Rights: Ranking Corporate Respect for Human Rights, Lutie Writing Workshop, University of Michigan (July 2017) ♦ Transformation through Transparency: Human Rights in Global Food

Supply Chains, Law & Society Association (June 2017) ♦ International Trade and Human Rights Impacts, University of Cape Town (May 2017) ♦ The Voluntary Principles on Security: Multi-stakeholder Initiatives and Respect for Human Rights in the Extractives Sector, Occidental College (April 2017) ♦ Transformation through Transparency: Human Rights Corporate Responsibilities and Certifications in the Global Food System, University of Texas, Austin (April 2017) ♦ Food Security and Sustainability: Farmworker Rights Protection Strategies and Market Mechanisms, University of California, Irvine (March 2017) ♦ Business and Human Rights Recent Developments, University of Connecticut (March 2017).

Amelia Rinehart, Professor of Law, continues to serve as associate dean for faculty research and development and has taken on in addition the responsibilities of co-chair of our law school's dean search committee. Her *E. Bement & Sons v. National Harrow Company: The First Skirmish Between Patent Law and the Sherman Act*, 68 Syracuse L. Rev. 81 (2018), appeared in the Syracuse symposium on "Forgotten IP Cases."

UNIVERSITY OF WASHINGTON SCHOOL OF LAW

Host: Washington State Society of Health Care Attorneys, April, 2018 ♦ Upcoming Conference: Physician Agency in End of Life Decision-making; September 2019 ♦ Inaugurated Legal Issues with Emerging Healthcare Technologies course, Fall 2018, co-taught by School of Law and School of Medicine faculty.

FACULTY NEWS

Steve Calandrillo, Jeffrey & Susan Brotman Professor of Law reports these publications: *The Cure for America's Opioid Crisis?* End the War on Drugs, forthcoming in 43 HARVARD J. L. & PUB. POLY (2019), with Christine Minhee ♦ "High" Standards: How the Tide of Marijuana Legalization Sweeping the Country Ignores the Hidden Risks of Edibles, forthcoming in 81 OHIO ST. L.J. (2019), with Katelyn Fulton.

Patricia C. Kuszler, Charles I. Stone Professor of Law, presented *Legal and Ethical Issues in the 21st Century*, Hanain Univeristy, Hankou, China, Sept, 2017 ♦ *Legal Issues in Clinical Decision-making*, Summer Seminar in Health Care Ethics, Seattle WA, Aug, 2018 ♦ *Integrating MJ/MLS Programs*

into Law Schools, McGeorge Law School, Sacramento, CA, March, 2108 ♦ *Emerging Legal Frontiers at the End of Life*; Southeast University Law School, Nanjing, China, September, 2018.

Professor Kuszler reports these professional activities: Direct Health Law LLM and MJ Program at University of Washington ♦ Member Graduate Programs Council, University of Washington.

Terry Price, Executive Director, Health Law Program and Asian Law Center, presented Keynote Speaker, "Assisted Reproduction and the Modern Complexities of Parentage," Nanjing Southeast University Law School, Nanjing, China, September 13, 2018 ♦ "Current Efforts to Educate Washington State's Judicial Officers about LGBTQ

Rights," Beijing, China, March 17, 2018 ♦ "Current Legal/Mental Health Challenges in the United States and Washington's December 2017 Volk v. DeMeerleer Case Study," Nanjing Normal University Law School, Nanjing, China, March 1, 2018.

Professor Price was the King County Bar Association, Outstanding Mentor Finalist, February 8, 2018.

Professor Price reports this professional activity: President, QLaw (LGBTQ) Bar Foundation of Washington, May 2017-May 2018 Board Member appointed by Washington Supreme Court, Washington State Access to Justice Board, October 1, 2018-present.

PROGRAM AND FACULTY NEWS

WAKE FOREST UNIVERSITY

FACULTY NEWS

Mark A. Hall, Professor of Law and Public Health reports these publications: New editions of Health Care Law and Ethics

(Wolters, Kluwer/Aspen), and of related softbound divisions ♦ Various white papers and substantive blog postings relating to the Affordable Care Act and health insurance regulation.

Professor Hall is the Brookings Institution, Nonresident Senior Fellow in Economic Studies.

WESTERN NEW ENGLAND UNIVERSITY SCHOOL OF LAW

FACULTY NEWS

Barbara A. Noah, Professor of Law, reports these publications: USA Adverse Health Incident Reporting Systems, in GLOBAL PERSPECTIVES ON PATIENT SAFETY: LAW, POLICY AND PRACTICE (Routledge | Taylor & Francis Group, 2018) ♦ Rational Patient Apathy, 49 SETON HALL L. REV. (forthcoming, 2019) (with René Reich-Graefe) ♦ Potential Utility of

an Independent Decision-Making Board for Seriously Ill Patients Lacking Decisional Capacity, ETHICS, MEDICINE AND PUBLIC HEALTH JOURNAL, <https://doi.org/10.1016/j.jemep.2018.07.008> (2018) ♦ Teaching Bioethics: The Role of Empathy & Humility in the Teaching and Practice of Law, 28 HEALTH MATRIX 201-16 (2018).

Professor Noah presented: Paper selected for presentation and discussion at the

Controversies in Bioethics Seminar, Lehigh University, Bethlehem, PA (Apr. 13-14, 2018) (Comparative Perspectives on Surrogate Decision-Making: Lessons from Ontario) ♦ Paper selected for presentation and discussion at the Seton Hall Health Annual Health Law WIP Retreat.