



## 45<sup>th</sup> ANNUAL HEALTH LAW PROFESSORS CONFERENCE

Sandra Day O'Connor College of Law  
Arizona State University  
111 E. Taylor Street  
Phoenix, Arizona 85004

### Agenda

**Draft as February 1, 2022**

Welcome to the 45<sup>th</sup> Annual ASLME Health Law Professors Conference at the Sandra Day O'Connor College of Law, Arizona State University (ASU), in Phoenix from Wednesday, June 1 - Friday, June 3, 2022. With over 175 speakers from 120+ institutions, ASU Law is honored to host this conference for the second time (previously in 2012). During your visit to the Valley of the Sun we invite you to dress *business casual* for the duration of the event to maximize your comfort during early summer conditions.

***Special thanks to our Platinum & Gold Level conference sponsors:***



JOEL MICHAELS, J.D.  
ADJUNCT PROFESSOR  
SANDRA DAY O'CONNOR COLLEGE OF LAW

## Wednesday, June 1, 2022

1:30-6:00 pm      **Opening Registration** [Great Hall, Room 141]

2:00-3:30 pm      **Teaching & Curriculum – Opening Sessions**

**Session I: Teaching Health Law in Practice & Via Medical Legal Partnerships** [Room 550]

- Rebecca Hall, University of Maryland Carey School of Law
- Kristin Finn, Loyola University Chicago School of Law
- Asha Scielzo, American University Washington College of Law
- Alice Setrini, DePaul University College of Law
- Erin Paquette, Northwestern University Feinberg School of Medicine
- Brietta Clark, LMU Loyola Law School

**Session II: Pandemic & Other Challenges Underlying Course Curricula** [Room 544]

- Katherine Schostok, DePaul University College of Law, *Coping with Change: Teaching During the Pandemic*
- Rachel Lookadoo, University of Nebraska Medical Center College of Public Health, *Teaching Public Health Law to MPH Students*
- Karen Shaw, Loyola University Chicago School of Law, *Reflections on Teaching an Interdisciplinary Writing & Communications Seminar on Health Literacy to Diverse Students*
- Sarah Curi, Brandeis University, *Content Warning: Pandemic Pedagogy & Other Sensitive Subjects*
- Jamie Abrams, University of Louisville Brandeis School of Law, *Developing Cultural Competencies & Professional Identity Formation Through Health Law*

3:30-3:45 pm      **Break**

3:45-5:45 pm      **Jay Healey Health Teaching Plenary - Looking Forward: How do we bring energy, engagement, science, and humanity to our health law teaching?**  
[Room 544]

As we come together again in person after two long years, join us for a collaborative dialogue around questions that matter to our teaching, our world, and our lives. How do we renew our passion, energy, and creativity for teaching? How do we teach the ever-increasing interdisciplinarity of health law in a time of scientific skepticism and pessimism? What have we learned about compassion in reaching and teaching students and taking care of ourselves? This plenary session uses small-group conversations to share our collective knowledge, build relationships, and shape our futures as individuals and a community of health law professors. This session is for everyone—new teachers, mid-career, and experienced.

- Sidney Watson, Saint Louis University School of Law
- Charity Scott, Georgia State University College of Law
- Brietta Clark, LMU Loyola Law School
- Zack Buck, University of Tennessee College of Law
- Elizabeth McCuskey, UMass School of Law

5:45-6:00 pm      **Break**

6:00-7:30 pm      **Welcome Reception** [Room 544 and 5<sup>th</sup> Floor Veranda]  
*Sponsored by ASU's Center for Public Health Law & Policy*

## Thursday, June 2, 2022

7:30-8:30 am **Registration & Breakfast** [Great Hall, Room 141]  
*Sponsored by the Network for Public Health Law – Western Region Office*

8:30-9:00 am **Welcome** [Great Hall, Room 141]  
James G. Hodge, Jr., ASU Sandra Day O'Connor College of Law  
Ted Hutchinson, ASLME

9:00-10:00 am **Plenary Session 1: Post-Dobbs America: The Future of U.S. Reproductive Rights** [Great Hall, Room 141]

This session addresses the future of American reproductive rights following the issuance of the Supreme Court's Opinion in *Dobbs v. Jackson Women's Health Organization*. Panelists will address future predictions, potential legal arguments surfacing related to the Court's decision, and legal, policy, or medical efforts to ensure equitable access to reproductive services across the U.S.

- **Moderator:** Jennifer Piatt, ASU Sandra Day O'Connor College of Law
- Mary Ziegler, Florida State University College of Law
- Rachel Rebouché, Temple University Beasley School of Law
- Sara Rosenbaum, George Washington University Milken Institute School of Public Health

10:00-10:30 am **Break**

### 10:30-11:45 am Concurrent Sessions 1

**Session 1A: Reproductive Health & Rights: Gender-Inclusion, Crisis Pregnancy & Racism** [Room 150]

- Camille Davidson, Southern Illinois University School of Law & Browne Lewis, North Carolina Central School of Law, *Use of Gender-Inclusive & Gender-Neutral Language for Reproductive Health & Rights*
- Rebecca Feinberg, DePaul University College of Law, *Crisis Pregnancy Centers & Reproductive Rights – A Policy Analysis*
- Laura Hermer, Mitchell Hamline School of Law, *The Relational Context of Abortion*

**Session 1B: Panel - Public Health Is Universal: Building Better Engagement via Scholarship & Curriculum** [Room 240]

- **Chair:** Medha Makhoul, Penn State Dickinson School of Law
- Scott Burris, Temple University Beasley School of Law
- Lance Gable, Wayne State University Law School
- Lindsay Wiley, UCLA School of Law
- Michael Ulrich, Boston University School of Public Health

**Session 1C: Ethical Conundrums on the Frontlines of Health Policy** [Room 250]

- Leslie Wolf, Georgia State University College of Law, *Examining the Enduring Questions of Bioethics from Diverse Perspectives*
- Stephen Latham, Interdisciplinary Center for Bioethics, Yale University, *Research on Novel, Unregulated Platforms: The Newly Dead & Pig-Brains*
- Evelyn Tenenbaum, Albany Law School, *The Unique Informed Consent & Coercion Issues Related to Split Liver Transplants*

- Katherine Drabiak, University of South Florida College of Public Health, *8 Strategies to Engineer Acceptance of Human Germline Modification*

**Session 1D: COVID-19: Lessons Learned On Legal & Policy Challenges** [Room 442]

- Troy Rule, ASU Sandra Day O'Connor College of Law, *Toward a More Strategic National Stockpile*
- Roy Spece, University of Arizona James E. Rogers College of Law, *Covid-19 Control: Disrupting Doctor-Patient Relationships*
- Kerri Lowrey, Network for Public Health Law – Eastern Region Office, *Challenges & Opportunities for Interprofessional Collaboration in Clinical Legal Education: Eviction Prevention Efforts*
- Max Helveston, DePaul University College of Law, *Consumer Goods Shortages & Anti-Price Gouging Legislation*

**Session 1E: Genomics: Innovations & Legal Controversies** [Room 450]

- Valerie Gutmann Koch, University of Houston Law Center, *Harm Without Negligence*
- Yaniv Heled, Georgia State University College of Law, *A Theory of Genetic Interests*
- Diane Hoffmann, University of Maryland Carey School of Law, *Implications of Consumer Fraud Decision for Pharmacogenomic Testing*
- Shelly Simana, Harvard Law School, *The “Singular Genome” Fallacy*

**Session 1F: Drugs, Patents & Policies** [Room 550]

- Michael Frakes, Duke University, *Investing in Ex Ante Regulation: Evidence from Pharmaceutical Patent Examination*
- Rebecca Wolitz, The Ohio State University Moritz College of Law, *Government Patent Use to Promote Public Health: Overcoming Non-Patent Exclusivities*
- Jonathan Darrow, Harvard Medical School, *Orange Book Patents*
- Bryan Walsh, Brigham & Women's Hospital, *Skinny Labeling after GSK v. Teva*

**Session 1G: Promoting Health Equity & Antidiscrimination** [Room 650]

- Mary Crossley, University of Pittsburgh School of Law, *Affirmatively Furthering Health Equity*
- Heather Walter-McCabe, Wayne State University Law School, *An Analysis of LGBTQ+ Rights in a Time of Changing Court Interpretations of Religious Rights*
- Laura Hoffman, Cleveland-Marshall College of Law, *Access Denied: Confronting Issues of Accessibility & Legal Enforcement Involving Telehealth for People with Disabilities*
- Brittany Kelly, Indiana University Robert H. McKinney School of Law, *Attorneys as Brokers of Resources*

11:45 am-1:00 pm **Lunch** [5<sup>th</sup> Floor, Room 544]  
Sponsored by ASU's Center for Public Health Law & Policy

**1:00-2:15 pm Concurrent Sessions 2**

**Session 2A: Panel - Developments in Patient Privacy** [Room 150]

- **Chair:** Nicolas Terry, Indiana University Robert H. McKinney School of Law
- Christine Coughlin, Wake Forest University School of Law
- Anya Prince, University of Iowa College of Law
- Stacey Tovino, University of Oklahoma College of Law

**Session 2B: Insuring Americans' Health – Essential Challenges** [Room 240]

- Joel Michaels, ASU Sandra Day O'Connor College of Law, *MAOs & Risk Adjusted Payments: What Happened to the Actuarial Equivalence Defense?*
- Wendy Epstein, DePaul University College of Law, *Without a Mandate, Can Social Solidarity Alone Drive Insurance Enrollment in the USA?*
- Jacqueline Fox, University of South Carolina School of Law, *Examining Health Insurance from the Patient Perspective*
- Matthew Lawrence, Emory University School of Law, *Medicare "Bankruptcy"*

**Session 2C: Panel - Righting Wrongs in FDA's Accelerated Approval Pathway** [Room 250]

- **Chair:** Holly Fernandez Lynch, Perelman School of Medicine, University of Pennsylvania
- Aaron Kesselheim, Harvard University Medical School
- Emily A. Largent, Perelman School of Medicine, University of Pennsylvania
- Rachel Sachs, Washington University (St. Louis) School of Law

**Session 2D: Prescription Drugs: Regulatory & Reform Challenges** [Room 442]

- Michelle Mello, Stanford Law School, *The Role of State Attorneys General in Improving Prescription Drug Affordability*
- Gregory Curfman, Journal of the American Medical Association, *The 340B Drug Discount Program—Its Fate Is in the Hands of the Supreme Court*
- Anjali Deshmukh, Brigham & Women's Hospital/Harvard Medical School, *Can We Get a Refund? Reexamining Judicial & Regulatory Policies Protecting Drugs that Do Not Work*
- Ryan Knox, Harvard-MIT Center for Regulatory Science, *The 340B Program & Contract Pharmacies: A Necessary Step, or a Step Too Far?*

**Session 2E: Panel - Public Health Authority & Law Professor Collaboration** [Room 450]

- **Chair:** Kathleen Hoke, University of Maryland Carey School of Law
- Jill Krueger, Network for Public Health Law – Northern Region Office
- Sabrina Adler, ChangeLab Solutions
- Faith Khalik, Northeastern University School of Law

**Session 2F: Panel – Tribal Public Health Law** [Room 550]

- **Chair:** Carolyn Angus-Hornbuckle, ASU Sandra Day O'Connor College of Law
- Brett Lee Shelton, Native American Rights Fund
- Heather Tanana, University of Utah S.J. Quinney College of Law

**Session 2G: Persons, Rights & Freedoms in U.S. Healthcare** [Room 650]

- Paul Lombardo, Georgia State University College of Law, *The Courage of their Convictions: Nazi Sterilization Law in the US Press, 1933-1949*
- Sonia Suter, The George Washington University Law School, *The First Amendment & Regulation of Speech in Health Care*
- Greer Donley, University of Pittsburgh Law School, *Subjective Fetal Personhood*
- Richard Gibson, University of Texas Medical Branch, *Alive, Dead, or Something Else? Challenging Law's Mortal Dichotomy*

2:15-2:30 pm

**Break**



**Session 3A: Panel - Disciplining Physicians Who Inflict Harm: New Legal Resources for State Medical Boards** [Room 150]

- **Chair:** Elizabeth Pendo, Saint Louis University School of Law
- Nadia N. Sawicki, Loyola University Chicago School of Law
- Kelly K. Dineen, Creighton University School of Law
- Jennifer D. Oliva, Seton Hall Law School

**Session 3B: Race, Health & Justice** [Room 240]

- Tara Sklar, University of Arizona James E. Rogers College of Law, *Racial Justice in Long-Term Care: Amplifying the Voices of Immigrant Workers*
- Phoebe Jean-Pierre, University of Iowa College of Law, *Diagnostic Error & Racial Bias in Medical Decision Making*
- Sallie Sanford, University of Washington Law School, *Childs v. Weiss: Seeking Medical Help & Legal Redress in “the blackest land” with “the whitest people”*
- Nicole Tuchinda, University of the Memphis Cecil C. Humphreys School of Law, *Disproportionate School Brutality Upon Black Children*

**Session 3C: Legal Focus on Mental Health & Outcomes** [Room 250]

- Sharona Hoffman, Case Western Reserve University School of Law, *Cognitive Decline & the Workplace*
- Tara Ragone, Seton Hall Law School, *Coverage of Preventive Behavioral Health as a Means of Addressing Social Determinants of Health & Furthering Parity*
- Michael Jewell, Colorado School of Public Health, *Mental Health Law & Policy: 4 Considerations for Effective Contemporary Teaching*
- Megan Wright, Penn State University School of Law, *Reconsidering Capacity Assessments*

**Session 3D: Reproductive Rights in the 21<sup>st</sup> Century** [Room 442]

- Rachel Rebouché, Temple University Beasley School of Law, *Remote Reproductive Rights*
- Radhika Rao, UC-Hastings College of Law, *The Jurisprudence of Life*
- Lewis Grossman, American University Washington College of Law, *The FDA & Women's Bodies*
- Bob Bohrer, California Western School of Law, *Human Life, Religious Freedom Restoration Acts & Jewish Physicians' Obligation to Offer Abortion*

**Session 3E: New Approaches Underlying FDA Regulations & Oversight** [Room 450]

- Nicholson Price, University of Michigan Law School, *Rethinking Innovation Policy at the FDA*
- Sara Gerke, Penn State Dickinson School of Law, *The Need for a New Regulatory Framework for AI-Based Medical Devices*
- Michael Sinha, Northeastern University School of Law, *Product Hops, Public Health & FDA*
- Charles Joseph Daval, Brigham & Women's Hospital/Harvard Medical School, *Independence & Influence in FDA Decisionmaking*

**Session 3F: Product Regulation & Communal Health** [Room 550]

- Micah Berman, The Ohio State University School of Public Health, *The Tobacco Endgame*
- Joanna Sax, California Western School of Law, *Efficacy of Tobacco 21 Laws as a Smoking Intervention*

- Daniel Orenstein, Indiana University Robert H. McKinney School of Law, *Preemption, Local Control & Cannabis Delivery*
- Mathilde Cohen, University of Connecticut School of Law, *Food Identity & Law*

**Session 3G: Opioids: The Health Emergency Within the Pandemic** [Room 650]

- Rebecca Haffajee, Acting Assistant Secretary for Planning & Evaluation, U.S. Department of Health & Human Services, *The Federal Government's Role in Addressing the Overdose Crisis*
- Patti Zettler, The Ohio State University Moritz College of Law, *Stigma, Trust & the Physician-Patient Relationship: The Opioid Treatment Agreement Legal Landscape*
- Lynn Barrett, Wachler & Associates, *Litigation & Enforcement Responses to the Opioid Crisis*
- Kimberly Brandt, Tarplin, Downs & Young, LLC

3:45-4:00 pm

**Break**

**4:00-5:30 pm**

**Concurrent Sessions 4**

**Session 4A: Health Justice: Frameworks, Foundations & Next Steps** [Room 150]

- Liz Tobin-Tyler, Brown University School of Public Health, *Educating the Next Generation of Health Justice Advocates*
- Yael Cannon, Georgetown University Law Center, *Health Justice for Children*
- Jonathan Todres, Georgia State University College of Law, *Incorporating Youth Voices in Health Policy Development*
- Elizabeth McCuskey, UMass School of Law, *Incrementalism, Health Justice & ERISA Reform*
- Allison Whelan, University of Pennsylvania Carey Law School, *Aggravating Inequalities Through State-Level Pharmaceutical Regulation*

**Session 4B: Hospitals, Health Professionals & Health Procedures** [Room 240]

- Ann Marie Marciarille, University of Missouri-Kansas City School of Law, *Who Owns a Hospital Bed?*
- William Sage, University of Texas (Austin) School of Law, *Law & Ethics to Facilitate Generational Change in the Health Professions*
- Deborah Farringer, Belmont University College of Law, *Ransomware Attacks Against Hospitals*
- Jordan Paradise, Loyola University Chicago School of Law, *Medical Device Sterilization & Public Health*
- Sundes Kazmir, Yale University School of Medicine, *Exploring Legal Decisions in Medical Neglect: Lessons for the Pediatrician*

**Session 4C: Vaccine Challenges During & After COVID-19** [Room 250]

- Peter Jacobson, University of Michigan School of Public Health, *COVID-19 Vaccinations: Resistance is Futile—The Resisters are Winning*
- Elizabeth Weeks, University of Georgia School of Law, *Jacobson in the Context of Federal Vaccine Mandates*
- Kevin Outterson, Boston University School of Law, *Religious Claims in COVID-19 Vaccine Mandate Cases*
- Sam Halabi, Colorado State University, *Addressing Intellectual Property Barriers to COVID-19 Vaccines*
- Jonathan Will, Mississippi College School of Law, *Your Body My Choice: Parents Who Refuse to Vaccinate Their High-Risk Children Against COVID-19*

#### **Session 4D: U.S Healthcare Challenges & Regulatory Reforms** [Room 442]

- Gabriel Scheffler, University of Miami School of Law, *The Ghosts of the Affordable Care Act*
- Asha Scielzo, American University Washington College of Law, *Health Care Corporate Compliance & Governance*
- Laura Fox, George Washington University School of Medicine, *Health Care for Profit: A Doctor's View*
- David Simon, Petrie-Flom Center, Harvard Law School, *Private Health Regulators*
- Gwendolyn Majette, Georgia State University College of Law, *The Disparate Impact of COVID-19: Economic Justice, Health Justice & Corporate Governance for Health Care Boards*

#### **Session 4E: Health Policies on the Cutting Edge** [Room 450]

- Tessa Davis, University of South Carolina School of Law, *Taxing the Cyborg*
- Benjamin A. Barsky, Program in Health Policy, Harvard University, *Public Health, Democratic Accountability & Alternative ER Systems in the Wake of "988" New Model of Crisis Intervention*
- Sharon Bassan, DePaul University College of Law, *Recognition as an Ethical-Legal Requirement for Surrogacy Transactions*
- Rick Weinmeyer, Northwestern University, *Lavatories of Democracy: Establishing a Right to Restrooms & Expanding Toilet Availability through State Constitutional Law & Policy*
- Kathryn Tucker, Emerge Law Group, *New Palliative Care Tool on the Horizon: Psilocybin Therapy*

#### **Session 4F: Panel - Barrier or Breakthrough? Strategies to Develop & Train a Diverse Public Health Law Workforce** [Room 550]

- **Chair:** Emely Sanchez, Network for Public Health Law—Mid-States Office
- Scott Burris, Temple University Beasley School of Law
- Stacie Kershner, Georgia State University College of Law
- Kathleen Hoke, University of Maryland Carey School of Law
- Montrece Ransom, National Network of Public Health Institutes

5:30-6:30 pm **Break**

6:30-9:00 pm **Dinner Reception** [University of Arizona Health Sciences Ballroom]  
*Co-sponsored by the Mel & Enid Zuckerman College of Public Health & James E. Rogers College of Law, University of Arizona*

- **Welcome Address:** Leila Barraza & Tara Sklar, University of Arizona
- **ASLME Health Law Scholars Announcement**  
Sidney Watson, Saint Louis University School of Law
- **ASLME Presentation of the Jay Healey Teaching Award**  
Ted Hutchinson, ASLME

### **Friday, June 3, 2022**

7:30-8:15 am **Continental Breakfast** [Great Hall, Room 141]  
*Sponsored by the O'Neill Institute, Georgetown University Law Center*

8:15-9:15 am **Plenary Session #2: Vaccine Mandates After COVID-19** [Great Hall, Room 141]



This session focuses on the post-pandemic future of workplace, school-based, and other vaccination requirements, including (1) implications of religious exemptions to vaccine requirements; (2) role of CDC's Advisory Committee on Immunization Practices and implications for vaccine injury compensation; and (3) federal-state relations regarding vaccine laws/policies.

- **Moderator:** Leila Barraza, University of Arizona Zuckerman College of Public Health
- Michelle Mello, Stanford Law School
- Doug Campos-Outcalt, University of Arizona Zuckerman College of Public Health
- Dorit Reiss, UC-Hastings College of Law

9:15-9:30 am **Break**

**9:30-10:45 am Concurrent Sessions 5**

**Session 5A: Impacts of Criminal & Tort Liability on Health Policies** [Room 150]

- Jalayne Arias, Georgia State University School of Public Health, *Crime, Incarceration & Dementia: An Aging Criminal System*
- Elizabeth Kukura, Drexel University Thomas R. Kline School of Law, *Obstetric Violence: Applying a Criminal Law Frame to a Health Care Problem*
- Sean Bland, O'Neill Institute for National & Global Health Law, Georgetown University Law Center, *A Public Health & Community Centered Approach to the Criminalization of Infectious Diseases*
- Barbara Pfeffer Billauer, Academic College of Law & Science, *Tort Liability for Governmental Failure to Protect the Public Health*

**Session 5B: Panel - Supporting Physicians Who Advocate for Their Patients** [Room 240]

- **Chair:** Maxwell Mehlman, Case Western University School of Law
- Mark Hall, Wake Forest University School of Law
- Erin Fuse Brown, Georgia State University College of Law
- Robert Bitonte

**Session 5C: Panel - Public Health Law in the Curriculum** [Room 250]

- **Chair:** Medha Makhoul, Penn State Dickinson Law
- Stacie Kershner, Georgia State University College of Law
- Seema Mohapatra, SMU Dedman School of Law
- Teneille Brown, University of Utah College of Law
- Nicole Huberfeld, Boston University School of Law

**Session 5D: Panel - Substance Use & the Carceral System** [Room 442]

- **Chair:** Taleed El-Sabawi, Florida International University
- Leo Beletsky, Northeastern University School of Law
- Shelly Weizman, Georgetown University Law Center
- Michal Buchhandler-Raphael, Widener University, Commonwealth Law School, *The Perils of Medicalized Alternatives to Punitive & Carceral Approaches*

**Session 5E: Panel – Indian Health Care Law & Policy** [Room 450]

- **Chair:** Geoffrey Strommer, Hobbs Straus Dean & Walker
- Chris Chavis, National Indian Health Board

- Francys Crevier, National Council of Urban Indian Health

**Session 5F: Panel - FDA Emergency Uses** [Room 550]

- **Chair:** David Feigal, ASU Sandra Day O'Connor College of Law
- Alberto Guterrez, Partner, NDA Partners LLC
- Ellen G. Feigal, ASU Sandra Day O'Connor College of Law

10:45-11:00 am **Break**

**11:00-12:15 pm Concurrent Sessions 6**

**Session 6A: Medicaid Policies, Practices & Reforms** [Room 150]

- Sidney Watson, Saint Louis University School of Law, *Using Medicaid to Address Structural Racism & Healthy Equity: A Policy, Research & Action Agenda*
- Robert Field, Drexel University Thomas R. Kline School of Law, *Medicaid Administrative Requirements as Barriers to Enrollment: Results of a 50-State Analysis*
- Michael Gray, Treatment Advocacy Center, *Medicaid, Mental Illness & Blatant Discrimination: The IMD Exclusion to Psychiatric Care*

**Session 6B: Panel - Legal Issues with Pediatric Psychiatric Polygenic Risk Scores** [Room 240]

- **Chair:** Jessica Roberts, University of Houston Law Center
- Leah Fowler, University of Houston Law Center
- Dov Fox, University of San Diego School of Law
- Natalie Ram, University of Maryland Carey School of Law

**Session 6C: Panel - Mass Incarceration** [Room 250]

- **Chair:** Thalia González, Georgetown University Law Center
- Janae E. Bonsu, National Black Women's Justice Institute
- Paige Joki, Education Law Center
- Emma Kaeser, Sullivan & Cromwell LLP

**Session 6D: Panel - Health Law: Integral Component of Interprofessional Education** [Room 442]

- **Chair:** Julie Agris, Stony Brook Medicine
- Kathy Cerminara, Shepard Broad College of Law, Nova Southeastern University
- Marilyn Uzdavines, Shepard Broad College of Law, Nova Southeastern University
- Joan Foley, Touro College Jacob D. Fuchsberg Law Center

**Session 6E: Health Data, Access to Care & Health Outcomes** [Room 450]

- Thaddeus Pope, Mitchell Hamline School of Law, *Brain Death: Must Clinicians Obtain Consent to Perform Testing for Determination of Death by Neurological Criteria?*
- Jacob Elberg, Seton Hall Law School, *A Decade of The Sunshine Act—Are Patients Still in the Dark?*
- Elizabeth Piekarz-Porter, University of Illinois Chicago School of Public Health, *State Collection Methods for Policy Surveillance*
- Dena Davis, Lehigh University, *End-of-Life Preferences in the Face of Alzheimer's Disease: A Survey of 10,050 Americans over 50*

**Session 6F: Post-Pandemic Health Care & Public Health Issues** [Room 550]

- Polly Price, Emory University School of Law, *The COVID-19 Threat to Tuberculosis Control Programs in the U.S.*
- Christopher Ogolla, Barry University Law School, *Dying in Isolation. Public Health Implications of Transportation & Burial of Human Remains During a Pandemic*
- Alina Perez, Shepard Broad College of Law, Nova Southeastern University, *Using Therapeutic Jurisprudence to Improve Nursing Home Regulations During Future Pandemics*
- Anne Boustead, University of Arizona School of Government & Public Policy, *Does Preemption Matter? Evidence from COVID-19 Lawmaking*

12:15-1:30 pm

**Lunch** [5<sup>th</sup> Floor, Room 544]

*Sponsored by the Network for Public Health Law – Western Region Office*

**1:30-2:45 pm**

**Concurrent Sessions 7**

**Session 7A: Prevention, Public Health & Financial Impacts** [Room 150]

- Doron Dorfman, Syracuse University College of Law, *Penalizing Prevention*
- Julia Costich, University of Kentucky College of Public Health, *Private Equity vs. Public Health: Mitigating the Population Health Impact of Financialized Health Services*
- Ken Gatter, Oregon Health Sciences University, *COVID-19 & Promotion of Diversity, Equity & Inclusion in Residency Matching*
- Erica White, ASU Sandra Day O'Connor College of Law, *Legal Solutions Combatting the Public Health Crisis of Student Loan Debt*

**Session 7B: Panel - A "Modern" Casebook for Teaching Health Law** [Room 240]

- **Chair:** Valarie Blake, West Virginia University College of Law
- Zack Buck, University of Tennessee College of Law
- Seema Mohapatra, SMU Dedman School of Law

**Session 7C: Salient Issues in Health Data & Research** [Room 250]

- Carl Coleman, Seton Hall Law School, *Physicians Who Disseminate Medical Misinformation: Testing the Constitutional Limits on Professional Disciplinary Action*
- Ani Satz, Emory University Rollins School of Public Health, *Federalism, State Action & Workers' Medical Privacy*
- Anthony Orlando, California State Polytechnic University, *Racial & Ethnic Diversity in Genetic Research*
- Barry Solaiman, HBKU College of Law, *Monitoring Mental Health: Legal & Ethical Considerations of Using Artificial Intelligence on Psychiatric Wards*

**Session 7D: Artificial Intelligence, Technologies & Health Care Delivery** [Room 442]

- Charlotte Tschider, Loyola University Chicago College of Law, *Manipulating Public Health: Artificial Intelligence & the Choice Dilemma*
- Myrisha Lewis, William & Mary Law School, *Religion, Embryos, Abortion & the Meaning of Life: The Politics of "Traditional" Assisted Reproductive Technology in the U.S.*
- Theodosia Stavroulaki, DePaul University College of Law, *The Dark Side of Conglomerate Mergers in Healthcare*
- Cynthia Ho, Loyola University of Chicago School of Law, *Balancing Healthcare AI Innovation & the Public Interest*

**Session 7E: Panel - Emerging from COVID-Medicaid Coverage & Policy Transitions** [Room 450]

- **Chair:** Lucy Hodder, University of New Hampshire Franklin Pierce School of Law
- Heather Howard, Princeton University School of Public & International Affairs
- Jessica Mantel, University of Houston Law Center
- John Jacobi, Seton Hall Law School

**Session 7F: Panel - Laws & Policies Governing Vaccine Mandates** [Room 550]

- **Chair:** Dorit Reiss, UC-Hastings College of Law
- Brian Dean Abramson, Florida International University College of Law
- Michelle M. Mello, Stanford Law School
- Y. Tony Yang, George Washington University Milken Institute School of Public Health

2:45-3:00 pm **Conference Conclusion:** “*Passing of the Torch*” to University of Maryland Carey School of Law, Baltimore, MD [Great Hall, Room 141]

James G. Hodge, Jr., ASU Sandra Day O’Connor College of Law  
Diane Hoffmann, University of Maryland Carey School of Law



# 45<sup>th</sup> ANNUAL HEALTH LAW PROFESSORS CONFERENCE | June 1-3, 2022

Sandra Day O'Connor College of Law | Arizona State University | Phoenix, Arizona

## CONCURRENT SESSION MATRIX

Dates & Times	<u>Concurrent Session A</u>	<u>Concurrent Session B</u>	<u>Concurrent Session C</u>	<u>Concurrent Session D</u>	<u>Concurrent Session E</u>	<u>Concurrent Session F</u>	<u>Concurrent Session G</u>
<b>1. Thurs: 6/2</b> <b>10:30 – 11:45</b> <b>a.m.</b>	1A. Reproductive Health & Rights: Gender-Inclusion, Crisis Pregnancy & Racism	1B. Public Health Is Universal: Building Better Engagement via Scholarship & Curriculum	1C. Ethical Conundrums on the Frontlines of Health Policy	1D. COVID-19: Lessons Learned on Legal & Policy Challenges	1E. Genomics: Innovations & Controversies	1F. Drugs, Patents & Policies	1G. Promoting Health Equity & Antidiscrimination
<b>2. Thurs: 6/2</b> <b>1:00 – 2:15</b> <b>p.m.</b>	2A. Developments in Patient Privacy	2B. Insuring Americans' Health – Essential Challenges	2C. Righting Wrongs in FDA's Accelerated Approval Pathway	2D. Prescription Drugs: Regulatory & Reform Challenges	2E. Public Health Authority & Law Professor Collaboration	2F. Tribal Public Health Law	2G. Persons, Rights & Freedoms in U.S. Healthcare
<b>3. Thurs: 6/2</b> <b>2:30 – 3:45</b> <b>p.m.</b>	3A. Disciplining Physicians Who Inflict Harm: New Legal Resources for State Medical Boards	3B. Race, Health & Justice	3C. Legal Focus on Mental Health & Outcomes	3D. Reproductive Rights in the 21st Century	3E. New Approaches Underlying FDA Regulations & Oversight	3F. Product Regulation & Communal Health	3G. Opioids: Health Emergency Within the Pandemic
<b>4. Thurs: 6/2</b> <b>4:00 – 5:30</b> <b>p.m.</b>	4A. Health Justice: Frameworks, Foundations & Next Steps	4B. Hospitals, Health Professionals & Health Procedures	4C. Vaccine Challenges During & After COVID-19	4D. U.S Healthcare Challenges & Regulatory Reforms	4E. Health Policies on the Cutting Edge	4F. Strategies to Develop & Train a Diverse Public Health Law Workforce	
<b>5. Fri: 6/3</b> <b>9:30 – 10:45</b> <b>a.m.</b>	5A. Impacts of Criminal & Tort Liability on Health Policies	5B. Supporting Physicians Who Advocate for Their Patients	5C. Public Health Law in the Curriculum	5D. Substance Use & the Carceral System	5E. Indian Health Care Law & Policy	5F. FDA Emergency Uses	
<b>6. Fri: 6/3</b> <b>11:00 – 12:15</b> <b>p.m.</b>	6A. Medicaid Policies, Practices & Reforms	6B. Legal Issues with Pediatric Psychiatric Polygenic Risk Scores	6C. Mass Incarceration	6D. Health Law: Integral Component of Interprofessional Education	6E. Health Data, Access to Care & Health Outcomes	6F. Post-Pandemic Health Care & Public Health Issues	
<b>7. Fri: 6/3</b> <b>1:15 – 2:30</b> <b>p.m.</b>	7A. Prevention, Public Health & Financial Impacts	7B. A "Modern" Casebook for Teaching Health Law	7C. Salient Issues in Health Data & Research	7D. Artificial Intelligence, Technologies & Health Care Delivery	7E. Emerging from COVID-Medicaid Coverage & Policy Transitions	7F. Laws & Policies Governing Vaccine Mandates	