

AALS LAW, MEDICINE & HEALTH CARE SECTION

2017 NEWSLETTER

LETTER FROM THE CHAIR

It's been a very eventful year for Law, Medicine, and Health Care, to say the least. Here are just a few high/low lights that come to mind for me. I'm sure you have yours and there no doubt will be many more to come over the next four years.

- January 12: President Obama's final State of the Union Address announced the "cancer moonshot."
- January 16: President Obama declared an emergency in Flint, Michigan, and ordered federal aid to address the lead levels in the city's water system.
- February 9: HHS publishes NPRM regarding amendments to the SAMHSA Part 2 regulations governing the confidentiality of substance abuse and mental health treatment records; the proposed revisions are designed to encourage integrated care delivery.
- February 13: Death of Justice Scalia announced.
- March 1: In *Gobeille v. Liberty Mutual Insurance, Inc.*, the Supreme Court held that ERISA pre-empted Vermont's law requiring employee welfare plans to report claims data to the state's all payer claims data base.
- May 16: In a per curiam opinion, the Supreme Court vacated the lower court judgments and remanded all of the contraceptive mandate cases back to the lower courts to allow the parties "an opportunity to arrive at an approach going forward that accommodated petitioners' religious exercise while at the same time ensuring that women covered by petitioners' health plans 'receive full

and equal health coverage, including contraceptive coverage."

- June 9: California's S.B. 128, the End of Life Option Act, went into effect.
- June 27: In *Whole Women's Health v. Hellerstedt*, the Supreme Court holds that Texas's laws requiring abortion clinics to meet the standards of surgery centers and requiring physicians performing abortions to have admitting privileges in a hospital within 30 miles of the abortion facility imposed unconstitutional burdens on women's rights to decide to have abortions.
- July 29: Florida Department of Health confirms local cases of Zika in the Wynwood neighborhood of Miami.
- September 29: HHS announces significant drops in the uninsured rates under ACA, across all demographic groups.
- November 17: The US Surgeon General reported that 21 million Americans have a substance abuse disorder, but only one in 10 get treatment.
- November 29: President-elect Donald Trump announced that Representative Tom Price is his nominee for Secretary of HHS. Price, an orthopedic surgeon and former faculty member at Emory University, stated this in his October 20 press release about ACA: "If the American people had a dime for every time the president offered another sales pitch for his disastrous health care law, they might actually be able to afford an Obamacare plan."

SECTION OFFICERS

Leslie P. Francis, Chair

University of Utah, S.J. Quinney College of Law

Elizabeth Pendo, Chair-Elect

St. Louis University School of Law

Fazal R. Khan, Secretary

University of Georgia School of Law

Executive Committee:

Jessica Mantel, University of Houston Law Center

Jordan Paradise, Loyola University Chicago School of Law

Thaddeus Mason Pope, Mitchell Hamline School of Law

Ani B. Satz, Emory University School of Law

Our section has planned an amazing set of programs for the 2017 AALS meeting to address these and related challenges. Elizabeth Pendo, our incoming section chair, has worked tirelessly to give us a full day of programming—all day Wednesday, on "Why Law Matters: Health and Social Justice"—in addition to the junior scholar works in progress session at the end of the day on Thursday. After the junior scholar session, everyone is invited to the section reception sponsored by the Center for Law and Biomedical Sciences at the University of Utah S.J. Quinney College of Law at Perkins Coie LLP, 505 Howard Street, San Francisco.

With warmest regards,

Leslie P. Francis

University of Utah, S.J. Quinney College of Law

111TH AALS ANNUAL MEETING

Tuesday, January 3 – Saturday, January 7, 2017
Hilton San Francisco Union Square

Thousands of law faculty, deans, administrators, and scholars will gather in San Francisco from January 3-7, 2017 for the 111th AALS Annual Meeting. Under the theme of “Why Law Matters,” the meeting serves as an opportunity to connect and collaborate with colleagues, discuss critical and emerging legal issues, and attend programs focused on fresh perspectives on law and legal education.

Section Activities:

Thursday, Jan. 5

- **Section Reception at Perkins Coie LLP**, 505 Howard Street, 5:30pm-7:30pm.
Sponsored by the Center for Law and Biomedical Sciences at the University of Utah S.J. Quinney College of Law

Section Programs:

Wednesday, Jan. 4

- **Why Law Matters: Health and Social Justice** (co-sponsored program), 8:30am-4:30pm
- **Health Law and Health Equality** (co-sponsored program), 8:30am-10:15am.
- **Health Insurance and Access to Healthcare After the ACA** (co-sponsored program), 10:30am-12:15pm
- **Food Justice as Interracial Justice** (co-sponsored program), 1:30-3:15pm
- **Furthering Liberty for People with Disabilities Post-*Meyer v. Nebraska*** (co-sponsored program), 3:30pm-5:15pm

Thursday, Jan 5

- **Works in Progress for New Health Law Teachers**, 3:30pm-5:15pm.

Friday, Jan 6

- **Marijuana Law 2017: Federalism, Criminal Justice, and Health Care** (co-sponsored program), 8:30am-10:15am
- **Old Age in the Digital Age: How New Ideas and New Technology are Disrupting Aging** (co-sponsored program), 10:30am-12:15pm
- **Competence Revisited: The Changing Role of Mental Capacity in Criminal and Immigration Proceedings** (co-sponsored program), 1:30pm-3:15pm

Saturday, Jan. 7

- **What to Do About Concentration in the Healthcare Sector: Antitrust and Beyond**, 8:30am-10:15am.



PROGRAM AND FACULTY NEWS

Barry University Dwayne O. Andreas School of Law

FACULTY NEWS

Seema Mohapatra

Associate Professor of Law (received tenure effective August 2016)

PUBLICATIONS:

- Politically Correct Eugenics, Florida International University Law Review (Invited Symposium) (Forthcoming, 2016)
- Assisted Reproduction Inequality and Marriage Equality, Chicago-Kent Law Review (Invited Symposium) (Forthcoming, 2016)

PRESENTATIONS:

- Invited Speaker, Politically Correct Eugenics, FIU Law Review Symposium on “Approaches and Challenges to Reproductive Justice,” Miami, Florida, November 4, 2016.
- Law in the Time of Zika, Critical Perspectives on Reproductive Justice: From Activism to the Academy, Law

and Society Conference, New Orleans, Louisiana, June 2016.

- Law in the Time of Zika, Conference of Asian Pacific American Law Faculty, University of California Davis, April 8, 2016, Davis, California.

OTHER PROFESSIONAL ACTIVITIES:

- Co-organizer, Moderator, and Presenter, Reproductive Rights Roundtable, 2016 SEALS Annual Meeting, Amelia Island, FL, July 2016.
- Co-Chair, Family Law Scholars and Teachers Conference, May 31, 2016, Loyola University New Orleans School of Law, New Orleans, LA.

Boston University School of Law

FACULTY NEWS

Kevin Outterson

Professor of Law and N. Neal Pike Scholar in Health & Disability Law

PUBLICATIONS:

- Accelerating global innovation to address antibacterial resistance: introducing CARB-X. *Nat Rev Drug Disc* 2016. July (in press) (with Rex J, et al.)
- Delinking Investment in Antibiotic R&D from Sales Revenues: The Challenges of Transforming a Promising Idea into Reality. *PLoS Medicine* 2016. Jun 14;13(6):e1002043 (with Gopinathan U, Clift C, So A, Morel C, Røttingen JA)
- Progress in the Fight Against Multidrug Resistant Bacteria?: A Review of FDA-Approved Antibiotics 2010-2015. *Annals of Internal Med.* 2016 May 31. doi: 10.7326/M16-0291 (with Deak D, Powers JH, Kesselheim AS)
- Funding Antibiotic Innovation with Vouchers: Recommendations on How to Strengthen A Flawed Incentive Policy. *Health Affairs* 2016. May 31. doi: 10.7326/M16-0291 (with McDonnell A)

- Antibiotic Reimbursement in a Model Delinked from Sales: A Benchmark-based Worldwide Approach. 16 *Lancet Infect Dis* 500-505 (April 2016) (with Rex, JH)
- International Cooperation to Improve Access to and Sustain Effectiveness of Antimicrobials. 387 *Lancet* 296-307 (Jan. 16, 2016) (with Årdal C, Hoffman SJ, Ghafur A, Sharland M, Ranganathan N, Smith R, Zorzet A, van de Sande N, Cohn J, Pittet D, Daulaire N, Morel C, Rizvi Z, Balasegaram M, Røttingen JA)
- Casebook: Huberfeld, Weeks & Outterson. *The Law of American Health Care.* (Wolters Kluwer 2016, 1st edition).

PRESENTATIONS:

- Antibacterial Innovation to the UK Parliament (November 2016).

GRANTS, HONORS & AWARDS:

- Director and Principal Investigator, CARB-X, a five-year, \$250 million grant from the US Department of Health & Human Services to accelerate global antibacterial



Boston University School of Law (continued)

innovation. Led by Boston University, the consortium includes NIH, BARDA, the Wellcome Trust, the AMR

Centre, MassBio, the California Life Sciences Institute, and the Broad Institute of MIT & Harvard.

BYU School of Law

FACULTY NEWS

Lynn Wardle

Bruce C. Hafen Professor of Law

PRESENTATIONS:

- Paper on "A Death in the Family: How Assisted Suicide Harms Families and Society" at the Symposium on Assisted Suicide: Impacts Upon Families and Society at J. Reuben Clark Law School at Brigham Young University on October 14, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- 14 October 2016, Professor Richard Myers (Ave Maria Law School) and I hosted a "Symposium on Assisted

Suicide: Implications for Families and Society" at the J. Reuben Clark Law School. Ave Maria Law Review co-sponsored the event. Nine experts in law, medical ethics, and pharmacology ethics made presentations. Their papers will be published in the BYU Journal of Public Law and in the Ave Maria Law Review. The symposium was open to and attended by faculty, staff, students, and members of the Utah State Bar.

California Western School of Law

FACULTY NEWS

Joanna Sax

Professor of Law & Visiting Faculty Member, James E. Rogers College of Law, University of Arizona (fall 2016)

PUBLICATIONS:

- Joanna K. Sax, Biotechnology and Consumer Decision-Making, 47 SETON HALL L. REV. __ (forthcoming 2017).
- Joanna K. Sax, Contours of GMO Regulation and Labeling, 18 SMU SCI. AND TECH. L. REV. __ (forthcoming 2017).
- Joanna K. Sax, The GMO Debate, __ TEX. A&M L. REV. __ (forthcoming 2017).
- Joanna K. Sax and Neal Doran, Food Labeling and Consumer Associations with Health, Safety and Environment, 44 J. L. MED. & ETHICS __ (forthcoming 2016).
- Steven H. Strauss and Joanna K. Sax, An End to Event-Based Regulation of GMO Crops, 34 NATURE BIOTECHNOLOGY 474 (2016).

PRESENTATIONS:

- Biotechnology and Consumer Decision-Making, Biotechnology: Science, Law & Policy, Arizona State University Sandra Day O'Connor College of Law, Tempe,

AZ., November 2016.

- GMOs and Consumer Decision-Making, Texas A&M
- Law Review Agriculture Symposium, Texas A&M University School of Law, Fort Worth, TX., October 2016.
- Are We What We Eat? Proposals for Science Based Regulation of Genetically Engineered Food and Dietary Supplements, Regulatory Science Colloquium, University of Arizona James E. Rogers College of Law, Tucson, AZ., October 2016.
- Biotechnology and Consumer Decision-Making, Faculty Enrichment Series, University of Arizona James E. Rogers College of Law, Tucson, AZ., October 2016.
- GMO Regulation and Food Labeling, Food Law Forum, SMU Dedman School of Law, Dallas TX., September 2016.
- Hot Issues in Law and Bioethics, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL., August 2016 (invited participant).
- The Utilization of Mood in Decisions Regarding Health



California Western School of Law (continued)

and Safety, ASLME 2016 Health Law Professors Conference, Boston University School of Law, Boston, MA., June 2016.

- Biotechnology: Food and Policy, Faculty Enrichment Series, University of Arizona James E. Rogers College of

Law, Tucson, AZ., March 2016.

- The GMO Debate, Faculty Speaker Series, Loyola University Chicago School of Law, Chicago, IL., March 2016.

Case Western Reserve University School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

FEBRUARY 10, 2017 - The Law-Medicine Center Conference -- Medical-Legal Partnerships: Transforming Interprofessional Collaboration and Education, 8:30 a.m.-5:00 p.m., CWRU Tinkham Veale University Center (Ballroom A), Cleveland, Ohio.

FACULTY NEWS

Jonathan H. Adler

Johan Verheij Memorial Professor of Law

PUBLICATIONS:

- The Ad Hoc Implementation and Enforcement of Health Care Reform, in *Liberty's Nemesis: The Unchecked Expansion of the State* (D. Reuter & J. Yoo eds., 2016)
- Baptists, Bootleggers, and E-Cigarettes (w/ Roger Meiners, Andrew Morriss & Bruce Yandle), 33 *Yale Journal on Regulation* 313 (2016).
- Of Kings to Come: The Future of Health Care Reform Still Remains in Federal Court, 20 *Journal of Employee Rights and Employment Policy* 133 (2016) (symposium, solicited)
- What "Sex" Has to Do with Seminole Rock, *Yale Journal on Regulation Online*, Sept. 16, 2016

- Compelled Commercial Speech and the Consumer Right-to-Know, 58 *Arizona Law Review* 421 (2016)

PRESENTATIONS:

- On Oct. 5, Professor Adler lectured on "Health Care Reform in the High Court," as part of the Case Senior Scholars course on the Supreme Court.
- On January 9, Professor Adler presented the paper, "Of Kings to Come: The Future of Health Care Reform Still Remains in Federal Court," before the Section on Employee Benefits and Executive Compensation at the 110th Association of American Law Schools Annual Meeting in New York, NY.

Jessica Berg

Co-Dean; Tom J.E. and Bette Lou Walker Professor of Law; Professor of Bioethics; Professor of Public Health

PUBLICATIONS:

- "The Effect of Social Media on End-of-Life Decision Making", in *Death and Dying* (Oxford University Press, 2016)
- "Reflections on Shared Law School Leadership," 46 *University of Toledo Law Review* 299-309 (Dean's Issue, 2015)(with Michael Scharf)

PRESENTATIONS:

- "Can We Legislate, Regulate or Litigate Ourselves Thinner?" University of Rochester, February 2016, University of Wisconsin Madison, March 2016.
- Medical Decision Making in the Internet Age, Keynote Address, Bioethics Network of Ohio, Columbus Ohio, April 2016.

OTHER PROFESSIONAL ACTIVITIES:

- NPR "Sound of Ideas" Interview on the Affordable Care Act premium increases, October 31, 2016.

Paul Giannelli

Albert J. Weatherhead III and Richard W. Weatherhead Professor of Law, Distinguished University Professor



Case Western Reserve University School of Law (continued)

PUBLICATIONS:

- Co-authored with L. Katz, *Ohio Criminal Laws and Rules* (West Co. 2016).

OTHER PROFESSIONAL ACTIVITIES:

- Serves as Commissioner for the National Commission on Forensic Science for the U.S. Department of Justice.

B. Jessie Hill

Associate Dean for Academic Affairs and Judge Ben C. Green Professor of Law Publications

PUBLICATIONS:

- Co-authored, with I. Glenn Cohen and Melissa Murray, an amicus brief in the Supreme Court case of *Whole Woman's Health v. Hellerstedt*.
- *Change, Dissent, and the Problem of Consent*, in *The Rise of Corporate Religious Liberty* (Chad Flanders, Zoe Robinson & Micah Schwartzman eds., Oxford University Press 2016) (essay in edited volume).
- *The First Amendment and the Politics of Reproductive*

- Six of his articles were recently cited in a September 21, 2016 White House report.
- "Forensic Science in Criminal Courts: Ensuring Scientific Validity of Feature-Comparison Methods," issued by the President's Council of Advisors on Science and Technology.

Sharona Hoffman

Co-Director of the Law-Medicine Center; Edgar A. Hahn Professor of Jurisprudence; Professor of Bioethics

PUBLICATIONS:

- Forthcoming book: *Electronic Health Records and Medical Big Data: Law and Policy*. Cambridge University Press (2016).
- *Improving Regulatory Enforcement in the Face of Inadequate Resources*, 43 *Journal of Law, Medicine, and Ethics* 33 (Supp. no. 2, 2015).
- "The Promise and Perils of Open Medical Data," 46 *Hastings Center Report* 6 (2016)
- "Citizen Science: The Law and Ethics of Public Access to Medical Big Data," 30 *Berkeley Technology Law Journal* 1741 (2016).
- "How to Become A Member of Your Own Medical Team," *Healthy Aging*.
- "Why Your Parents' Finances Are Your Business," *AgingCare.com*.
- "Faith in an Unconventional Approach to Find Care," *The Caregiver's Voice*, January 25, 2016.

PRESENTATIONS:

- Professor Hoffman gave numerous talks about her book, "Aging with A Plan: How a Little Thought Today Can Vastly Improve Your Tomorrow," in Cleveland, New York, Boston and Lansing, Michigan.
- "Driving While Elderly," *Health Law Professors Conference*, Boston, MA, June 4, 2016.
- "Thinking Ahead: Helping Patients Express Their Preferences for Medical Care," *Cleveland Clinic Bioethics Grand Rounds*, Cleveland, OH, May 9, 2016.
- "Big Data and the Americans with Disabilities Act,"

Health Care, 50 *Wash. U. J.L. & Pol'y* 103 (2016).

- *Discrimination, Wisconsin v. Yoder*, and the *Freedom of Association*, 60 *St. Louis U. L.J.* (forthcoming 2016).
- "Libertarians and Abortion Restrictions: Where's the Outrage?" *The Daily Caller*, February 16, 2016.

PRESENTATIONS:

- Gave oral argument before the 8th District Court of Appeals of Ohio in *Preterm v. Kasich* (one-subject rule challenge to abortion restrictions in Ohio budget bill).

Harvard Law School, Big Data, Health Law and Bioethics conference, Cambridge, MA May 6, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Participated in the White House's Precision Medicine Initiative Summit, February 25, 2016. President Obama spoke at the event.
- Won a 2016 Inspire Award from the McGregor Foundation, Cleveland, Ohio
- **media activities, included:**
- Quoted in *The Boston Globe*, "Why Living In A 55-Plus Community May Be Better For Your Health," March 13, 2016.
- Interviewed in *MoneyGeek*, "Designate a Decision-Maker," February, 2016.
- Quote in *The Washington Post*, "I Needed To Find Care For My Elderly Aunt. What I Found Was An Eldercare Crisis," March 22, 2016.
- Quoted in *The Chicago Tribune*, "I Needed to Find Care for My Elderly Aunt. What I Found Was an Eldercare Crisis," March 22, 2016.
- Interviewed on "Why? Radio," *North Dakota's Prairie Public Broadcasting*, April 10, 2016: "How to Think Philosophically about Aging."
- Quoted by *The Guardian*, April 12, 2016: "Oxford professor calls for European ethical codes on patient data."
- Quoted in "Four Considerations When Hiring An EHR Scribe." *Physicians Practice*, April 18, 2016.



Case Western Reserve University School of Law (continued)

GRANTS, HONORS & AWARDS:

- Won the Distinguished Research Award from Case Western Reserve University School of Law for 2016.

Laura McNally-Levine

Director, Milton A. Kramer Law Clinic Center & Director, Health Law Clinic

PRESENTATIONS:

- Presented at the North East Ohio Spina Bifida Association Education Day in Cleveland on October 7, 2016. The title of her talk was Legal Check-up for a Smooth Transition to Adulthood.
- Poster Presentation, "Multidisciplinary Transition Clinic

for Youth with Autism: A Unique Role for Medical Legal Partners" at the National Medical Legal Partnership Summit, April 2016 Indianapolis, Indiana.

- Facilitated multiple sessions of the Community Action Poverty Simulation in Cleveland for medical residents, fellows, and doctors, social workers, nurses, lawyers and law students.

Maxwell J. Mehlman

Distinguished University Professor; Arthur E. Petersilge Professor of Law; Director, The Law-Medicine Center, Case Western Reserve University School of Law; Professor of Bioethics, Case Western Reserve University School of Medicine

PUBLICATIONS:

- Can Law Save Medicine? 36 Journal of Legal Medicine 121-157 (2016).
- Co-authored with Angoff, Malone, Silver, and Weinberger, Compensating Persons Injured by Medical Malpractice and Other Tortious Behavior for Future Medical Expenses Under the Affordable Care Act, 25 Annals of Health Law 35 (2016).

Precision Medicine Initiative. Mehlman is one of two bioethics experts who reviewed applications to establish Healthcare Provider Organization (HPO) Enrollment Centers within the NIH Cohort Program. The President's goal is to create a national research cohort of one million or more volunteers. The NIH will be awarding \$28 million in grants in FY 2016 to successful applicants for the grants that Mehlman reviewed.

OTHER PROFESSIONAL ACTIVITIES:

- Appointed by the National Institute of Health as a scientific review panel member for the White House

Ruqaijah Yearby

Associate Dean of Institutional Diversity and Inclusiveness and Professor of Law, Associate Director of the Law-Medicine Center, Oliver C. Schroeder Jr. Distinguished Research Scholars

PUBLICATIONS:

- Involuntary Consent: Conditioning Access to Health Care on Participation in Clinical Trials, 44 J. of L. Med. & Ethics (2016) (forthcoming)

PRESENTATIONS:

- Keynote Speaker, National Diversity Pre-Law Conference, Howard University School of Law, Washington, D.C., April 1, 2016.
- "Individual Choice and Racial Health Disparities: A Fallacy of Relevance," Boston, MA, April 15, 2016.
- Northeastern University School of Law, Invited Speaker,

April 15, 2016, "Individual Choice and Racial Health Disparities: A Fallacy of Relevance."

- Boston University School of Law, Invited Speaker, June 3, 2016, "Civil Rights in Health Care: Letting Go of Race to End Bias."

GRANTS, HONORS & AWARDS:

- Cleveland Mayor Frank G. Jackson issued a proclamation recognizing and congratulating Ruqaijah Yearby for being appointed the Inaugural Associate Dean of Institutional Diversity and Inclusiveness, January 29, 2016.



Cleveland Marshall College of Law

HEALTH LAW PROGRAMS NEWS & EVENTS:

- Center for Health Law and Policy introduced a new certificate in Health Care Privacy and Security. The Center currently offers certificates in Health Care Compliance (online and onsite) and General Health Law.
- The following programs are scheduled for 2017:
 - March 7, 2017-A CLE on Physician-Assisted Suicide featuring Professor Amanda Ward from Glasgow University.
 - April 11, 2017-A CLE on HIPAA and Privacy
 - May 11, 2017-A reception celebrating the birthday of Florence Nightingale

OTHER NEWS - LAW, MEDICINE & HEALTH CARE:

- The Journal of Law and Health is a traditional, yet innovative periodical. Articles are drawn from all disciplines that offer a perspective on the legal aspects of medicine and health sciences. This pan-disciplinary format allows flexibility in both the type and length of articles published. While retaining a scholarly format, the Journal encourages publication of the innovative idea, the bold statement, and the unique point of view. The Journal of Law and Health is a student-run publication that has been cited by many Federal Courts and the Ohio Supreme Court. Articles published by the Journal are viewed internationally and our online publications draw thousands of downloads daily. The Journal prides itself on creating a platform for insightful commentary regarding the many issues that arise when health sciences and the law intersect.
- Cleveland-Marshall College of Law invites submissions for its Spring 2017 symposium titled “A Discussion on State Responses to the Heroin Epidemic.” The Symposium will take place on April 7, 2017, at Cleveland-Marshall College of Law. In addition to speaking at the symposium, we ask speakers to write an article based on his or her presentation to be published in the Cleveland-Marshall Journal of Law and Health’s Fall 2017 publication. The objective of the symposium is to examine the heroin epidemic that has tragically spread throughout Ohio.
- Recently, Ohio joined 37 other states by enacting a “911 Good Samaritan” law when Governor John Kasich signed House Bill 110 into law. The hope is that House Bill 110 will help prevent heroin overdoses. House Bill 110 can provide a limited immunity to an individual that calls law enforcement for medical attention, whether that person is the person in danger of overdosing or someone else. This is just one of the many responses to the heroine epidemic.
- Cleveland-Marshall’s Symposium seeks to examine the different possible solutions to the wide-spreading heroin epidemic. Our objective is to bring together individuals with different backgrounds, who all want the same goal: to stop the rapidly spreading heroine epidemic. We are interested in various viewpoints regarding solutions to this epidemic.
- If you have interest in speaking at the Cleveland-Marshall Symposium please send a 500 word abstract to Caroline Nelson at c.e.nelson51@cmlaw.csuohio.edu or Kelly Wallenfelsz at k.wallenfelsz@cmlaw.csuohio.edu. We will notify individuals selected to speak at our symposium by December 16, 2016. Please be mindful that speakers will also need to write an article, minimum of 25 pages, to be published in the Cleveland-Marshall Journal of Law and Health’s Fall 2017 publication.

FACULTY NEWS

Browne Lewis

Leon and Gloria Plevin Professor of Law and Director, Center for Health Law & Policy

PUBLICATIONS:

- Deliberate Departure: Making Physician-Assisted Suicide Comfortable For Vulnerable Patients (forthcoming in Arkansas Law Review)
- You Belong to Me: Analyzing the Property Law Interests in Frozen Human Eggs, 83 TENNESSEE LAW REV. 645 (Winter 2016)(reprinted in 29 MINNESOTA FAMILY LAW JOURNAL 159 (LexisNexis: September/October 2016).
- ARROGANCE, AVARICE AND ANGUISH: ADDRESSING THE ETHICS AND LEGAL ISSUES OF POSTHUMOUS REPRODUCTION (Routledge Press, Biomedical Law and Ethics Series, 2016).
- THE LAW OF WILLS (E-BOOK), (Computer Assisted Legal Research Institute (CALI) eLangdell Books, August, 2016).
- Book Chapter: HUMAN OOCYTE

CRYOPRESERVATION: ETHICAL SOLUTIONS MAY LEAD TO LEGAL COMPLICATIONS (Oxford University Press, forthcoming 2017).

- Book Chapter: GENETICALLY SPEAKING: ETHICS, LAW AND GENETICS IN STROKE GENETICS (Springer Press, forthcoming 2017)

PRESENTATIONS:

- September 24, 2016, Central States Law Schools Association 2016 Scholarship Conference, University of North Dakota School of Law, Grand Forks, North Dakota, Deliberate Departure: Physician Assisted Suicide in the United States and the United Kingdom
- September 10, 2016, 2nd Annual Wills, Trusts & Estates Meets Gender, Race and Class Conference, Oklahoma City University School of Law, Beyond Sex: The Intestacy System and Children Born Using Assisted Reproductive Technology



Cleveland Marshall College of Law (continued)

- August 5, 2016, Southeastern Association of Law Schools 2016 Annual Meeting, Amelia Island, Florida, Deliberate Departure: Physician Assisted Suicide in the United States and the United Kingdom
- August 3, 2016, Southeastern Association of Law Schools 2016 Annual Meeting, Amelia Island, Florida, The Ethics of Posthumous Reproduction
- July 8, 2016, Tenth Annual Lutie Lytle Black Women Law Faculty Workshop, University of Iowa School of Law, Iowa City, Iowa, Disposable People: Physician-Facilitated Suicide and Vulnerable Patients
- June 25, 2016, Friends At The End (FATE) Lecture, The Mitchel Library, Glasgow, Scotland, The Right To Die Movement in the United States
- June 5, 2016, Law and Society Annual Meeting, New Orleans, Louisiana, Disposable People: Physician-Facilitated Suicide and Vulnerable Patients
- June 2, 2016, Law and Society Annual Meeting, New Orleans, Louisiana, Chair, Regulating Biotechnology
- April 15, 2016, ABA Section of International Law 2016 Spring Meeting, New York, New York, The Property Interests in Frozen Human Eggs
- January 25, 2016, Gresham College Lecture, Museum of London, London, England, Disposable People: Physician-Facilitated Suicide and Vulnerable Patients
- January 8, 2016, Fulbright Lecture, University of Manchester, Manchester, England, Disposable People: Physician-Facilitated Suicide and Vulnerable Patients

GRANTS, HONORS & AWARDS:

- Core Fulbright Scholar Grant, King's College, London, United Kingdom (January-May 2016).

Gwendolyn Roberts Majette

Associate Professor of Law

PRESENTATIONS:

- University of Iowa College of Law - PPACA's New Governing Architecture and Innovative State Delivery System Reforms (July 2016)
- Boston University School of Law - PPACA's New Governing Architecture and Innovative State Delivery System Reforms (June 2016)
- Duke Law School - Global Health Law Norms: A Coherent Framework to Understand PPACA's Approach to Eliminate Health Disparities and Address Implementation Challenges (November 2015)

OTHER PROFESSIONAL ACTIVITIES:

- Reader/Commentator at the AALS Annual Meeting for the Law, Medicine, and Health Care Works- in- Progress for New Law Teachers (January 2016)

- Presenter and Program Chair - "The Affordable Care Act and Insurance Coverage." This education and open enrollment event was sponsored by From the Heart Church Ministries in conjunction with the Maryland Health Benefit Exchange and the District of Columbia Health Benefit Exchange. (November 2015)

GRANTS, HONORS & AWARDS:

- Invited expert witness for the Massachusetts Special Commission on Provider Price Variation. The Commission is tasked with advancing the dialogue on provider price variation in Massachusetts and proposing legislation to address unwarranted price variation. My testimony will be on "Health Care Contracting and Market Forces." (November 2016).

Emory University School of Law

FACULTY NEWS

Ani B. Satz

Professor of Law

PRESENTATIONS:

- Panel, Without Work and Medical Privacy: HIPAA's Privacy Rule, Workers' Compensation, and the Challenges of Federalism, Southeastern Association of Law Schools Annual Meeting, Boca Raton, Florida (Aug. 2016)

- Participant, Works in Progress: Without Work and Medical Privacy: HIPAA's Privacy Rule, Workers' Compensation, and the Challenges of Federalism, Southeastern Association of Law Schools Annual Meeting, Boca Raton, Florida (Aug. 2016)



Emory University School of Law (continued)

- Panel (Discussant), Works in Progress: New Voices in Labor and Employment Law, Southeastern Association of Law Schools Annual Meeting, Boca Raton, Florida (Aug. 2016)
- Panel (Moderator), Animals as Living Accommodations, AALS Annual Meeting, San Francisco, California (Jan. 6, 2016) (Section on Animal Law)

OTHER PROFESSIONAL ACTIVITIES:

- On sabbatical 2016-17

GRANTS, HONORS & AWARDS:

- Elected Member, American Law Institute (elected June 27, 2016)
- Chair, AALS Section on Animal Law, 2016

Florida State University

OTHER NEWS - LAW, MEDICINE & HEALTH CARE:

- Sixth Annual Health Law Conference co-sponsored by FSU Center for Innovative Collaboration in Medicine and Law and the Florida Bioethics Network, "Patients as Consumers: The Impact of Health Care Financing and Delivery Developments on Roles, Rights, Relationships, and Risks. February 13, 2017 in Tallahassee, FL. Further information: <http://med.fsu.edu/medlaw>.

FACULTY NEWS

Marshall Kapp

Professor and Director, Center for Innovative Collaboration in Medicine and Law

PUBLICATIONS:

- Legal Intervention in Family Ties, in Encyclopedia of Adulthood and Aging (Susan K. Whitbourne ed.. 2016).
- Post-Acute Care and Institutional Long-Term Care for the Elderly, in Reichel's Care of the Elderly: Clinical Aspects of Aging 659-670 (Jan Busby-Whitehead et al. eds. 2016) (with Rebecca Elon and Fatima Sheikh).
- Front Office Staff as Medical Educators, Risk Creators, and Risk Managers, 28 INTERNATIONAL JOURNAL OF RISK & SAFETY IN MEDICINE 61 (2016).
- The Physician's Responsibility Concerning Firearms and Older Patients," 25 KANSAS JOURNAL OF LAW & PUBLIC POLICY 159 (Spring 2016).
- Speculating About the Impact of Healthcare Industry Consolidation on Long-Term Services and Supports, 25 ANNALS OF HEALTH LAW 1 (Summer 2016).
- Overcoming Legal Impediments to Physician Orders for Life-Sustaining Treatment, 18 AMA JOURNAL OF ETHICS 861 (September 2016).

- Medical-Legal Partnerships: Six Situations in Which Elder Law Attorneys and Physicians Caring for Older Patients Need Each Other, 37 BIFOCAL: A JOURNAL OF THE ABA COMMISSION ON LAW AND AGING 115 (August 2016).
- Book Review of "Rights Come to Mind: Brain Injury, Ethics, and the Struggle for Consciousness" by Joseph Fins, 17 Care Management Journals 64 (2016).

PRESENTATIONS:

- "Risk Management and Culture Change: When Resident Voice and Choice Conflicts With Standards of Practice," at Inaugural Conference of the American Association of Directors of Nursing Services, Baltimore, MD, September 29, 2016.

GRANTS, HONORS & AWARDS:

- Grant from the Retirement Research Foundation for project, "Developing Educational Modules for Physician/Attorney Collaboration on Behalf of Older Adults"

Georgetown Law

OTHER NEWS - LAW, MEDICINE & HEALTH CARE:

- Georgetown Law's Global Health Law Master of Laws (LL.M.) Program is now receiving applications from qualified individuals who are committed to using their legal skills for global and public health. We offer a range of degrees and certificates, including an LL.M. in Global Health Law; a joint LL.M. in Global Health Law and International Institutions with the Graduate Institute for International and Development Studies in Geneva, Switzerland; and a dual M.P.H./LL.M. in Global Health Law degree with Johns Hopkins University's Bloomberg School of Public Health. We also offer certificates in Food and Drug Law, U.S. Health Law, and International Human Rights Law.



Georgetown Law (continued)

FACULTY NEWS

Lawrence Gostin

University Professor and Faculty Director, O'Neill Institute for National and Global Health Law

PUBLICATIONS:

- Lawrence O. Gostin & Lindsay F. Wiley, *Public Health Law: Power, Duty, Restraint* (University of California Press, 3rd ed. 2016)
- Sam F. Halabi, Lawrence O. Gostin, Jeffrey S. Crowley, eds., *Global Management of Infectious Disease After Ebola* (Oxford University Press, 2016).
- Lawrence O. Gostin, et. al., *The Next WHO Director-General's Highest Priority: A Global Treaty on the Human Right to Health*, *Lancet Global Health*, Published Online, October 13, 2016, [http://dx.doi.org/10.1016/S2214-109X\(16\)30219-4](http://dx.doi.org/10.1016/S2214-109X(16)30219-4).
- Lawrence O. Gostin, et al. *Toward a Common Secure Future: Four Global Commissions in the Wake of Ebola*, *13(5) PLoS Med.* 1-15 (May 19, 2016), [doi:10.1371/journal.pmed.1002042](https://doi.org/10.1371/journal.pmed.1002042).
- Lawrence O. Gostin & Rebecca Katz, *The International Health Regulations: The Governing Framework for Global Health Security*, *94 (2) Milbank Quart.* 264-313 (2016).
- Lawrence O. Gostin & James G. Hodge Jr., *Zika Virus and Global Health Security*, *16(10) Lancet Infectious Diseases* 1099–1100 (October 2016), DOI: [http://dx.doi.org/10.1016/S1473-3099\(16\)30332-2](http://dx.doi.org/10.1016/S1473-3099(16)30332-2).

PRESENTATIONS:

- Japan G7 Summit: Tokyo

OTHER PROFESSIONAL ACTIVITIES:

- Chair, *Lancet/O'Neill Institute/Georgetown University Commission on Global Health Law*
- Commissioner, *Commission on a Global Health Risk*

Framework: The international, independent, multi-stakeholder expert commission of the National Academy of Medicine, with oversight by WHO, World Bank, Gates Foundation, and Rockefeller Foundation

- Commissioner, *Independent Panel on the Global Response to Ebola* (Harvard/London School of Hygiene and Tropical Medicine)
- Senior Advisor, *United Nations High-Level Panel on Global Response to Health Crises*

GRANTS, HONORS & AWARDS:

- Appointed by President Obama to a 6 year term on the *National Cancer Advisory Board*
- Lifetime Achievement Award by the *American Public Health Association (APHA)* for a career devoted to Public Health Law
- 150 most influential AIDS advocates, *International Association of Providers of AIDS Care (IAPAC)*
- *Health Law Programs News & Events:* The O'Neill Institute for National and Global Health Law is planning a major academic event to celebrate its 10th anniversary.
- The founding idea of the O'Neill Institute, a *Framework Convention on Global Health* received the endorsement of the UN Secretary General. The head of BRAC International and Minister for Health of South Africa wrote a major op ed supporting the FCGH. And the FCGH Campaign was launched with major civil society organizations from around the world.

Georgia State University College of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

- Georgia State University College of Law's Center for Law Health & Society has a number of program developments. The Center received university approval to launch a health law LLM and a post-JD certificate. It launched its first fully on-line health law course, in anticipation of supporting these and other programs. Students may also participate in the newly launched Olmstead Disability Rights Clinic in collaboration between the law school and the Atlanta Legal Aid Society.
- Several of our faculty were recognized for their significant professional achievements. Paul Lombardo was awarded a Regents' Professorship, the highest academic appointment in the University System of Georgia. Leslie Wolf was inducted into the Johns Hopkins Society of Scholars. She is the first lawyer and first from the Berman Institute of Bioethics to be so recognized. Charity Scott was recognized by the Health Law Partnership (HeLP) Advisory Council for her "vision, inspiration, and resourcefulness" in founding HeLP, and a student scholarship was named in her honor. Sylvia Caley received the university's Carl V. Patton President's Award for Community Services and Social Justice for her significant contributions in improving the lives of others. Lisa Bliss received the university's Exception Service Award for her commitment to discipline-related service.
- Three of our faculty were promoted this year. Sylvia Caley and Lisa Bliss, who co-direct the Georgia State Law HeLP Legal Services Clinic, were both promoted to Clinical Professor. Yaniv Heled was awarded tenure and promoted to Associate Professor.



Georgia State University College of Law (continued)

In addition, Jessica Gabel Cino was named Associate Dean of Academic Affairs.

- The Center, along with our Student Health Law Association, hosted a variety of events, with local and national speakers, including a book event and book drive in honor of the publication of *Human Rights in Children's Literature: Imagination and the Narrative of Law*, co-authored by Jonathan Todres. Our faculty presented their work in a variety of legal and non-legal venues domestically and internationally.

OTHER NEWS - LAW, MEDICINE & HEALTH CARE:

- Georgia State University College of Law and the Center for Law, Health & Society will host the 40th Annual ASLME Health Law Professors Conference, Thursday, June 8, through Saturday, June 10, 2017.
- Visit clhs.law.gsu.edu/HLPConf17 to submit a proposal for a presentation or panel and for information on the conference agenda and registration.

FACULTY NEWS

Lisa Bliss

Clinical Professor, recently named Dean of Experiential Education

PRESENTATIONS:

- International Trainer, Second Regional Clinical Legal Education Summer School, Chiang Mai, Thailand. Taught clinical legal education structures and techniques, including interdisciplinary clinical education to improve health outcomes, to law teachers from Cambodia, Laos, Myanmar, Nepal, Singapore, Thailand, and Vietnam, June 6-12, 2016.

Erin C. Fuse Brown

Assistant Professor of Law

PUBLICATIONS:

- Erin C. Fuse Brown & Jaime S. King, *The Double-Edged Sword of Health Care Integration: Consolidation & Cost Control*, 92 *INDIANA L. J.* ___ (2016).
- Erin C. Fuse Brown, *Resurrecting Health Care Rate Regulation*, 67 *HASTINGS L. J.* 85 (2015).
- *Fair Hospital Prices Are Not Charity: Decoupling Hospital Pricing and Collection Rules from Tax Status*, 53 *U. LOUISVILLE L. REV.* 509 (2016),

PRESENTATIONS:

- A federal fix for APCDs post-Gobeille v. Liberty Mutual? National Academy for State Health Policy 2016 Annual Conference (Oct. 2016).
- Discussion Group on Health Law, Policy, & Ethics, Southeastern Association of Law Schools Annual Conference (August 2016).
- *The Double-Edged Sword of Health Care Integration*, ASLME Health Law Professors Conference (Jun. 2016).
- *The Double-Edged Sword of Health Care Integration*, Families USA Health Action 2016 conference (Feb. 2016).
- Plenary Session: *Private Sector Consolidation and Its Impact on Cost, Quality, and Coverage*, Academy Health National Health Policy Conference 2016 (Feb. 2016).

OTHER PROFESSIONAL ACTIVITIES:

- Taught 5-day Clinical Legal Education and Access to Justice course to students at National Law University, Delhi, India, Nov. 1-5, 2016.

GRANTS, HONORS & AWARDS:

- Georgia State University Faculty Award for Exceptional Service, (May 10, 2016).

OTHER PROFESSIONAL ACTIVITIES:

- Leslie Wolf, Erin Fuse Brown, Laura Beskow, *If we don't own our genes, what protects study subjects in genetic research?*, *THE CONVERSATION* (Mar. 28, 2016), <https://theconversation.com/if-we-dont-own-our-genes-what-protects-study-subjects-in-genetic-research-56003>.
- Erin C. Fuse Brown, Jaime S. King, *The Consequences of Gobeille v. Liberty Mutual Insurance Co. for Health Care Cost Control*, *HEALTH AFFAIRS BLOG* (Mar. 10, 2016), <http://healthaffairs.org/blog/2016/03/10/the-consequences-of-gobeille-v-liberty-mutual-for-health-care-cost-control/>.
- Jaime S. King & Erin C. Fuse Brown, *States' Critical Role in Overseeing Vertical Health Care Integration*, *HEALTH AFFAIRS BLOG* (Mar. 3, 2016), <http://healthaffairs.org/blog/2016/03/03/new-health-care-symposium-states-critical-role-overseeing-vertical-health-care-integration/>.
- *THE WEEK IN HEALTH LAW* podcast, guest speaker Episode 65 (Back to Special Part 2) (Aug. 17, 2016). <http://twihl.podbean.com/e/65-back-to-school-special-part-2-professors-beletsky-fusee-brown-and-pasquale/>
- *THE WEEK IN HEALTH LAW* podcast, guest speaker



Georgia State University College of Law (continued)

Episode 46 (Mar. 15, 2016),
<http://www.stitcher.com/podcast/the-week-in-health-law3/the-week-in-health-law/e/46-the-other-larry-guest-erin-fuse-brown-43168392>.

- Consultant to the National Academy for State Health Policy on legal response for State All-Payer Claims Databases after *Gobeille v. Liberty Mutual* and comments

Paul A. Lombardo

Regents' Professor & Bobby Lee Cook Professor of Law

PUBLICATIONS:

- Lombardo, Paul A., "Anthropometry, Race, and Eugenic Research: "Measurements of Growing Negro Children" at the Tuskegee Institute, 1932-1944," in *The Uses of Humans in Experiment*, edited by Erika Dyck and Larry Stewart (Leiden: Brill, 2016).
- Lombardo, Paul A., "The Banality of Eugenics," *Undark* (April 4, 2016)
<http://undark.org/article/the-banality-of-eugenics-tuskegee/>

PRESENTATIONS:

- "The Ethics of Genetic Medicine" Haverford College, Philadelphia, Pennsylvania (October 2016);
- "Eugenics at the Movies: Abortion and Birth Control in 'Where Are My Children?'" and "Legal Update" American Society of Bioethics & Humanities, Washington, DC (October 2016);
- "From Psychographs to fMRI: Historical Context for the Claims of Neuroscience," Center for Bioethics and Social Sciences in Medicine, University of Michigan, Ann Arbor, Michigan (September 2016);
- "Eugenics on Tobacco Road: The Debate over Sterilization in Georgia, 1935" *Georgia Archives*, Morrow, Georgia (September 2016);
- "Confronting Reproductive Technologies: History, Rhetoric and the Specter of Eugenics" Hastings Center, Garrison, New York (June 2016);

Charity Scott

Catherine C. Henson Professor of Law

PUBLICATIONS:

- Guest Editor, special symposium volume on "The Future of Public Health Law Education: Faculty Fellowship Program," 44 *JOURNAL OF LAW, MEDICINE & ETHICS* no. 1, Supp. (2016)
- Scott, Charity & Kaufman, Nancy, "Innovation in Higher Education: Lessons Learned from Creating a Faculty Fellowship Program," 44 *JOURNAL OF LAW, MEDICINE & ETHICS* no. 1, Supp. (2016)

to Department of Labor NPRM: EBSA-2016-0010, RIN 1210-AB63.

GRANTS, HONORS & AWARDS:

- Co-Investigator, Beyond Data Security: Promoting Confidentiality and Advancing Science, National Human Genome Research Institute, (R01-HG-007733, PI: Beskow), 2014-2017.

- "State of the Data: Assessing the Appropriate Legal and Ethical Divide between Biospecimens and Derived Data," American Society of Law, Medicine & Ethics, Boston, Massachusetts (June 2016);

- "Eugenics at the Movies: Abortion and Birth Control in Where Are My Children?" American Association for the History of Medicine, Minneapolis, Minnesota (April 2016)

OTHER PROFESSIONAL ACTIVITIES:

- Cited in two New York Times bestsellers: Siddhartha Mukherjee's *The Gene: An Intimate History*, and Nancy Isenberg's *White Trash: The 400-Year Untold History of Class in America*.
- Cited in Henry Greely's *The End of Sex and the Future of Human Reproduction*, Daniel Bergner's *Sing for Your Life: A Story of Race, Music, and Family*, and Beth Macey's *Truevine: Two Brothers, a Kidnapping, and a Mother's Quest: A True Story of the Jim Crow South*.
- In January, he was a Visiting Professor at the Center for Bioethics and Culture, Sindh Institute for Urology and Transplantation, Karachi, Pakistan, where he directed a Seminar in Law, Medicine and Contemporary Bioethics for the Master's Program in Bioethics.
- In September, he was interviewed for the *This Week in Health Law Podcast*: twihl.com

GRANTS, HONORS & AWARDS:

- Named Regents' Professor by Georgia Board of Regents, the highest academic honor in the University System of Georgia.

- Scott, Charity, "Transforming the Future of Public Health Law Education through a Faculty Fellowship Program," 44 *JOURNAL OF LAW, MEDICINE & ETHICS*, no. 1, Supp. (2016)

PRESENTATIONS:

- "Conflict Engagement Skills for Ethics Committees," Children's Healthcare of Atlanta (Atlanta, Nov. 2016)
- "Mind Full or Mindful: Bringing Mindfulness to Lawyers (And to Anyone Else Who Wants Less Stress and More



Georgia State University College of Law (continued)

Happiness in Their Lives),” Women Inspire speaker series, Georgia State University (Oct. 2016)

- “Law, Ethics, and Politics in Reproductive Rights,” Emory University School of Medicine (August 2016)
- “Top Ten Mediation Insights from Beyond the Courthouse” (with Timothy Hedeem), U.S. District Court for the Western District of Michigan (Grand Rapids, MI, March 2016)
- “Improvisation for Mediators,” U.S. District Court for the Western District of Michigan (Grand Rapids, MI, March 2016)

OTHER PROFESSIONAL ACTIVITIES:

- President, Board of Directors, American Society of Law, Medicine & Ethics (2016)

Jonathan Todres

Professor of Law

PUBLICATIONS:

- Jonathan Todres and Sarah Higinbotham, HUMAN RIGHTS IN CHILDREN’S LITERATURE: IMAGINATION AND THE NARRATIVE OF LAW (Oxford University Press, 2016)
- Jonathan Todres, Can Mandatory Reporting Laws Help Child Survivors of Human Trafficking?, 2016 WISCONSIN LAW REVIEW FORWARD 69 (2016).
- Daniel J. Flannery, Jonathan Todres, et al., Bullying Prevention: A Summary of the Report of the National

Leslie E Wolf

Professor of Law and Director, Center for Law, Health & Society

PUBLICATIONS:

- Drake BF, Brown KM, Gehlert S, Wolf LE, Seo J, Perkins H, Goodman MS, Kaphingst, Development of Plain Language Supplemental Materials for the Biobank Informed Consent Process, Journal of Cancer Education, DOI: 10.1007/s13187-016-1029-y (epublication ahead of print 2016)
- Wolf LE, Criminal HIV Exposure Statutes and Public Health in the United States in Criminalising Contagion (Stanton C and Quirk H, eds). Cambridge, UK: Cambridge University Press (2016)
- Anderson C, Gable Cino J, Iannarone N and Wolf, LE, Incorporating Experiential Learning in Every Class: Required Courses, Seminars and Live-Client Representation In Experiential Education in the Law School Curriculum (Grant E, Simpson S, Terry K eds). Durham: Carolina Academic Press (forthcoming).
- Kershner, S, Wolf LE, Public Health Law, In Oxford Handbook of Public Health Ethics (Jeffrey Kahn, Nancy Kass, and Anna Mastroianni, eds). Oxford: Oxford University Press (forthcoming).

- Co-trainer, “Conflict Resolution and Clinical-Setting Mediation for Health Care,” Center for Conflict Resolution in Health Care (Memphis, Feb. 18-20, 2016)
- Professional training, “Mindfulness in Law Teacher Training,” sponsored by Warrior One (300+ hours) (2016)
- Contributing commentator, Medical Ethics Advisor, “Ethical Approaches to Disclose Errors Made by Other Clinicians” (vol. 32, no. 1, pp. 4-5, Jan. 2016)

GRANTS, HONORS & AWARDS:

- Community Service Award for “Vision, Inspiration, and Resourcefulness in the Creation of the Health Law Partnership” (April 2016).

Academies of Sciences, Engineering, and Medicine, PREVENTION SCIENCE (forthcoming December 2016)

OTHER PROFESSIONAL ACTIVITIES:

- Member, National Academies of Sciences, Engineering, and Medicine Committee on the Biological and Psychosocial Effects of Peer Victimization: Lessons for Bullying Prevention (2015-2016)
- Board Member, Georgia Asylum and Immigration Network

- “If we don’t own our genes, what protects study subjects in genetic research,” (with Laura Beskow and Erin Fuse Brown), The Conversation <https://theconversation.com/if-we-dont-own-our-genes-what-protects-study-subjects-in-genetic-research-56003>, March 28

- “Hospitals rationing drugs behind closed doors: a civil rights issue,” (with Wendy Hensel), The Conversation <https://theconversation.com/hospitals-rationing-drugs-behind-closed-doors-a-civil-rights-issue-54778>, February 22

PRESENTATIONS:

- Certificates of Confidentiality (CoCs): When, Why, and So What? (with Petrice Brown-Longenecker and Karen Moe), Public Responsibility in Medicine & Research 2016 Advancing Ethical Research Conference, Anaheim, CA, November
- Vulnerable Patients and End-of-Life Decision-Making” (with Sylvia Caley), Justice in Delivering Health Care to



Georgia State University College of Law (continued)

Aging Society: Its Legal and Ethics Issues, Ewha Institute for Biomedical Law & Ethics (EIBLE), Ewha University, Seoul, Korea, October

- “Measuring the Impact of Social Justice Teaching: Research Design and Oversight” (with Sylvia Caley), The Risks & Rewards of Clinical Legal Education Programs: A joint conference of the International Journal of Clinical Legal Education and the Association for Canadian Clinical Legal Education, University of Toronto, Toronto, Canada, July
- “Legal and Ethical Issues in Research Involving Human Trafficking Survivors” (with Jonathan Todres), American Society for Law, Medicine & Ethics annual Health Law Professors Conference, Boston University, Boston, MA,

Patricia J Zettler

Associate Professor

PUBLICATIONS:

- What Lies Ahead for FDA Regulation of tDCS Products, 3 J. Law Biosci. 318 (2016).

PRESENTATIONS:

- State of the Data: Assessing the Appropriate Legal and Ethical Divide Between Biospecimens and Derived Data, American Society of Law, Medicine & Ethics (ASLME) Health Law Professors Conference (June 4, 2016) (with Paul Lombardo and Kayte Spector-Bagdaddy).
- Pharmaceutical Federalism, University of Kentucky College of Law (Mar. 24, 2016) and Harvard Law School (Sept. 12, 2016).
- Exploring the Indirect Consequences of Expanded Off-Label Promotion,

June

- “Rationing Care for People with Disabilities in Public Health Emergencies: U.S. and International Approaches” (with Wendy Hensel), National Association of County and City Health Officials (NACCHO) 2016 Preparedness Summit, Dallas, TX, April
- “Translating Public Health Law Empirical Research Methods to Urban Land Use Issues”, FGV Brazil, Rio de Janeiro, Brazil and Pontificia Universidade Católica do Paraná, Curitiba, Brazil, March

GRANTS, HONORS & AWARDS:

- Inducted into the Johns Hopkins University Society of Scholars, April 2016.

First Amendment Symposium hosted by the Moritz College of Law at Ohio State University and the Ohio State Law Journal (Nov. 18, 2016) and Stanford Law School (Nov. 29, 2016).

OTHER PROFESSIONAL ACTIVITIES:

- Consultant, National Academies of Sciences, Engineering, and Medicine, Committee on Pain Management and Regulatory Strategies to Address Prescription Opioid Abuse (2016-present).
- Editorial Advisory Board Member, Food and Drug Law Journal (2015–present).
- Ad Hoc Peer Reviewer, Food and Drug Law Journal, Expert Opinion on Orphan Drugs, Therapeutic Innovation & Regulatory Science, BMC Medical Ethics.

Harvard University Petrie-Flom Center

PUBLICATIONS:

- I. Glenn Cohen, Holly Fernandez Lynch, and Christopher T. Robertson, eds., NUDGING HEALTH: HEALTH LAW AND BEHAVIORAL ECONOMICS (Johns Hopkins University Press, November 2016).

PRESENTATIONS:

- The Football Players Health Study
 - The Football Players Health Study at Harvard University - June 3, 2016; Panel session at The American Society of Law, Medicine and Ethics Annual Health Law Professors Conference in Boston, MA
 - The NFL as a Workplace: Uncertainties and Opportunities in Assessing and Managing the Health and Safety Risks of Playing Professional Football - December 2016; Panel session at the Society for Risk Analysis Annual Meeting in San Diego, CA
- Harvard Catalyst
 - Evaluating Offers of Payment to Research Participants - June 15, 2016; Presentation at the Dana Farber Cancer Institute Ethics Grand Rounds
 - Social Media as a Recruitment Tool - September 9, 2016; Presentation at conference hosted by Johns Hopkins Institute for Clinical Translational Research, Research Participant and Community Partnership Core, “Research Participant Recruitment and Retention: What Is Working Across the Nation?”



Harvard University Petrie-Flom Center (continued)

- [Prioritizing Study Recruitment](#) - October 6, 2016; Presentation at the [American Society for Bioethics and Humanities Annual Conference](#)
- [Using Social Media as a Research Recruitment Tool: Ethical Issues and Recommendations](#) - October 9, 2016; Presentation at the [American Society for Bioethics and Humanities Annual Conference](#)

GRANTS, HONORS & AWARDS:

● Drawing on expertise from across Harvard University's schools and its affiliated academic healthcare centers, the goal of the **Football Players Health Study (FPHS) at Harvard University** is to understand the causes of the physical and mental health conditions afflicting former NFL players, with the goal of improving their health and wellbeing, while furthering our understanding of the benefits – and the risks – of participating in football.

FPHS began in 2014 in part through an award from the National Football League Players Association (NFLPA). The Study largely utilizes funds allocated for research by the collective bargaining agreement. Many of the resources utilized by this initiative are shared across supporting Harvard institutions. FPHS is an independent research study. The research is not directed by the NFL, NFLPA, or any other external stakeholder, nor do any of these organizations exercise control over the research direction, findings, or recommendations.

FPHS is working on prevention, diagnostics, and treatment strategies for the most common and severe conditions affecting professional football players. We are focused on the integrated health of football players, not solely one concern or condition. In addition, the Study is working to understand the legal and ethical issues that may promote or impede player well-being, and developing responsive recommendations to resolve them.

Additional information about the Football Players Health Study is available [here](#).

The Law and Ethics Initiative of the Football Players Health Study is led by the Petrie-Flom Center. Learn more on our website: <http://petrieflom.law.harvard.edu/research/fphs>.

● Since 2013 the Petrie-Flom Center has collaborated with the **Regulatory Foundations, Ethics, and Law Program** of [Harvard Catalyst | The Harvard Clinical and Translational Science Center at Harvard Medical School](#) to promote the ethical conduct of research with human beings. Harvard Catalyst was established in 2008 to improve human health by enabling collaboration and providing tools, training, and technologies to clinical and translational investigators. It is funded by the National Institutes of Health (NIH) Clinical and Translational Science Award (CTSA) program (grant 1UL1 TR001102-01), and by contributions from Harvard University, Harvard Medical School, Harvard School of Public Health, Harvard Law School, Beth Israel Deaconess Medical Center, Boston Children's Hospital, Brigham and Women's Hospital, Dana-Farber Cancer Institute, and Massachusetts General Hospital.

The Center's initial focus has been on developing practical solutions to key legal and ethical barriers affecting participant recruitment to and retention in clinical research studies. Clinical research cannot succeed without human research participants, but recruitment to research is often a serious challenge, involving complex ethical and legal issues. Key projects addressing these challenges are described on our website: <http://petrieflom.law.harvard.edu/research/catalyst>.

● In September 2015, the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School joined a collaborative project called the **"Patient-Centered Outcomes Research Oversight Study,"** or PCOROS, led by Principal Investigator **Joel Weissman, PhD**. The project is funded through a contract from the [Patient-Centered Outcomes Research Institute](#) to The Brigham and Women's Hospital, Inc., with a subward to the Petrie-Flom Center.

PCOROS brings together researchers from across Harvard and Harvard-affiliated research institutions. Reflecting the principles of patient centered outcomes research (PCOR), the project is informed by input from an advisory committee that includes ethics thought leaders, patient advisors, human subjects protection professionals, and investigators.

There is a substantial gap in evidence regarding the novel ethical challenges that may be posed by PCOR as relevant to human subjects protection and oversight. The goal of this project is to engage with institutional review boards (IRBs), investigators, patients, and other stakeholders to better understand the practical realities of PCOR oversight: what are the barriers, ethical decision points, regulatory challenges, and outstanding questions calling for resolution?

Learn more on our website: <http://petrieflom.law.harvard.edu/research/pcoros>

● The **Project on Law and Applied Neuroscience**, now in its third year, is a collaboration between the Massachusetts General Hospital [Center for Law, Brain, and Behavior](#) (CLBB) and the Petrie-Flom Center. The collaboration includes a Senior Fellow in residence, public symposia, and a Law and Neuroscience Seminar at Harvard Law School.

- 2015–2017 Area of Inquiry: Adolescence, Juvenile Justice, and the Law
- 2015–2017 Senior Fellow: [Robert Kinscherff, PhD, JD](#)

For more information, visit <http://petrieflom.law.harvard.edu/research/project-on-law-and-applied-neuroscience>.



Harvard University Petrie-Flom Center (continued)

OTHER PROFESSIONAL ACTIVITIES:

● JOURNAL OF LAW AND BIOSCIENCES -

The Journal of Law and the Biosciences (JLB) is a collaboration between the Petrie-Flom Center and colleagues at Duke and Stanford Universities, published by Oxford University Press. I. Glenn Cohen serves as co-Editor-in-Chief, alongside Nita Farahany (Duke) and Hank Greely (Stanford). JLB is now in its third volume.

JLB is the first fully Open Access peer-reviewed legal journal focused on advances at the intersection of law and the biosciences. An online, interdisciplinary academic journal, JLB publishes cutting-edge scholarship, including original and response articles, essays, and commentaries on a wide range of topics, including bioethics, neuroethics, genetics, reproductive technologies, stem cells, enhancement, patent law, and food and drug regulation. Graduate students at each of the participating institutions write “Notes and Developments” for each issue, comprised of brief summaries of and commentary on recent legislation, regulation, and case law relevant to the biosciences.

● **Blog: *Bill of Health***

Bill of Health, our collaborative blog on health law policy, biotechnology, and bioethics co-edited by Faculty Director I. Glenn Cohen and Executive Director Holly Fernandez Lynch, is a forum for leading health law scholars at universities around the country and internationally. The blog draws 15,000 unique users monthly. We are open to a variety of guest posting arrangements, if there is interest.

● **Program News and Events**

For complete information on Petrie-Flom events past and upcoming, visit <http://petrieflom.law.harvard.edu/events>. Video recordings and slides are available for most events in our [archive](#).

● **Major Events/Conferences:**

- [Fourth Annual Health Law Year in P/Review](#)
- [The Future of Health Law and Policy: The Petrie-Flom Center’s 10th Anniversary Conference Celebration](#)
- [2016 Petrie-Flom Annual Conference: Big Data, Health Law, and Bioethics](#)
- [Radical Redesign of Health Care and Its Implications for Policy: A Lecture by Don Berwick, Administrator of the Centers for Medicare and Medicaid Services \(2010–2011\); Part of ASLME’s 39th Annual Health Law Professors Conference](#)
- [Aligning People and Policy: Why the Time Is Right to Transform Advanced Care; What Works and Why?: Federal Judicial Center Workshop on Pretrial Diversions - Sponsored by the Federal Judicial Center, with support from the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School, the Center for Law, Brain and Behavior at Massachusetts General Hospital, and the Criminal Justice Policy Program at Harvard Law School.](#)
- [The Ethics of Early Embryo Research & the Future of the 14-Day Rule](#)
- [The Animal Welfare Act at 50](#)
- [Paying Research Participants: Ethical and Regulatory Parameters](#)

● **Lectures, Panels, and Other Events:**

- [A Conversation with Margaret A. Hamburg, FDA Commissioner 2009–2015](#)
- [Fetal Pain: An Update on the Science and Legal Implications](#)
- [Assessing the Viability of FDA’s Biosimilars Pathway](#)
- [Canaries in the Coal Mine: People with Disabilities and Noninvasive Prenatal Diagnosis](#)
- [The Limits to Consumerism in Healthcare: A lecture by Mary Anne Bobinski](#)
- [Book Talk and Panel Discussion: FDA in the 21st Century: The Challenges of Regulating Drugs and New Technologies](#)
- [The National Security Implications of the Genetics Revolution](#)
- [Boys to Men to Boys: What is the Role for Psychology and Neuroscience in Resentencing and Parole after *Miller and Montgomery*?](#)
- [Battling Blood in the Streets: How Can Neuroscience Promote Public Health and Support Public Policy to Prevent Violence?](#)
- [2016 Petrie-Flom Center Annual Open House](#)
- [Health Care after the Election](#)
- [Concurrent Surgeries: Medical, Legal, and Ethical Issues](#)
- [The 21st-Century Advanced Illness Care Team: How Team-based Care Is Moving Medicine Beyond the Clinic into the Home and Community](#)
- [Half a Life: Legal and Policy Implications of Releasing Youth Incarcerated for Murder](#)
- [Book Launch: Nudging Health: Health Law and Behavioral Economics](#)



Harvard University Petrie-Flom Center (continued)

● Conference Announcements, CFPs, and Grants RFPs

2017 Annual Conference: Transparency in Health and Health Care: Legal and Ethical Possibilities and Limits - April 28, 2017

Call for Abstracts - Abstracts are due on December 1.

Conference Description:

Transparency is a relatively new concept to the world of health and health care, considering that just a few short decades ago we were still in the throes of a “doctor-knows-best” model. Today, however, transparency is found on almost every short list of solutions to a variety of health policy problems, ranging from conflicts of interest to rising drug costs to promoting efficient use of health care resources, and more. Doctors are now expected to be transparent about patient diagnoses and treatment options, hospitals are expected to be transparent about error rates, insurers about policy limitations, companies about prices, researchers about data, and policymakers about priorities and rationales for health policy intervention. But a number of important legal and ethical questions remain. For example, what exactly does transparency mean in the context of health, who has a responsibility to be transparent and to whom, what legal mechanisms are there to promote transparency, and what legal protections are needed for things like privacy, intellectual property, and the like? More specifically, when can transparency improve health and health care, and when is it likely to be nothing more than platitude?

This conference, and anticipated edited volume, will aim to: (1) identify the various thematic roles transparency has been called on to play in American health policy, and why it has emerged in these spaces; (2) understand when, where, how, and why transparency may be a useful policy tool in relation to health and health care, what it can realistically be expected to achieve, and when it is unlikely to be successful, including limits on how patients and consumers utilize information even when we have transparency; (3) assess the legal and ethical issues raised by transparency in health and health care, including obstacles and opportunities; (4) learn from comparative examples of transparency, both in other sectors and outside the United States. In sum, we hope to reach better understandings of this health policy buzzword so that transparency can be utilized as a solution to pressing health policy issues where appropriate, while recognizing its true limitations.

Read the full call on our website: <http://petrieflom.law.harvard.edu/events/details/2017-annual-conference!>

● **Academic Fellow Rachel E. Sachs** has been appointed an Associate Professor at the Washington University in St. Louis School of Law, where she will continue to teach and research at the intersection of patent law and health law, with a particular focus on problems of innovation in and access to health care technologies.

● **Visiting Scholars:** The Petrie-Flom Center does not have a formal program for scholarly visitors, but we continue to consider applicants on a case-by-case basis. Decisions about whether to host a visitor will depend on the visitor's scholarly work, its fit with the Center's work and affiliates, funding arrangements, and several other factors. If you are interested in visiting the Center, please see <http://petrieflom.law.harvard.edu/fellows/visitors>.

● Learn about the Center's activities in full from our Annual Reports, available online at <http://petrieflom.law.harvard.edu/about/publications/category/annual-reports>.

● For regular updates on the Center's activities, including events, research, news, and publications, [sign up for our bi-weekly e-newsletter](#) (link also available on the home page of our [website](#)).

Glen Cohen

Professor of Law; Faculty Director, The Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics; Associate Member, The Broad Institute of MIT and Harvard.

PUBLICATIONS:

Journals:

- *Going Germline: Mitochondrial Replacement as a Guide to Genome Editing*, 164 CELL 832 (2016) (co-authored with Eli Y. Adashi)
- *Preventing Mitochondrial DNA Diseases: One Step Forward, Two Steps Back*, 315 JAMA 273 (2016, Published online June 09, 2016) (co-authored with Eli Y. Adashi) (peer-reviewed)
- *Embryo Disposition Disputes: Controversies and Case Law*, 46 HASTINGS CENTER REPORT 13 (2016) (co-authored with Eli Y. Adashi)
- *Confronting Biospecimen Exceptionalism in Proposed Revisions to the Common Rule*, 46 HASTINGS CENTER REPORT 4 (2016) (co-authored with Holly Lynch and Barbara Bierer)

- *Consensus Statement on Electronic Health Predictive Analytics: A Guiding Framework*, eGEMS Vol. 4, Issue 1 (2016) (co-authored with Ruben Amarasingham, Anne-Marie J. Audet, and many others)
- *Clinical Decision Making Regarding Suicide Risk: Effect of Patient and Clinician Age*, 40 DEATH STUD. 269 (2016) (co-authored with NC Berman, ES Tung, N Matheny, and S. Wilhelm) (peer-reviewed)
- *Effect of a Legal Prime on Clinician's Assessment of Suicide Risk*, 40 DEATH STUD. 61 (2016) (co-authored with NC Berman, A Sullivan, and S. Wilhelm) (peer-reviewed)



Harvard University Petrie-Flom Center (continued)

- *Medical Assistance in Dying and ‘Suicide Tourism’ to Canada: Bill C-14 from a Comparative Perspective*, JOURNAL OF ETHICS IN MENTAL HEALTH (2016) (co-authored with Konstantin Tretyakov)
- *Embryo Disposition Disputes: Controversies and Case Law*, 46 HASTINGS CENTER REPORT 5 (July/August 2016) (co-authored with Eli Y. Adashi)
- *Preventing Mitochondrial DNA Diseases: One Step Forward, Two Steps Back*, 3 JAMA 316 (July 19, 2016) (co-authored with Eli Y. Adashi)
- *The FDA is prohibited from going germline*, 353 SCIENCE 6299 (Aug. 5, 2016) (co-authored with Eli Y. Adashi)

Book Chapters

- *Sperm and Egg Donor Anonymity: Legal and Ethical Issues*, in THE OXFORD HANDBOOK OF REPRODUCTIVE ETHICS (Leslie Francis ed., 2015-2016)
- *The Relationship Between Bioethics and U.S. Health Law*, in THE OXFORD HANDBOOK OF U.S. HEALTH CARE LAW (I. Glenn Cohen et al eds., 2015-2016)
- *From Medical Experimentation to Non-Medical Experimentation: What Can and Cannot be Learned from Medicine as to the Ethics of Legal and Other Non-Medical Experiments?*, in MEDICAL EXPERIMENTATION: PERSONAL INTEGRITY AND SOCIAL POLICY, NEW EDITION (Oxford University Press 2016) (co-authored with James D. Greiner)

Books

- THE OXFORD HANDBOOK OF U.S. HEALTH CARE LAW (Oxford University Press, 2015-2016) (co-editor with Bill Sage and Allison Hoffman)
- NUDGING HEALTH: HEALTH LAW AND BEHAVIORAL ECONOMICS (John Hopkins University Press, 2016) (co-editor with Holly Fernandez Lynch and Christopher Robertson)

PRESENTATIONS:

The Football Players Health Study

The Football Players Health Study at Harvard University - June 3, 2016

Panel session at The American Society of Law, Medicine and Ethics Annual Health Law Professors Conference in Boston, MA

Harvard Catalyst

Prioritizing Study Recruitment - October 6, 2016

Presentation at the American Society for Bioethics and Humanities Annual Conference

GRANTS, HONORS OR AWARDS:

PI or co-PI

- Football Players Health Study (FPHS) at Harvard University

The Law and Ethics Initiative of the Football Players Health Study is led by the Petrie-Flom Center. Learn more on the website: <http://petrieflom.law.harvard.edu/research/fphs>.

- Regulatory Foundations, Ethics, and Law Program of Harvard Catalyst | The Harvard Clinical and Translational Science Center at Harvard Medical School
- Key projects are described on the Petrie-Flom Center's website:

<http://petrieflom.law.harvard.edu/research/catalyst>.

- “Patient-Centered Outcomes Research Oversight Study,” or PCOROS. The project is funded through a contract from the Patient-Centered Outcomes Research Institute to The Brigham and Women's Hospital, Inc., with a subaward to the Petrie-Flom Center. Learn more on our website:

<http://petrieflom.law.harvard.edu/research/pcoros>

OTHER PROFESSIONAL ACTIVITIES

- Faculty Director of the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School. For complete information on the Petrie-Flom Center, including news, events, opportunities, and more, visit <http://petrieflom.law.harvard.edu/>.

- CO-EDITOR, JOURNAL OF LAW AND BIOSCIENCES

The Journal of Law and the Biosciences (JLB) is a collaboration between the Petrie-Flom Center and colleagues at Duke and Stanford Universities, published by Oxford University Press. I. Glenn Cohen serves as co-Editor-in-Chief, alongside Nita Farahany (Duke) and Hank Greely (Stanford). JLB is now in its third volume.

JLB is the first fully Open Access peer-reviewed legal journal focused on advances at the intersection of law and the biosciences. An online, interdisciplinary academic journal, JLB publishes cutting-edge scholarship, including original and response articles, essays, and commentaries on a wide range of topics, including bioethics, neuroethics, genetics, reproductive technologies, stem cells, enhancement, patent law, and food and drug regulation. Graduate students at each of the participating institutions write “Notes and Developments” for each issue, comprised of brief summaries of and commentary on recent legislation, regulation, and case law relevant to the biosciences.

- Co-editor, Blog: Bill of Health

Bill of Health, our collaborative blog on health law policy, biotechnology, and bioethics co-edited by Faculty Director I. Glenn Cohen and Executive Director Holly Fernandez Lynch, is a forum for leading health law scholars at universities around the country and internationally. The blog draws 15,000 unique users monthly. We are open to a variety of guest posting arrangements, if there is interest.

- Invited member, National Academy of Sciences IOM committee on Issues in Organ Donor Intervention Research

- Fellow, The Hastings Center.



Indiana University Robert H. McKinney School of Law and William S. and Christine S. Hall Center for Law and Health

Hall Center for Law and Health Grands Rounds:

• During the past year, the Hall Center for Law and Health has hosted five events as part of its ongoing Health Law Grand Rounds series:

- On January 19th, 2016, Stacey Tovino, J.D., Ph.D., Lehman Professor of Law and Director of the Health Law Program at the UNLV William S. Boyd School of Law, presented “Giving Thanks: The Law and Ethics of Grateful Patient Fundraising” to an audience of students, faculty, and development professionals from several central Indiana health systems.
- Eleanor D. Kinney, J.D., M.P.H., Hall Render Professor of Law Emerita and Co-Director Emerita of the Indiana University Robert H. McKinney School of Law William S. and Christine S. Hall Center for Law and Health, discussed her newly-released book *The Affordable Care Act and Medicare in Comparative Context* on February 16, 2016.
- On October 6, 2016, Suzanne O’Shea, J.D., Navigant Consulting, Inc., and Norman G. Tabler, Jr., J.D., Faegre Baker Daniels, led an audience of students, faculty, and health law attorneys through an examination of “The *Acclarent* Settlement: Lessons Learned.”
- Zack Buck, J.D., M.B.E., Assistant Professor of Law, University of Tennessee College of Law, visited the Hall Center for Law and Health on November 3, 2016, to discuss “Furthering the Fiduciary Metaphor.”
- The Hall Center welcomed attorney Anne Ruff, J.D., M.A., of Hall Render Killian Heath and Lyman on November 17, 2016, for a discussion of “ACA Section 1557 Compliance: New Requirements for Providers.”

Hall Center for Law and Health/Indiana Health Law Review Symposium:

- On October 21, 2016, the Hall Center welcomed an outstanding group of scholars to Indianapolis for “Ideology Meets Reality: What Works and What Doesn’t Work in Health Law and Policy.”
- James G. Hodge, J.D., LL.M., presented “From [A]nthrax to [Z]ika: Key Lessons in Public Health Legal Preparedness.” Christopher Robertson, J.D., Ph.D., analyzed the role of patient cost sharing in his presentation “Ideology Meets Reality: What Works and What Doesn’t Work in Patient Cost Sharing.” Abbe Gluck, J.D., and Nicole Huberfeld, J.D., collaborated to consider the role of federalism in their analysis “Measuring the New Health Care Federalism.” Leo Beletsky, J.D., M.P.H., spoke about “Patient Surveillance and the Public’s Health: Revisiting the Law of Unintended Consequences in the Age of the Opioid Crisis.” Richard Saver, J.D., explored the issue of conflicts of interest in his presentation “Conflicts of Interest Regulation in the New Era of Sunshine: What We Know and Still Need to Know.” A full description of the symposium is available on the Hall Center’s website, <http://mckinneylaw.iu.edu/events/past.cfm?eid=455>.

McDonald-Merrill-Ketcham Memorial Award Lecture:

- In conjunction with the Indiana University School of Medicine, the Indiana University Robert H. McKinney School of Law sponsors the annual McDonald-Merrill-Ketcham Memorial Lectureship and Award for Excellence in Law and Medicine. The 2016 awardee was Norman Fost, M.D., M.P.H., Professor Emeritus, Pediatrics and Bioethics, University of Wisconsin School of Medicine and Public Health. On March 4, 2016, he delivered his award lecture “Banning Drugs in Sports: A Skeptical View.” Additional information can be found on the Hall Center’s website, <http://mckinneylaw.iu.edu/health-law/mmk/index.html>.

Indiana University RIO Conference 2016:

- In cooperation with the Indiana University Research Integrity Office, the Hall Center for Law and Health hosted the three-day conference “Sequestration Analysis: Collaborative Institutional Approaches & White Collar Concerns” on March 30—April 1, 2016. The conference, which was funded by a grant from the Office of Research and Integrity, featured presentations from a variety of experts, including Kathryn Partin, Director of the Office of Research Integrity. Participants collaborated to develop a series of best practices guidelines for successful sequestrations in academia.

Hall Render Health Law Scholars:

- The Indiana University Robert H. McKinney School of Law is pleased to announce the creation of the Hall Render Health Law Scholars award, a new award made possible by the generous support of the law firm Hall Render Killian Heath & Lyman. This award recognizes the academic achievement of a highly qualified student who is pursuing the JD/MHA joint degree through the Indiana University Robert H. McKinney School of Law and the Indiana University Fairbanks School of Public Health. It is designed to make the Juris Doctor/Master of Health Administration (JD/MHA) degree more immersive and more affordable. During the course of their joint degree program, students selected as Hall Render Health Law Scholars will receive scholarship support, experiential learning opportunities, and co-curricular developmental opportunities such as professional mentors from Hall Render. These program enhancements are designed to allow Hall Render Health Law Scholars to deepen their understanding of the complex interaction among health law and health administration while also providing them essential opportunities to apply their knowledge in experiential learning settings.



2017 Newsletter

- Hall Render Health Law Scholars will join students selected as IU Health Law Scholars to create a cohort of exceptionally skilled students pursuing health-related joint degrees. More information about the Health Law Scholars Program, as well as information about the scholars, is available on the Hall Center's website at <http://mckinneylaw.iu.edu/health-law/scholars.html>.

UPCOMING EVENTS:

- The Hall Center for Law and Health is looking forward to hosting an exciting lineup of spring events:
 - **Hall Center for Law and Health Grand Rounds**
 - On February 2, 2017, Keith Huffman, J.D., and Rebecca Geyer, J.D., will provide us with an update on hot topics in Indiana elder law.
 - Elizabeth Weeks Leonard, J.D., J. Alton Hosch Professor Law, University of Georgia School of Law, will join us on March 23, 2017.
 - We look forward to welcoming Mary Crossley, J.D., Professor of Law, University of Pittsburgh School of Law, on April 6, 2017.
 - **McDonald-Merrill-Ketcham Memorial Award Lecture**
 - Dayna Matthew, J.D., Professor of Law and Director of the Health Law and Policy Program at the University of Colorado School of Law, will be honored as the recipient of the McDonald-Merrill-Ketcham Award for Excellence in Law and Medicine on March 3, 2017.

FACULTY NEWS

Jennifer Drobac

R. Bruce Townsend Professor of Law

PRESENTATIONS:

- SEXUAL EXPLOITATION OF TEENAGERS: ADOLESCENT DEVELOPMENT, DISCRIMINATION, AND CONSENT LAW (2016).

PUBLICATIONS:

- Adolescent Development, Discrimination & Consent Law: Sexual Exploitation of Teenagers, 5th Annual Women of Influence Symposium, Indianapolis, Indiana (September 16, 2016), Reading at the Table, Indianapolis, Indiana, September 20, 2016.
- "Consent" on College Campuses: Neuroscience, Culture, and Prevention, Keynote Address, Conference on Creating Cultures of Care and Compassion: Commuter and Regional Campuses' Role in the Prevention of Sexual Violence, Indianapolis, Indiana, August 11, 2016.
- From Anita Hill to Gretchen Carlson: What's Changed in the Way We Talk about Sexual Harassment? Expert Interview, 89.3 KPCC AIRTALK, <http://www.scpr.org/programs/airtalk/2016/07/20/50611/from-anita-hill-to-gretchen-carlson-whats-changed/>, July

20, 2016.

- Sexual Exploitation of Teenagers: Parental Challenges and Legal Hurdles, International Society of Family Law North American Regional Conference, Grand Tetons National Park, Wyoming, May 23, 2016.
- Adolescent Development, Discrimination & Consent Law: Sexual Exploitation of Teenagers, R. Bruce Townsend Professorship Lecture, Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, March 1, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Faculty Representative, Indiana University Faculty Council Executive Committee Representative: Task Force on Sexual Assault, Prevention, Intervention, and Response (SAPIR) (<http://sapir.iupui.edu/>)

GRANTS, HONORS & AWARDS:

- Visiting Fellow Clare Hall, University of Cambridge, Cambridge, England (anticipated December 1, 2016- April 30, 2017).

Eleanor D. Kinney

Hall Render Professor of Law Emerita; Co-Director Emerita, William S. and Christine S. Hall Center for Law & Health

PUBLICATIONS:

- ADMINISTRATIVE LAW OF HEALTHCARE IN A NUTSHELL (2016).

PRESENTATIONS:

- The Affordable Care Act and Medicare in Comparative

Context, Hall Center for Law and Health Grand Rounds, Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, February 16, 2016.

Heather McCabe

Assistant Professor, Indiana University School of Social Work; Adjunct Faculty, Indiana University Robert H. McKinney School of Law; Adjunct Faculty, Indiana University Fairbanks School of Public Health



Indiana University Robert H. McKinney School of Law (continued)

PUBLICATIONS:

- Civic Literacy and Social Work Education: Results From a Multi-Site Study (with M.E. Hylton, H.E. Kooreman, M.S. Mellinger, and A. Day), *J. POL'Y PRACTICE* 1-14 (2016).
- The Affordable Care Act, Substance Use Disorders, and Low-Income Clients: Implications for Social Work (with E.A. Wahler), *SOCIAL WORK* (2016).
- Seminar in Public Health Law and Policy in an Interprofessional Setting: Preparing Practitioners for Collaborative Practice at the Macro Level, 44 *J. LAW MED & ETHICS* 56 (2016).
- Healthcare (with T. Browne and B. Blake), in *A GUIDE FOR INTERPROFESSIONAL PRACTICE*, (Lachini et al. eds., forthcoming).

PRESENTATIONS:

- Jay Healey Teaching Session. American Society of Law, Medicine, and Ethics 39th Annual Health Law Professors Conference, Boston, Massachusetts, June 2, 2016.
- The ACA and Low-Income Clients with Substance Use Disorders: Implications for Social Work Education (with E. Wahler), Council on Social Work Education Annual Program Meeting, Atlanta, Georgia, November 6, 2016.
- The Affordable Care Act in 2016: Tools for Social Work

Advocacy in Implementation, American Public Health Association Annual Meeting 2016, Denver, Colorado, November 1, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Peer Reviewer, *Journal of Social Work Education*
- Peer Reviewer, *Journal of Legal and Medical Ethics*
- Peer Reviewer, *American Journal of Lifestyle Medicine*
- Chair, ISC Steering Committee, American Public Health Association
- Executive Board, American Public Health Association

GRANTS, HONORS & AWARDS:

- Researcher, Richard M. Fairbank Foundation, School Based Health Clinic Study, 2015-2017, Role: Program Evaluation, 30%FTE.
- Recipient, Curriculum Enhancement Grant, IUPUI Center for Teaching and Learning, 2015-2016, Role: PI, \$5,000.
- Recipient, HRSA 15-057, Indiana Interprofessional Geriatrics Education and Training Center, 2015-2018, \$2,550,000, Role: Core Faculty, 20% FTE.
- Recipient, MCH, Riley Child Development Center LEND, 2016, Role: Law Faculty, 5% FTE.

David Orentlicher

Samuel R. Rosen Professor of Law; Co-Director, William S. and Christine S. Hall Center for Law and Health

PUBLICATIONS:

- Political Dysfunction in the United States: A Problem of the Presidency, 50 *IND. L. REV.* 1 (2016).
- Economic Inequality and College Admissions Policies, 26 *CORNELL J.L. & PUB. POL'Y* 1 (2016).
- Presumed Consent to Organ Donation, in *NUDGING HEALTH: HEALTH LAW AND BEHAVIORAL ECONOMICS* (Cohen et al. eds., 2016).
- International Perspectives on Physician Assistance in Dying, 46(6) *Hastings Center Report* 6 (2016).
- Controlling Health Care Spending: More Patient "Skin in the Game?" 13 *IND. HEALTH L. REV.* 2 (2016).

- Off-Label Marketing, the First Amendment, and Federalism, 50 *WASH. U. J. L. & POL'Y* 89 (2016).

PRESENTATIONS:

- The Changing Legal Climate for Physician Aid in Dying, 24th Annual Judge Alvin B. Rubin Symposium, Federal Bar Association, New Orleans Chapter, May 26, 2016.
- Off-Label Drug Marketing, the First Amendment, and Federalism, *ASLME 39th Annual Health Law Professors Conference*, Boston, Massachusetts, June 3, 2016.

Anya Prince

Visiting Assistant Professor, Indiana University Robert H. McKinney School of Law; Postdoctoral Research Associate, Center for Genomics and Society, UNC-Chapel Hill

PUBLICATIONS:

- Tantamount to Fraud?: Exploring Non-Disclosure of Genetic Information in Life Insurance Applications as Grounds for Policy Rescission, 26 *HEALTH MATRIX* 255 (2016).
- Navigating Professional Norms in an Inter-professional Environment: the 'Practice' of Health Care Ethics

Committees (with Arlene M. Davis), 15 *CONN. PUB. INT. L.J.* 115 (2016).

PRESENTATIONS:

- Paying for Prevention: Insurance Coverage of Genetic Tests and Preventive Services" Hudson Alpha Genomic Medicine Conference, Huntsville, Alabama, August 2016.



Indiana University Robert H. McKinney School of Law (continued)

GRANTS, HONORS & AWARDS:

- Pathway to Independence Award (K99/R00) – NHGRI - 1K99HG008819.

Ross Silverman

Professor of Health Policy and Management, Indiana University Fairbanks School of Public Health and Professor of Public Health and Law (secondary appointment), Indiana University Robert H. McKinney School of Law.

PUBLICATIONS:

- Word Adjacency Graph Modeling: Separating Signal from Noise in Big Data (with W.R. Miller, J.L., Otte, A. Knopf, and D. Groves), *WEST. J. NURS. RES.*, 1-20, (2016).
- Reflections on Mentoring (with Mary Crossley), 44 *J. LAW, MED. & ETHICS* 76 (2016) .
- Corraling the Herd: California Medical Board Acts Against Anti-Vax Doc, Bill of Health, Sept. 9, 2016, <http://blogs.harvard.edu/billofhealth/2016/09/09/corralling-the-herd-california-medical-board-acts-against-anti-vax-doc/>

PRESENTATIONS:

- All Politics is Loco: Protecting Public Health in Polarized Times, American Society of Law, Medicine & Ethics 39th Annual Health Law Professors Conference, Boston, Massachusetts, June 4, 2016.
- Health Justice: Interprofessional Collaboration and Community-Engaged Scholarship, American Society of Law, Medicine & Ethics 39th Annual Health Law Professors Conference, Boston, Massachusetts, June 3, 2016.
- Why I Use Social Media, American Society of Law, Medicine & Ethics 39th Annual Health Law Professors Conference, Boston, Massachusetts, June 3, 2016.

Nicolas Terry

Hall Render Professor of Law; Executive Director, William S. and Christine S. Hall Center for Law and Health

PUBLICATIONS:

- Big Data and Regulatory Arbitrage in Health Care, in *BIG DATA, HEALTH LAW, AND BIOETHICS* (G. Cohen, et al. eds., forthcoming 2017).
- Regulatory Disruption and Arbitrage in Healthcare Data Protection, 17 *YALE J. HEALTH POL'Y L. & ETHICS* xx (forthcoming 2017).
- Will the Internet of Things Disrupt Healthcare? *VAND. J. ENT. & TECH. L.* xx (forthcoming 2017).
- Regulating Healthcare Robots: Maximizing Opportunities While Minimizing Risks (with Drew Simshaw, Dr. Kris Hauser, Dr. M.L. Cummings), 22 *RICH. J.L. & TECH.* 3 (2016).
- Liability for Mobile Health and Wearable Technologies (with Lindsay F. Wiley), 25 *ANNALS OF HEALTH LAW* 62-97 (2016).
- Hearing Aids and the Sound Of Mobile Health

- Passage to Frontierland: Vaccination Politics, Law, and Ethics After SB277, University of California-Irvine Program in Public Health, Irvine, California, February 29, 2016.
- Mind Twist for Attorneys: Legal Epidemiology with guests Matthew Penn and Ross Silverman, *The Week in Health Law*, Episode 63, August 1, 2016, <http://twihl.podbean.com/e/63-mind-twist-forattorneys-guests-matthew-penn-and-ross-silverman/>
- The Most Meta TWIHL Ever: guests, Nick Bagley, Rachel Sachs, Ross Silverman & Ed Silverman and ... an Audience! *The Week in Health Law*, June 5, 2016, <http://twihl.podbean.com/e/58-the-most-metatwihl-ever-guests-nick-bagley-rachel-sachs-ross-silverman-ed-silverman-and-%E2%80%A6-an-audience/>

OTHER PROFESSIONAL ACTIVITIES:

- Indiana Health Advocacy Coalition, Board Member and Grants & Evaluations Committee
- Indiana Public Health Practice Council, Member
- Centers for Disease Control and Prevention, Expert Review Workgroup, Member; Public Health Law Program Legal Epidemiology Competency Model Project, Member.
- The Immunization Partnership, Strategic Planning Committee, Member.

Disruption, *Health Affairs Blog*, June 17, 2016, <http://healthaffairs.org/blog/2016/06/17/hearing-aids-and-the-sound-of-mobile-health-disruption/>

PRESENTATIONS:

- Will Wearables, Apps, & the Internet of Things Change Healthcare? Executive Women in Healthcare, Indianapolis, Indiana, Oct. 20, 2016.
- An Introduction to U.S. Medical Malpractice Law at Aquilia, La responsabilità medica e le funzioni della responsabilità civile nella società contemporanea, Rome, Italy, Oct. 1, 2016.
- Health Law Workshop on Wellness Plans, Panelist, SEALS 2016 Annual Meeting, Amelia Island, Florida, Aug. 7, 2016.



Indiana University Robert H. McKinney School of Law (continued)

- Testimony before House Energy and Commerce subcommittee on Health Apps, July 13, 2016, testimony and video at <https://energycommerce.house.gov/hearings-and-votes/hearings/disrupter-series-health-care-apps>
- Regulatory Disruption and Arbitrage in Health Data Protection (Panelist), ASLME 39th Annual Health Law Professors Conference, Boston, Massachusetts, June 3-4, 2016.
- Health Law and Social Media, ASLME 39th Annual Health Law Professors Conference, Boston, Massachusetts, June 3-4, 2016.
- Big Data and Regulatory Arbitrage in Health Care, Big Data, Health Law, and Bioethics Conference, Harvard Law School, Cambridge, Massachusetts, May 6-7, 2016.
- Grand Rounds, University of Texas Medical Branch, Galveston, Texas, April, 26, 2016.
- Regulatory Disruption and Arbitrage in Health Data Protection, Health Law Policy, Biotechnology, and Bioethics Workshop, Petrie-Flom Center, Harvard Law School, Cambridge, Massachusetts, April 4, 2016.
- Sequestration Analysis: Collaborative Institutional

Approaches & White Collar Concerns (Co-Convener), Indianapolis, Indiana, April 1, 2016.

- The Revolution Will Be Worn on Your Wrist, Part 2 (Panelist), American Bar Association 17th Annual Emerging Issues in Healthcare Law, San Diego, California, March 2-5, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Contributing Editor, Jotwell (Journal of Things We Like (Lots)) Health Law Section (2016-Present)
- Member, US Department of Health and Human Services FACA Health IT Policy Committee Consumer Workgroup (2014-Present)
- Member, Board of Advisors, Patient Privacy Rights (2013-Present)
- Invited Participant, White House Summit on the Precision Medicine Initiative, White House, February 25, 2016
- Podcast: The Week in Health Law (TWIHL.com)
- Permanent Blogger, Harvard Law School, Bill of Health.

Diana R. H. Winters

Associate Professor of Law and Dean's Fellow

PUBLICATIONS:

- The Benefits of Regulatory Friction in Shaping Policy, 71 FOOD AND DRUG L. J. 228 (symposium issue) (2016).

PRESENTATIONS:

- Southern Methodist University, Food Law Forum, September 9, 2016.
- International Society of Public Law Annual Meeting, Humboldt University, Berlin, June 17-19, 2016.
- University of California, Santa Barbara, Bren School of Environmental Science and Management and Vermont Law

School, Law for the New Economy Workshop, May 23-24, 2016 .

- University of Ottawa Faculty of Law, Ottawa Law Review Annual Symposium: Drugs for Superbugs: Fighting Antibiotic Resistance, Feb. 25, 2016.

Grants, Honors & Awards:

- 2016 New Frontiers in the Arts & Humanities award, Indiana University (support for research on food litigation)
- 2016 IUPUI Curriculum Enhancement Grant.

Loyola University Chicago Law School

HEALTH LAW PROGRAM NEWS & EVENTS:

Loyola University Chicago School of Law's Beazley Institute for Health Law and Policy is pleased to announce some of its recent successes:

- Prof. Jordan Paradise, a nationally-renowned expert on the intersection of law, science, and technology, joined our full-time faculty in July.
- This fall, the Beazley Institute hosted three academic conferences that brought together scholars, legal practitioners, and industry representatives to address key issues in American health law. In September 2016, the Institute for Consumer Antitrust Studies, the Beazley Institute, and the ABA hosted "Reconciling Competition and Consumer Protection in Health Care," a cutting-edge program on the complicated relationship between competition and consumer protection in the health care field. In September 2016, the Institute hosted the first annual symposium of Loyola University Chicago Journal of Regulatory Compliance, bringing together experts from the fields of law, economics, business, philosophy, and ethics to discuss what it means to comply with the law in today's environment. In October 2016, the Institute hosted the 10th Annual Symposium on Health Law and Policy, titled "Innovations and Incentives in Life Sciences." Panels addressed mechanisms for incentivizing and fast-tracking



Loyola University Chicago Law School (continued)

biopharma innovation in the wake of public health outbreaks, implications of gene editing and its technology, and innovations in medical devices and mobile health systems.

- The Beazley Institute's Health Justice Project (HJP), a medical-legal partnership clinic between Loyola and the Erie Family Health Center, coordinated with scientists, medical providers, public health experts, and civil legal aid groups to file a petition in February 2016 with the U.S. Department of Housing and Urban Development (HUD) for rulemaking that urges critical amendments to the "Lead-Based Paint Poisoning Prevention in Certain Residential Structures" regulations. In response, HUD submitted a proposed rule in March 2016 to the Office of Management and Budget's Office of Information and Regulatory Affairs. The proposed rule provides greater protection for children in federally assisted housing.
- Loyola's flexible online programs in health law and policy continue to grow. The Master of Jurisprudence (MJ) for health care professionals and Master of Laws (LLM) for attorneys offer unique learning options for students who work in health care systems, insurance companies, government agencies, the military, trade associations, corporations, and law firms. New courses launched this year cover training methods, drafting policies and procedures, and enterprise risk management, plus advanced courses in privacy, food and drug law, and health care compliance.
- Loyola's thriving program in regulatory compliance continues to develop. A significantly expanded compliance course curriculum offers more than 40 regulatory compliance on-campus and online courses, all accredited by the Compliance Certification Board (CCB) of the Health Care Compliance Association and Society of Corporate Compliance and Ethics. We recently launched the Loyola University Chicago Journal of Regulatory Compliance, the nation's only law school journal dedicated solely to regulatory and compliance issues.

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

- On March 24, 2017, the Beazley Institute will host the 7th Annual L. Edward Bryant Jr. National Health Law Transactional Moot Court Competition. The deadline for registration is Dec. 5, 2016, and registration details can be found here: http://www.luc.edu/law/centers/healthlaw/events/transactional_comp.html

FACULTY NEWS

Jordan Paradise

Professor of Law

PUBLICATIONS:

- U.S. Regulatory Challenges for Gene Editing, forthcoming ABA SCITECH LAWYER (2016).
- A Profile of Bio-Pharma Consolidation Activity, 25 ANNALS OF HEALTH LAW 34 (2016).

PRESENTATIONS:

- The FDA and the Precision Medicine Initiative, American Society of Law, Medicine & Ethics 38th Annual Health Law Professors Conference, Boston, MA, June 3, 2016.
- First Amendment Update: Reconciling Case Law and FDA Policy, Pharmaceutical Compliance Forum (PCF) Spring Meeting, Boston, MA, April 13, 2016.
- Companion Diagnostics and the Precision Medicine Initiative, AALS Annual Meeting, Biomed section, New York, NY, Jan. 8, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Contributor to reading group report to the ABA's Standing Committee on the Federal Judiciary assessing Judge Merrick Garland's published opinions and qualifications for the U.S. Supreme Court. June 2016. Full ABA report available here: http://www.americanbar.org/content/dam/aba/unclassified/GAO/2016jun21_garlandstatement.authcheckdam.pdf
- Invited to the Editorial Board of the American Health Lawyers Association.
- Board member of both AALS Biomed and Law, Medicine & Health sections.
- Served as reader for the 2016 SLU Health Law Scholars weekend.

Nadia Sawicki

Academic Director, Beazley Institute for Health Law and Policy

PUBLICATIONS:

- Nadia N. Sawicki, Religious Hospitals and Patient Choice, 26 HASTINGS CENTER REPORT 8 (2016)
- Nadia N. Sawicki, Who Judges Harm? 27 JOURNAL OF

CLINICAL ETHICS 2238 (2016)

- Nadia N. Sawicki, Modernizing Informed Consent: Expanding the Boundaries of Materiality, 2016 UNIVERSITY OF ILLINOIS LAW REVIEW 821 (2016)



Loyola University Chicago Law School (continued)

- Nadia N. Sawicki, Informed Consent as Compelled Professional Speech: Fictions, Facts, and Open Questions, 50 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 11 (2016)
- Nadia N. Sawicki, Mandating Disclosure of Conscience-Based Limitations on Medical Practice, 42 AMERICAN JOURNAL OF LAW & MEDICINE 85 (2016)
- Nadia N. Sawicki, Ethical Limitations on the State's Use of Arational Persuasion, 38 LAW & POLICY 211 (2016)
- Nadia N. Sawicki, Informed Refusal in the Rehabilitation Context: Legal Considerations, 8 PM&R: THE JOURNAL OF INJURY, FUNCTION, AND REHABILITATION 691 (2016)

PRESENTATIONS:

- Reconceptualizing the Legal Doctrine of Informed Consent - Breach: Expanding the Boundaries of Materiality, American Society of Law, Medicine & Ethics (June 2016);

American Society for Bioethics and the Humanities (Oct. 2016)

- Mandating Disclosure of Physicians' Conscience-Based Limitations on Practice, Zicklin Center for Business Ethics Research Normative Ethics Workshop Series, The Wharton School of the University of Pennsylvania (Feb. 2016)

OTHER PROFESSIONAL ACTIVITIES:

- Member, American Bar Association Special Committee on Bioethics and the Law (2016 – present)
- Co-Chair, Law Affinity Group, American Society for Bioethics and the Humanities (2013 – present)

GRANTS, HONOR & AWARDS:

- Promoted to Professor
- Appointed Academic Director, Beazley Institute for Health Law and Policy
- Appointed Member, American Bar Association Special Committee on Bioethics and the Law.

Mitchell Hamline School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

- The Mitchell Hamline School of Law Health Law Institute continues to celebrate our position as a recognized leader in the health law community. Since 2009, Mitchell Hamline's health law program has been recognized among the top 20 nationwide in the U.S. News and World Report rankings. In the 2017 edition, we were ranked the 12th best program in the country. HLI is the top-ranked health law program in Minnesota.

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

- 2016 marks our 10th anniversary. Mitchell Hamline is honored to have served the health law community since 2006. We celebrated this milestone on Friday, May 6, 2016, with our students, alumni, faculty, and industry partners.
- Hybrid Program J.D. students began the health law certificates. Mitchell Hamline is the first and only ABA-approved law school in the country to offer a part-time, on-campus/online J.D. program - known as the Hybrid Program. In summer 2016, 17 Hybrid Program students began the health law track, which will allow them to earn their Health Law and Health Care Compliance Certificates from anywhere in the world.
- In addition to the Health Law Institute, Mitchell Hamline is also home to the Public Health Law Center, a national nonprofit law and policy organization that helps health leaders, officials, and advocates use the law to advance public health. The combined resources of the Institute and the center allow Mitchell Hamline to offer the most comprehensive health law program in the country. Students have access to more health law attorneys to guide their education and career path than at any other law school in the nation.
- The Health Law Institute was delighted to award health law and health care compliance certificates to 37 students in May 2016. 2016 Legislative Preview: Key Health Care Issues - Two Minnesota State Representatives provided insight on health care priorities for 2016 and beyond. Co-sponsored by the Minnesota State Bar Association Health Law Section, this event was held Friday, February 19, 2016.
- National Speaker Series-Health Care Fraud and Abuse: Enforcement Priorities featuring U.S. Attorney Andrew Luger - After two years as United States Attorney, Luger discussed his office's initiatives pertaining to health care fraud. He also addressed the unique role of the government litigator in the Department of Justice. This CLE was held Thursday, March 3, 2016.
- HLI Hosts Career Panel - Introducing Mitchell Hamline students to alumni and community professionals who have successfully navigated the various paths to meaningful careers is an important part of the Health Law Institute's mission. HLI hosted a career panel on April 12, 2016 that featured three alumni.
- Off the Record: Career Conversations - In partnership with the Mitchell Hamline Office of Career and Professional Development, we welcomed three health law alumni to campus for career discussions in fall 2016.
- Hastening Death by Voluntarily Stopping Eating and Drinking: Clinical, Ethical, Religious and Family Perspectives - HLI was proud to co-sponsor this world-class conference featuring HLI Director Thaddeus Pope held October 14-15 at Seattle University School of Law. Professor Pope delivered the legal keynote address.



Mitchell Hamline School of Law (continued)

- Industry at a Crossroads: Legal and Ethical Considerations of Selling Pharmaceuticals in 2016 - HLI Senior Fellow, Dr. Seth Whitelaw, of Whitelaw Compliance Group, discussed hot topics in life science compliance on Thursday, October 27, 2016.
- Ethics, Law, and Futility Symposium - With Children's Hospitals and Clinics of Minnesota, HLI is co-sponsoring this symposium being held November 18, 2016, in Minneapolis, Minnesota.
- Hot Topics in Food Labeling and Safety - The Health Law Institute is pleased to host a CLE Symposium on food law featuring two panels of local industry experts. This event will be held on November 29, 2016.

FACULTY NEWS

Laura Hermer

Professor

PUBLICATIONS:

- Laura Hermer, On the Expansion of "Welfare" and "Health" under Medicaid, 9 ST. LOUIS. U. J. HEALTH L. & POLY 235 (2016).
- Laura Hermer, Coursework for a Medical-Legal Partnership in a Small Law School Setting, 44 J. L. MED. ETHICS 51 (Supp. 2016).
- Laura Hermer, Minnesota's Right to Try Law, MINNESOTA MEDICINE (Jan/Feb 2016).

PRESENTATIONS:

- Laura Hermer, On the Expansion of "Health" and "Welfare" under Medicaid, presented at the 39th Health

Law Professors' Conference, Boston, MA, June 3, 2016.

- Laura Hermer, On the Expansion of "Health" and "Welfare" under Medicaid, to be presented at the Association of American Law Schools 2016 Annual Meeting, New York, NY, Jan. 7, 2016.
- Laura Hermer, The Affordable Care Act after King v. Burwell, presented at Grand Rounds, Dep't of Anesthesiology, Mayo Clinic, Rochester, MN, Dec. 14, 2015.

Thaddeus M Pope

Director, Health Law Institute

PUBLICATIONS:

- THE RIGHT TO DIE: THE LAW OF END-OF-LIFE DECISIONMAKING (3d ed. Wolters Kluwer Law & Business) (with Alan Meisel & Kathy L. Cerminara) (2017 supplement).
- Texas Advance Directives Act: Nearly a Model Dispute Resolution Mechanism for Intractable Medical Futility Conflicts, 16(1) QUT LAW REVIEW 22-53 (2016).
- Reason-Giving and Medical Futility: Contrasting Legal and Social Discourse in the United States with the United Kingdom and Ontario, Canada, 150(3) CHEST 714-721 (2016) (with Gabriel Bosslet and Mary Baker).
- Voluntarily Stopping Eating and Drinking, 6(2) NARRATIVE INQUIRY IN BIOETHICS 75-126 (2016) (symposium editor).
- Re Physicians' Opinions About Accommodating Religiously Based Requests for Continued Life-Sustaining Treatment, 51 JOURNAL OF PAIN AND SYMPTOM MANAGEMENT (2016).
- Legal Briefing: Stopping Non-Beneficial Life-Sustaining Treatment without Consent, 27(3) JOURNAL OF Annual Conference at Harvard Law).
- Procedural Due Process and Intramural Hospital Dispute

CLINICAL ETHICS 254-264 (2016) (with Kristin Kemmerling).

- Oregon Shows that Assisted Suicide Can Work Sensibly and Fairly, 15(2) FINAL EXIT NETWORK NEWSLETTER 7 (May 2016).
- Clinical Criteria for Physician Aid-in-Dying, 19(3) JOURNAL OF PALLIATIVE MEDICINE 259-262 (2016) (with David Orentlicher & Ben Rich).
- Legal Standards for Brain Death, 13 JOURNAL OF BIOETHICAL INQUIRY 173-178 (2016).
- Mandated Reporters and Compulsory Reporting Duties, 27(1) JOURNAL OF CLINICAL ETHICS 76-83 (2016).
- Emerging Legal Issues for Providers in the US, in SHARED DECISION MAKING IN HEALTHCARE: ACHIEVING EVIDENCE-BASED PATIENT CHOICE (Oxford University Press 2016) (with Benjamin Moulton).
- Brain Death Rejected: Expanding Legal Duties to Accommodate Religious Objections, in LAW, RELIGION, AND AMERICAN HEALTH CARE (Cambridge University Press forthcoming 2016) (proceedings from 2015 Petrie-Flom Center Resolution Mechanisms: The Texas Advance Directives Act, 10



Mitchell Hamline School of Law (continued)

SAINT LOUIS UNIVERSITY JOURNAL OF HEALTH LAW AND POLICY (forthcoming 2017).

- The Right to Die: 40 Years after Quinlan, 33 GEORGIA STATE UNIVERSITY LAW REVIEW (forthcoming 2017).

- Certified Patient Decision Aids: Solving Persistent Problems with Informed Consent Law, 44 JOURNAL OF LAW, MEDICINE & ETHICS (forthcoming 2017).

PRESENTATIONS:

- Changing Legal Status of Brain Death in California, CEDARS SINAI MEDICAL CENTER, Los Angeles, California (December 21, 2016).

- When May You Stop Life-Sustaining Treatment without Perspectives, SEATTLE UNIVERSITY SCHOOL OF LAW, Seattle, Washington (October 14-15, 2016) (planning committee).

- VSED Is Legal: Defending Voluntarily Stopping Eating and Drinking, SEATTLE UNIVERSITY SCHOOL OF LAW, Seattle, Washington (October 14-15, 2016).

- Bioethicists Must Engage the Public: Using Social Media to Advance Public Literacy in Bioethics, ASBH 18th ANNUAL MEETING, Washington, DC (October 8, 2016).

- Top 10 Legal Developments in Bioethics, ASBH 18th ANNUAL MEETING, Washington, DC (October 8, 2016).

- When Is Your Patient Dead? When May You Stop Treating Dead Patients? The Changing Legal Status of Brain Death, NEISWANGER INSTITUTE FOR BIOETHICS, LOYOLA UNIVERSITY CHICAGO (September 29, 2016).

- Better Decision Making for Incapacitated Patients without Surrogates, NORTH DAKOTA LONG TERM CARE ASSOCIATION, Fargo, North Dakota (September 21, 2016).

- Physician Aid in Dying, MINNESOTA MEDICAL ASSOCIATION, Minneapolis, Minnesota (August 24, 2016).

- Hot Topics in Bioethics, SEALS, Amelia Island, Florida (August 5, 2016).

- Medical Jurisprudence, SAINT GEORGES UNIVERSITY, Grenada, West Indies (July 28- August 3, 2016).

- Revolutionizing Informed Consent Law: Empowering Patients with Certified Decision Aids, 3rd INSTITUTE OF MEDICAL ETHICS, Edinburgh, Scotland (June 18, 2016).

- Revolutionizing Informed Consent Law: Empowering Patients with Certified Decision Aids, INTERNATIONAL ASSOCIATION OF BIOETHICS (IAB) 13th WORLD CONGRESS, Edinburgh, Scotland (June 2016).

- Revolutionizing Informed Consent Law: Empowering Patients with Certified Decision Aids, 39th ASSOCIATION OF LAW, MEDICINE & ETHICS (ASLME) HEALTH LAW PROFESSORS

Consent? Leading Dispute Resolution Mechanisms for Medical Futility Conflicts, CHILDREN'S HOSPITALS AND CLINICS OF MINNESOTA, Minneapolis, Minnesota (November 18, 2016).

- The Right to Die: 40 Years after Quinlan, GEORGIA STATE UNIVERSITY, Atlanta, Georgia (November 11, 2016).

- When Is Your Patient Dead? When May You Stop Treating Dead Patients? KANSAS CITY UNIVERSITY OF MEDICINE AND BIOSCIENCES, Kansas City, Missouri (November 8, 2016).

- Hastening Death by Voluntarily Stopping Eating and Drinking: Clinical, Legal, Ethical, Religious, and Family CONFERENCE, Boston, Massachusetts (June 4, 2016).

- Career Paths in Public Health Law and Health Law, NETWORK FOR PUBLIC HEALTH LAW (June 1, 2016) (webinar).

- Caring for the "Unrepresented Patient": Strategies to Avoid Moral Distress and Substandard Care, INTERNATIONAL CONFERENCE ON CLINICAL ETHICS CONSULTATION (ICCEC), Washington, DC (May 21, 2016).

- Brain Death: Expanding Duties to Accommodate Objections, INTERNATIONAL CONFERENCE ON CLINICAL ETHICS CONSULTATION (ICCEC), Washington, DC (May 20, 2016).

- Making Decisions in the ICU for Incapacitated Patients without Available Surrogates, AMERICAN THORACIC SOCIETY, San Francisco, California (May 13, 2016).

- Policy and Legal Perspectives on End-of-Life Care, STANFORD UNIVERSITY, Palo Alto, California (May 12, 2016).

- National Healthcare Decisions Day [Panel], ROSEVILLE COMMUNITY HEALTH ACTION TEAM, Roseville, Minnesota (April 16, 2016).

- Dementia and VSED, MINNESOTA NETWORK OF HOSPICE AND PALLIATIVE CARE ANNUAL CONFERENCE, Minneapolis, Minnesota (April 11, 2016) (with Vic Sandler).

- Futility Redux: When May/Should/Must a Clinician Write a DNAR Order without Patient or Surrogate Consent? UNIVERSITY OF MIAMI & FLORIDA BIOETHICS NETWORK, Miami, Florida (April 8, 2016).

- Dying Fast and Slow: Improving Quality of Dying and Preventing Untimely Deaths, SAINT LOUIS UNIVERSITY SCHOOL OF LAW, Saint Louis, Missouri (April 1, 2016).

- Testimony before the Minnesota Senate Committee on Health, Human Services and Housing on S.F. 1880, MINNESOTA SENATE, Saint Paul, Minnesota (March 16, 2016).

- Jahi McMath and the California End of Life Options Act, LOYOLA UNIVERSITY CHICAGO STRITCH SCHOOL OF MEDICINE (March 3, 2016) (guest lecture



Mitchell Hamline School of Law (continued)

webinar).

- Minnesota Compassionate Care Act, SENATE LISTENING SESSION, Mankato, Minnesota (February 20, 2016) (panelist for Q&A on proposed legislation).
- Medical Jurisprudence, SAINT GEORGES UNIVERSITY, Grenada, West Indies (February 11-18, 2016).
- Minnesota Compassionate Care Act, SENATE LISTENING SESSION, Saint Paul, Minnesota (January 30, 2016) (panelist for Q&A on proposed legislation).

OTHER PROFESSIONAL ACTIVITIES:

- Voting member of MEDCAC, the Medicare Evidence Development & Coverage Advisory Committee (2013-2015). MEDCAC reviews and evaluates medical literature, technology assessments, and examines data and information on the effectiveness and appropriateness of medical items and services that are covered under Medicare, or that may be eligible for coverage under Medicare. MEDCAC judges the strength of the available evidence and makes recommendations to CMS based on that evidence.
- Co-chair the Minnesota POLST Task Force, a project housed by the Minnesota Medical Association.
- Board of the American Society of Bioethics & Humanities (ASBH).

Northeastern University School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

Northeastern University launched its Center for Health Policy & Law, as well as a Graduate Certificate in Health Law.

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

In partnership with the American Society of Law, Medicine & Ethics, the Northeastern Center for Health Policy & Law will hold a conference, "Between Complacency and Panic: Legal, Ethical and Policy Responses to Emerging Infectious Diseases" on April 14, 2017 in Boston. Dr. Anthony Fauci will be the keynote.

FACULTY NEWS

Wendy E. Parmet

Associate Dean for Interdisciplinary Education and Research Support, Matthews Univ. Distinguished Prof. of Law and Prof. of Public Policy & Urban Affairs

PUBLICATIONS:

- Population-Based Legal Analysis: Bridging the Interdisciplinary Chasm Through Public Health Law, 66 J. LEGAL EDUC. 100 (2016)
- Perspective - Wollshlaeger v. Governor of Florida – The First Amendment, and Firearm Safety, NEW ENG J. MED., 374/NEJM2304 (2016), with James A. Smith & Matthew J. Miller.
- Health: Policy or Law? A Population-Based Analysis of The Supreme Court's ACA Cases, J. HEALTH POLS, POL'Y & L. (forthcoming).
- Paternalism, Self-Governance and Public Health: The Case of E-Cigarettes, 70 U. MIAMI L. REV. 879 (2016).
 - The Perils of Panic: Ebola, HIV, and the Intersection of Global Health and Law, 42 AM. J. L & MED. 223 (2016), with Michael S. Sinha.

PRESENTATIONS:

- Public Health Law: Looking Forward, Looking Back, Public Health Law Conference, Washington D.C., Sept. 15, 2016.
- Immigration and Health: Law, Policy & Ethics, Public Health Law Conference, Washington D.C., Sept. 15, 2016.
- Vaccines and Religious Liberty: From Jacobson to Zubik, 39th Annual Health Law Professors Conference, Boston, Massachusetts, June 3, 2016.
- Gun Control and Public Health, 4th Annual Health Law Year in P/Review, Harvard Law School, Cambridge, MA, Jan. 29, 2016.

GRANTS, HONORS & AWARDS:

American Society of Law, Medicine, and Ethics' Jay Healey Health Law Teachers Award (2016).



Nova Southeastern University Shepard Broad College of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

NSU Shepard Broad College of Law and the Nova Law Review hosted Dr. Renard Murray, Consortium Administrator for Quality Improvement and Survey and Certifications Operations at the Centers for Medicare & Medicaid Services and other distinguished guests at a symposium titled "Regulating Innovation in Healthcare: Protecting the Public or Stifling Progress?". A symposium issue will be published by the Nova Law Review.

FACULTY NEWS

Kathy L. Cerminara

Professor of Law

PUBLICATIONS:

- THE RIGHT TO DIE: THE LAW OF END-OF-LIFE DECISIONMAKING (Aspen 3d ed., annual supplement 2017) (co-authored with Alan Meisel & Thaddeus M. Pope)
- End-of-Life Care chapter in FROM BIRTH TO DEATH AND BENCH TO CLINIC: THE HASTINGS CENTER BIOETHICS BRIEFING BOOK FOR JOURNALISTS, POLICYMAKERS, AND CAMPAIGNS (2d ed. 2016) (forthcoming) (co-authored with Alan Meisel)
- ERISA Preemption As a Hurdle to The Civil Rights Protections of ACA Section 1557, in progress
- Introduction: Regulating Innovation in Healthcare: Protecting the Public or Stifling Innovation?, __ NOVA. L. REV. __ (2017) (symposium issue, co-authored with Marilyn Uzdavines)
- Integrating Palliative, Hospice and Therapeutic Care: Obstacles and Recommendations, in progress (co-authored with Barbara Noah)
- The Next Decade in End-of-Life Law: Predicting Two Pushbacks Against Autonomy, in progress
- Whose Freedom? Teaching the Contraception Coverage Cases as a Bridge from Policy to Bioethics __ ST. LOUIS U. L. J. __ (invited symposium issue, forthcoming 2016)
- Give Me Liberty to Choose (a Better) Death: Respecting Autonomy More Fully in Advance Directive Statutes, 10 ST. LOUIS U. J. HEALTH L. & POL'Y __ (forthcoming 2016) (invited symposium issue, co-authored with Joseph R. Kadis)
- Law, Perception, and Cultural Cognition Near the End of Life, 55 WASHBURN L.J. 597 (2016) (lead article)

PRESENTATIONS:

- Intersections, Trends & Cross-Currents in the Law Governing End-of-Life Care, Center for Bioethics & Health Law, September 30, 2016, Pittsburgh, PA
- Drafting in the Law School Classroom, Summer Institute for Law Faculty, NSU Law's Global Legal Education Consortium, July 21, 2016, Ft. Lauderdale, FL (co-presented with Marilyn Uzdavines)
- Perspectives on Medical-Legal Interprofessionalism, panelist, American Society of Law, Medicine & Ethics Health Law Professors Conference, June 4, 2016, Boston, MA
- Jay Healey Plenary Session: Innovations in Health Law Teaching, table moderator and presenter in World Café session, June 2, 2016, American Society of Law, Medicine & Ethics Health Law Professors Conference, June 4, 2016, Boston, MA
- Advance Directive Statutes: Guarding State Interests at the Expense of Liberty, panelist, Dying Fast and Slow symposium, St. Louis University School of Law, April 1, 2016, St. Louis, MO

OTHER PROFESSIONAL ACTIVITIES:

Visit, University of Pittsburgh School of Law, Fall 2016 (teaching Bioethics and Law and Federalism in Health Policy)

GRANTS, HONORS & AWARDS:

- Franklin Kenyon and Frances Kenyon Agneski Trust Endowed Cancer
- Research Grant, Assessing Knowledge and Attitudes of South Florida Minority Populations on End-of-Life Care, \$9,360, co-investigator with an interprofessional team from NSU's Health Professions Division.

Pace University Elizabeth Haub Law School

FACULTY NEWS



Pace University Elizabeth Haub Law School (continued)

Linda C. Fentiman

Professor

PUBLICATIONS:

- Blaming Mothers: American Law and the Risks to Children's Health (forthcoming February 2017, New York University Press). For details see <http://nyupress.org/books/9780814724828/>

PRESENTATIONS:

- "Are Non-Vaccinating Parents the New Faith Healers? Historical Prosecutions, an Evolving Constitutional

Landscape, and the Challenge of the RFRA," American Society of Law, Medicine, and Ethics, Health Law Professors Conference, Boston, MA, June 4, 2016, and the Law and Society Annual Meeting, New Orleans, LA, June 2, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Appointed to the Board of Integral Guardianship Services, Brooklyn, New York.

Penn State Dickinson Law

HEALTH LAW PROGRAM NEWS & EVENTS:

Penn State Dickinson Law launched its Medical-Legal Partnership Clinic this fall. The Clinic has partnered with Penn State Medical Group in Harrisburg, PA, to provide free legal services to patients with health-harming legal needs.

FACULTY NEWS

Medha D. Makhlouf

Clinical Professor of Law

PRESENTATIONS:

- "Graduate School Clinics as Innovators and Capacity Builders," workshop with Emily Benfer, Tomar Brown, and Lucille Sowko, Medical-Legal Partnership Summit, Indianapolis, IN, April 2016.
- "Exploring Community Engagement Opportunities through an Interdisciplinary Partnership Lens," workshop with Jennifer Valverde, Tomar Brown, and Janet Goode, AALS Clinical Legal Education Conference, Baltimore, MD, May 2016.
- "Medical-Legal Partnerships and Other Innovations in Public Health," panel presentation with Katie Schultz and Dr. Jeffrey Martin, Penn State Public Health Day Symposium, Summerdale, PA, May 2016.
- "Medical-Legal Partnership Clinics: Building Community through Concepts of Care," co-presented with Tomar Brown, Health Law Professors Conference, Boston, MA, June 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Launched a new Medical-Legal Partnership Clinic in Fall 2016. The Clinic partners with Penn State Medical Group in Harrisburg, PA, to address the health-harming legal needs of its patients. At present, the Clinic is focusing on issues related to public benefits, housing conditions, and naturalization, and on drafting advance health care directives.

Rutgers Law School - Newark

FACULTY NEWS

Norman L. Cantor

Emeritus Professor of Law

PUBLICATIONS:

- "Is it Immoral for Me to Dictate an Accelerated Death for My Future Demented Self?" Blog Platform of the

Petrie-Flom Center for Health Law and Policy at Harvard Law School.



Rutgers Law School – Newark (continued)

<http://blogs.law.harvard.edu/billofhealth/2015/12/02/is-it-immoral-for-me-to-dictate-an-accelerated-death-for-my-future-demented-self/>

• "Marking the 40th Anniversary of Quinlan's Landmark Contribution to Death & Dying Jurisprudence," Blog Platform of the Petrie-Flom Center for Health Law and Policy at Harvard Law School.

<http://blogs.harvard.edu/billofhealth/2016/07/26/markin-g-quinlans-landmark-contribution/#more-19402>

PRESENTATIONS:

- "Death & Dying Jurisprudence 40 Years after Quinlan," the annual Morris Saffron lecture delivered to the Medical History Society of New Jersey on May 11, 2016, in Princeton, N.J.
- "Honing the Asserted Right to Stop Eating and Drinking," at the conference on Hastening Death by Voluntarily Stopping Eating and Drinking, Seattle U. School of Law, Oct. 15, 2016
- "The Legal Status of and Advance Directive Declining Hand Feeding," presentation at the conference on Hastening Death by VSED, Seattle U. School of Law, Oct. 15, 2016.

Christina S. Ho

Associate Professor

PUBLICATIONS:

- Are We Suffering from an Undiagnosed Health Right, 42 Am. J. of L. and Medicine ____ (forthcoming)
- Exceptions Meet Absolutism: Outlawing Governmental Underreach in Health Law, 93 Denver L. Rev. 109 1 (2016)
- An Internationally Justiciable Right, JOTWELL (August

3, 2016) (reviewing Lisa Forman, Can Minimum Core Obligations Survive a Reasonableness Standard of Review Under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights?, 47 Ottawa L. Rev. ____). <http://health.jotwell.com/an-internationally-justiciable-right/>

Samford University Cumberland School of Law

FACULTY NEWS

David Smolin

Harwell G. Davis Professor of Constitutional Law; Director, Center for Children, Law, and Ethics

PUBLICATIONS:

David M. Smolin, Surrogacy as the Sale of Children: Applying Lessons Learned from Adoption to the Regulation of the Surrogacy Industry's Global Marketing of Children, 43 Pepperdine Law Review 265 (2016).

OTHER PROFESSIONAL ACTIVITIES:

Member of Core Expert Group, International Social Services Surrogacy Project.

Saint Louis University School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

- The Center for Health Law Studies hosted several events and speakers in 2016.
- 15th ANNUAL HEALTH LAW SCHOLARS WORKSHOP:

Scholars: · Wendy Netter Epstein, DePaul University College of Law; · Jasmine E. Harris, UC Davis School of Law; · Elizabeth McCuskey, University of Toledo College of Law; · Rachel Sachs, Washington University School of Law.

Readers in addition to SLU health law faculty: · Brietta Clark, Loyola Los Angeles School of Law; · Nina Kohn, Syracuse University College of Law; · Amy Monahan, University of Minnesota Law School; · Jordan Paradise, Loyola University Chicago School of Law.



Saint Louis University School of Law (continued)

- DISTINGUISHED SPEAKERS SERIES:

- **February 17, 2016**

Melissa Markey, Attorney

Hall Render Kilian Heath & Lyman, PC

“Deep Panda Paging Dr. Smith: What Health Lawyers Need to Know About Big Data and Cybersecurity”

- **September 20, 2016**

Marice Ashe, JD, MPH

CEO, ChangeLab Solutions

“The Five Essential Public Health Law Services”

- **October 25, 2016**

Pierce Blue, JD

U.S. Equal Employment Opportunity Commission

“Employee Wellness Plans and the ADA: How Does the ADA Apply? And Why?”

- 28th ANNUAL HEALTH LAW SYMPOSIUM

April 1, 2016 - Dying Fast and Slow: Improving Quality of Dying and Preventing Untimely Deaths

- **Thomas D. Harter**, PhD, Director, Center for Bioethics, Humanities, and Advanced Care Planning, Gundersen Health System; **Jennifer Ohs**, PhD, Assistant Professor, Department of Communications, Saint Louis University; **Miguel Paniagua**, MD, FACP, Medical Advisor, National Board of Medical Examiners, Adjunct Associate Professor, Perelman School of Medicine, University of Pennsylvania; **April Trees**, PhD, Associate Professor and Chair, Department of Communications, Saint Louis University; **Judith Carron**, RSM, BSN, Care Coordinator, Footprints Program SSM Cardinal Glennon Children’s Hospital; **Jay Malone**, MD, MS, Pediatric Critical Care Medicine Fellow, Washington University School of Medicine; **Thaddeus Pope**, JD, PhD, Director, Health Law Institute; Professor of Law, Mitchell Hamline School of Law; **Kathy Cerminara**, JD, LL.M, JSD, Professor of Law, Nova Southeastern University, Shepard Broad College of Law; **Kelly K. Dineen**, RN, JD, PhD, Assistant Professor and Assistant Director, Albert Gnaegi Center for Health Care Ethics; Assistant Professor, School of Law; Symposium Designer; Co-Director, Bander Center for Medicine Business Ethics, Saint Louis University; **Stacey A. Tovino**, JD, PhD, Director, UNLV Health Law Program; Lehman Professor of Law, UNLV William S. Boyd School of Law; **Sara van den Berg**, PhD, Professor, English Department, Saint Louis University.

- 43 Years of Service – Honoring Jesse Goldner

In April, we honored our esteemed colleague Professor Emeritus Jesse Goldner, for his remarkable service and scholarship. As Rob Gatter, Professor of Law and Co-Director of the Center for Health Law Studies reflected, “Today—above all—the Center is grateful to Jesse Goldner, the John D. Valentine Professor of Law, for his 43 years of distinguished, humble, and joyous service to Saint Louis University, to the Center, and to the field of health law.”

- SLU LAW is Hiring a Health Law Faculty Member

Saint Louis University School of Law seeks a tenured/tenure track faculty member in health law to join its nationally recognized Center for Health Law Studies. We are looking for faculty members who are committed to excellence in teaching, engaged scholarship and public service. The Center for Health Law Studies faculty have a thirty-five year tradition of service to the health professions, the health law community and the public through their teaching, scholarship and service. We are looking for a faculty member who shares our enthusiasm to educate and launch the next generation of health lawyers and health policy experts.

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

- 29th Annual Health Law Symposium - Will be a Send-Off

Join us this spring for the 29th Annual Health Law Symposium, "Coping with Health Care Market Concentration" designed by Tim Greaney, Chester A. Myers Professor of Law and Co-Director of the Center for Health Law Studies. After 30 years, Greaney will be leaving SLU LAW at the end of this academic year and we look forward to taking some time during this symposium to celebrate his three decades of accomplishments and contributions. This symposium is not to be missed.

- Hosting a Conference on Remedies for Market Concentration at Saint Louis University School of Law, April 7, 2017.

FACULTY NEWS

Robert Gatter

Professor of Law, Co-Director of Center for Health Law Studies

PUBLICATIONS:

- BIOETHICS AND LAW IN A NUTSHELL, 2d edition, Nutshell Series, West (2016) (with Sandra H. Johnson,



Saint Louis University School of Law (continued)

Robert L. Schwartz, and Elizabeth Pendo)

- Communicating Loyalty: Advocacy and Disclosure of Conflicts in Treatment and Research Relationships in *THE OXFORD HANDBOOK OF U.S. HEALTHCARE LAW* (I. Glenn Cohen, Allison K. Hoffman & William M. Sage, eds, Oxford University Press, published online 2016)
- (Population) Health Law in Theory, 41 *J. HEALTH POL. POL'Y & L.* 1129 (special issue, 2016)
- Quarantine Controversy: Kaci Hickox v. Governor Chris Christie, 46(3) *HASTINGS CENTER REPORT* 7 (May/June 2016)
- Teaching Population Health Outcomes, Advocacy, and the Population Health Perspective in Public Health Law, 44(1) *J. L. MED & ETH.* 41 (supplement, Spring 2016)

PRESENTATIONS:

Thomas (Tim) Greaney

Chester A. Myers Professor and Co-director, Center for Health Law Studies -- Will be joining the faculty of the University Of California Hastings College of Law in the Fall, 2017 Semester

PUBLICATIONS:

- Thomas L. Greaney & Douglas Ross, Navigating Through the Fog of Vertical Merger Law: A Guide to Counselling Hospital-Physician Consolidation Under the Clayton Act, 91 *U. Wash. L.Rev.* 199 (2016)
- Thomas L. Greaney, "Coping with Concentration," *Loy. Chicago L. J.* ____ (forthcoming 2016).

PRESENTATIONS:

- "Coping With Concentration", Loyola University School of Law Symposium, October 2016
- "Unpacking Merger Analysis," ABA/AHLA Antitrust in Healthcare Conference (May, 2016)
- "Health Insurance Consolidation: A Triage," Catholic Health Association Annual Meeting, Denver, CO (April, 2016)
- "Antitrust analysis of Provider and Payer Markets: Methods and Shortcomings" U California Berkeley School of Public Health (March 2016)
- "Sumo Wrestlers & The Government Made Do It Defense," Faculty workshops at University of New Mexico

Elizabeth Pendo

Joseph J. Simeone Professor of Law

PUBLICATIONS:

- *BIOETHICS AND LAW IN A NUTSHELL* (West) (co-authored with Robert Gatter, Sandra H. Johnson, Robert L. Schwartz) (forthcoming 2016)
- Hidden from View: Disability, Segregation and Work, in *INVISIBLE LABOR* (Winifred Poster, Marion Crain & Miriam A. Cherry eds.) (University of California Press) (2016) (book chapter)

- Getting Data into Public Health Law, Guest Lecture in Course on "Translating Epidemiology into Policy (Prof. Ross Brownson), Brown School of Social Work, Washington University in St. Louis, October 2016

- Flawed CDC Ebola Quarantine Guidance, ASLME Health Law Professors Conference, Boston University School of Law, June 2016

OTHER PROFESSIONAL ACTIVITIES:

- I am one of the five newest authors joining Furrow, Greaney, Johnson, Jost & Schwartz on the 8th edition of *Health Law: Cases, Materials and Problems*. I am joined by Elizabeth Pendo (SLU LAW), Erin Fuse Brown (Georgia State), Brietta Clark (Loyola University–Los Angeles), and Jaime King (UC Hastings).

& Drexel University School of Law (Spring, 2016)

- Debate on Insurance Sector Consolidation, American Medical Association Legislative Strategy Conference (January, 2016)

"Health Care Concentration" Alliance for Health Care Capitol Hill Briefing, Russell Senate Office Bldg., Washington, D.C. (November 2015)

- "Of Sumo Wrestlers and Handshakes: Does the Power-Buyer Defense Justify Insurance Industry Consolidation?" Yale University School of Law, Symposium on Health Care Consolidation (November 2015)

OTHER PROFESSIONAL ACTIVITIES:

- Dubious Health Care Merger Justifications: The Sumo Wrestler and "Government Made Me Do It" Defenses, *Health Affairs Blog* (Feb. 24, 2016).
- Examining the Implications of Health Insurance Mergers, *Health Affairs Blog* (July 16, 2015).
- Testimony before the Committee on the Judiciary, U.S. House of Representatives, Subcommittee on Regulatory Reform, Commercial and Antitrust Law (Sept. 10, 2015).

- Collecting New Data on Disability Health Inequities, *The Hastings Center Report* (March/April 2016)

PRESENTATIONS:

- Top Developments in Disability Law and Policy, SEALS Annual Meeting, Amelia Island, FL, 2016, program organizer and speaker
- Hot Topics in Health Law and Bioethics, SEALS Annual Meeting, Amelia Island, FL, 2016, speaker
- Formative Assessment and Learning Outcomes:



Saint Louis University School of Law (continued)

Implementing Upcoming ABA Standards Easily and Effectively, SEALS Annual Meeting, Amelia Island, FL, 2016, speaker

- New Disability Challenges in Health Law, American

OTHER PROFESSIONAL ACTIVITIES:

- Academic Affairs Consultant, University of Cincinnati College of Law, 2016 (concerning structure and functions of academic leadership positions)
- Association of American Law Schools, Southeast Conference (SEALS), New Scholars Workshop, Invited Reader, and New Voices in Labor and Employment Law, Invited Reader
- Association of American Law Schools, Southeast Conference (SEALS), Appointed to Inclusiveness Committee, Prospective Law Teachers Committee, and Beginning & Newer Law Teachers Committee
- Association of American Law Schools, Southeast Conference (SEALS), Appointed as first Disability Law

Society of Law, Medicine and Ethics Health Law Professors Conference, Boston, MA, 2016, speaker, program organizer and speaker

Liaison to Workplace Law and to Health Law & Bioethics Resource Teams

GRANTS, HONORS & AWARDS:

- HEALTH LAW: CASES, MATERIALS AND PROBLEMS, with Clark, Furrow, Fuse Brown, Gatter, Greaney, Johnson, Jost, King & Schwartz (Thomson/West Publishing) (8th ed., forthcoming 2018), new author
- Healthy People 2020 Law and Health Policy Project, U.S. Department of Health and Human Services and funded by the Robert Wood Johnson Foundation and the CDC Foundation. Co-author of report(s) demonstrating how law and evidence-based health policy can improve the health of people with disabilities.

Seton Hall University School of Law

HEALTH LAW PROGRAM NEWS & EVENTS

It has been a year full of growth and engagement for Seton Hall Law's Center for Health & Pharmaceutical Law & Policy. Here are the year's highlights:

- **WELCOMING NEW FACULTY:** Professor Niteesha Gupte joined the Center in late 2015, bringing more than 15 years of experience in the compliance and health regulatory law fields, including the U.S. Department of Health & Human Services, Office of Inspector General, and global pharmaceutical companies.
- **SETON HALL LAW TO FILL ITS SCHERING-PLOUGH CHAIR:** Seton Hall Law is conducting a national search to fill the Schering-Plough Chair in Health Care Regulation and Enforcement. The Chair will focus on the regulation of development and marketing of pharmaceuticals and will be teaching courses in FDA law. The Chair is supported by a grant from the former Schering-Plough Corporation, which provided the Law School with a \$2.5 million endowment to establish it. Those interested should contact Professor Alice Ristroph, Chair of the Appointments Committee at alice.ristroph@shu.edu.
- **SETON HALL LAW HIRING FOR NEW MEDICAL LEGAL PARTNERSHIP CLINIC:** Combining the expertise in its Center for Social Justice and its Health Law program, Seton Hall Law is interviewing for a new tenure-track professor to head a Medical Legal Partnership Clinic. The new clinic will provide law students the opportunity to serve the legal needs of patients of the new Seton Hall School of Medicine's partners in the Hackensack Meridian Health System. Working with law and medical school colleagues, the successful candidate will design a program to address legal and non-legal issues associated with the social determinants of health that affect low and moderate income persons in Northern New Jersey.
- **EXPLORING OPPORTUNITIES FOR COLLABORATION WITH NEW MEDICAL SCHOOL:** Seton Hall University will open its School of Medicine in 2018. The Law School's Health Law faculty has been meeting with the new Dean of the Medical School, [Dr. Bonita Stanton](#), to plan for collaborative service and educational activities. Dr. Stanton's population health and community service focus promises many opportunities for joint research and community engagement between the two schools.
- **LL.M. DEGREE IN HEALTH LAW NOW AVAILABLE ONLINE:** Seton Hall Law's LL.M. degree program in Health Law now is available as an online program. The LL.M. degree is a 24-credit program that may be completed in as little as one year or as long as six years. The program offers attorneys opportunities to deepen their expertise in compliance, to explore cutting edge issues in health law and policy, and to sharpen their legal skills in representing healthcare providers, payers, regulators, patients, and life sciences companies. Candidates may take courses online, in the classroom, or mix and match. LL.M. candidates also may pursue one of two sub-specialties, traditional health law or drug/device/biotechnology law. Some students also integrate intellectual property courses as part of their health law studies.
- **SEMESTER IN WASHINGTON, D.C. PROGRAM:** Three Seton Hall Law health law concentrators gained incomparable experience by working full-time at the Food and Drug Administration during the spring 2016 semester. During the semester, they



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participated in Professor Gupte's compliance skills course and engaged with Seton Hall's strong network of health law attorneys in the DC area.

• **PROFESSOR GAIA BERNSTEIN TO DIRECT SETON HALL LAW'S NEW INSTITUTE FOR PRIVACY PROTECTION:** Funded by a \$1.7 million grant, the new Institute for Privacy Protection will enable Seton Hall Law to expand its research and programming in privacy protection. Directed by Professor Gaia Bernstein and building on her work on information privacy in general and health privacy in particular, the new Institute will engage in both research and education of consumers and businesses. The Institute's consumer education will focus on youth, parents, and educators to increase awareness of privacy threats resulting from new information technologies while highlighting potential solutions. The Institute will also provide education for businesses and professionals in highly regulated areas, such as the health care industry. Beyond its educational mission, the Institute will promote research by providing inter-disciplinary fora that foster dialogue among legal academics, lawyers, psychologists, educators, technology designers, consumers, businesses, and others to address ethical, cultural, social, and legal privacy issues and promote the search for solutions.

• **SETON HALL LAW TO LAUNCH LATIN AMERICA HEALTHCARE COMPLIANCE PROGRAM IN 2017:** The Seton Hall Law Compliance Certification Program, now in Newark, California, Singapore and the EU, is expanding to Latin America in 2016. This new compliance program is designed to meet the needs of life sciences companies doing business in Latin America. The Latin American Healthcare Compliance Program, to be held in Buenos Aires in September 2017, is a natural expansion of Seton Hall's global compliance education offerings, the largest array offered by any law school in the U.S.

• **PAVING THE WAY TO INTEGRATING BEHAVIORAL HEALTH AND PRIMARY CARE IN NEW JERSEY:** Seton Hall Law's Center for Health & Pharmaceutical Law & Policy published two reports in 2016 exploring the barriers to and presenting roadmaps for integrating behavioral health and primary care in New Jersey. In the first report, titled "Integration of Behavioral and Physical Healthcare: Licensing and Reimbursement Barriers and Opportunities in New Jersey" and funded by The Nicholson Foundation, Professors John V. Jacobi, Tara Adams Ragone, and Kate Greenwood analyzed the legal, policy, regulatory, and fiscal barriers currently inhibiting integrated care, and recommended concrete steps the State can take to facilitate integration. Subsequently, in June 2016 Professor Ragone published, "Integrating Behavioral and Physical Health Care in New Jersey: Legal Requirements for the Sharing of Patient Health Information among Treatment Providers, a report funded by a CMS State Innovation Model Grant" that explored the issues related to breaking down barriers to create and improve the sharing of patient information between behavioral health and physical healthcare providers.

With additional support from The Nicholson Foundation, Professors Jacobi and Ragone in 2017 will provide consultation and regulatory implementation assistance in furtherance of behavioral integration to the New Jersey Departments of Health and Human Services.

• **PARTNERING TO IMPROVE ACCESS TO PRIMARY AND BEHAVIORAL HEALTHCARE FOR NEW JERSEY'S VETERANS:** Building on prior projects directed to primary and behavioral health, the Center for Health & Pharmaceutical Law & Policy, along with the Seton Hall Law Center for Social Justice and its Student Veterans' Association, partnered to provide guidance, referrals, and peer counseling for veterans in Central and Southern New Jersey, assisting vets as they seek insurance coverage and access to integrated healthcare. The project was funded by a grant from the New Jersey Department of Health and was led by Professors John V. Jacobi and Tara Adams Ragone.

• **CELEBRATING DIVERSITY IN THE COMPLIANCE PROFESSION:** On February 3, 2016, Seton Hall Law hosted its Second Annual Celebration of Diversity in Compliance. Co-sponsored with Johnson & Johnson, Ernst & Young, pharmaceutical company UCB and regional utilities provider, PSEG, the program combined thoughtful, incisive presentations with a robust networking reception afterward.

• **SIDLEY AUSTIN LIFE SCIENCES COLLEGE: 2016 GLOBAL STRATEGIES: PHARMACEUTICAL, BIOTECH, MEDICAL DEVICE AND DIAGNOSTICS CHALLENGES:** For the fourth year, Seton Hall Law and Sidley Austin LLP co-hosted Life Sciences College in New York City on March 10, 2016, an innovative and successful global conference series that was developed in response to client requests for pragmatic and affordable training. This year's all-day event featured Professor Gaia Bernstein as a panelist on "Seismic Shifts in EU Data Privacy – The Fallout from the *Schrems* Decision and the Looming GDPR," Professor Kristen Boon on "Arbitration vs. Litigation: Resolving Internals Dispute Efficiently in the Life Sciences Industry," and included a keynote address by Dr. Nir Barzilai, Director for the Institute for Aging Research, Albert Einstein College of Medicine.

• **CO-HOSTED CMS REGIONAL SUMMIT REGARDING HEALTHCARE ACCESS FOR RE-ENTRY AND JUSTICE-INVOLVED PERSONS:** Professors John V. Jacobi and Tara Adams Ragone co-hosted a regional summit with the Centers for Medicare and Medicaid Services (CMS Region II) on April 12, 2016, focused on access to healthcare and coverage for re-entry and other justice-involved persons. The summit brought together federal, state, and local government officials and stakeholders from the re-entry, faith-based, and healthcare enrollment communities in New Jersey and New York.

• **CENTER FOR HEALTH CO-SPONSORS PHARMACEUTICAL COMPLIANCE FORUM SPRING MEETING:** The Center co-sponsored the annual spring meeting held by the Pharmaceutical Compliance Forum (PCF) in Boston, MA on April



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13-14, 2016. PCF is a coalition of senior compliance professionals and legal counsel from more than 50 research-based pharmaceutical manufacturers. Dean Kathleen M. Boozang moderated the Chief Compliance Officer's Panel Discussion with Beth Levine from Regeneron, Roger Louis from Aegerion, Cynthia Patton from Amgen and Trudy Tan from AstraZeneca. The event drew over 100 lawyers and compliance professionals from the life sciences industry.

● **TAXING NONPROFITS: IS IT INEVITABLE?** On April 15, 2016, the Center hosted a forum that explored the viability of our property tax-exemptions for nonprofit organizations. The program considered the recent New Jersey case of Atlantic Health Systems, in which the tax court upheld the denial of Morristown Medical Center's property tax exemption. Featured speakers included John D. Colombo, Albert E. Jenner, Jr. Professor of Law, University of Illinois College of Law; Linda M. Czipo, Executive Director, Center for Nonprofits; and Susan A. Feeney, Partner, McCarter & English, LLP, with the panel moderated by Professor John Jacobi.

● EXAMINING THE OVERLAPPING ROLES AND RESPONSIBILITIES OF LEGAL AND COMPLIANCE FUNCTIONS IN LIFE SCIENCES COMPANIES

The Center is examining the controversies over the role and responsibilities of chief compliance officer, some of which are based on the overlap of responsibilities that typically fell under the role of general counsel before the compliance function was established. As part of its research, the Center is reviewing the existing guidance and publications on the subject. On August 30, 2016, it held an Academic Forum with various stakeholders, including those from the government, industry, trade organizations, and academia. Center faculty, including Dean Kathleen Boozang, Carl Coleman, and Niteesha Gupte, will synthesize and analyze the collected information and write a white paper that will include recommendations on roles, responsibilities, and structure with respect to the general counsel and chief compliance officer positions. The project is supported by an unrestricted grant from the Pharmaceutical Compliance Forum.

● THE PUZZLE OF PARITY: IMPLEMENTING BEHAVIORAL HEALTH PARITY

On September 16, 2016, Seton Hall hosted a conference on The Puzzle of Parity: Implementing Behavioral Health Parity. Moderated by Seton Hall Law's John Jacobi and Tara Ragone, the conference brought together government officials, health insurance representatives, behavioral health providers and advocates, and academics to probe conceptual and practical challenges to implementation of the Federal Mental Health Parity and Addiction Equity Act (MHPAEA). The morning sessions explored a variety of promising approaches to parity implementation and monitoring in states such as California, Connecticut, Maryland, Massachusetts, and New York. At the luncheon, keynoter Richard G. Frank, the Margaret T. Morris Professor of Health Economics in the Department of Health Care Policy at Harvard Medical School, shared his perspectives on implementing MHPAEA in the heels of his service as Assistant Secretary for Planning and Evaluation at the U.S. Department of Health & Human Services. In the afternoon, representatives of industry and advocates collaborated in working through challenging case studies to identify gaps or ambiguity in federal guidance.

The conference was part of the Sentinel Project, an initiative funded by the Robert Wood Johnson Foundation to assess implementation of the Affordable Care Act in New Jersey. Drawing on the dialogue at the conference, the Sentinel Project will release a briefing report in fall 2016 highlighting areas of consensus and potential best practices for parity implementation, with the goal of helping to realize the ACA's promise of improved access to quality, affordable behavioral health services.

● **VISITING HEALTH LAW SCHOLAR LARRY GOSTIN:** Spending two days at Seton Hall Law, Georgetown's Lawrence Gostin met with students, faculty, and community members to discuss *Global Health with Justice: Lessons from the Ebola and Zika Epidemics*. During his public lecture on September 27, Professor Gostin, University Professor and Faculty Director of the O'Neill Institute for National and Global Health Law at Georgetown Law, used the Zika and Ebola epidemics to illustrate deep-seated problems in global health. He posed three important questions for policymakers addressing the complexity of global health challenges and imagining a better future for world health: What would an ideal of global health look like? What would global health with justice look like? And how do we get there from here? During his visit at the Law School, Professor Gostin also led a colloquium with Seton Hall faculty and engaged in a lively small group discussion with health law students.

● **CHANGES IN EU PRIVACY LAW AND THEIR IMPACT ON US BUSINESS:** The Center co-sponsored the Seton Hall Law Review Symposium on *The New EU Data Protection Regulation: Transnational Enforcement and its Effects on U.S. Businesses* on September 29, 2016. The symposium focused on the impact on US businesses of recent changes in EU privacy law given that many businesses in this country possess data on Individuals in the EU. The day-long event included speakers from academia, legal practice, and government and featured some of the nation's leading privacy experts. It was keynoted by Laura Gardner, Senior Attorney, Office of the Chief Counsel for International Commerce, Department of Commerce. The afternoon explored the impact on health care and life sciences of the new EU General Data Privacy Regulation and U.S.-E.U. Privacy Shield. Participants included Frank Pasquale, Professor of Law, University of Maryland Carey School of Law; Daniel Solove, John Marshall Harlan Research Professor of Law, George Washington University Law School; Stacey Tovino, Lehman Professor of Law and Director of the UNLV Health Law Program; and Anna Spencer, Partner, Sidley Austin LLP. The afternoon panel was moderated by Professor Gaia Bernstein, Michael J. Zimmer Professor of Law and Director of the Seton Hall Institute for Privacy Protection.



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● **CENTER RECEIVES FUNDING TO EXAMINE ETHICAL ISSUES IN MARKETING PHARMACEUTICALS IN EMERGING ECONOMIES:**

On October 6-7, 2016, Seton Hall convened an international group of experts and stakeholders to develop an ethical framework to guide pharmaceutical companies' marketing efforts in emerging health systems. Participants included academics, government officials, health care providers, patient advocates, and pharmaceutical executives from nearly a dozen countries throughout Europe, Asia, Africa, and Latin America. Issues explored include the ethics of intra-country differential pricing strategies; marketing non-essential products in resource-limited settings; the relationship between sales and marketing practices and access to medicines policies; and the role of the pharmaceutical industry in promoting the rational use of medicines and addressing the social determinants of health. Based on this meeting, a series of interviews, and scholarly research, the Center faculty are developing a white paper with concrete recommendations for industry and policymakers. This project is made possible through an unrestricted grant from Janssen Pharmaceuticals.

● **In addition to the above programs and projects, the Center for Health & Pharmaceutical Law & Policy held the following events in 2016:**

- EUROPEAN HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, January 11-14, 2016, Sciences Po, Paris
- ASIA PACIFIC COMPLIANCE PROGRAM, February 29-March 3, 2016, Singapore
- LIFE SCIENCES COMPLIANCE CERTIFICATION PROGRAM, March 21-23, 2016, San Francisco, CA
- M.S.J. CAREER PANEL & ALUMNI NETWORKING EVENT, April 21, 2016
- U.S. HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, June 13-16, 2016, Newark, NJ
- EUROPEAN HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, June 6-10, 2016, Sciences Po, Paris
- *CAREERS IN HEALTH LAW: PANEL DISCUSSION*, September 20, 2016 (co-sponsored with the Health & Hospital Section of the New Jersey State Bar Association)
- M.S.J. OPEN HOUSE, October 22, 2016
- U.S. HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, October 24-27, 2016, Newark, NJ
- EUROPEAN HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, November 14-17, 2016, Barcelona, Spain
- COMPLIANCE 2.0: THE NEXT LEVEL, December 1, 2016 (co-presented by Porzio Life Sciences LLC and Porzio, Bromberg & Newman, PC.)

● **The following is a sampling of the Center's upcoming programming in 2017:**

- THIRD ANNUAL CELEBRATION OF DIVERSITY IN THE COMPLIANCE PROFESSION, February 2017
- HOT TOPICS IN LIFE SCIENCES LAW, March 3, 2017 (co-sponsored with Mayer Brown)
- ASIA-PACIFIC HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, MARCH 6-9, 2017 Singapore
- U.S. LIFE SCIENCES COMPLIANCE PROGRAM, March 27-29, 2017, San Francisco, CA
- U.S. HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, June 12-15, 2017, Newark, NJ
- LATIN AMERICAN HEALTHCARE COMPLIANCE CERTIFICATION PROGRAM, September 25-28, 2017, Buenos Aires, Argentina

CONFERENCE ANNOUNCEMENTS, CALLS FOR PAPERS, AND GRANTS RFPs RELATED TO LAW, MEDICINE AND HEALTH CARE:

Seton Hall Law is hosting the inaugural **MID-ATLANTIC HEALTH LAW WORKS-IN-PROGRESS RETREAT** on February 10, 2017 in Newark, New Jersey. The purpose of the retreat is to give local health law scholars an opportunity to share their work and exchange ideas in a friendly, informal setting. The retreat is open to anyone with an academic appointment in health law (including professors, fellows, and visitors) in any institution of higher education in the mid-Atlantic area. During the retreat, we will engage in an in-depth discussion of approximately 5-6 draft papers. Those interested in presenting papers must submit drafts or a detailed abstract no later than November 18, 2016. Selections of papers to be presented will be made by December 9, at which time faculty also will designate additional persons to serve as commentators.

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

- Dean Boozang is working on a textbook tentatively titled, **HEALTHCARE COMPLIANCE: AVOIDING CORRUPTION** (Carolina Press). She also is part of the team at the Seton Hall Law Center for Health & Pharmaceutical Law & Policy that is working on a whitepaper that will make recommendations regarding the roles, responsibilities, and structure of legal and compliance functions in life science companies.
- Professor Gupte joined the Center in late 2015, bringing 15 years of experience in the compliance and health regulatory law fields, from the U.S. Department of Health & Human Services, Office of Inspector General, to global pharmaceutical companies. Professor Gupte taught a compliance skills course in spring 2016, and is working on two Center white papers. One is on the



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challenges of the overlap of roles and responsibilities of the legal and compliance functions in life sciences companies, and the other is on the ethical obligations pharmaceutical companies may have in marketing drugs in emerging markets.

FACULTY NEWS

Gaia Bernstein

Michael J. Zimmer Professor of Law, Director of the Institute for Privacy Protection and Co-Director of the Gibbons Institute for Law Science and Technology

PUBLICATIONS:

- The End Users' Predicament: End Users' Standing in Patent Litigation, B.U.L. REV. (forthcoming 2016)

PRESENTATIONS:

- The End Users' Predicament: End Users' Standing in Patent Litigation, 6th Annual Tri-State Intellectual Property Workshop, NYU Law School, January 2016
- The End Users' Predicament: End Users' Standing in Patent Litigation, Works in progress in Intellectual Property Workshop, Washington University School of Law, February 2016
- The End Users' Predicament: End Users' Standing in Patent Litigation, Plenary presentation, Patcon6, Boston College School of Law, April 2016

- Commentator on health privacy, Emerging Scholars Conference and CULP Colloquium, Duke Law School, May 2016
- HIPAA: A Road for Patient Empowerment, Health Law Professors Conference, Boston University School of Law, June 2016
- Introduction and Overview, The New EU Data Protection Regulation: Transnational Enforcement and its Effects on US Businesses Symposium, Seton Hall Law School, September 2016

GRANTS, HONORS & AWARDS:

Appointed Director of Seton Hall's new Institute for Privacy Protection.

Kathleen M. Boozang

Dean & Professor of Law

PRESENTATIONS:

- Dean Kathleen M. Boozang moderated the Chief Compliance Officer's Panel Discussion at the Pharmaceutical Compliance Forum's (PCF) spring 2016 meeting in Boston, MA in April 2016. She also presented "Palliative Care: Accomplishments and Challenges" at A Call to Re-conceptualize Care in the Last Years of Life, The 17th Annual Barbara Echikson Memorial Palliative Care Symposium, at Saint Barnabas Medical Center, NJ, in spring 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Dean Boozang is a member of the selection committee and a frequent reader for the American Society of Law Medicine and Ethics Health Law Scholars Program. Since

2011, she also has served on a number of committees of the St. Joseph's Healthcare System in Paterson, New Jersey, including the Strategic Planning Committee, the Compensation Committee, the Executive Committee, the CEO Search Committee, and as chair of the Audit and Compliance Committee.

GRANTS, HONORS & AWARDS:

- Dean Boozang was the recipient of a number of honors and awards in 2016, including NJ Biz Best 50 Women in Business, Institute for Nursing Epic Awards, Executive Women of New Jersey Women of Achievement, Educator Award from Sts. Peter & Paul, Women at the Wheel Trailblazer Award Citron Cooperman, and the New Jersey Law Journal Lifetime Achievement Award.

Carl H. Coleman

Professor of Law and Academic Director of Division of Online Learning

PUBLICATIONS:

- Control Groups on Trial: The Ethics of Testing Experimental Ebola Treatments, 7 J. BIOSECURITY, BIOSAFETY & BIODEFENSE L. (2016)
- What Makes IRBs Tick? An Empirical Analysis of IRBs and Their Relationship to Researchers (review of ROBERT KLITZMAN, THE ETHICS POLICE?), IRB: ETHICS &

HUMAN RESEARCH, Sept.-Oct. 2016, at 19

- WORLD HEALTH ORGANIZATION, MANAGING ETHICAL ISSUES IN INFECTIOUS DISEASE OUTBREAKS (2016) (lead author)

PRESENTATIONS:

- Regulating Physician Speech, University of Toronto School of Law, Toronto, Canada, March 2016



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- Ethical Issues in Clinical Trial Designs for Ebola Treatment and Prevention: Reflections on Studies Conducted in 2015, University of Toronto Joint Centre for Bioethics, Toronto, Canada, March 2016
- The International Regulatory Environment Governing Biospecimen Research: Considerations for Developing Drugs for Neglected Diseases, Drugs for Neglected Diseases Initiative, Geneva, Switzerland, May 2016
- Managing Ethical Issues in Epidemic Outbreaks, 13th

Niteesha A. Gupte

Assistant Professor

PRESENTATIONS:

- A Walk-Through of FDA Guidance: Distributing Scientific and Medical Publications on Unapproved New Uses, 2016 Off-Label Regulatory Compliance Congress,

John V. Jacobi

Dorothea Dix Professor of Health Law & Policy, Faculty Director of The Center for Health & Pharmaceutical Law & Policy

PRESENTATIONS:

- Mental Health and Other Behavioral Health Services, in OXFORD HANDBOOK OF AMERICAN HEALTH
- Medicaid, Managed Care, and the Mission for the Poor, 9 SAINT LOUIS U. J. HEALTH LAW & POL'Y 187 (2016)
- INTEGRATION OF BEHAVIORAL AND PHYSICAL HEALTH CARE: LICENSING AND REIMBURSEMENT BARRIERS AND OPPORTUNITIES IN NEW JERSEY, SETON HALL LAW CENTER FOR HEALTH & PHARMACEUTICAL LAW & POLICY (March 31, 2016) (Report supported by a grant from The Nicholson Foundation) (with Tara Adams Ragone and Kate Greenwood)
- ACCESS TO BEHAVIORAL HEALTH SERVICES IN MARKETPLACE PLANS IN NEW JERSEY: THE PUZZLE OF PARITY, SETON HALL LAW CENTER FOR HEALTH & PHARMACEUTICAL LAW & POLICY (July 2016) (Report supported by a grant from The Robert Wood Johnson Foundation) (with Tara Adams Ragone)
- Integration of Behavioral and Physical Health Care: Licensing and Reimbursement Issues, GARDEN STATE FOCUS, AT 30-32 (Summer 2016) (with Tara Adams Ragone)
- Mental Illness: Access and Freedom, 16 HOUSTON J. HEALTH LAW & POLICY __ (2016) (in press)
- BRIEFING REPORT: THE PUZZLE OF PARITY: IMPLEMENTING BEHAVIORAL HEALTH PARITY, SETON HALL CENTER FOR HEALTH & PHARMACEUTICAL LAW & POLICY (forthcoming)

World Congress of Bioethics, Edinburgh, Scotland, June 2016

- Regulating Physician Speech, American Society of Law, Medicine & Ethics Health Law Professors Conference, Boston, Massachusetts, June 2016

OTHER PROFESSIONAL ACTIVITIES:

- Health Law Section co-editor, Jotwell

Parsippany, New Jersey, May 10, 2016

- FDA Audit and Inspection Readiness, The PDMA Alliance 2016 Sharing Conference, Chantilly, VA, September 19, 2016

LAW (ALLISON HOFFMAN, GLENN COHEN, & BILL SAGE EDS.) (Oxford University Press 2016) (book chapter)

2016) (Report supported by a grant from The Robert Wood Johnson Foundation) (with Tara Adams Ragone)

PUBLICATIONS:

- Reforming Medicaid, Medicaid Developments, American Association of Law Schools, Law & Medicine Section, New York NY, January 2016
- Integration of Behavioral and Physical Health Care: Licensing and Reimbursement Barriers and Opportunities in New Jersey, Good Care Collaborative Annual Conference, Trenton, NJ, May 2016

OTHER PROFESSIONAL ACTIVITIES:

- Interim Board Chair, Greater Newark Healthcare Coalition
- Board Chair, North Jersey Community Research Initiative
- Steering Committee, Good Care Collaborative
- Member, American Health Lawyers Association, and American Society of Law, Medicine & Ethics

GRANTS, HONORS & AWARDS:

Recipient of AALS Section on Law, Medicine and Health Care's inaugural Community Service Award, which recognizes the outstanding local, regional, and/or international community service activities of a health law professor in a number of areas, including: pro bono litigation, legislative advocacy, leading or consulting on public initiatives, and other public or private projects.



Seton Hall University School of Law (continued)

Tara Adams Ragone

Assistant Professor

PUBLICATIONS:

- INTEGRATION OF BEHAVIORAL AND PHYSICAL HEALTH CARE: LICENSING AND REIMBURSEMENT BARRIERS AND OPPORTUNITIES IN NEW JERSEY, SETON HALL CENTER FOR HEALTH & PHARMACEUTICAL LAW & POLICY (March 31, 2016) (Report supported by a grant from The Nicholson Foundation) (with John V. Jacobi and Kate Greenwood)
- INTEGRATING BEHAVIORAL AND PHYSICAL HEALTH CARE IN NEW JERSEY: LEGAL REQUIREMENTS FOR THE SHARING OF PATIENT HEALTH INFORMATION AMONG TREATMENT PROVIDERS, SETON HALL CENTER FOR HEALTH & PHARMACEUTICAL LAW & POLICY (June 2016) (Report supported by Funding Opportunity Number CMS-1G1-12-001 from the US Department of Health and Human Services (HHS), the Centers for Medicare & Medicaid Services (CMS) under Cooperative Agreement No. 1G1CMS331386-01-07)
- ACCESS TO BEHAVIORAL HEALTH SERVICES IN MARKETPLACE PLANS IN NEW JERSEY THE PUZZLE OF PARITY, SETON HALL CENTER FOR HEALTH & PHARMACEUTICAL LAW & POLICY (July 2016) (Report supported by a grant from The Robert Wood Johnson Foundation) (with John V. Jacobi)
- Integration of Behavioral and Physical Health Care: Licensing and Reimbursement Issues, GARDEN STATE FOCUS, AT 30-32 (Summer 2016) (with John V. Jacobi)
- BRIEFING REPORT: THE PUZZLE OF PARITY: IMPLEMENTING BEHAVIORAL HEALTH PARITY, SETON HALL CENTER FOR HEALTH & PHARMACEUTICAL LAW & POLICY (forthcoming 2016) (Report supported by a grant from The Robert Wood Johnson Foundation) (with John V. Jacobi)

PRESENTATIONS:

- Legal Barriers Related to the Sharing of Patient Health Information among Integrated Behavioral and Physical Health Providers, Health Law Professors Conference, Boston University School of Law, June 3, 2016
- Legal Barriers Related to the Sharing of Patient Health Information among Integrated Behavioral and Physical Health Providers, Public Health Information and Data Sharing: The Legal Framework Webinar, Centers for Disease Control's Public Health Law Program and the Network for Public Health Law, August 18, 2016
- Parity Primer, The Puzzle of Parity: Implementing Behavioral Health Parity, Center for Health & Pharmaceutical Law & Policy, Seton Hall Law School, Newark, New Jersey, September 16, 2016 (supported by a grant from the Robert Wood Johnson Foundation)
- Keynote Address, Parity and Addressing Barriers to Integrated Care, New Jersey Psychiatric Rehabilitation Association, New Brunswick, NJ, November 17, 2016

OTHER PROFESSIONAL ACTIVITIES:

- Prepared and facilitated in-person training workshop for Veteran Mental Health Navigators on April 25, 2016 at the New Jersey Hospital Association as part of the Improving Healthcare to Veterans Grant from the New Jersey Department of Health.
- Served as the faculty director of the Semester in Washington, DC Program.
- Member of the Parity Legislative Workgroup of the New Jersey Parity Coalition.
- Member of a number of advisory committees, including the New Jersey Division of Consumer Affairs Pain Management Council; the New Jersey iPHD Advisory Committee; the Good Care Collaborative's Steering Committee; and the Stakeholder Advisory Committee for Rutgers University Behavioral Health Care's Center for Behavioral Health and Insurance Literacy.

Southern Illinois University School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

- SIU hosts the 25th Annual National Health Law Moot Court Competition, which this year honors founding faculty member, W. Eugene Basanta, Professor of Law Emeritus (Nov. 2016).
- Dr. Leigh Turner, University of Minnesota, Ryan Bioethicist in Residence Lectures, "Direct-to-Consumer Marketing of Unproven Stem Cell Interventions: Ethical, Legal, and Scientific Concerns," SIU Schools of Law and Medicine, and the Southern Illinois Healthcare joint Ethics Committees (October 2016).
- Prof. Jennifer Brobst, Coordinator, Interdisciplinary Professionalism Day, an annual half-day program for approximately 250 first year graduate students in the JD, MD, MSW, and PA programs at SIU-Carbondale (October 2016).
- Prof. Jennifer Brobst, Training Faculty and Coordinator, Expert Witness Training for Child Trauma Cases, Southern Illinois



Southern Illinois University School of Law (continued)

Trauma Based Behavioral Health Fellowship Program, Masters in Social Work Program, SIU School of Social Work, a half-day mock trial program for over 50 graduate social work and law students (March 2016).

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

- SIU School of Law welcomes submissions of articles, essays, and book reviews for the Journal of Legal Medicine, which it produces in partnership with the American College of Legal Medicine.

FACULTY NEWS

Jennifer Brobst

PUBLICATIONS:

- ADMISSIBILITY OF EVIDENCE IN NORTH CAROLINA, State Practice Series (Thomson Reuters, 2016-2017) (print and digital)
- Miranda in Mental Health: Court Ordered Confessions and Therapeutic Injustice for Young Offenders, 40 NOVA L. REV. 387-423 (2016)
- Why Public Health Policy Should Redefine Consent to Assault and the Intentional Foul in Gladiator Sports, Cleveland-Marshall College of Law Journal of Law and Health Annual Symposium, 29 J. LAW & HEALTH 1-54 (2015)

PRESENTATIONS:

- The Global Health and Social Policy Threat of the Zika Virus, with Bart Hagston, Jackson County Public Health

Dept., United Nations Association (Southern Illinois Chapter), Southern Illinois University School of Law (November 2016)

- Real Victim Rights: Uncovering Common Legal Rape Myths Among Grassroots, Campus, and Criminal Justice Advocates, with Melinda Manning, JD, MSW, Annual International Conference on Sexual Assault, Domestic Violence, and Engaging Men and Boys, EVAWI (End Violence Against Women International), Washington D.C. (March 2016)

OTHER PROFESSIONAL ACTIVITIES:

- Chair-Elect, AALS Balance in Legal Education Section
- Advisory Council member, National Crime Victim Law Institute, Portland, OR

Temple University Beasley School of Law

FACULTY NEWS

Scott Burris

Professor and Director of the Center for Public Health Law Research

PUBLICATIONS:

- Scott Burris et al., Better Health Faster: The 5 Essential Public Health Law Services, Public Health Reports (2016).
- Scott Burris et al., Policy Surveillance: A Vital Public Health Practice Comes of Age, Journal of Health Politics, Policy and Law (2016), <http://jhppl.dukejournals.org/content/early/2016/08/10/03616878-3665931.abstract>.
- Scott Burris et al., A Transdisciplinary Approach to Public Health Law: The Emerging Practice of Legal Epidemiology, 37 Annual Review 135-148, 135-148, <http://www.annualreviews.org/doi/abs/10.1146/annurev-publhealth-032315-021841>.

PRESENTATIONS:

- "Pre-Conference: Hands-On Methods Training in Policy Surveillance: A Crash-Course in Legal Mapping Techniques

and Tools" Public Health Law Conference 2016 (September 15-17, 2016, Washington, DC)

- "Opening Plenary: Looking Forward, Looking Back" Public Health Law Conference 2016 (September 15-17, 2016, Washington, DC)
- "Five Essential Elements: Law and Policy Support for a Culture of Health" Public Health Law Conference 2016 (September 15-17, 2016, Washington, DC)
- "Advocacy Research & Policy: The science of persuasion and shaping richer stories for public health" APHA Annual Meeting (October 30-November 4, 2016)
- "Role of Law in Delivery of Essential Health Services" APHA Annual Meeting (October 30-November 4, 2016)
- "Current and Emerging Issues in Health Law: A Year in Review" APHA Annual Meeting (October 30-November 4, 2016)



Temple University Beasley School of Law (continued)

OTHER PROFESSIONAL ACTIVITIES:

• In the past six months, the RWJF Public Health Law Research Program has transitioned and grown into the trans-disciplinary Center for Public Health Law Research - a partnership between the Beasley School of Law and the Temple University College of Public Health.

GRANTS, HONORS & AWARDS:

- Robert Wood Johnson Foundation Policies for Action Research Hub
- Robert Wood Johnson Foundation Policy Surveillance Program
- Robert Wood Johnson Foundation Public Health Law Partnership - Five Essential Public Health Law Services (joint with ChangeLab Solutions, the Network for Public Health Law).

University of Arkansas School of Law

FACULTY NEWS

Rob Leflar

Professor

PUBLICATIONS:

- Robert B Leflar, Al Witte in His Own Words, 69 ARK. L. REV. 1 (2016).

PRESENTATIONS:

- "The Law and Politics of Medical Injury in the United States and Japan," Tunghai University, Taichung, Taiwan, Oct. 8, 2016
- "Working through Interdisciplinary Puzzles: Examples from Comparative Health Law," National Chiao Tung University, Hsinchu, Taiwan, Oct. 6, 2016
- "The Puzzle of Japanese Patient Safety Reforms," National Taiwan University Faculty of Law, Taipei, Oct. 5, 2016
- "Comparative Law and Medical Injury: America and Japan," U.I.N. [Islamic State University] Sunan Kalijaga, Yogyakarta, Indonesia, Sept. 28, 2016
- "The Iridescence of Japanese Patient Safety Reforms," Inaugural Asian Law and Society Conference, National University of Singapore, Sept. 22, 2016
- "The Saga of U.S. Health Care Reform (Part VII): Implementation Struggles and Presidential Politics," University of Tokyo Faculty of Law, Medicine & Law Research Group, July 28, 2016
- "The Politics of Medical Injury in the United States and Japan," Univ. of Tokyo Law School, June 30, 2016.
- "The Iridescence of Japanese Patient Safety Reforms," Center for Japanese Studies, University of Michigan, Feb. 4, 2016.

OTHER PROFESSIONAL ACTIVITIES:

I was on leave from Arkansas during the fall of 2016. During the summer and fall of 2016, I went on an Asian lecture tour. I gave presentations at five universities in Taiwan, four in Japan, two in Indonesia, and one in Singapore. (A selection of those presentations is set out above.)

Grants, Honors & Awards:

- Byrd Award for Excellence and Creativity in Teaching

University of California, Irvine School of Law

FACULTY NEWS

Michele B. Goodwin

Chancellor's Professor & Director, Center for Biotechnology & Global Health Policy

PUBLICATIONS:

Books:

- POLICING THE WOMB: THE NEW RACE & CLASS

POLITICS OF REPRODUCTION (CAMBRIDGE UNIVERSITY PRESS, 2016/17)



University of California, Irvine School of Law (continued)

Articles:

- CONSTITUTIONAL EXCEPTIONALISM __ILL L. REV.__(2015/16) (forthcoming with Allison Whelan)
- RELIGION IS NOT A BASIS FOR HARMING OTHERS 104 GEORGETOWN L.J. 1111 (2016) (with Erwin Chemerinsky)
- NO IMMUNITY: RACE, CLASS, AND THE CONSTITUTIONAL IMPLICATIONS OF INOCULATION, 129 HARVARD L. REV.956 (2016) (with Erwin Chemerinsky)
- COMPULSORY VACCINATION LAWS ARE LEGAL, 110 NORTHWESTERN L. REV. 589 (2015/16) (with Erwin Chemerinsky)
- HOSPITAL SNITCHES: DEBT COLLECTION, PRIVACY, AND CORPORATE RESPONSIBILITY__DEPAUL L. REV.__(2016)(SYMPOSIUM ISSUE)
- THE PREGNANCY PENALTY 26 HEALTH MATRIX 17 (2016)(LEAD ARTICLE, SYMPOSIUM)

Book Chapters:

- RACE, RELIGION, AND MASCULINITY: THE HIV DOUBLE BIND (chapter in LAW, RELIGION, AND HEALTH IN THE UNITED STATES), (Lynch and Cohen eds. 2017)
- WOMEN, INEQUALITY, AND THE RULE OF LAW (chapter in THE RULE OF LAW), (co-authored with Allison Whelan, Stein and Goldstone eds. 2016)

Short Book/ Article Reviews:

- MARITAL RAPE: FAMILIARITY AS AN AFFIRMATIVE DEFENSE __AJIL UNBOUND__ (2016)

Editorials/Commentaries:

- IT'S NOT JUST ABOUT HARRIET TUBMAN: REPRESENTATIVE KING DOESN'T WANT ANY WOMEN ON CURRENCY, JUNE 24, 2016
- THE LONG ARCH OF SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS: BROCK TURNER'S SUMMER CAMP SENTENCE, JUNE 15, 2016
- MASS INCARCERATION'S TOLL ON WOMEN, FEBRUARY 19, 2016

Selected Harvard Bill of Health Blog Entries:

- WOMEN, GIRLS, AND MASS INCARCERATION: A HIDDEN PROBLEM, FEBRUARY 19, 2016

Testimony:

- CONGRESSIONAL BRIEFING ON "WOMEN, GIRLS, AND MASS INCARCERATION," UNITED STATES CONGRESS, FEBRUARY 23, 2016, WASHINGTON D.C.
- The Huffington Post: Prof. Goodwin writes: It's Not Just About The Supreme Court: Agency Appointments Matter Too In The Next Election
- PBS To The Contrary: Prof. Goodwin discusses pronatalism: hyper focus on childbirth in American society
- YouTube: Prof. Goodwin featured in promo video for

documentary on policing women's pregnancies

- The Huffington Post Blog: Prof. Goodwin co-authors piece on the impact of adult mass incarceration on children, communities
- National Geographic Channel: Prof. Goodwin speaks about laws banning interracial couples in TV program "Government in the Bedroom"
- Huffington Post Blog: Prof. Goodwin writes "An Open Letter to Diamond Reynolds," partner of Philando Castile, killed in police shooting
- BuzzFeed News: Human skulls being sold on Ebay? Prof. Goodwin quoted re: trade in human body parts
- PBS Point Taken: Prof. Goodwin is panelist in discussion of "Should organs be sold?"
- The Huffington Post: Prof. Goodwin writes about ex-Stanford swimmer's six-month jail sentence for felony sexual assault
- NPR: Prof. Goodwin quoted re: controversial uterus transplant
- BuzzFeed: Prof. Goodwin quoted re: focus on genetics to address health problems among people of color
- The Huffington Post: Prof. Goodwin writes about mass incarceration of women and her Congressional briefing on the issues
- Bill of Health Harvard Law: Prof. Goodwin writes: "Women, Girls, and Mass Incarceration: A Hidden Problem"

PRESENTATIONS:

KEYNOTES:

- FAMILY DEFENSE CENTER AND ACLU OF MINNESOTA, MINNEAPOLIS, MN, APRIL 27, 2016
Keynote Speaker: Honoring Paul Redleaf

OTHER INVITED LECTURES:

- Dec. 6, 2016 - Keynote Speaker, "When The Bough Breaks and Babies Fall: ART and The Shifting Meanings of Statehood and Statelessness," Law and Science Conference, Radzyner School of Law, Interdisciplinary Center (IDC), Herzliya, Tel Aviv, Israel
- Dec. 5, 2016 - Radzyner School of Law, Interdisciplinary Center (IDC) Herzliya, Tel Aviv, Israel
- Nov. 28, 2016 - Speaker, "Compulsory Vaccination Laws are Constitutional," Law Matters Workshop, Radzyner School of Law, Interdisciplinary Center (IDC), Herzliya, Tel Aviv, Israel
- Nov. 28, 2016 - Presenter, "Sex, Drugs, and HIV: Mass Incarceration's Hidden Problem," The Love and Prejudice in Law Workshop: Family, Economy and Social Dilemmas, Radzyner School of Law, Interdisciplinary Center (IDC), Herzliya, Tel Aviv, Israel
- Nov. 18, 2016 - Panelist, "Legal Feminism: Looking Back, Looking Forward," 35th Anniversary Symposium of the Journal of Law and Inequality, University of Minnesota Law School
- Nov. 11, 2016 - Speaker via video conference, Georgia



University of California, Irvine School of Law (continued)

State University Law Review Symposium, Atlanta, GA

- Nov. 11, 2016 - Speaker, “The Pressures of Poverty: The Hyde Amendment and Self-Induced Abortions,” Georgetown Journal of Gender and the Law 2016 Symposium, Hart Auditorium, Georgetown University Law Center
- Nov. 10, 2016 - Sex & Gender Talk, UC Irvine, School of Law
- Nov. 1, 2016 - Co-chair, Town Hall Meeting on Gun Violence and Trauma, Washington, DC
- Oct. 27, 2016 - Sex & Gender Talk, UC Irvine, School of Law
- Oct. 15, 2016 - Presenter, “How Sick Is Too Sick or Old for An Organ Transplant?” Ewha Institute for Biomedical Law & Ethics (EIBLÉ) of Korea at Ewha Womans University
- Oct. 10, 2016 - Lecturer, “Patenting Human Genes and Ownership of the Human Body,” Ewha Institute for Biomedical Law & Ethics (EIBLÉ) Conference at Korea University, School of Law in Seoul, Korea
- Oct. 7, 2016 - Panelist, Race and Policing: Defining the Problem and Developing Solutions, UCI Student Center
- Sept. 29, 2016 - Speaker, “Federal and State Regulation of Sex and Labor Trafficking,” The 89th Annual Meeting of the State Bar of California, San Diego
- Sept. 24, 2016 - Speaker/ Moderator, National Women’s Political Caucus of Orange County, Democratic Forum, Orange County, CA
- Sept. 22, 2016 - Co-chair, Town Hall on Gun Violence and Vulnerable Populations, Chicago
- June 9, 2016 - Plenary speaker, Planned Parenthood

OTHER PROFESSIONAL ACTIVITIES:

BRIEF SUMMARY OF SELECTED MEDIA

APPEARANCES AND INTERVIEWS:

- Point Taken Debate on Organ Transplantation, PBS, June 28, 2016.
- Interview with Bonnie Erbe for To The Contrary, PBS, June 8, 2016.

CHRONOLOGY OF ADMINISTRATIVE

LEADERSHIP & SERVICE University Administrative Service: Member, UCI Dean Search Committee for the Bill & Sue Gross Nursing School (2016)

SIGNIFICANT STATE SERVICE:

- Planned Parenthood, Orange & San Bernardino Counties Orange Cty, CA (2015-)

SIGNIFICANT NATIONAL SERVICE:

- Convened, Congressional Briefing on Women, Girls, & Mass Incarceration February 23, 2016
- Bd. Member, American Society of Law, Medicine & Ethics Boston, MA (2016-18)
- Bd. Member, American Civil Liberties Union NY, NY (2014-) (Executive Committee 2015-)
- Chair, Bylaws Committee (Responsible for Redrafting) Law & Society USA (2015-16)

Federation of America National Conference, Washington DC

- May 19, 2016 - Plenary Speaker, Women Deliver 4th Global Conference, Copenhagen, Denmark
- May 16, 2016 - Speaker, Policing Reproduction Symposium, Macaulay Honors College, New York City
- May 12, 2016 - Presenter, Lawrence Lader Lecture on Family Planning & Reproductive Rights, Harvard Medical School
- May 11-12, 2016 - Speaker, Scandal in Real Time: A National Conference on Black Women, Politics & Oral History, UC Irvine
- April 12, 2016 - Presenter, Shallenberger Lecture in Clinical Ethics, “Implicit Bias and the Medical Setting: Losing Patients on the Front End,” Johns Hopkins Medicine
- April 1–3, 2016 - Organizer, 2016 Baby Markets 10th Anniversary International Congress, Irvine
- APRIL 28, 2016 - CLIFFORD SYMPOSIUM CHICAGO, IL, Hospital Snitches: Privacy, Debt, and Corporate Responsibility
- JANUARY 20, 2016 - CALIFORNIA BAR ASSOCIATION WEBINAR, Federal and State Regulation of Sex and Labor Trafficking
- JANUARY 10, 2016 - AMERICAN ASSOCIATION OF LAW SCHOOLS NEW YORK, NY, From Selma to Ferguson: Reflections on Police, Policing, and Protests
- JANUARY 3, 2016 - COLLEGE OF LAW & BUSINESS TEL AVIV, ISRAEL, Human Rights and The Rights of Non Humans

● President, Institute for Global Child Advocacy Minneapolis, MN (2012-)

● Chair, CRN, Biotechnology, Bioethics, & Law USA (2007-Present)

● Member, Law & Society Association USA (1998-Present)

● Chair, Boston College Law School Black Alumni Network-Midwest (2002-Present)

SIGNIFICANT INTERNATIONAL SERVICE:

● Defense for Children International-USA, President Geneva, Switzerland (2012-)

SIGNIFICANT ORGANIZATION SERVICE AND MEMBERSHIPS:

- American Association of Law Schools
- International Bar Association
- American Bar Association
- American Society of Bioethics and Humanities
- American Society of Law, Medicine, & Ethics
- Law & Society
- American Public Health Association
- World Association of Medical Law



University of California, Irvine School of Law (continued)

GRANTS, HONORS & AWARDS:

Named and Endowed Lectures:

- Plenary Speaker, Planned Parenthood 100th Anniversary Annual Meeting (June 2016) Lawrence Lader Lecture, Harvard University (May 2016) Macaulay Honors College, City University of New York (May 2016) Shallenberger Lecture, Johns Hopkins University (April 2016)

Academic Honors and Grants:

- 2016 Outstanding Faculty Award, Law Students For Reproductive Justice (2016)
- Invited to Submit Pilot Award Grant to University of California Office of the President (7/2016)

Civic Honors, Awards, & Memberships:

- Plenary Speaker, Women Deliver, 4th Global Conference, Copenhagen, Denmark (2016)

University of Chicago MacLean Center for Clinical Medical Ethics; DePaul University College of Law

FACULTY NEWS

Valerie Gutmann Koch

Director of Law & Ethics at the University of Chicago MacLean Center for Clinical Medical Ethics & Visiting Fellow at DePaul University College of Law

PUBLICATIONS:

- Preimplantation Genetics: Limitations and Liabilities, book chapter in Reproductive Ethics (Julie Chor and Katie Watson, eds.) (forthcoming 2017)
- Under Attack: Reconceptualizing Informed Consent, J. L. Med. & Ethics (forthcoming 2017) (symposium issue guest editor with Nanette Elster)
- Clinical and Ethical Considerations in Allocation of Ventilators in an Influenza Pandemic or Other Public Health Disaster, Disaster Medicine and Public Health Preparedness (forthcoming 2016)

PRESENTATIONS:

- Autonomy for All?: Informed Consent Parity in Treatment and Research, MacLean Center Conference, University of Chicago (November 12, 2016)
- Rethinking Informed Consent, Element by Element, American Society for Bioethics and the Humanities (October 6, 2016)
- Informed Consent in Treatment and Research – What's the Difference?, MacLean Center Summer Intensive (August 1, 2016)
- Judges and Lawyers as Medical Decision-Makers, MacLean Center Summer Intensive (July 18, 2016)

- Duty: Can (and Should) Research Participants Sue Investigators for Failure of Informed Consent? in Reconceptualizing the Legal Doctrine of Informed Consent, American Society for Law, Medicine, and Ethics, Health Law Professors Conference, Boston University School of Law (June 4, 2016)
- The Past, Present, and Future of Informed Consent: Report on the Town Hall Meeting Process, American Society for Law, Medicine, and Ethics, Health Law Professors Conference, Boston University School of Law (June 4, 2016)
- Ex Machina, Science on the Screen and Doc Films, University of Chicago (May 14, 2016) (panel moderator)

OTHER PROFESSIONAL ACTIVITIES:

- Chair, Special Committee on Bioethics and the Law, American Bar Association
- Co-Chair, Law Affinity Group, American Society for Bioethics and Humanities
- National Institute of Environmental Health Sciences (NIEHS) Office of Human Research Compliance (OHRC) Best Practices Working Group for the Development of Special Considerations for IRB Review of Disaster and Emergency Related Public Health Research.

University of Georgia School of Law

HEALTH LAW PROGRAM NEWS AND EVENTS:

- The University of Georgia School of Law is pleased to announce that it will be hosting the “Second Annual Rural Healthcare Symposium” on April 21, 2017, in Athens, Georgia. The 2016 Symposium featured Alan Morgan, CEO of the National Rural Health Association, as the keynote speaker. The Symposium convened a full day of panels that included a diverse mix of healthcare scholars, policymakers, legislators, clinicians, and industry executives. If you are interested in presenting on a panel



University of Georgia School of Law (continued)

that addresses the legal, policy, technological, or clinical challenges associated with rural healthcare, please email Prof. Fazal Khan at fkhan@uga.edu.

• This Symposium is co-sponsored Boling & Company, a firm that provides legal and consulting services for the healthcare sector. For updates and information on how to register for the Symposium, please send an email to ruralhealthcaresymposium@bolingandcompany.com.

FACULTY NEWS

Fazal Khan

Associate Professor of Law

PUBLICATIONS:

- The Uberization of Healthcare, 26 HEALTH MATRIX: JOURNAL OF LAW-MEDICINE 1 (2016).
- Mobile Health Technology as Disruptive Innovation (Chapter), HANDBOOK OF RESEARCH ON DIGITAL TRANSFORMATIONS, Elgar Press, (2016).
- The BEINGS Conference: Statement of Principles for the Use of Cellular Biotechnologies (Drafting Delegate), NATURE BIOTECHNOLOGY (forthcoming 2017).

PRESENTATIONS:

- "Medicine in the Age of Smart Machines: Law, Process, and Technology," Federal Agency for Healthcare Quality and Research, Rockville, MD. Nov. 29, 2016.
- "Rethinking Public Health Emergencies Post 9/11," University of Illinois College of Law: Epstein Center, Conversations on Health Law and Policy Series. October 21, 2016.
- "Implications of Digital Automation for the Practice of Medicine," Medical Scholars Program, University of Illinois

Elizabeth Weeks

J. Alton Hosch Professor of Law

PUBLICATIONS:

- THE LAW OF AMERICAN HEALTH CARE (Aspen/Wolters Kluwer Law & Business 2016) (with Nicole Huberfeld & Kevin Outterson)
- What Healthism Is (and Isn't), 50 GA. L. REV. 833 – 907 (2016) (with Jessica L. Roberts)
- Best Practices for a State Alzheimer's Disease Registry: Lessons from Georgia, 17 J. MINN. J. L. SCI. & TECH. 221 – 75 (2016) (with Amanda Brown & Rui Bu)

PRESENTATIONS:

- Healthism: Health Status Discrimination and the Law, Harvard Law School, Health Law Policy, Bioethics, and Biotechnology Workshop, Cambridge, MA, Nov. 21, 2016
- Welcome and Introduction, Good Health Policy or Discrimination? How to Tell the Difference, University of Houston Law Center, Health Law & Policy Institute, Houston, TX, Nov. 4, 2016
- Healthism: Health Status Discrimination and the Law, Panel on Health in All Policies, State of Public Health Law

College of Medicine, Urbana-Champaign. October 20, 2016.

- "The Uberization of Healthcare," Nova Law Review Symposium, Regulating Innovation in Healthcare: Protecting the Public or Stifling Progress? October 13, 2016.
- "GMO Labeling: Informed Consent vs. Scientific Correctness," ASLME Annual Health Law Professors Conference, Boston University School of Law, June 3, 2016.
- Conference Organizer, Georgia Law Rural Healthcare Symposium: Obstacles and Opportunities Going Forward, March 25, 2016.

GRANTS, HONORS, AND AWARDS:

- 2016 Health and Aging Policy Fellowship Grant, Atlantic Philanthropies and the John A. Hartford Foundation
- 2016 Congressional Fellowship Program, American Political Science Association
- Secretary, AALS Section on Law, Medicine, and Health Care
- Executive Board, AALS Section on Aging and the Law

Conference, University of Georgia College of Public Health, Office of Outreach and Engagement, Athens, GA, Oct. 18, 2016

- The Limits of Federal Health Insurance Laws to Address Healthism, Panel on Health, Midwestern Law & Economics Association (MLEA) Annual Meeting, Emory University School of Law, Atlanta, GA, Sept. 9, 2016
- Moderator, Discussion Group, Challenges and Opportunities in Defining and Regulating Wellness, Southeastern Association of Law Schools (SEALS), Amelia Island, FL, Aug. 7, 2016
- Recent Developments in Fraud & Abuse: The Practitioners' Perspective, Health Law Professors Conference, American Society of Law, Medicine & Ethics (ASLME), Boston University School of Law, Boston, MA, June 4, 2016

GRANTS, HONORS & AWARDS:

- Co-editor, JOTWELL, Health Law Section (with Carl Coleman)



University of Idaho College of Law

FACULTY NEWS

John Miller

Weldon Schimke Professor of Law

PUBLICATIONS:

• John A. Miller & Aaron Roeppke, Medicaid Planning in Idaho, 52 IDAHO LAW REVIEW 507-46 (2016) SSRN Abstract ID 2680385

• John A. Miller & Vanessa Stroud, Medicaid Planning for Long Term Care: California Style 41 ACTEC L.J. 301-350 (2016), SSRN Abstract ID 268824

University of Kentucky

FACULTY NEWS

Nicole Huberfeld

Ashland-Spears Distinguished Research Professor of Law

PUBLICATIONS:

• THE LAW OF AMERICAN HEALTH CARE (Aspen 2016) (with Elizabeth Weeks and Kevin Outterson); Health Care and the Myth of Self-Reliance, 57 B. C. L. REV. 1 (2016) (with J. Roberts); Decoupling Myths about

Employment and Health Insurance, Health Affairs Blog (Feb. 8, 2016) (with J. Roberts)

PRESENTATIONS:

• Pursuing Universality: The State of the ACA after King v. Burwell, AALS Annual Meeting (joint session of

University of Kentucky (continued)

Employee Benefits Section and the Section on Law, Medicine & Healthcare), Jan. 2016; Panel on Whole Women's Health v. Hellerstedt and the Documentary "Trapped", Kentucky Theater, April 2016; Health Care Federalism after Gobeille, University of Connecticut School of Law 5th Annual Benefits and Social Insurance Conference, April 2016; Health Care and the Myth of Self Reliance, ASLME Health Law Professors Conference, June 2016; Judicial and Political Federalism, Federalism and Race Discussion Group, Southeastern Association of Law Schools Annual Meeting, Aug. 2016; Measuring the New

Health Care Federalism, Indiana Health Law Review Symposium: Ideology Meets Reality: What Works and What Doesn't in Health Law and Policy, Oct. 2016; Presenter, The People's Constitution: Our 18th Century Constitution in Modern Context, Filson Historical Society

GRANTS, HONORS & AWARDS:

• Testimony to Legislative Task Force on Vulnerable Kentuckians, Health Care and the Myth of Self Reliance, July 2016.

UMKC School of Law

FACULTY NEWS

Ann Marie Marciarille

Professor (In a double promotion, I was awarded tenure and promoted to full professor effective 9/1/16).



UMKC School of Law (continued)

PUBLICATIONS:

- Managing Our Microbial Mark: What We Can Learn About Pay for Performance From Ebola's Arrival at Our Shores, 42 AM.J.L. & Med. 393 (2016).

PRESENTATIONS:

- American Journal of Law and Medicine Symposium on Global Infectious Diseases: New Challenges and Solutions Boston, Massachusetts Jan. 30, 2016
Title: Managing Our Microbial Mark: What We Can Learn About Pay for Performance From Ebola's Arrival At Our Shores

- American Society of Law Medicine and Ethics - Annual Health Law Professors' Conference in Boston June 4, 2016
Title: The Stand-Alone Not for Profit Community Based Hospital
- K.U. Medical Center, The Future of Healthcare Lecture Series - November 9, 2016 - Title: Discussion Panel: Prices of Outpatient Prescription Drug-Based Cancer Care After Physician Consolidation With Health Systems

GRANTS, HONORS & AWARDS:

- Univ. of Missouri at Kansas City, Elmer F. Pierson Good Teaching Award in Law.

University of Maryland Carey School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

- Zika Global to Local: Addressing the Epidemic from an International and Interprofessional Lens- February 15, 2017- University of Maryland, Baltimore- SMC Campus Center
- 6th Annual Health Law Regulatory & Compliance Competition March 4, 2017- Carey Law School
- The Stuart Rome Lecture - Prof. Nicolas P. Terry April 6, 2017- Carey Law School
- Roundtable - Prof. Frank Pasquale Hosts: "The Future of Automation, Clinical Decision Support, and Robotics in Health Law & Policy" April 7, 2017- Carey Law School
- April 2, 2016: Maryland Carey Law School's Law & Health Care Program hosted the 5th Annual Health Law Regulatory and Compliance Competition with fifteen teams from around the country. Daniel Levinson, Inspector General for the U.S. Department of Health and Human Services, addressed the participants after the competition.
- May 2-3, 2016: Professor Diane Hoffmann (PI) conducted a meeting meetings of expert working group convened under the interdisciplinary NIH-funded project "Microbiota Transplantation: Recommendations for a Regulatory Framework."
- Oct. 20, 2016: Maryland Carey Law School's Law & Health Care Program held an election panel, "Too Big to Fail" that brought together a panel of insurance, consumer, and industry experts to look back at the history of the ACA and its future after the election.
- Dec. 12-13, 2016: Professor Diane Hoffmann (PI) will conduct the last meeting of the expert working group convened under the interdisciplinary NIH-funded project "Microbiota Transplantation: Recommendations for a Regulatory Framework."

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

- Health Law Regulatory and Compliance Competition Call for Teams: we would like to invite you to participate in the 6th Annual Health Law Regulatory & Compliance Competition, which is being held on Saturday, March 4, 2017, from approximately 8:00 a.m. until 3:00 p.m. at the University of Maryland Carey School of Law in Baltimore, MD. There is no cost to enter the competition, however, teams must cover expenses associated with travel and lodging. Download the Intent to Compete Form, which is due by 5 p.m. on Friday, December 16 at 5:00 p.m.
- April 6, 2017, Rome Lecture with Nicolas P. Terry, Hall Render Professor of Law and Executive Director of the William S. and Christine S. Hall Center for Law and Health
- April 7, 2017, "The Future of Automation, Clinical Decision Support, and Robotics in Health Law & Policy" Symposium, organized by Professor Frank Pasquale

FACULTY NEWS

Leslie Meltzer Henry

Professor of Law

PUBLICATIONS:

- Carleigh B. Krubiner, et al., Advancing HIV Research with Pregnant Women: Navigating Challenges and Opportunities, 30 AIDS 2261 (2016).

PRESENTATIONS:

- "Research with Pregnant Women: Permissible Regulations, Cautious Practice," Global Forum for Bioethics in Research, Buenos Aires, Argentina, November



University of Maryland Carey School of Law (continued)

3, 2016 (with Anna Mastroianni).

- “Critical Distance from Emergent Infectious Disease: Ethical Challenges in Public Health Constraint,” American Society for Bioethics and Humanities Annual Conference, Washington, D.C., October 8, 2016 (with Anna Mastroianni).
- “Dignity as a Constitutional Concept,” Between Europe and the United States, Benjamin N. Cardozo School of Law, New York, NY, June 27, 2016.
- “Research with Pregnant Women: Ethical and Legal Issues in the Zika Pandemic and Beyond,” 39th Annual Health Law Professors’ Conference, Boston University School of Law, Boston, MA, June 3, 2016 (with Anna Mastroianni).
- “Dignity and its Discontents: A Response to the Anti-Dignitarians,” University of Washington School of Law, Seattle, WA, April 28, 2016.

Diane E. Hoffmann

Professor of Law and Director, Law & Health Care Program

PUBLICATIONS:

- Diane E. Hoffmann (with Jack Schwartz) “Stopping Deceptive Health Claims: The Need for a Private Right of Action under Federal Law,” 42 *Amer. J. Law & Med* 53 (2016).
- Diane E. Hoffmann, “The Importance of Including the Deans,” in Symposium Issue on “Transforming the Future
- From End-of-Life Care to the Human Microbiome: The Evolution of a Scholarly Agenda, Investiture as Jacob A. France Professor of Health Law, University of Maryland School of Law (Nov. 10, 2016)
- Social Media and Health Care: The Good, the Bad and the Ugly, Anne Arundel Medical Center (July 6, 2016)
- New Regulatory Challenges posed by the Human Microbiome Project, ASLME Health Law Professor’s Conference, Boston University School of Law, Boston, MA (June 4, 2016)
- Microbiota-targeted Therapies from Probiotics to Transplants: New Regulatory Challenges, University of Minnesota, Lecture series sponsored by Consortium on Law

Frank Pasquale

Professor of Law

PUBLICATIONS:

- Health Information Law, in *THE OXFORD HANDBOOK OF U.S. HEALTHCARE LAW* (I. Glenn Cohen, Allison K. Hoffman, and William M. Sage, eds., 2016).
- Platform Neutrality, 17 *THEORETICAL INQUIRIES*

- “From Reproductive Rights to Reproductive Justice: Re-Examining the Supreme Court’s Abortion Jurisprudence,” The Rose Zetzer Lectures, University of Maryland Carey School of Law, Baltimore, MD, March 10, 2016.

GRANTS, HONORS & AWARDS:

- Analyzing legal barriers and facilitators to the inclusion of pregnant women in clinical research for two interdisciplinary grants (with Prof. Anna Mastroianni, UW Law):
 - Conducting Ethical Research with Pregnant Women in the Emerging ZIKA Pandemic and Beyond: Challenges Arising in Public Health Crises (2-year grant, funded by the Wellcome Trust)
 - The PHASES Project – Pregnancy and HIV/AIDS: Seeking Equitable Study (4-year grant, funded by the NIH).

of Public Health Law Education through a Faculty Fellowship Program,” 44 *J. Law. Med. & Ethics* 81 (2016).

PRESENTATIONS:

- Chronic Pain Management and Opioid Abuse: We Need a “Fix”, Panelist, University of Maryland Center to Advance Chronic Pain Research (Nov. 17, 2016)

and Values in Health, Environment & the Life Sciences, Minneapolis, MN (April 19, 2016)

GRANTS, HONORS & AWARDS:

- JACOB A. FRANCE PROFESSOR OF HEALTH LAW, endowed professorship, University of Maryland School of Law (2016)
- Member, Scientific Advisory Board, Center for Gut Microbiome Research and Education, American Gastroenterological Association (2016)
- Member, Composite Committee, United States Medical Licensing Exam (USLME) (2016)

IN LAW 487 (2016).

- Reforming the Law of Reputation, 47 *LOYOLA L. REV.* 515 (2016).
- *ADMINISTRATIVE LAW: A CONTEMPORARY APPROACH* (Popper, McKee, Varona, Harter, Niles, Pasquale) (3rd Ed., 2016).
- Published editorials and book reviews in the New York



University of Maryland Carey School of Law (continued)

Times, LA Review of Books, The Atlantic, Commonweal, and Slate.

PRESENTATIONS:

- Implications of the EU Right to Explanation for US Health Privacy Law, Seton Hall Symposium on the GDPR, September, 2016.
- Substitutive and Complementary Automation in the Health Sector, White House-sponsored AINow Conference, New York University, July, 2016.
- Moderator, Artificial Intelligence and Health Privacy, Panel at Patient Privacy Rights Conference, Georgetown University Law Center, June, 2016.
- Workshop on Data Security and Privacy, University of Toronto, May, 2016.
- Cybersecurity for Health Care Providers, University of Maryland Cybersecurity Workshop, May, 2016.
- Keynote Address, Algorithmic Regulation, New York University (Stern School of Business) Blockchain Workshop, Apr., 2016.
- The Future of Fair Data Practices, BU Hariri Center on Computer Science, Nov., 2016.
- Ratings, Rankings, and Computational Integrity, University of Virginia School of Engineering and Applied Science, Mar., 2016.
- Opening and Closing Remarks (as co-convenor), The Promise and Limits of Algorithmic Accountability in the Professions, Yale Law School, Apr., 2016.
- Algorithmic Accountability and Human Rights, New York University Law School, Mar., 2016 (for conference Tyranny of the Algorithm).
- Workshop Participant, Algorithms in the Public Sphere, Data & Society, Mar., 2016.
- The Promise (and Threat) of Algorithmic Accountability, Public Lecture (to launch LSE's M.Sc. in Data and Society), London School of Economics, Jan., 2016.
- Bittersweet Mysteries of Machine Learning, LSE

Workshop on Algorithmic Fairness & Accountability, Jan., 2016. I also helped edit the workshop leaders' statement on algorithmic accountability.

- Consultation on big data and pharmacovigilance, European Medicines Agency, Jan., 2016. (Resulted in published interview in EMA Annual Report, May, 2016).
- Data, dignity and technology: Exploring digital ethics (presentation of the EDPS Ethics Advisory Group), CPDP 2016, Jan. 2016.
- Political behavioral targeting, CPDP 2016, Jan. 2016.
- Social Media Mistakes in Health Care Environments, Baltimore Bar Foundation CLE, Baltimore, MD, Jan., 2016.
- Multiple presentations on data law and privacy for various directorates-general of the European Commission, December, 2015, and January, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Joined the Board of the Electronic Privacy Information Center.
- Served on U. Maryland Faculty Senate and Faculty Senate Advisory Council.
- My book *The Black Box Society* was translated into Chinese, French, Korean, and Serbian, and continued to be reviewed (in venues ranging from the European Data Protection Law Review, The New Republic, Science, Nature, and the Michigan L. Review.)
- One recent review concluded: "The Black Box Society is a first-rate work of synthesis, combining ideas from law and economics, interpretive social science, science studies, and the philosophy of technology into an essential study of the political economy of information." (Thomas Drueke, Law Library Journal, 2016).

GRANTS, HONORS & AWARDS:

- Nicolas Terry and I continue to get grateful emails from listeners to *The Week in Health Law*. We'll have done 80+ episodes by the end of 2017. Please check out the program at TWIHL.com, or [@WeekInHealthLaw](https://twitter.com/WeekInHealthLaw) on Twitter!

Karen Rothenberg

Marjorie Cook Professor of Law

PUBLICATIONS:

- "Tribute to Professor Abraham Dash," 74 Maryland Law Review 411 (2015)
- "A Tribute to Professor Katherine L. Vaughns," 74 Maryland Law Review 419 (2015)
- "The Ethical, Legal, and Social Implications Program of the National Human Genome Research Institute: Reflections on an Ongoing Experiment" (with J. McEwen, J. Boyer, K. Sun, N. Lockhart and M. Guyer), 15 Annual Rev. Genomics Hum. Genet. 481 (September 2014)
- The Drama of DNA: Narrative Genomics, (with L.W. Bush) Oxford Univ. Press (2014)

- "Finding Fault? Exploring Legal Duties to Return Incidental Findings in Genomics Research," (with E.R. Pike and B.E. Berkman), 102 Georgetown L.J. 795 (2014)
- "Setting the Stage: Enhancing Understanding of Bioethical Challenges with Theatre," 11 IND. HEALTH L. REV. 1 (2014)
- "The Drama of DNA: Psychological, Social & Policy Implications of NBSeq" (with L.W. Bush) Abstracted Poster, American College of Medical Genetics (March 2014)
- Dramatic Narratives Within Pandora's Box: Paradoxes, Promises & Problems in the Shifting Landscape from NBS-NBSeq (with L.W. Bush) Abstracted Poster, National Institutes of Health, National Human Genome Research



University of Maryland Carey School of Law (continued)

Institute's Social Behavioral and Research Branch (January 2014)

PRESENTATIONS:

- Narrator and Discussion Leader (with L. Bush), "When the Insider Stands as an Outsider: A Play Explores the Conundrum of the Critical-Distance Continuum", American Society for Bioethics and Humanities 18th Annual Meeting, Washington, DC (October 8, 2016)
- Narrator and Moderator, "The Drama of DNA: The Process of Informed Consent and the Disclosure of Findings in the Genomic Era," Anticipatable Incidental Findings: Ethical and Practical Considerations in Diverse-Resource Settings Workshop, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Rockville, Maryland (September 21, 2016)
- Presenter and Facilitator (with L. Bush), "DNA in Play: The ABC's of Assent, Blurred Boundaries, Capacity, Disclosure, Ethics, Families...", PRIM&R's 2015 Advancing Ethical Research Conference, Boston, Massachusetts (November 14, 2015)
- Presenter and Facilitator (with L. Bush), "Expressing Uncertainty: Pediatric Genomics in Play", American Society for Bioethics and Humanities 17th Annual Meeting, Houston, Texas (October 24, 2015)
- Presenter and Moderator, "Genomics in Play: The Drama of DNA", BioData World Congress, Welcome Trust Conference Center, Cambridge, England (October 22, 2015)
- Presenter and Facilitator (with L. Bush), "The Complexity of Uncertainty & Certainty", American Society of Human Genetics 65th Annual Meeting, Baltimore, Maryland (October 6, 2015)
- Presenter and Facilitator (with L. Bush), "Clinical Genomics in Play: The Drama of DNA", Festival of Genomics, Frontline Genomics, Boston, Massachusetts (June 23, 2015)
- Presenter, "All the World's a Stage: Exploring Bioethical Challenges with Theatre", Cultural Programs of the National Academy of Sciences, Performing Science, DC Art Science Evening Rendezvous, Washington, DC (June 18, 2015)
- Presenter and Facilitator (with L. Bush), "Bioethics in Play: The Drama of DNA", Berman Institute of Bioethics Intensive, Johns Hopkins University, Baltimore, Maryland (June 4, 2015)
- Presenter and Facilitator, "Bioethics in Play: The Drama of DNA", University of Maryland MLAW Program, College Park, Maryland (April 16, 2015)
- Presenter and Facilitator (with L. Bush), "Bioethics in Play: The Process of Informed Consent and the Disclosure of Findings in the Genomics Era," Johns Hopkins Berman Institute of Bioethics Seminar Series, Baltimore, Maryland (March 9, 2015)
- Presenter and Facilitator (with L. Bush), "The Drama of

DNA: Implications of Genomic Protocols that Reconceptualize the Boundaries of 'Normalcy,'" PRIM&R's 2014 Advancing Ethical Research Conference, Baltimore, Maryland (December 6, 2014)

- Poster (with L. Bush), "Illuminating the Changing Landscape from Newborn Screening to Newborn Sequencing: Ethical Psychological, and Societal Implications for Research and Policy-Making in the Genomics Era," The American Society of Human Genetics 64th Annual Meeting, San Diego, California (October 20, 2014)
 - Presenter and Facilitator (with L. Bush), "Navigating the Thorny Landscape on a Path from Newborn Screening to Genome Sequencing: A Play Brings to Life the Drama of DNA," The American Society of Human Genetics 64th Annual Meeting, San Diego, California (October 18, 2014)
 - Presenter and Facilitator (with L. Bush), "Illuminating Interprofessionalism: The Drama of DNA from Prenatal to Newborn Screening and Sequencing," American Society for Bioethics and Humanities 16th Annual Meeting, San Diego, California (October 16, 2014)
 - Presenter (with L. Bush), "Bringing ELSI Issues to Life: The Drama of DNA," Plenary Session, National Society of Genetic Counselors 33rd Annual Education Conference, New Orleans, Louisiana (September 20, 2014)
 - Presenter and Panel Discussant (with L. Bush), "The Drama of DNA: Where to Draw the Line in the Shifting Landscape from Newborn Screening to Genome Sequencing?," Harvard Clinical Bioethics Course, Center for Bioethics, Harvard Medical School, Boston, Massachusetts (June 19, 2014)
 - Presenter, "The Drama of DNA: The Process of Consent & Disclosure of Genomic Findings," Bioethics Luncheon Speakers Series, Presidential Commission for the Study of Bioethical Issues, Washington, DC (April 25, 2014)
- ### **OTHER PROFESSIONAL ACTIVITIES:**
- Editorial Board, Journal of Law & Biosciences (2013-)
 - Senior Editor, Life Sciences, Society and Policy (2013-)
 - Advisory Board, Health Care Law & Policy eJournal (2012-)
 - Member, Data Safety and Monitoring Board, The Foundation Fighting Blindness, Columbia, Maryland (2010-)
 - Legal Advisory Board, Genetics Policy Institute (2010-)
 - Member, Institutional Review Board, National Institute of Child Health and Human Development, National Institutes of Health, Bethesda, Maryland (2010-2011)
 - Board of Directors, L.A. Theatre Works (2009 – present)
 - Co-Chair, The World Stem Cell Summit, Baltimore, MD (2009)
 - Chair, Maryland Stem Cell Research Commission (2008 – 2010)
 - Board of Directors, Baltimore Leadership School for Young Women Foundation (2008– 2011)
 - Ethics & Security Advisory Board, Marshfield Clinic, Research Foundation Center for Human Genetics (2007 -



University of Maryland Carey School of Law (continued)

2012)

- Maryland Stem Cell Research Commission (Gubernatorial Appointment) (2006–2013)

GRANTS, HONORS & AWARDS:

- McDonald Merrill Ketcham Award (2013)
- Equal Justice Works, Dean John R. Kramer Outstanding Dean Award (2007)
- The Daily Record 50 Most Influential Marylanders Award (2007)
- The Maryland Commission on Women, inducted into the Women's Hall of Fame (2007)
- The Daily Record Leadership in Law Award (2003)

- The Daily Record Maryland's Top 100 Women (2002 and 2006); Circle of Excellence (2008)
- Dorothy Beatty Memorial Achievement Award, Maryland Women's Law Center (2002)
- Honorary Fellow, American College of Legal Medicine (2002)
- Fellow, American Bar Foundation (2001–present)
- Fellow, Maryland Bar Foundation (2001 – present)
- Eminent Scholar Grant, Maryland Higher Education Commission (1998, 1999)
- Joseph Healey Health Law Teachers Award (1996)
- American Law Institute (1995–present)

University of Minnesota School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

Consortium on Law and Values in Health, Environment & the Life Sciences (<https://consortium.umn.edu/>) (2015-16):

Conferences (2015) --

- "Research with Human Participants: The National Debates," Consortium on Law and Values, sponsored by Univ. of Minnesota Office of Vice President for Research.
- "Should We Offer Genomic Research Results to a Participant's Family, Including After the Participant's Death?" Consortium on Law and Values, sponsored by NIH grant #1R01CA154517; symposium published in 43 J LAW MED ETHICS 437-593 (2015).

Lecture Series (2016) --

- "Microbiota-targeted Therapies from Probiotics to Transplants: New Regulatory Challenges," Prof. Diane E. Hoffmann
- "Fecal Microbiota Transplantation: Ethical Challenges and Regulatory Hurdles," Prof. Stacy A. Kahn
- "The Evolving Human Microbiome," Prof. Alexander Khoruts

Deinard Memorial Lecture on Law & Medicine (2016) --

- "Lessons from Ferguson and Beyond: Bias, Health & Justice," Prof. Sidney D. Watson

OTHER ACTIVITIES – LAW, MEDICINE & HEALTH CARE:

Upcoming Conference:

- "The Future of Informed Consent: A Century of Law, Ethics & Innovation," Mar. 8, 2017, Univ. of Minnesota

Upcoming Lectures:

- "How Patients Are Creating Medicine's Future: From Citizen Science to Precision Medicine," Ernesto Ramirez, Prof. Barbara Evans, Prof. Kingshuk Sinha & Prof. Jason Bobe, Dec. 6, 2016, Univ. of Minnesota
- "The Dynamics and Evolution of Emerging Pathogens: Insights from Californian Salt Marshes, House Finches & Zika Virus," Prof. Andrew P. Dobson, Jan. 24, 2017, Univ. of Minnesota
- "Ending the Pandemic Era: Science at the Animal-Human-Environmental Interface," Prof. Jonna Mazet, Feb. 7, 2017, Univ. of Minnesota
- "Combating Microbial Terrorists: How to End Our Preparedness Stalemate," Dr. Julie L. Gerberding, Apr. 13, 2017, Univ. of Minnesota

FACULTY NEWS

Susan M. Wolf

McKnight Presidential Professor of Law, Medicine & Public Policy; Faegre Baker Daniels Professor of Law; Professor of Medicine; Chair, Consortium on Law and Values in Health, Environment & the Life Sciences



University of Minnesota School of Law (continued)

PUBLICATIONS:

- Susan M. Wolf, Barbara A. Koenig & Gloria Petersen, eds., Return of Genomic Research Results to a Participant's Family, Including After Death, 43 J LAW MED ETHICS 437-593 (2015).
- Susan M. Wolf & Isaac S. Kohane, The Rise of Patient-Driven Research on Biospecimens & Data: The Second Revolution, in SPECIMEN SCIENCE: ETHICS AND POLICY IMPLICATIONS (Suzanne M. Rivera, Barbara E. Bierer, Holly Fernandez Lynch, I. Glenn Cohen, eds., MIT Press) (forthcoming).
- Julianne M. O'Daniel et al., A Survey of Current Practices for Genomic Sequencing Test Interpretation and Reporting Processes in U.S. Laboratories, GENET MED (forthcoming).
- Robert C. Green et al., The Clinical Sequencing Exploratory Research Consortium: Accelerating the Evidence-Based Practice of Genomic Medicine, 98 AM J HUM GENET 1051-66 (2016).
- Susan M. Wolf, Wylie Burke & Barbara A. Koenig, Mapping the Ethics of Translational Genomics: Situating Return of Results and Navigating the Research-Clinical Divide, 43 J LAW MED ETHICS 486-501 (2015).
- Susan M. Wolf et al., Returning a Research Participant's Genomic Results to Relatives: Analysis & Recommendations, 43 J LAW MED ETHICS 440-63 (2015).
- Rebecca Branum & Susan M. Wolf, International Policies on Sharing Genomic Research Results with Relatives: Approaches to Balancing Privacy with Access, 43 J LAW MED ETHICS 576-93 (2015).
- Carmen Radecki Breitkopf et al., Preferences Regarding Return of Genomic Results to Family Members of Research Participants, Including After Participant Death: Empirical Results from a Cancer Biobank, 43 J LAW MED ETHICS 464-75 (2015).
- Susan M. Wolf, Return of Research Results: What About the Family?, 43 J LAW MED ETHICS 437-39 (2015).
- Susan M. Wolf, Nancy Berlinger & Bruce Jennings, 40 Years of Work on End-of-Life Care: From Patients' Rights to Systemic Reform, 372 NEW ENGL J MED 678-82 (2015).
- Wylie Burke et al., Abstract, Negotiating the research-clinical interface in genomic medicine: Analysis from the CSER Consortium, American Society of Human Genetics (ASHG) Annual Meeting (2016).

OTHER PROFESSIONAL ACTIVITIES:

- Member, National Science Advisory Board for Biosecurity (NSABB), appointed by Secretary of Health and Human Services
- Member, NIH Clinical Sequencing Exploratory Research (CSER) Consortium
- Member, Univ. of Minnesota Research Compliance Advisory Committee
- Member, Clinical and Translational Science Institute (CTSI) Multidisciplinary Advisory Committee (MAC), Univ. of Minnesota

GRANTS, HONORS & ACTIVITIES:

Grants:

- Grant from National Institutes of Health (NIH), National Human Genome Research Institute (NHGRI) & National Cancer Institute (NCI) (#1R01HG008605) (2016-19), on "LawSeqSM: Building a Sound Legal Foundation for Translating Genomics into Clinical Application," Susan M. Wolf, Ellen Wright Clayton, Frances Lawrenz, Principal Investigators (PIs).
- Grant from MnDRIVE Transdisciplinary Research (2014-16), on "DNA Nanotechnology: Developing and Analyzing a New Tool for Sensing and Targeting Disease," Efic Kokkoli, Karen Ashe, Ted Labuza, Walter Low, Scott McIvor, Susan M. Wolf, PIs.
- Grant from National Institutes of Health (NIH), National Institute of Biomedical Imaging and Bioengineering (NBIB) (#1R25EB020381) (2014-17), on "Big Data Coursework for Computational Medicine," Jyotishman Pathak, Claudia Neuhauser, Christopher Chute, PIs; Role: Co-Investigator (Co-I).
- Grant from National Institutes of Health (NIH), National Cancer Institute (NCI) & National Human Genome Research Institute (NHGRI) (#1R01CA154517) (2011-16), on "Disclosing Genomic Incidental Findings in a Cancer Biobank: An ELSI Experiment," Gloria Petersen, Barbara Koenig, Susan M. Wolf, PIs.
- Grand Challenges Award from Univ. of Minnesota (2016-18), on "Minnesota Precision Medicine Collaborative," Pamala Jacobson, Kingsuk Sinha, Susan M. Wolf, Ellen Demerath, Co-PIs.

Awards:

- McDonald-Merrill-Ketcham Award for Excellence in Law and Medicine, Indiana Univ. (2015).

UNLV William S. Boyd School of Law Health Law Program

HEALTH LAW PROGRAM NEWS & EVENTS:

- November 17, 2016, "Nevada Population Health Conference 'Innovations in Population Health,'" UnitedHealthcare Campus, Las Vegas (co-sponsored with Holland & Hart LLP, UnitedHealthcare, Nevada State Medical Association, UNLV



UNLV William S. Boyd School of Law Health Law Program (continued)

William S. Boyd School of Law, UNLV School of Community Health Sciences, UNLV School of Medicine, University of Nevada, Reno School of Medicine, Nevada Public Health Training Center).

- October 31, 2016, **“Selecting and Preparing Mental Health Experts,”** Mental Health Law Course Guest Speaker: David Anthony, JD, Assistant Federal Defender, Nevada Federal Public Defender.
- October 14, 2016, **Workplace Law Speaker: Chai R. Feldblum, Commissioner,** U.S. Equal Employment Opportunity Commission, William S. Boyd School of Law, University of Nevada, Las Vegas.
- October 14, 2016, **CE Program: “The Global Institute for Forensic Research Presents: Everything You Need to Know about Internet Sex Offenders: Child Pornographers, Solicitors, and Travelers,”** William S. Boyd School of Law, University of Nevada, Las Vegas (co-hosted with UNLV: The Practice).
- October 6, 2016, **Health Law Program Speaker Series: Second Annual Health Law Lecture: “Changing Standards for Health Care Professional Programs for Individuals with Disabilities: Southeastern Community College Revisited,”** Laura Rothstein, JD, Distinguished University Scholar and Professor of Law, University of Louisville Louis D. Brandeis School of Law.
- October 6, 2016, **Health Law Program Speaker Series: “Protecting Health Privacy Is Harder Than You Think,”** Mark Rothstein, JD, Herbert F. Boehl Chair of Law and Medicine and Founding Director, Institute for Bioethics, Health Policy and Law, University of Louisville School of Medicine, and Professor of Law, University of Louisville Louis D. Brandeis School of Law, Louisville, Kentucky.
- October 3 and 5, 2016, **“Screening, Brief Intervention, and Referral to Treatment (SBIRT) Training for Attorneys and Law Students,”** Mental Health Law Course Training: John P. Alamodin, MSW, LSW, The Lincy Institute, University of Nevada, Las Vegas.
- September 26, 2016, **“Co-Occurring Disorders: Chickens, Eggs, and Omelets,”** Mental Health Law Course Guest Speaker: Melissa Piasecki, MD, Executive Associate Dean, University of Nevada, Reno School of Medicine.
- September 21, 2016, **CME Program: “States of Grace Film Screening,”** William S. Boyd School of Law, University of Nevada, Las Vegas (co-sponsored with the University of Nevada, Reno School of Medicine and part of the UNLV William S. Boyd School of Law 2016-2017 Public Interest Law Film Festival: Health Law).
- September 20, 2016, **“U.S. Department of Labor, Employee Benefits Security Administration: Employee Benefit Laws Workshop,”** Cristina A. Collao, JD, Senior Benefits Advisor, U.S. Department of Labor.
- September 16, 2016, **CLE and CEU Program: “Substance Use and the Law: Careers that Intersect Therapy and Justice,”** William S. Boyd School of Law, University of Nevada, Las Vegas (co-sponsored with the Southern Nevada Addictive Disorders Training Project, Foundation for Recovery, Las Vegas Recovery Center, West Care, and Las Vegas Youth Offender Court).
- September 14, 2016, **“Civil Commitment,”** Mental Health Law Course Guest Speaker: Melissa Piasecki, MD, Executive Associate Dean, University of Nevada, Reno School of Medicine.
- September 9, 2016, **CLE and CME Program: “End of Life Symposium,”** William S. Boyd School of Law, University of Nevada, Las Vegas (co-sponsored with the University of Nevada, Reno School of Medicine).
- September 7, 2016, **“Defining Mental Illness,”** Mental Health Law Course Guest Speaker: Cheryl Perna, MSN, RN, Senior Lecturer, University of Nevada, Las Vegas School of Nursing.
- August 29, 2016, **“Mental Health Professionals,”** Mental Health Law Course Guest Speaker: Melissa Piasecki, MD, Executive Associate Dean, University of Nevada, Reno School of Medicine.
- April 18, 2016, **Health Law Program Speaker Series: “The Ethics of Personalized Medicine,”** Martin Schiller, PhD, Executive Director, Nevada Institute of Personalized Medicine, Professor, School of Life Sciences, University of Nevada, Las Vegas.
- April 13, 2016, **CLE and CME Program: “Professionalism and Technology in Medicine,”** William S. Boyd School of Law, University of Nevada, Las Vegas (co-sponsored with the University of Nevada School of Medicine).
- April 4, 2016, **Health Law Program Speaker Series: “How Experience Shapes Our Perception,”** Michael Webster, PhD, Foundation Professor, Director, Center for Integrative Neuroscience, and Co-Director, Neuroscience Major, Department of Psychology, University of Nevada, Reno.
- March 17-19, 2016, **CLE and CME Program: Southern Association for the History of Medicine and Science Eighteenth Annual Meeting,** William S. Boyd School of Law, University of Nevada, Las Vegas.
- March 9, 2016, **CLE Program: “Gambling Disorder and Employment Law Issues,”** William S. Boyd School of Law, University of Nevada, Las Vegas (co-sponsored with the Nevada Council on Problem Gambling).
- March 3, 2016, **Health Law Program Speaker Series: First Annual Health Law Lecture: “Beyond Cloning: Should We Use Gene Editing to Make a ‘Better Baby’?,”** George Annas, JD, MPH, William Fairfield Warren Distinguished Professor



UNLV William S. Boyd School of Law Health Law Program (continued)

and Chair of the Department of Health Law, Bioethics & Human Rights, Boston University School of Public Health; and Professor, Boston University Schools of Medicine and Law.

- February 8, 2016, “**Flint’s Toxic Water Contamination Crisis**,” Clifford Villa, JD, Assistant Professor of Law, University of New Mexico School of Law.
- February 4, 2016, **Health Law Program Speaker Series: “Global Health Security: From SARS and H1N1 to Ebola and Zika - How to Prevent Catastrophic Pandemics**,” Larry Gostin, JD, University Professor, Georgetown University; Founding Timothy and Linda O’Neill Chair in Global Health Law and Faculty Director, O’Neill Institute for National and Global Health Law, Georgetown University Law Center; and Director, World Health Organization Collaborating Center on Public Health Law & Human Rights.

FACULTY NEWS

Max Gakh

Assistant Professor, School of Community Health Sciences; and Associate Director, UNLV Health Law Program, University of Nevada, Las Vegas.

PUBLICATIONS:

- Max Gakh & Lainie Rutkow, *Lessons from Public Health Legal Preparedness to Operationalize Health in All Policies*, J. LAW, MED. & ETHICS __ (forthcoming 2017).

Presentations:

- November 17, 2016, "Social Determinants of Health and Health Equity," Nevada Population Health Conference, Las Vegas, Nevada.
- October 25, 2016, “Public Health Legal Preparedness,” Guest Lecture, UNLV School of Community Health Sciences, Las Vegas, Nevada.

- September 22, 2016, "Health Equity & the Law: Potential Barriers and Opportunities," 2016 Nevada Public Health Association Annual Conference, Las Vegas, Nevada.
- April 28, 2016, “Ask a Health Lawyer,” UNLV Marriage and Family Therapy Program, University of Nevada, Las Vegas, Nevada.
- February 29, 2016, “Full-Day Kindergarten and Health in Nevada: A Health Impact Assessment,” Nevada Public Health Association Southern Nevada Chapter Quarterly Meeting, Las Vegas, Nevada.

Sara Gordon

Associate Professor of Law, William S. Boyd School of Law, University of Nevada, Las Vegas.

PUBLICATIONS:

- Sara Gordon, *The Use and Abuse of Mutual Support Programs in Drug Courts*, ILLINOIS L. REV. __ (forthcoming 2017).
- Sara Gordon, *Crossing the Line: Daubert, Dual Roles, and the Admissibility of Forensic Mental Health Testimony*, 37 CARDOZO L. REV. 1345 (2016).
- Sara Gordon, *The Danger Zone: How the Dangerous Standard in Civil Commitment Proceedings Harms People with Serious Mental Illness*, 66 CASE W. RES. L. REV. 657 (2016).

PRESENTATIONS:

- July 9-14, 2017, “The Use and Abuse of Mutual Support Programs in Drug Courts,” International Academy of Law and Mental Health, Faculty of Law, Charles University, Prague, Czech Republic.
- February 24, 2017, “Mutual Support Programs in Specialty Courts,” Health Law Institute, Mitchell Hamline School of Law, St. Paul, Minnesota.

- December 7, 2016, “Schema Theory and 'Plain Language' Jury Instructions,” Clark County Bar Association, Las Vegas, Nevada.
- November 3, 2016, “The History and Use of Mutual Support Programs in Specialty Courts,” Rocky Mountain Junior Scholars Conference, Salt Lake City, Utah.
- October 10, 2016, “What Judges Need to Know: Drugs in America Today,” National Judicial College Training Program, Green Valley Ranch Resort and Spa, Henderson, Nevada.
- June 10, 2016, “Problem Gambling and Specialty Courts,” 16th International Conference on Gambling and Risk Taking (ICGRT), The Mirage Hotel and Casino, Las Vegas, Nevada.
- April 28, 2016, “Ask a Health Lawyer,” UNLV Marriage and Family Therapy Program, University of Nevada, Las Vegas.
- March 18, 2016, “The History and Use of Mutual Support Programs in Specialty Courts,” Southern Association for the History of Medicine and Science, Eighteenth Annual Meeting, William S. Boyd School of Law, University of Nevada, Las Vegas.



UNLV William S. Boyd School of Law Health Law Program (continued)

Ann McGinley

William S. Boyd Professor of Law, William S. Boyd School of Law, University of Nevada, Las Vegas.

PUBLICATIONS:

- ANN C. MCGINLEY, *DISABILITY LAW: CASES, MATERIALS, PROBLEMS*, Sixth Edition (Carolina Academic Press) (with Laura Rothstein) (forthcoming 2017).

PRESENTATIONS:

- April 8, 2016, "The ADA: Possible Remedy to Police Use of Force against Persons with Mental Disabilities?, Beating Mental Illness: A Dialogue on Race, Gender and Disability Stereotypes in Use of Force Cases," University of Southern California Saks Institute for Mental Health Law, Policy, and Ethics, USC Gould School of Law, Los Angeles, California.

Stacey A. Tovino

Lehman Professor of Law, William S. Boyd School of Law; and Director, Health Law Program, University of Nevada, Las Vegas

PUBLICATIONS:

- Stacey A. Tovino, *The EU GDPR and the HIPAA Privacy Rule: Illustrative Comparisons*, 47 SETON HALL L. REV. ____ (forthcoming) (invited symposium).
- Stacey A. Tovino, *Teaching the HIPAA Privacy Rule*, 61 ST. LOUIS U. L. J. ____ (forthcoming) (invited symposium).
- Stacey A. Tovino, *The Grapes of Wrath: On the Health of Immigration Detainees*, 57 B.C. L. REV. 167 (2016).
- Stacey A. Tovino, *The House Edge: On Gambling and Professional Discipline*, 91 WASH. L. REV. 1253 (2016).
- Stacey A. Tovino, *Gambling Disorder, Vulnerability, and the Law: Mapping the Field*, 16 HOUS. J. HEALTH L. & POL'Y 102 (2016) (invited symposium).

PRESENTATIONS:

- July 31-August 6, 2017, "Being a Productive Scholar," New Law Professor Workshop, SEALS, Boca Raton, Florida.
- July 30-August 3, 2017, "Disclosing Test Results under CLIA and HIPAA," 2017 Annual Meeting of the American Association for Clinical Chemistry, San Diego, California.
- July 9-14, 2017, "The House Edge: On Gambling and Professional Discipline," International Academy of Law and Mental Health XXXVth Congress, Faculty of Law, Charles University, Prague, Czech Republic.
- April 6, 2017, "Mental Health Parity Law and Mandatory Mental Health and Substance Use Disorder Benefit Law," Shepard Broad College of Law, Nova Southeastern University, Fort Lauderdale, Florida.
- April 5, 2017, "Patient Advocacy and Health Insurance Coverage," Guest Lecture, Health Policy, Bioethics, and Quality of Care class, Shepard Broad College of Law, Nova Southeastern University, Fort Lauderdale, Florida.
- March 19, 2017, "U.S. Insurance Coverage of Tele-Mental Health Care," Ninth International Conference on eHealth, Telemedicine, and Social Medicine, Nice, France.
- March 12-15, 2017, "HIPAA Privacy Intersession Course," Center for Health Law Studies, Saint Louis University School of Law, St. Louis, Missouri.

- Stacey A. Tovino, *Dying Fast: Suicide in Individuals with Gambling Disorder*, 10 ST. LOUIS U. J. HEALTH L. & POL'Y ____ (forthcoming) (invited symposium).
- Stacey A. Tovino, *Of Mice and Men: On the Seclusion of Immigration Detainees and Hospital Patients*, 100 MINN. L. REV. 2381 (2016).
- February 26, 2017, "Innovations in Health Law," American College of Legal Medicine 57th Annual Meeting, Bally's Las Vegas Hotel and Casino, Las Vegas, Nevada.
- February 24, 2017, "Mental Health Parity Law and Mandatory Mental Health and Substance Use Disorder Benefits Law: A Federal and Minnesota Update," Health Law Institute, Mitchell Hamline School of Law, St. Paul, Minnesota.
- February 20, 2017, "Legal Challenges of Electrophysiology: Case Scenarios," Advancing the Field: Second Biennial Forum on Practice Innovation, Scientific Achievement, and Career Advancement for Pediatric and Adult Congenital Electrophysiology, sponsored by the Pediatric and Congenital Electrophysiology Society (PACES), Florida Hospital for Children, and Florida Hospital Nicholson Center, Orlando, Florida.
- February 20, 2017, "Legal Issues for the Allied Health Professional: Proper Documentation," Advancing the Field: Second Biennial Forum on Practice Innovation, Scientific Achievement, and Career Advancement for Pediatric and Adult Congenital Electrophysiology, sponsored by the Pediatric and Congenital Electrophysiology Society (PACES), Florida Hospital for Children, and Florida Hospital Nicholson Center, Orlando, Florida.
- February 3, 2017, "Measured Experience: Neuroimaging, Consciousness and the Law," Center for Health, Science and Public Policy, Brooklyn Law School, Brooklyn, New York.
- January 2-10, 2017, Mental Health Law Intersession Course, Health Law & Policy Institute, University of Houston Law Center, Houston, Texas.
- September 29, 2016, "The EU GDPR and the HIPAA Privacy Rule: Illustrative Comparisons," Seton Hall Law Review Symposium ("The New EU Data Protection



UNLV William S. Boyd School of Law Health Law Program (continued)

Regulation: Transnational Enforcement and its Effects on US Businesses"), Seton Hall University School of Law, Newark, New Jersey.

- September 25, 2016, "Report Card on Affordable Care and Parity: Implications for Gambling Disorder," National Center for Responsible Gaming (NCRG) Conference on Gambling and Addiction, Las Vegas, Nevada.
- September 23, 2016, "Complying with the HIPAA Privacy Rule: Problems and Perspectives," Complying with Law: An Interdisciplinary Dialogue Conference, Loyola University Chicago School of Law, Chicago, Illinois.
- September 15, 2016, "The Public Health Exception to the HIPAA Privacy Rule," Guest Lecture, UNLV School of Community Health Sciences, Las Vegas, Nevada.
- September 9, 2016, "Medicare Regulation of the Hospice Benefit," End-of-Life Symposium sponsored by the UNLV Health Law Program and the University of Nevada, Reno School of Medicine, Las Vegas, Nevada.
- August 9-10, 2016, "Gaming Law Ethics," Saratoga Institute on Racing and Gaming, sponsored by the ABA Gaming Law Committee and Albany Law School, Saratoga Springs, New York.
- August 6, 2016, "Gambling Disorder, Vulnerability, and the Law: Mapping the Field," Top Ten Issues in Disability Law and Policy Discussion Panel, Southeastern Association of Law Schools (SEALS) Annual Conference, Amelia Island, Florida.
- August 5, 2016, "On the Health of Immigration Detainees," Hot Topics in Health Law and Bioethics Discussion Panel, Southeastern Association of Law Schools (SEALS) Annual Conference, Amelia Island, Florida.
- June 29-July 1, 2016, "Gambling Disorder, Neuroscience, and the Law," Neuroethics Network, sponsored by ICM, The Brain and Spine Institute, Pitie-Salpetriere Hospital, Paris, France.
- May 6, 2016, "Legal and Regulatory Perspectives on Problem Gambling," 10th Annual Nevada State Conference on Problem Gambling, Suncoast Hotel, Las Vegas, Nevada.
- April 28, 2016, "Ask a Lawyer," Marriage and Family Therapy Program, University of Nevada, Las Vegas.
- April 15, 2016, "HIPAA Privacy: Issues for Physicians," Professionalism in Medicine CLE and CME Program, Clinical Simulation Center, University of Nevada School of Medicine, Las Vegas, Nevada.
- April 12, 2016, "Medicare Fraud and Abuse," Touro University College of Osteopathic Medicine Residency Programs, Valley Hospital and Medical Center, Las Vegas, Nevada.
- April 1, 2016, "Suicide in Individuals with Gambling Disorder," Dying Fast and Slow: Improving Quality of Dying and Untimely Deaths Symposium, Center for Health Law Studies, Saint Louis University School of Law, St. Louis, Missouri.
- March 22, 2016, "Giving Thanks: The Law and Ethics of Grateful Patient Fundraising," Health Law Grand Rounds, Hall Center for Law & Health, Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana.
- March 18, 2016, "Gambling Disorder, History, and the Law," Southern Association for the History of Medicine and Science, Eighteenth Annual Meeting, William S. Boyd School of Law, University of Nevada, Las Vegas.
- March 9, 2016, "Attorneys with Gambling Disorder and Professional Disciplinary Actions," Gambling Disorder and the Law Lecture Series, sponsored by the Nevada Council on Problem Gambling, the UNLV Health Law Program, and the UNLV Gaming Law Program, University of Nevada, Las Vegas.
- March 4, 2016, "The Health Law Implications of Advances in Neuroimaging," Neurolaw Lecture, sponsored by the Center for Integrative Neuroscience (NIH COBRE), Department of Psychology, University of Nevada, Reno.
- February 11, 2016, Keynote Address, "Legal Treatment of Disordered Gamblers in the United States," Sixth Biennial International Gambling Conference: Preventing Harm in the Shifting Gambling Environment: Challenges, Policies and Strategies, sponsored by the Problem Gambling Foundation of New Zealand, Hapai Te Hauora Tapui (Maori Public Health), and the Auckland University of Technology Gambling and Addictions Research Centre, Auckland, New Zealand.
- January 21, 2016, "HIPAA Privacy and Physician Texting," University of Nevada School of Medicine Graduate Medical Education Committee, Las Vegas, Nevada.
- January 8-13, 2016, "HIPAA Privacy Law," Intersession Course, Saint Louis University School of Law, Center for Health Law Studies, St. Louis, Missouri

University of North Carolina School of Law

FACULTY NEWS

Arch T. Allen

Distinguished Professor



University of North Carolina School of Law (continued)

PUBLICATIONS:

- Health Law's Uneasy Relationship with Delivery System Innovation, in *THE OXFORD HANDBOOK OF U.S. HEALTHCARE LAW* (Oxford Univ. Press, 2016)
- Envisioning the Future Health Care System, 15 *HOUS. J. HEALTH L. & POLY* 1

PRESENTATIONS:

- Conflicts of Interest in the New Era of Sunshine: What We Know and Still Need to Know, Indiana University Law School, October 2016 (symposium conference)
- The Physician Payments Sunshine Act: Lessons so Far and the Limits of Transparency, Amer. Society of Law

Joan H. Krause

Dan K. Moore Distinguished Professor of Law

PUBLICATIONS:

- *PRACTICING BIOETHICS LAW* (Foundation Press) (with Leslie C. Griffin)
- Truth, Falsity, and Fraud: Off-Label Drug Settlements and the Future of the Civil False Claims Act, 71 *FOOD & DRUG L.J.* (forthcoming 2016)
- Off-Label Drug Promotion and the Ephemeral Line Between Marketing and Education, 2 *J.L. & BIOSCIENCES* 705 (2015)

PRESENTATIONS:

- "The Legal Context of Abortion in the United States," Abortion Care and Policy, UNC Gillings School of Global Public Health (Sept. 2016)

Richard S. Saver

Arch T. Allen Distinguished Professor

PUBLICATIONS:

- Health Law's Uneasy Relationship with Delivery System Innovation, in *THE OXFORD HANDBOOK OF U.S. HEALTHCARE LAW* (Oxford Univ. Press, 2016)
- Envisioning the Future Health Care System, 15 *HOUS. J. HEALTH L. & POLY* 1

PRESENTATIONS:

- Conflicts of Interest in the New Era of Sunshine: What We Know and Still Need to Know, Indiana University Law School, October 2016 (symposium conference)
- The Physician Payments Sunshine Act: Lessons so Far

Medicine, and Ethics Health Law Professors Conference, Boston, MA., June 2016

- Medical Research 2.0: The New Proposed Regulations for Human Subjects Research, North Carolina Bar Health Law Section Annual Meeting, Cary, NC., April 2016

OTHER PROFESSIONAL ACTIVITIES:

- Governing Council Member, North Carolina Bar Association Health Law Section

GRANTS, HONORS & AWARDS:

- Byrd Award for Excellence and Creativity in Teaching (UNC School of Law)

- "Government Investigations and the False Claims Act in a Post-Escobar World -- Where Are We Now and What's Next?" Parker Poe Health Care Symposium 2016 (July 2016)

- "Truth, Falsity, and Fraud: Off-Label Drug Settlements and the Future of the Civil False Claims Act," American Society of Law, Medicine & Ethics, Health Law Professors Conference (June 2016)

- UNC Undergraduate Healthcare Club (Mar. 2016)

- "Truth, Falsity, and Fraud: Off-Label Drug Settlements and the Future of the Civil False Claims Act," UNC School of Law, Festival of Legal Learning (Feb. 2016)

and the Limits of Transparency, Amer. Society of Law Medicine, and Ethics Health Law Professors Conference, Boston, MA., June 2016

- Medical Research 2.0: The New Proposed Regulations for Human Subjects Research, North Carolina Bar Health Law Section Annual Meeting, Cary, NC., April 2016

OTHER PROFESSIONAL ACTIVITIES:

- Governing Council Member, North Carolina Bar Association Health Law Section

GRANTS, HONORS & AWARDS:

- Byrd Award for Excellence and Creativity in Teaching

University of Pittsburgh

HEALTH LAW PROGRAM NEWS & EVENTS:

- **ONLINE HEALTH CARE COMPLIANCE CERTIFICATE.** The inaugural year of Pitt Law's Health Care Compliance Graduate Certificate Program enrolled 17 students from around the country. The students are health care providers, attorneys, compliance professionals, and researchers. The challenging online courses are taught by Pitt Law's Professor Mary Crossley



University of Pittsburgh (continued)

(Introduction to the Legal System for Healthcare and Compliance), Professor Tina Hershey of the School of Public Health (Legal Aspects of Healthcare and Compliance), Dr. Kathryn Wilt (Ethics and Professional Judgment), Barbary Vimont (Compliance Program Development and Best Practices). Elective seminars offered are Privacy and Advanced Privacy (Bill Maruca '82); Quality Compliance (Rupa Sikdar Lloyd '01); Research Compliance (Laura Odwazny '98); Insurance Compliance (Marye Isaacs Phillips '03); Life Science Compliance (Mary Nell Cummings) and Hospitals and Providers and Advanced Hospitals and Providers (Mark Faccenda '05).

- Anyone interested in compliance in the healthcare/pharmaceutical fields should consider this program. Courses are full credit graduate level courses. For more information, attendance at a virtual open house, or to apply, to to <http://law.pitt.edu/hcc>.
- **HEALTH LAW CLINIC.** Under the direction of Prof. Tomar Brown, Health Law Clinic students secured wins for their clients who were parents of disabled youth, appealing the denials of their child's supplemental security income (SSI) benefits. The Health Law Clinic is a medical-legal partnership between the University of Pittsburgh School of Law and Children's Hospital of Pittsburgh of UPMC. Law students participating in the clinic take cases involving childhood SSI benefits, special education advocacy, and guardianships to meet the needs of patient families receiving treatment at Children's Hospital.
- **HEALTH CARE REGULATORY & COMPLIANCE COMPETITION.** Three Health Law Certificate Program students mentored by Prof. Mary Nell Cummings, who teaches our new Health Care Compliance course and directs the online health care compliance program, participated in the University of Maryland's Health Care Regulatory and Compliance Competition.

FACULTY NEWS

Mary Crossley

Professor of Law

PUBLICATIONS:

- Rick's Taxonomy, 66 SYRACUSE L. REV. 641 (2016)(symposium contribution).
- Health and Taxes: Hospitals, Community Health, and the IRS, 16 YALE J. HEALTH POL'Y, L. & ETHICS 15 (2016).
- Black Health Matters: Disparities, Community Health, and Interest Convergence, 22 MICH. J. RACE & L. ____ (2016)(forthcoming).
- Disability Cultural Competence in the Medical Profession, 9 ST. LOUIS U. J. HEALTH L. & POL'Y 89 (2016)(symposium contribution).
- Reflections on Mentoring, 44 J. L., MED. & ETHICS no. 1 suppl. 76 (2016)(with Ross D. Silverman).
- Tax-Exempt Hospitals and Community Health Under the Affordable Health Care Act: Identifying and Addressing Unmet Legal Needs as Social Determinants of Health, 131

PUBLIC HEALTH REP. 195 (Jan-Feb 2016)(with Elizabeth Tobin-Tyler and Jennifer Herbst).

PRESENTATIONS:

- "Ending-Life Decisions: Some Disability Perspectives," presentation at Quinlan at 40, Georgia State University symposium, November 2016.
- "Black Health Matters: Disparities, Community Health, and Interest Convergence," presentation at ASLME Health Law Professors Conference, June 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Taught introductory course (Introduction to the Legal System for Health Care & Compliance) for the inaugural offering of Pitt Law's online graduate certificate program in health care compliance.

GRANTS, HONORS & AWARDS:

- Elected to ALL, May 2016.

Alan Meisel

Professor of Law and Dickie, McCamey & Chilcote Professor of Bioethics

PUBLICATIONS:

- Meisel A. Antecedent Law and Ethics of Aid in Dying. 34 Quinnipiac L. Rev. 609 (2016)
- Meisel A., Cerminara K L, Pope, T. The Right to Die: The Law of End-of-Life Decisionmaking (Supp 2016).

PRESENTATIONS:

- Autonomy and Paternalism in the Doctor-Patient Relationship in the USA. Academy of Health Care Management. Prague: June 16, 2016.



University of Tennessee

FACULTY NEWS

Zack Buck

Assistant Professor

PUBLICATIONS:

- The Cost of High Prices: Embedding the Ethic of Cost in the Standard of Care, 58 B.C. L. Rev. ____ (forthcoming, 2017).
- Overtreatment and Informed Consent: A Fraud-Based Solution to Unwanted and Unnecessary Care, 43 Fla. St. L. Rev. ____ (forthcoming, 2016).
- Furthering the Fiduciary Metaphor: The Duty of Providers to the Payers of Medicare, 104 Cal. L. Rev. 1043 (2016).
- Recognizing and Reinvigorating Medical Necessity, Review of Janet L. Dolgin, Unhealthy Determinations: Controlling Medical Necessity, Jotwell, Jan. 11, 2016, available at <http://health.jotwell.com/recognizing-and-reinvigorating-medical-necessity/>.

PRESENTATIONS:

- Furthering the Fiduciary Metaphor, 2016 Indiana University McKinney School of Law Grand Rounds, Indiana University McKinney School of Law, Indianapolis, IN (forthcoming, Nov. 3, 2016) (forthcoming).
- ‘Reverse’ False Claims: Compliance, Enforcement, and Ethics, University of Tennessee College of Law, Knoxville, TN (Oct. 15, 2016).
- The Cost of High Prices, University of Cincinnati College of Law, Cincinnati, OH (Oct. 6, 2016).
- Furthering the Fiduciary Metaphor, 2016 ASLME Health Law Professors Conference, Boston University School of Law, Boston, MA (Jun. 4, 2016)

University of Washington School of Law

FACULTY NEWS

Cindy Jacobs

Part-time Lecturer and Director of Business Projects, University of Washington School of Medicine

OTHER NEWS – LAW, MEDICINE & HEALTH CARE:

- Cindy Jacobs is leading research efforts for the new Washington State Telemedicine Collaborative. She

participated in the Washington State Shared Decision-making Project coordinated by the Health Care Authority, developing criteria for certified patient decision aids permitted by state statute.

Patricia Kuszler

Charles I. Stone Professor of Law

PRESENTATIONS:

- Moderated and participated in the UW School of Law Health Law and Center for Advanced Study and Research in Intellectual Property international conference on Innovation in Pharmaceutical Drugs in December 2015.
- Participated in Japanese/US Graduate Education Conference in Seattle to explore creation of Dual Degree programs.
- Spoke on the role of law in health care decision-making at the Summer Seminar in Health Care Ethics at UW Medicine in August 2016.
- Presentation for UW Capital Campaign on “Education, Innovation and the Changing Legal Services Market”

OTHER PROFESSIONAL ACTIVITIES:

- Launched a Master of Jurisprudence program with tracks in Health Law, IP Law and Policy, Environmental Law, Sustainable Development Law, Employment Law, Technology Policy, and Finance and Tax Policy in Fall 2015. This innovative and flexible Master’s degree offers legal education to a broad category of students and professional seeking to enhance their career potential.
- Continued to serve as liaison with the Washington State Bar Association for the first Limited License Legal



University of Washington School of Law (continued)

Technician program in the nation.

- Led and coordinated the UW School of Law's educational outreach and CLE program in Alaska.

Anna Mastroianni

Professor of Law

PRESENTATIONS:

- Co-Organizer and Moderator, Secrecy, Security and Science: Reflection on the 20-year Legacy of the Advisory Committee on Human Radiation Experiments, John Hopkins University, Robert H. Levi Research Symposium (a Presidential Commission established by William Jefferson Clinton), Oct. 5, 2016 (Baltimore, MD)

OTHER PROFESSIONAL ACTIVITIES:

- Professor Mastroianni is analyzing legal barriers and facilitators related to the inclusion of pregnant women in clinical research as co-investigator on two multi-year grants: Conducting Ethical Research with Pregnant Women in the Emerging ZIKA Pandemic and Beyond: Challenges Arising in Public Health Crises funded by The Wellcome Trust;

and, The PHASES Project – Pregnancy and HIV/AIDS: Seeking Equitable Study funded by the NIH.

GRANTS, HONORS & AWARDS:

- Analyzing legal barriers and facilitators to the inclusion of pregnant women in clinical research for two interdisciplinary grants (with Prof Meltzer Henry at U-Maryland Law):

- Co- Investigator on a 2-year project funded by The Wellcome Trust: Conducting Ethical Research with Pregnant Women in the Emerging ZIKA Pandemic and Beyond: Challenges Arising in Public Health Crises;
- Co-Investigator on 4-year project funded by NIH The PHASES Project – Pregnancy and HIV/AIDS: Seeking Equitable Study

Terry J. Price

Associate Director, Center for Law Science and Global Health

PRESENTATIONS:

- In February 2016, he presented to students in the University of Washington Department of Rehabilitation Medicine on "Legal Issues for Healthcare Practitioners."
- In May 2016, he spoke at International Society of Family Law, North American Regional Conference: Family Realities and Family Law, in Jackson, Wyoming, on "De facto Parentage: Where Do We Go From Here?"

- In September 2016, he lectured on "Self-Regulation of Attorneys" at the University of Washington School of Law Summer Institute in Transnational Law and Practice.

OTHER PROFESSIONAL ACTIVITIES:

- Terry is the President-Elect of the QLaw (LGBT Bar) Foundation of Washington, which provides free legal clinics, continuing legal education programs, and a law student summer fellowship program in Washington State.

Douglas Ross

Part-time Lecturer and Partner, Davis Wright Tremaine

PUBLICATIONS:

- "Navigating Through the Fog of Vertical Merger Law: A Guide to Counseling Hospital-Physician Consolidation Under the Clayton Act," with Prof. Thomas L. Greaney, appearing in 91 U. Wash. L. Rev. 199 (2016).

PRESENTATIONS:

- April 6, 2016. ABA, Section of Antitrust Spring Meeting (Washington, D.C.), Moderator, panel of three federal judges (Judge Susan Illston, N.D. Ca., Judge Claudia Wilken, N.D. Ca., Judge William Young, D. Ma.), "Views from the bench on non-merger civil and criminal antitrust cases"
- May 2, 2016. American Hospital Association, Annual Meeting (Washington, D.C.), "Health Plan Consolidation: How Will It Affect Your Hospital and

Patients" (paper and presentation).

- May 11, 2016: ABA Section of Antitrust Law, ABA Section of Health Law, American Health Lawyers Association (Washington, D.C.), "The Year in Health Care Antitrust in Review" (paper and presentation).
- May 13, 2016: ABA Section of Antitrust Law, ABA Section of Health Law, American Health Lawyers Association (Washington, D.C.), "Preserving and Enhancing Competition in Health Care Markets" (moderator).
- May 20, 2016. Washington State Bar Association, Section of Health Law, "Provider/Payer Partnerships and Industry Consolidation" (paper and presentation).
- Oct. 27, 2016. Kaufman-Hall Health Care Leadership Conference (Chicago, IL), "At the Crossroads of



University of Washington School of Law (continued)

Consolidation and Regulation” (presentation)

- Nov. 2, 2016. Washington State Bar Association, Section of Antitrust and Consumer Protection, “Select Issues in Antitrust Health Care” (paper and presentation).

Sallie Thieme Sanford

Associate Professor of Law

PUBLICATIONS:

- Jeffrey Lane, Andre Verani, Mai Hijazi, Erin Hurley, Amy Hagopian, Nicole Judice, Ron MacInnis, Sallie Sanford, Sarah Zelek & Aaron Katz, Monitoring HIV and AIDS Related Policy Reforms: A Road Map to Strengthen Policy Monitoring and Implementation in PEPFAR Partner Countries, PLOS One 11 (Feb. 25, 2016), <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0146720>.

Kellye Testy

Toni Rembe Dean and Professor of Law, AALS President

HEALTH LAW PROGRAM NEWS & EVENTS:

- Dean Kellye Testy, the Toni Rembe Dean & Professor of Law, has been President of AALS since January 2016. Her term will come to an end at the AALS Annual Meeting in

- Nov. , 2016. Washington State Society of Healthcare Attorneys (Vancouver, B.C.), “The Year in Antitrust in Review” (paper and presentation).

PRESENTATIONS:

- “Medical Students on Medicaid: Campuses as Harbingers of Medicaid Universality,” American Society of Law, Medicine and Ethics’ 39th Annual Health Law Professors Conference, June 3, 2016, Boston, MA
- “The Affordable Care Act Today,” Panelist at Tacoma City Club Event, January 20, 2016, Tacoma, WA
- “Shared Decision Making in Patient Care,” Panelist at State of Reform Conference, January 7, 2016, Seatac, WA

OTHER PROFESSIONAL ACTIVITIES:

- Appointed to the Executive Council of the University of Washington President's Population Health Initiative.

San Francisco in January 2017, where her theme will be “Why Law Matters.” The University of Washington and its School of Law are very pleased for her accomplishment and tenure as AALS President.

University of Wisconsin

FACULTY NEWS

Alta Charo

Warren P. Knowles Professor of Law & Bioethics

OTHER PROFESSIONAL ACTIVITIES:

- Co-chair of the National Academies of Science, Engineering and Medicine's committee on human gene editing.
- Co-chair of the National Academies of Science,

Engineering and Medicine's forum on regenerative medicine..

GRANTS, HONORS & AWARDS:

- Received inaugural award of the Sheldon B. Lubar Research Chair in Law.

Vanderbilt University

FACULTY NEWS

Ellen Wright Clayton

Craig-Weaver Professor of Pediatrics, Professor of Law, Professor of Health Policy



Vanderbilt University (continued)

PUBLICATIONS:

- Nanibaa' A. Garrison, Nila A. Sathe, Armand H. Matheny Antommariá, Ingrid A. Holm, Saskia C. Sanderson, Maureen E. Smith, Melissa L. McPheeters, Ellen W. Clayton, A Systematic Literature Review of Individuals' Perspectives on Broad Consent and Data Sharing in the United States, *Genetics in Medicine* 2016;18(7):663-71
- Ellen Wright Clayton, Kyle B. Brothers, State-offered ethnically targeted reproductive genetic testing, *Genetics in Medicine* 2016;18(2):126-7
- Iekuni Ichikawa, Ellen Wright Clayton, Doping Doctors: The Influence of the Marketing Departments of Pharmaceutical Companies on Physician and Research Behavior in Japan, *Accountability in Research* 2016;23(4):245-53
- Byington CL, Clayton EW, Edwards KM. Childhood Vaccine Exemptions: A Broader Perspective Is Required, *Pediatrics*. 2016;137(4):pii:e 20160189
- B.M. Knoppers, K. Sénécal, J. Boisjoli, P. Borry, M.C. Cornel, C.V. Fernandez, J. Grewal, I.A. Holm, E. Nelson, W. Pinxten, M. Shabani, A.M. Tassé, M.H. Zawati, E. Wright Clayton, on behalf of the P3G International Paediatric Research Platform, Attaining Majority in Research: Re-contact for Consent to Continued Participation?, *IRB: Ethics & Human Research*, (in press, 2016)
- Green RC, Goddard KAB, Jarvik GP, Amendola LM, Appelbaum PS, Berg JS, Bernhardt BA, Biesecker LG, Biswas S, Blout CL, Bowling KM, Brothers KB, Burke W, Caga-Anan CF, Chinnaiyan AM, Chung WK, Clayton EW, Cooper GM, East K, Evans JP, Fullerton SM, Garraway LA, Garrett JR, Gray SW, Henderson GE, Hindorff LA, Holm IA, Lewis MH, Hutter CM, Janne PA, Joffe S, Kaufman D, Knoppers BM, Koenig BA, Krantz ID, Manolio T, McCullough L, McEwen J, McGuire A, Muzny D, Myers RM, Nickerson DA, Ou J, Parsons DW, Petersen GM, Plon SE, Rehm HL, Roberts JS, Robinson D, Salama JS, Scollon S, Sharp RR, Shirts BH, Spinner NB, Tabor HK, Tarczy-Hornoch P, Veenstra DL, Wagle N, Weck K, Wilfond BS, Wilhelmsen K, Wolf SM, Wynn J, Yu JH, for the CSER Consortium. The Clinical Sequencing Exploratory Research Consortium: Accelerating the evidence-based practice of genomic medicine. *Am J Hum Genet*. 2016;98(6):1051-66 & 99(1):246.
- Brothers KB, East KM, Kelley WV, Wright MF, Westbrook MJ, Rich CA, Bowling KM, Lose EJ, Bebin EM, Simmons S, Myers JA, Barsh G, Myers RM, Cooper GM,

Pulley JM, Rothstein MA, Clayton EW, Eliciting preferences on secondary findings: the Preferences Instrument for Genomic Secondary Results, *Genetics in Medicine* 2016 Aug 25 [Epub ahead of print]

- Nanibaa' A. Garrison, Ellen Wright Clayton, Maureen E. Smith, Ingrid A. Holm, Response to Patryn and Zagaja, *Genetics in Medicine* 2016;18(7):751

PRESENTATIONS:

- "Research Issues for Public Health," Tennessee Department of Health, Nashville, TN, April, 2016
- "What Should We Be Doing With Biobanks?" Berman Institute, Johns Hopkins University, Baltimore, MD, April, 2016
- "What the NPMR Will (Should) Mean for Academic Medical Centers," Bioethics Interest Group, Pediatric Academic Society, Baltimore, MD, May, 2016
- "Optimizing risk-utility for rational actors," NHGRI Aggregate Data Workshop, Bethesda, MD, May, 2016 (Work with Bradley "Addressing Public Concern about Transgenic Mice, Jackson Labs Ethicist-in-Residence, Jackson Laboratory, Bar Harbor, ME, June, 2016
- "Ethical Issues in Translation," Jackson Labs Ethicist-in-Residence, Jackson Laboratory for Genomic Medicine, Farmington, CT, June, 2016
- "What the NPRM would (will) mean for health care institutions? OHRP regional conference, Nashville, TN, June, 2016
- "Genetic Privacy and Identity in Community Settings (GetPreCiSe) and LawSeq – Explorations in Privacy in the US," Global Alliance for Genomics and Health, Vancouver, CANADA, October, 2016

OTHER PROFESSIONAL ACTIVITIES:

- Co-Chair, Report Review Committee, National Academies of Sciences, Engineering, and Medicine
- Member, National Academies Committee on International Gene Editing (Royal Academy and Chinese Academy).

GRANTS, HONORS & ACTIVITIES:

- Co-Principal Investigator, Genetic Privacy and Identity in Committee Settings, 4 year Center of Excellence in ELSI Research, NHGRI,
- Co-Principal Investigator, Law Seq: Explorations in Privacy in the US NHGRI
- Co-investigator in several other genomics grants.



Wake Forest University School of Law

HEALTH LAW PROGRAM NEWS & EVENTS:

- The Elder Law Clinic of Wake Forest University School of Law is celebrating its 25th year of service and teaching. To learn more, please see the latest newsletter at <http://elder-clinic.law.wfu.edu/files/2016/05/Spring-2016-Newsletter.pdf>

FACULTY NEWS

Mark Hall

Professor of Law and Public Health

OTHER PROFESSIONAL ACTIVITIES:

- Currently, I am doing research on immigrant access to health care, network adequacy, "surprise" balance billing, and health insurers' financial performance -- all with a national focus. Focused on North Carolina, I am also working on Medicaid expansion and insurance market competitiveness.

Kate Mewhinney

Clinical Professor and Managing Attorney of the Elder Law Clinic

PUBLICATIONS:

- Shah A, Mewhinney K, Callahan KE. "Advance Care Planning." Web-GEM (Geriatric Education Module). POGOe - Portal of Geriatric Online Education, anticipated 2016. Available from: <https://pogoe.org/webgem>. This is part of the only national geriatrics curriculum for medical students and other health professionals.

PRESENTATIONS:

- "Cognitive Impairments: Ready or Not, Here They Come," Queens University Estate Planning Day; Charlotte; May 19, 2016. (with Charles Edwards, M.D.)
- "Advance Care Planning," 11th Annual Geriatric Symposium; Northwest AHEC, WFU Family Practice, WFU Internal Medicine; Winston Salem, Apr. 22, 2016.

- I am also updating my health law casebooks and am pleased that Nick Bagley and Glenn Cohen have joined as coauthors.

GRANTS, HONORS & AWARDS:

- Appointed Nonresident Senior Scholar in Economic Studies at Brookings Institution

- "Guardianship and Elder Exploitation: Recent Developments," NC Guardianship Association, Winston Salem, Jan. 22, 2016.

OTHER PROFESSIONAL ACTIVITIES:

- Member for over twenty years of the Bioethics Committee of Wake Forest Baptist Medical Center. <http://www.wakehealth.edu/Bioethics/>
- Core faculty member of the Masters in Bioethics program, <http://bioethics.wfu.edu/faculty-partners/cbhs-leadership-faculty-and-staff/>

GRANTS, HONORS & AWARDS:

- Grant recipient from the NC Society of Health Care Attorneys, "Health Care Rights of LGBT People." 2015-2017. Please see <http://elder-clinic.law.wfu.edu/lgbt/>

Washington University in St. Louis

FACULTY NEWS

Rebecca Dresser

Professor

PUBLICATIONS:

- SILENT PARTNERS: HUMAN SUBJECTS AND RESEARCH ETHICS (2016)



Wayne State University Law School

FACULTY NEWS

Lance Gable

Interim Dean

PUBLICATIONS:

- Lance Gable, Ames Dhali, Robert Marten, Benjamin Mason Meier, and Jennifer Prah Ruger (eds.), Special Issue, The Framework Convention on Global Health, IX(1) GLOBAL HEALTH GOVERNANCE (Spring-Fall 2015).

**This issue has a publication date of 2015 but came out in Feb. 2016.

OTHER PROFESSIONAL ACTIVITIES:

- I was named Interim Dean at Wayne Law in September 2016.
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West Virginia University College of Law

FACULTY NEWS

Valarie Blake

Associate Professor

PUBLICATIONS:

- Restoring Civil Rights to the Disabled in Health Insurance, Neb. L. Rev. (forthcoming 2017).

- Civil Rights as Treatment for Health Insurance Discrimination, Wis. L. Forward (March 29, 2016).
 - An Opening for Civil Rights in Health Insurance After the Affordable Care Act, 36 B. C. J. L. & Soc. Just. 2 (2016)
-

Whittier Law School

FACULTY NEWS

Judith Daar

Interim Dean (As of August 1, 2016)

PUBLICATIONS:

- THE NEW EUGENICS: SELECTIVE BREEDING IN AN ERA OF REPRODUCTIVE TECHNOLOGIES (Yale University Press 2017)
- Refocusing the Ethical Choices in Womb Transplantation, (with Sigal Klipstein) 3 J. Law & Biosciences 383 (2016)
- Whose Embryo Is It Anyway? California Finally Takes A Stand, OC Lawyer (May 2016)
- Tending to Veterans' Fertility Needs, L.A. Daily Journal (Feb. 18, 2016)
- Interest Groups Add New Element to Embryo Custody Battles, Law360 Expert Analysis (Feb. 3, 2016)

PRESENTATIONS:

- October 2016 The Williams Institute UCLA School of Law - "The New Eugenics: Selective Breeding in an Era of Reproductive Technologies"
- August 2016 UCI School of Medicine UTEACH OB/Gyn Interest Group - "Provider Dilemmas in

Reproductive Medicine"

- June 2016 Rutgers Law School Symposium on Fetal Bodies - "The Bright Line Between Embryos and Fetuses: Wither the Distinction in Biology, Medicine and Law?"
 - June 2016 Boston University Law School Health Law Professors Conference - "Embryonic Selection in IVF: Patient Choice v. Physician Autonomy"
 - April 2016 New England Fertility Society Annual Symposium - "Ethical Considerations in Oocyte Cryopreservation"
 - February 2016 Society for Ethics in Egg Donation and Surrogacy Annual conference - "Whose Embryo Is It Anyway?"
 - February 2016 Stanford Law School Law & The Biosciences Program - "Social Infertility and the Quest for Parenthood"
- #### **OTHER PROFESSIONAL ACTIVITIES:**
- I was appointed Interim Dean of Whittier Law School, effective August 1, 2016.
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