Monday, June 7, 2021

12:00 – 2:00 PM  Jay Healey Teaching Session

2:15 – 3:30 PM  Concurrent Sessions 1

Session 1A (AR)
Panel: AHLA Convener Reflections: Racial Disparities in Health Care

  Asha Scielzo, Washington College of Law at American University

  Dawn Hunter, Network for Public Health Law

Session 1B (AR)
Social Determinants of Health and Health Equity

Tara Adams Ragone, Seton Hall University School of Law, *Building Sustainability for Community Health Workers to Help Address the Social Determinants of Health*

Liz Tobin-Tyler, Brown University Alpert Medical School and School of Public Health, *The Legal and Political Determinants of Black Maternal Health*

Ruqaiijah Yearby, Saint Louis University School of Law, *Are cities and counties ready to use racial equity tools to influence policy?*

**Session 1C**

**Abortion Law**

Greer Donley, University of Pittsburgh Law School, *Early Abortion Exceptionalism*

Yvonne Lindgren, University of Missouri - Kansas City School of Law, *When the Patient is Their Own Doctor: Roe v. Wade in an Era of Self-Care*

Rachel Rebouche, Temple University Law School, *From Rights to Resources in Abortion Law*

**Session 1D (AR)**

**Vaccines**

Mirit Eyal-Cohen, University of Alabama School of Law, *Increasing Vaccine R&D Preparedness*

Barbara Pfeffer Billauer, University of Porto, *Combatting AntiVax Rhetoric Infecting Minority Communities and Overcoming First Amendment Obstacles*

Elizabeth Porter, School of Public Health at University of Illinois Chicago, *Preparing for a return to the classroom: The current status of school vaccination laws*

Ana Santos Rutschman, Saint Louis University School of Law, *Increasing Vaccine R&D Preparedness*

Joanna Sax, California Western School of Law, *Vaccine Hesitation and COVID-19*
Concurrent Sessions 2

Session 2A (AR)
Social Determinants of Health

Aziza Ahmed, Northeastern University School of Law, Race, Risk, and COVID-19

Jacqueline Fox, University of South Carolina School of Law, Second Look: Interim Steps to Counteract Bias in Health Care

Laura Fox, George Washington University School of Medicine, Second Look: Interim Steps to Counteract Bias in Health Care

Barry Furrow, Kline School of Law at Drexel University, Social Determinants of Health: What the US Healthcare System is Lacking

Session 2B (AR)
Bioethics

Carl Coleman, Seton Hall Law School, Cost-Effectiveness Comes to America: The Promise and Perils of Cost-Effectiveness Analysis in Medication Coverage Decisions

Alix Rogers, UC Davis School of Law, Mining the Body: Law and Ethics of Sourcing Biological Materials

William Sage, The University of Texas School of Law and Dell Medical School, Revisiting the relationship between health law and professional ethics: Improving care, advancing justice

Leslie Wolf, Georgia State University College of Law, Choice of Law Challenges in Precision Medicine Research

Session 2C
Public Health

Micah Berman, Ohio State University College of Public Health & Moritz College of Law, The Tobacco Control Act's Public Health Standard

Gaia Bernstein, Seton Hall University School of Law, Children and Excessive Screen Time: An Emerging Public Health Crisis

Lewis Grossman, American University Washington College of Law, Choose Your Medicine: Freedom of Therapeutic Choice in America

Richard Weinmeyer, Northwestern University *Nowhere to Go: Urban Public Toilet Availability & Accessibility in a Post-Pandemic America*

Session 2D  
Public and Private Governance

**Zack Buck**, University of Tennessee, *When Hospitals Sue Patients*

**Michael Frakes**, Duke University, *Public and Private Options in Practice: The Military Health System*

**Ann Marie Marciarille**, UMKC School of Law, *Antitrust’s Role in Limiting Acute Care Hospital Bed Supply in the Time of Pandemic*

**Barak Richman**, Duke Law School, *Macromedical Regulation*

**Wednesday, June 9, 2021**

11:00 – 11:15 AM  
**Welcome Remarks**

11:15 AM – 12:15 PM  
**Plenary Panel: Pandemic Policy Playbook Panel**  
*Speakers: TBD*

12:30 – 1:45 PM  
**Concurrent Sessions 3**

**Session 3A (AR)**  
*Workshop: The Promise of Medical-Legal Partnerships: How Academic Models Can Train the Next Generation of Health Justice Leaders*  
*Yael Cannon*, Georgetown University  
*Vicki Girard*, Georgetown University

**Session 3B (AR)**  
*Workshop: School Policing and Discipline Policy Reform: Advancing an Anti-Racist Health Equity Agenda for Public Health Law and Research*  
*Cesar De La Vega*, ChangeLab Solutions  
*Alexis Etow*, ChangeLab Solutions  
*Thalia Gonzalez*, Georgetown Law

**Session 3C (AR)**  
*Workshop: Salus Populi: Educating the Judiciary About the Social Determinants of Health*  
*Alexandra Alden*, Northeastern University College of Social Sciences and Humanities
Faith Khalik, Northeastern University School of Law

Wendy E. Parmet, Northeastern University School of Law and School of Public Policy and Urban Affairs

Session 3D
Roundtable: From the Academy to the Legislature: Translating Health Policy Research into Law

Scott Burris, Temple University Beasley School of Law

Lawrence Gostin, Georgetown University Law Center

David Orentlicher, UNLV William S. Boyd School of Law

Robin Fretwell Wilson, University of Illinois College of Law

Session 3E
Telehealth

Katrina Bridges Copeland, Penn State Law, Telemedicine Scams

Deborah Farringer, Belmont University College of Law, Necessity of Incentivizing Telehealth Use in Rural Areas

Kristin Madison, Northeastern University School of Law, Telehealth: Implications for the Future of Health Law

2:00 – 3:15 PM

Concurrent Sessions 4

Session 4A (AR)
Teaching and Pedagogy

Sarah Elisabeth Curi, Brandeis University, Teaching Health Law to Undergrads, Masters and Doctoral Students: Challenges & Opportunities

Ken Gatter, Oregon Health and Sciences University, Teaching health care providers about health law during our time of COVID

Kathleen Hoke, University of Maryland Cary School of Law

Katherine Schostok, DePaul University College of Law, Encouraging participation, collaboration and discourse in online teaching

Session 4B
Panel: Medicaid Matters: Health Delivery and Financing Reform

Laura Hermer, Mitchell Hamline School of Law
Lucy Hoder, University of New Hampshire School of Law

John Jacobi, Seton Hall Law School

Session 4C

H. Cody Meissner, Tufts University School of Medicine

Dorit Reiss, UC Hastings College of the Law

Y. Tony Yang, George Washington University School of Nursing and School of Public Health

Session 4D
Panel: Evidence Based Drug Policy for the 21st Century

Leo Beletsky, Northeastern University School of Law

Mason Marks, Gonzaga University

Jennifer Oliva, Seton Hall Law School

Stacey Tovino, Oklahoma College of Law

Session 4E (AR)
Panel: New Perspectives on Discrimination Raised by the COVID Pandemic

Leslie Francis, University of Utah

Deborah Hellman, University of Virginia School of Law

Diane Hoffman, University of Maryland Carey School of Law

Kate Nicholson, Civil Rights Attorney

3:30 – 4:45 PM  Concurrent Sessions 5

Session 5A
Healthcare Decision-Making

Katherine Drabiak, University of South Florida, Resolving Physician-Parent Disputes Involving Pediatric Patients

Valerie Gutmann Koch, University of Houston Law Center, "Previvors" and Challenges to the Law of Medical Decision Making

Megan Wright, Penn State Law, Resuscitating Consent
Session 5B (AR)
Roundtable: The Effectiveness of Medicaid as a Tool for Achieving Health Equity

Brietta Clark, LMU Loyola Law School, Los Angeles

Jessica Mantel, University of Houston Law Center

Sidney Watson, Saint Louis University School of Law

Session 5C (AR)
Roundtable: Health Equity for Children and Youth Post-COVID

Courtney Anderson, Georgia State University College of Law

Medha Makhlouf, Pennsylvania State University Dickinson School of Law

Seema Mohapatra, Indiana University Robert H. McKinney School of Law

Jonathan Todres, Georgia State University College of Law

Session 5D (AR)
Digital Health

Sharon Bassan, DePaul University, A Proportionality-Based Framework for Government Regulation of Digital Tracing Apps in Times of Emergency

Leah Fowler, University of Houston Law Center, Health Apps and Health Harms

Laura Hoffman, Yale Law School, Reconnecting the Patient: Why Telehealth Policy Solutions Must Consider and Address the Deepening Digital Divide

Session 5E (AR)
Panel: Pandemics and Data Exposure: How to Tame Viruses Without Endangering Genetic Privacy

Robert I. Field, Drexel University

Anthony W. Orlando, California State Polytechnic University, Pomona

Arnold J. Rosoff, The Wharton School of the University of Pennsylvania

5:00 – 6:00 PM Networking
Thursday, June 10, 2021

11:00 AM – 12:15 PM  Concurrent Sessions 6

Session 6A  
Health Insurance

Valerie Blake, WVU College of Law, Fitting the Medicaid Mold: The Social Costs of Our Health Care Finance System

Thomas Brewer, Kent State University, Examining the variability in state regulatory structures for Medicaid eligibility

Wendy Epstein, DePaul University, Behaviorally-informed study testing new marketing of health insurance policies

Max Helveston, DePaul University College of Law, Streamlining Insurance: Getting Private Insurers to Compete Where It Counts

Session 6B  
Healthcare Data and Privacy

Jessica Roberts, University of Houston Law Center, Uncertain Terms: Consumer Privacy in the World of Digital Health Tech

Christopher Robertson, Boston University, The Perspectives of Diverse Patient Populations on AI and Big Data in their Healthcare -- Is it Material?

Kayte Spector-Bagdady, University of Michigan Medical School, Governing Secondary Research Use of Health Data and Specimens

Session 6C (AR)  
Discrimination and Health

Mary Crossley, University of Pittsburgh School of Law, Killing Segregation

Sarah Hooper, UC Hastings Law, Pain Points: Ethics and Intersectionality in Complex Care Advocacy

Krista Kennedy, Syracuse University, Prescribing Discrimination: Automating Bias in Healthcare AI

Ani Satz, Emory University School of Law, Principles and Pandemics: Disability Discrimination Through the Lens of COVID-19

Charlotte Tschider, Loyola University Chicago School of Law, Prescribing Discrimination: Automating Bias in Healthcare AI
Session 6D (AR)
Incarceration as a Public Health Issue

Nora Demleitner, Washington and Lee University School of Law, *Racially Disparate Incarceration Meets Dysfunctional Healthcare System*

Mira Edmonds, University of Michigan Law School, *The Reincorporation of Prisoners into the Body Politic: Eliminating the Medicaid Inmate Exclusion Policy*


12:30 – 1:45 PM

**Concurrent Sessions 7**

Session 7A (AR)
*Panel: Engaging students in race and health equity education and practice*

L. Kate Mitchell, Loyola University Chicago School of Law

Abigail Silva, Loyola University Parkinson School of Health Sciences and Public Health

Maya Watson, Loyola University Chicago School of Law

Session 7B
*The Global Health Response to Pandemics*

Chao-Tien Chang, National Taiwan University, *The Issue of Equality amid Pandemic--Taking Gender and Age as Examples*

Robert Leflar, National Taiwan University College of Law, *A Public Health Triumph Amid Rule-of-Law Tensions: Taiwan’s Tale of Epidemic Control in a Democratic Society*

Benjamin Mason Meier, University of North Carolina at Chapel Hill, *Global Health Law as a Foundation for Responding to Pandemic Threats*

Kevin Outterson, Boston University and CARB-X, *Creating public and private goods for pandemic preparedness*

Session 7C
*Drug Policy*

Dmitry Karshtedt, George Washington University Law School, *Pharmaceutical Patents and Adversarial Examination*
Jordan Paradise, Loyola University Chicago School of Law, Patent Opacity in Biopharmaceutical Innovation

Joshua Sarnoff, DePaul University College of Law, Vaccine and therapeutic nationalism, intellectual property rights, and post-colonial causes and responses

Liza Vertinsky, Emory Law School, Pharmaceutical (Re)capture

Session 7D
Race, Religion, and Reproductive Health

Elizabeth Kukura, Drexel Kline School of Law, Reproductive Health and Justice Post-Pandemic

Radhika Rao, UC Hastings College of the Law, Conscience, COVID Restrictions, and Religion-Neutrality

Elizabeth Sepper, University of Texas School of Law, Public Religious Hospitals

Sonia Suter, The George Washington University Law School, Challenging Eugenics from the Left and Right: How the Conservative Opposition to Eugenics Harms People of Color

2:00 – 3:15 PM
Concurrent Sessions 8

Session 8A
FDA Regulation

Sarah Gerke, Harvard Law School, Artificial Intelligence and Machine Learning Software as a Medical Device – The Update Problem and System View

Ryan Knox, Yale Law School, A Path to Patient-Centered Digital Health Regulation

Holly Fernandez Lynch, Perelman School of Medicine, University of Pennsylvania, How independent should FDA be?

Haavi Morreim, University of Tennessee, Corporations, High-Stakes Biomedical Research, and Research Misconduct: Yes They Can (and Sometimes Do)

Patricia Zettler, The Ohio State University Moritz College of Law, Citizen Science Federalism

Session 8B (AR)
Teaching and Pedagogy
Julie Agris, Stony Brook Medicine, *A ‘Health Law Competency Model’ for Medical Education and Educators*

Julia Field Costich, University of Kentucky College of Public Health, *Teaching Health Equity to Law Students in a Red State*

Joan Foley, Touro College Jacob D. Fuchsberg Law Center, *A Model for Interdisciplinary Courses Online for Medical and Law Students*

**Session 8C (AR)**

**Public Health**

Laurie Beyranevand, Vermont Law School, *Essentially Unprotected: How Laws Addressing Farmworker Pesticide Exposure and Heat Related Illness Fail to Protect Them*

Jiyeon Kim, Washington University in St. Louis, *Reconciling Public Health and Privacy*

Christopher Ogolla, Barry University Law School, *Triaging Public Health Services Based on Race: Opportunities and Challenges.*

Michael Ulrich, Boston University School of Public Health and School of Law, *The Black and White of Gun Rights*

**Session 8D**

**Reproductive Health**

Rebecca Feinberg, DePaul University, *The Legal Status of Embryos – Lessons from the Fertility Industry*

Joan H. Krause, UNC School of Law, *Pregnancy Advance Directives*

Jill Wieber Lens, University of Arkansas School of Law, *Counting Stillbirths*

Evelyn M. Tenenbaum, Albany Law School and Medical College, *Choosing Babies to Avoid Adult Onset Genetic Conditions: Rethinking the Wrongful Birth/Wrongful Conception Causes of Action*

**3:30 – 4:45 PM**

**Concurrent Sessions 9**

**Session 9A (AR)**

**Panel: COVID-19 Vaccine Injuries – Preventing Inequities in Compensation**

Sharona Hoffman, Case Western Reserve University School of Law

Carmel Shachar, Harvard Law School
Katherine Van Tassell, Case Western Reserve University School of Law

Session 9B
Drug Policy

Greg Curfman, Journal of the American Medical Association (JAMA), The Humira Patent Thicket and the Noerr-Pennington Doctrine

Doron Dorfman, Syracuse University College of Law, The PrEP Penalty

Cynthia Ho, Loyola University of Chicago, Costly Misperceptions Concerning Biologic Drugs

David Simon, George Washington University Law School, Evidence-Based Regulation of Off-Label Information

Session 9C (AR)
Health Access

Melissa Alexander, University of Wyoming College of Law, Distributive Justice and Health Equity: What Crisis Allocation Teaches about Reforming Medicare

John Aloysius Cogan Jr., University of Connecticut School of Law, Gender Rating in Health Insurance: Discrimination Framed as Fairness

Rachel Sachs, Washington University in St. Louis, The Accidental Innovation Policymakers

Gabriel Scheffler, University of Miami School of Law, Health Care Reform and Two Conceptions of the Right to Health Care

Session 9D (AR)
Public Health, Democracy, and Governance

Rob Gatter, Saint Louis University School of Law, How the Rule/Order Distinction Constrains Public Health Action

Wendy K. Mariner, Boston University, Democracy, Voice, and Health

Courtnee Melton-Fant, University of Memphis School of Public Health, Structural discrimination and racial health inequities: The role of state preemption

5:00 – 6:00 PM  Networking

6:30 – 7:30 PM  Health Happy Hour
Jay Healey Teaching Award presentation
Friday, June 11, 2021

11:00 AM – 12:15 PM  Plenary Panel: Hot Topics

Moderator:

Jonathan Kahn, Professor of Law and Biology, Northeastern University

Panelists:

Nicole Huberfeld, Professor of Law, Boston University School of Law; Professor of Health Law, Ethics & Human Rights, Boston University School of Public Health

Aaron Kesselheim, Director, Program on Regulation, Therapeutics and Law, Brigham & Women’s Hospital and Harvard Law School

Kimani Paul-Emile, Professor of Law; Associate Director and Head of Domestic Programs and Initiatives, Center on Race, Law & Justice; Faculty Co-Director, Stein Center for Law & Ethics, Fordham Law School

Reva Siegel, Nicholas deB Katzenbach Professor of Law, Yale Law School

Patricia Williams, University Distinguished Professor of Law and Humanities, Northeastern University

12:45 – 2:00 PM  Concurrent Sessions 10

Session 10A (AR)
Panel: Health Reform Reconstruction

Erin Fuse Brown, Georgia State University College of Law

Matthew B. Lawrence, Emory University School of Law

Liz McCuskey, University of Massachusetts School of Law

Lindsey Wiley, American University Washington College of Law

Session 10B
Healthcare Fraud and Abuse

Jacob Elberg, Seton Hall Law School, Rewarding Healthcare Compliance
Shawn Mathis, Loyola University Chicago School of Law, *Credible Allegations of Fraud Pose a High Risk to Medicaid Providers: A Lesson from New Mexico*

Karen Alicia Shaw, Loyola University Chicago School of Law, *Bringing Meaning to the Theory of “Worthless Services”: The False Claims Act and COVID-19 in Nursing Homes and Long-Term Care Facilities*

**Session 10C**  
Genetics

Myrisha Lewis, William & Mary Law School, *Normalizing Reproductive Genetic Modification*

Maxwell Mehlman, Case Western Reserve University, *Governance of Non-Traditional Gene Editing Experimentation*

Anya Prince, University of Iowa College of Law, *Is informed consent contributing to or easing fears of genetic discrimination?*

Natalie Ram, University of Maryland Carey School of Law, *America's Hidden National DNA Database: Law Enforcement Access to Newborn Screening Spots and Data*

**Session 10D**  
Medical Malpractice

Phoebe Jean-Pierre, University of Iowa, *Failure to Disclose: The Fear of Legal Liability and Impractical Accreditation Standards Impede the Elimination of Medical Error*

Philip Peters Jr., University of Missouri School of Law, *Are We on the Cusp of the Next Medical Malpractice Insurance Crisis?*

Thaddeus Mason Pope, Mitchell Hamline School of Law, *Medical Malpractice Evolution from Informed Consent to Shared Decision Making*

Nadia Sawicki, Loyola University Chicago School of Law, *Ethical Malpractice*

2:15 – 3:30 PM  
**Concurrent Sessions 11**

**Session 11A (AR)**  
*Panel: Responding to injustice at the intersection of disability, race, law, and medicine for people with substance use disorder*

Kelly Dineen, Creighton University
Taleed El-Sabawi, Elon University School of Law
Elizabeth Pendo, Saint Louis University School of Law
Shelly Weizman, Georgetown University Law Center

Session 11B (AR)
Panel: Therapeutic Jurisprudence as a Frame for a Health Law Course

Amy T. Campbell, University of Illinois Chicago John Marshall School of Law
Kathy Cerminara, Nova Southeastern University Shepard Broad College of Law
David Yamada, Suffolk University Law School

Session 11C (AR)
Health Reform

Jaime King, University of Auckland, The Next Wave of Health Care Consolidation: Cross-Market Provider Mergers
Renée Landers, Suffolk University Law School, Assured Income As a Component of Reducing Inequities in Access to Healthcare
Sallie Sanford, University of Washington, Childs v. Weiss: Seeking medical help and legal redress in “the blackest land” with “the whitest people”
Theodosia Stavroulaki, DePaul University College of Law, Mergers That Harm Our Health

Session 11D
Emergency Preparedness

James Hodge Jr., ASU Sandra Day O’Connor College of Law, COVID’S Constitutional Conundrum: Assessing Individual Rights in Public Health Emergencies
Michelle Mello, Stanford Law School & Stanford University School of Medicine, Public Health Law Doctrine after COVID-19
Jennifer Piatt, ASU Sandra Day O’Connor College of Law, COVID’S Constitutional Conundrum: Assessing Individual Rights in Public Health Emergencies
Richard Saver, UNC School of Law, Patients First, Public Health Last
Michael Sinha, Northeastern University School of Law, *Regulating Personal Protective Equipment: the COVID-19 Pandemic and Beyond*

3:45 – 4:00 PM  Passing the Torch to the Sandra Day O’Connor College of Law at Arizona State University

4:00 PM  Conference Closing