

# 40<sup>th</sup> Annual Health Law Professors Conference

Co-Sponsored by:

American Society of Law, Medicine & Ethics &  
Georgia State University College of Law

June 8-10, 2017

Join the conversation on Twitter at #HLP17.

## Thursday, June 8, 2017

- 8:00 AM-12:00 PM    Tour of the Centers for Disease Control and Prevention  
(Separate registration required. Participants meet in the lobby of Georgia State Law to take a shuttle to the CDC.)
- 9:45 – 11:15 AM    Tour of Grady Health System  
(Separate registration required. Participants meet in the lobby of Georgia State Law and will walk over to Grady as a group.)
- 1:00 – 5:00 PM    Self-guided tour of Special Exhibit – Research Centers and institutes Suite,  
4<sup>th</sup> Floor  
*Health is a Human Right: Race and Place in America*
- 2:00 – 5:00 PM    Conference Registration – Henson Atrium, Georgia State Law
- 3:00 – 5:00 PM    Jay Healey Teaching Session – Knowles Conference Center, Georgia State Law

### ***Experiential Teaching and Learning in Health Law***

The format for this session is World Café roundtables, with plenty of opportunity for the collegial exchange of teaching ideas and insights among your colleagues. Come prepared for a lively, interactive workshop.

#### World Café Hosts:

Dayna Matthew, University of Colorado Law School  
Charity Scott, Georgia State University College of Law  
Sidney Watson, Saint Louis University School of Law

#### Invited Discussants and Participants:

Rodney Adams, Virginia Commonwealth University School of Health Administration  
Christina Juris Bennett, University of Oklahoma College of Law

Amy Campbell, University of Memphis Cecil C. Humphreys School of Law  
Michael Campbell, Villanova University Charles Widger School of Law  
Erin Fuse Brown, Georgia State University College of Law  
Danielle Pelfrey Duryea, University of Buffalo School of Law, State University of New York  
Jessica Mantel, University of Houston Law Center  
Elizabeth McCuskey, University of Toledo College of Law  
Laura McNally-Levine, Case Western Reserve University School of Law  
Jennifer Oliva, West Virginia University College of Law and School of Public Health  
Thaddeus Pope, Mitchell Hamline School of Law  
Lauren Roth, St. John's University School of Law  
Katherine Schostok, DePaul University College of Law  
Allison Winnike, University of Houston Law Center

5:00 – 7:00 PM      **Welcome Reception – Henson Atrium, Georgia State Law**

**Friday, June 9, 2017**

7:30 – 8:15 AM      Registration – Henson Atrium, Georgia State Law

8:00 AM – 5:00 PM      Self-guided tour of Special Exhibit – Research Centers and institutes Suite,  
4<sup>th</sup> Floor  
*Health is a Human Right: Race and Place in America*

8:15 – 8:30 AM      Breakfast & Opening Remarks – Ceremonial Courtroom  
Wendy Hensel, Interim Dean and Professor of Law, Georgia State  
University College of Law  
College of Law  
Leslie Wolf, Professor of Law, Center for Law, Health & Society, Georgia  
State University College of Law  
Ted Hutchinson, Executive Director, American Society of Law, Medicine &  
Ethics

8:30 – 10:15 AM      Plenary Session – Ceremonial Courtroom, Georgia State Law

***The Future of Medicaid, Part 1: Struggling for the Soul of Medicaid***

Brietta Clark, Loyola Law School, Los Angeles  
Nicole Huberfeld, University of Kentucky College of Law  
Emily Parento, University of the Pacific McGeorge School of Law  
Jane Perkins, National Health Law Program  
Sidney Watson, Saint Louis University School of Law

10:15 – 10:30 AM Break

10:30 AM – 12:00 PM Concurrent Sessions 1

**Health Care Financing and Regulation Session 1A – Room 241**

***The First Amendment Meets Health Law: New Issues Relating to the Regulation of Health-Related Speech***

Moderator: Timothy Lytton, Georgia State University College of Law

Gregory Curfman, Harvard Law School, *“Docs v. Glocks”*: *Patient-Physician Relationships, Guns and Free Speech*

Wendy Parmet, Northeastern University School of Law and School of Public Policy and Urban Affairs, *Applying the First Amendment to Physician Speech: A Public Health Approach*

Christopher Robertson, University of Arizona James E. Rogers College of Law, *Promotion of Drugs and Devices: Off-Label and No-Label*

Jason Smith, California State University, East Bay, *Health, the First Amendment and the Ethics of the Patient-Physician Interaction*

**Health Care Financing and Regulation Session 1B – Room 245**

***Developments in Mental Health Parity and Addiction Equity: Enforcement, Guidance and Implementation***

Moderator: Paul Lombardo, Georgia State University College of Law

Melissa Alexander, University of Wyoming College of Law, *Autonomy and Accountability: Why Informed Consent, Consumer Protection, and Defunding Beat Conversion Therapy Bans*

Lucy Hodder, University of New Hampshire School of Law, *Mental Health Parity and Addiction Equity: Multidisciplinary Enforcement Strategies for States*

Tara Ragone, Seton Hall University School of Law, *Mental Health Parity and Addiction Equity: Implementation Challenges and Opportunities*

John Rozel, University of Pittsburgh School of Law, *Freeze or I’ll Breach HIPAA: Law Enforcement/Mental Health Collaboration to Prevent Violence*

**Law, Medicine & Bioethics Session 1C – Room 345**

***Thinking Differently About Surgical Law and Ethics***

Moderator: Sylvia Caley, Georgia State University College of Law, *“Extraordinary Measures: Special Considerations for the Unbefriended Patient”*

Kelly Dineen, Saint Louis University School of Law, *Amending the Sunshine Act to Reflect Device Company Gifts to Surgeons*

Samantha Johnson, Grady Health System, *Extraordinary Measures: Special Considerations for the Unbefriended Patient*

Jason Keune, Saint Louis University School of Medicine, *Is Surgery Ready for the Social Model of Disability?*

Wei Li, Montefiore Medical Center, Albert Einstein College of Medicine, *Off-Label Medical Device use by Surgeons*

### **Public Health Law Session 1D – Room 242**

#### ***Overarching Themes in Public Health Law***

Moderator: Jonathan Todres, Georgia State University College of Law

Lance Gable, Wayne State University Law School, *Public and Private Models of Public Health Governance in Trump's America*

Lewis Grossman, American University Washington College of Law, *The Taming of Progressive 'State Medicine'*

James Hodge, Arizona State University Sandra Day O'Connor College of Law, *Public Health 'Preemption Plus'*

James Holt, US Department of HHS Office of the General Counsel, *A World without Chevron and Auer*

Jennifer Oliva, West Virginia University College of Law and School of Public Health, *Public Health Policing*

### **Health Sciences & Technology Session 1E – Room 342**

#### ***Drug Pricing and Availability***

Moderator: Yaniv Heled, Georgia State University College of Law

Robert Bohrer, California Western School of Law, *Required Disclosures of Expected Benefit in DTC Ads*

Robert Field, Drexel University Thomas R. Kline School of Law, *Taming Pharma with Benefit Corporations*

Dmitry Karshtedt, The George Washington University Law School, *Regulating 'Evergreening': The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*

Michael Sinha, Brigham and Women's Hospital and Harvard Medical School, *Legal Approaches to Ensuring Timely Generic Drug Availability*

Rebecca Wolitz, Stanford Law School, *Patents, Preemption, and Price-Gouging*

### **Teaching Session 1F – Room 346**

#### ***Lessons Learned from Teaching Law Across the Professions***

Moderator: Charity Scott, Georgia State University College of Law

Amy Campbell, University of Memphis Cecil C. Humphreys School of Law, *Teaching an Interdisciplinary Policy Skills Course: Lessons Learned from the Pilot Year*

Kimberly Cogdell Granger, North Carolina Central University School of Law, *Intersessions, Distance Learning and Public Health Law: Creative Scheduling Increases Student Enrollment*

Elizabeth Hall-Lipsy, The University of Arizona College of Pharmacy, *When, Where, and How Does Interprofessional and Ethical Learning Take Place*

Jennifer Herbst, Quinnipiac University School of Law and Frank H. Netter, MD, School of Medicine at Quinnipiac University, *How and Why to Bring Business Students Into the Health Law World?*

Heather McCabe, Indiana University School of Social Work, *Reviewing the Reviews: What are they learning through interprofessional education?*

12:00 – 12:30 PM Lunch, Knowles Conference Center, Georgia State Law

12:30 – 1:30 PM Keynote Address: Camara Jones, MD, MPH, PhD, Immediate Past President, American Public Health Association  
*Achieving Health Equity: Tools for a National Campaign Against Racism*

1:30 – 1:45 PM Break

1:45 – 3:15 PM Concurrent Sessions 2

### **Health Care Financing and Regulation Session 2A – Room 341**

#### ***Antitrust, False Claims Act, and HSAs***

Moderator: Erin Fuse Brown, Georgia State University College of Law

Deborah Farringer, Belmont University College of Law, *The Aftermath of Escobar: The Future of 'Materiality' under the False Claims Act*

Jaime King, University of California, Hastings College of the Law, *The Anticompetitive Potential of Cross-Market Mergers*

Joan Krause, University of North Carolina School of Law, *Certification, Interpretation, and the Quest for Fraud that 'Counts' Under the False Claims Act*

Elizabeth McCuskey, The University of Toledo College of Law, *Affordable Care Preemption*

David Orentlicher, Indiana University Robert H. McKinney School of Law, *Controlling Health Care Spending: More Patient 'Skin in the Game?'*

### **Law, Medicine & Bioethics Session 2B – Room 241**

#### ***Developments in Human Subjects Research Regulation***

Moderator: Leslie Wolf, Georgia State University College of Law

Melissa Goldstein, George Washington University Milken Institute School of Public Health, *Inside the Development of the Final Rule*

Nancy King, Wake Forest School of Medicine, *What's New in the New Common Rule?*

Michelle Meyer, Geisinger Health System, *(Still) Waiting to Exhale: Why the Future of Biospecimens Research Remains Unclear after the Final Rule*

Mark Rothstein, University of Louisville School of Medicine, *International Health Research*

Nicolas Terry, Indiana University Robert H. McKinney School of Law, *Health Privacy Fragmentation*

## **Public Health Law Session 2C – Room 345**

### ***Health Behavior, Nutrition and Food Policy***

Moderator: Timothy Lytton, Georgia State University College of Law

Gaia Bernstein, Seton Hall University School of Law, *Technological Over-Use as Addiction: Drawing Lessons from the Fights Against Cigarettes and Obesity*

Melissa Card, Michigan State University, Institute of Food Laws and Regulations, *Nutrition Labeling: Can Labels Reshape the United States?*

Daniel Svirsky, Harvard Business School, *A Field Study to Test Graphic Warning Labels for Soda*

Lexi White, Arizona State University Sandra Day O'Connor College of Law, *The Academic Cartography of Sugar Sweetened Beverages: Public Health Law Meets Scientific Research*

Diana Winters, Indiana University Robert H. McKinney School of Law, *The Failure of Transparency in Food Policy*

## **Public Health Law Session 2D– Room 242**

### ***Using the Law to Curb the Opioid Crisis: Challenges and Opportunities***

Moderator: Patricia Zettler, Georgia State University College of Law

Basia Andraka-Christou, Indiana University Richard M. Fairbanks School of Public Health, *An International Comparison of Regulations of Medication-Assisted Treatment for Opioid Addiction*

Leo Beletsky, School of Law and Bouve College of Health Sciences, Northeastern University, *America's Favorite Antidote: The Role of Punishment as an Overdose Prevention Tool*

Rebecca Haffajee, University of Michigan School of Public Health, *Using the Law to Ramp Up Medication-Assisted Treatment Therapy*

Ameet Sarpatwari, Harvard Medical School and T. Chan School of Public Health, *The Opioid Epidemic: Fixing a Broken Pharmaceutical Market*

## **Health and Social Justice Session 2E – Room 245**

### ***Health Care Discrimination***

Moderator: Wendy Hensel, Georgia State University College of Law

Jalayne Arias, University of California, San Francisco School of Medicine, *New Types of Health Information - Same Types of Discrimination*

Valarie Blake, West Virginia University College of Law, *Addressing Stigma in Health Care*

Jonathan Kahn, Mitchell Hamline School of Law, *Pills for Prejudice: Implicit Bias and Technical Fix for Racism*

Kristen Underhill, Columbia Law School, *Expressive Impacts of Nondiscrimination Laws in Health Care Settings*

Elizabeth Weeks Leonard, University of Georgia School of Law, *The Future of Health-Status Discrimination under the Trump Administration*

## **Teaching Session 2F – Room 346**

### ***Teaching Techniques***

Moderator: Lisa Bliss, Georgia State University College of Law

Rodney Adams, Virginia Commonwealth University School of Health Administration, *The Trial of Your Life: Involving Law Students & MHA Students in a Mock Trial*

Anna Maitland, Northwestern Pritzker School of Law, *The Value of a Global Health Framework in Experiential Health Law Education*

Virginia Rowthorn, University of Maryland Francis King Carey School of Law, *An Innovative Approach to the Externship Tutorial Requirement: The Health Law Practice Workshop*

Katherine Schostok, DePaul University College of Law, *Alternative Teaching Techniques to Make Students Practice Ready*

3:15 – 3:30 PM            Break with a guided Yoga Stretch & Mindfulness Sneak Peek , Henson Atrium, Georgia State Law

3:30 – 5:00 PM            Concurrent Sessions 3

### **Regulation of Health Care Business 3A – Room 242**

#### ***Public and Private Financing***

Moderator: Erin Fuse Brown, Georgia State University College of Law

Christina Juris Bennett, University of Oklahoma College of Law, *A Case Study of Repealing and Replacing Health Care*

Susan Channick, California Western School of Law, *Insurance is Insurance*

Renee Landers, Suffolk University Law School, *The Future of ACA, Medicare, and Medicaid: Analysis of Options by the National Academy of Social Insurance*

Brendan Maher, University of Connecticut School of Law, *Unlocking Exchanges*

Ryan Meade, Loyola University Chicago School of Law, *Privatizing Medicare: Hasn't it Always been Private?*

William Sage, University of Texas at Austin, *Release and Repurpose: Solving the Social and Economic Problem of Low-Yield Health Care*

### **Law, Medicine & Bioethics Session 3B – Room 241**

#### ***Medical Malpractice and Apology***

Moderator: Jonathan Todres, Georgia State University College of Law

Bartlett Bryce, Duke University Population Research Institute, *Coevolution of Medical Malpractice Claims and Mortality Due to Complications from Medical Care*

Michelle Mello, Stanford Law School and Stanford University School of Medicine, *Outcomes of a Communication-and-Resolution Program in Two Massachusetts Hospital Systems*

Oliver Quick, University of Bristol Law School, *Money No One Wants to Have to Receive or Pay: Clinician-Insurer Engagement and Reducing Obstetric Negligence*

Elizabeth Sepper, Washington University in St. Louis School of Law, *Does Removal of Caps on Malpractice Damages Affect Early Use of Diagnostic Imaging for Acute Low Back Pain?*

Karen Shaw, Loyola University Chicago School of Law, *Just Called to Say 'I Am Sorry' - Can We Arbitrate Things Over? The Nursing Home, the Resident, and Post-Dispute Arbitration*

### **Law, Medicine & Bioethics Session 3C – Room 345**

#### ***Genes***

Moderator: Yaniv Heled, Georgia State University College of Law, *Genetic Paparazzi*  
Katherine Drabiak, University of South Florida Health, *Re-Writing the Genome: Mitochondrial Manipulation, Epigenetics and the Impact on Human Health*  
Hank Greely, Stanford Law School and Stanford University School of Medicine, *Playing with Life*  
Eileen Kane, Penn State Law, *Legal and Scientific Developments in Human Gene Editing*  
Browne Lewis, Cleveland State University Cleveland-Marshall College of Law, *The Next Evolution: Editing Human Genes*

### **Public Health Law Session 3D – Room 342**

#### ***Vaccines***

Moderator: Stacie Kershner, Georgia State University College of Law  
Sam Halabi, University of Missouri School of Law, *The Nagoya Protocol and the Future of International Cooperation in Vaccine Research and Development*  
Nili Karako-Eyal, Haim Striks School of Law and College of Management, *Increasing Vaccination Rates through Tort Law: Theoretical and Empirical Insights.*  
Hillel Levin, University of Georgia School of Law, *Vaccination Exemptions and the Constitutional Limits of Religious Freedom*  
Efthimios Parasidis, The Ohio State University Moritz College of Law and College of Public Health, *From Public Health to Public Trust: Recalibrating Vaccination Laws*

### **Health Science and Technology Session 3E – Room 245**

#### ***Data and Technology***

Moderator: Jessica Gabel Cino, Georgia State University College of Law  
Aziza Ahmed, Northeastern University School of Law, *Science, Crime, and Reproduction: The Troubling Case of Purvi Patel*  
Cynthia Ho, Loyola University Chicago School of Law, *"Alternative Facts" From Pharma and Cognitive Bias*  
Kevin Outtersson, Boston University School of Law, *Research Opportunities with the CARB-X Database*  
Nicholson Price, The University of Michigan Law School, *Competing Incentives for Early Biomedical Innovation*  
Natalie Ram, University of Baltimore School of Law, *Algorithmic Injustice*  
Joanna Sax, California Western School of Law, *Biotechnology, Controversy and Policy Implementation*

### **Mindfulness Session 3F – Room 346**

***Mindfulness and Health for Health Lawyers: Fostering the Formation of Professional Identity and Resilience***



Moderator, Charity Scott, Georgia State University College of Law, *Mindfulness in Law Schools: Addressing the Third Carnegie Apprenticeship to Foster Professional Values, Attitudes, Ethics and Habits of Mind*

Austin Charles, Georgia State University College of Law, *The Real-World Impact of Mindfulness Practice on Law Students*

Monica Halka, Georgia Institute of Technology, *Meditation, Mindfulness and Mental Acuity: Relieving Stress and Promoting Student Health, Well-being and Success*

Tatiana Posada, Georgia State University College of Law, *How I Survived Law School and Developed the Competencies and Qualities that Employers are Looking for Through Mindfulness*

Paul Verhaeghen, School of Psychology, Georgia Institute of Technology, *The Science Behind Mindfulness: How Mindfulness and Meditation Shape Your Brain, Mind and Life*

6:00 – 9:00 PM

**Reception at the Center for Civil and Human Rights**

Presentation of the 2017 Jay Healey Teaching Award

Ted Hutchinson, Executive Director, American Society of Law, Medicine & Ethics

Announcement of 2017 Health Law Scholars

Sidney Watson, Saint Louis University School of Law

**Saturday, June 10, 2017**

7:00 – 8:00 AM

Peachtree Fun Run

(Participants meet in the lobby of the Westin Hotel; maps provided. No registration required.)

Organizer, Courtney Anderson, Georgia State University College of Law

8:00 AM – 5:00 PM

Self-guided tour of Special Exhibit – Research Centers and institutes Suite, 4<sup>th</sup> Floor

*Health is a Human Right: Race and Place in America*

8:00 – 9:00 AM

Breakfast, Henson Atrium, Georgia State Law

9:00 – 10:30 AM

Concurrent Sessions 4

**Health Care Financing and Regulation Session 4A – Room 342**

***The Future of Medicaid, Part 2: Progress in the Heat of the Medicaid Battle***

Moderator: Sylvia Caley, Georgia State University College of Law

Mary Crossley, University of Pittsburgh School of Law

Mark Hall, Wake Forest University School of Law

Laura Hermer, Mitchell Hamline School of Law

John Jacobi, Seton Hall University School of Law

Sallie Sanford, University of Washington School of Law

#### **Law, Medicine & Bioethics Session 4B – Room 242**

##### ***Genetics, Discrimination, and Wellness Programs***

Moderator: Yaniv Heled, Georgia State University College of Law

Jennifer Bard, University of Cincinnati College of Law, *Eight Years Later--Assessing the Protections of the Genetic Information Nondiscrimination Act if the Affordable Care Act is Repealed*

Kathy Cerminara, Nova Southeastern University Shepard Broad College of Law, *Here We Go Again: Wellness Programs and Genetic Information*

Alicia Ouellette, Albany Law School, *Geneticism in 2017: Wellness Programs and Beyond*

Kayte Spector-Bagdady, University of Michigan Medical School, *Liability Implications of Next Generation Sequencing for Genetic Professionals*

#### **Law, Medicine & Bioethics Session 4C– Room 245**

##### ***Reproduction***

Moderator: Paul Lombardo, Georgia State University College of Law

Rebecca Feinberg, DePaul University College of Law, *Sperm vs. Eggs: An Analysis of Gamete Quarantine in Known Donors*

Lauren Flicker, Montefiore Einstein Center for Bioethics, *The TRAP Trap: Misunderstandings About the Relationship Between Access to Contraception, Abortion Regulations, and Abortion Rates*

Elizabeth Kukura, Drexel University Thomas R. Kline School of Law, *Obstetric Violence*

Lynn Squillace, Massachusetts College of Pharmacy and Health Sciences, *Motherhood as punishment: Incarcerated women, abortion, and the Eighth Amendment*

#### **Public Health Law Session 4D – Room 241**

##### ***A Growing Role for the Rule of Law in Public Health Strategies***

Moderator: Paula Kocher, US Department of HHS, Office of the General Counsel

Ruth Bernheim, University of Virginia School of Medicine, *Legal Capacity-Building, Public Engagement and Community Resilience in Emergency Planning and Response*

Jim Misrahi, US Department of HHS, Office of the General Counsel, *CDC's Final Rule Updating Communicable Disease Regulations*

Liza Vertinsky, Emory University School of Law, *Role of Local Legal Capacity Building as Part of Global Pandemic Preparedness*

#### **Health Science and Technology Session 4E – Room 341**

##### ***Privacy***

Moderator: Leslie Wolf, Georgia State University College of Law

Gail Horlick, Centers for Disease Control and Prevention, retired, *Protecting Privacy in Public Health*

Jennifer Huer, Northeastern University School of Law, *Balancing Patient Privacy against the Importance of Collecting Social Determinants Data*

Anthony Orlando, Wharton University of Pennsylvania, *Privacy Perils in Promoting Personal Responsibility in Health*

Frank Pasquale, University of Maryland Francis King Carey School of Law, *The Perils of Automating Health Privacy Compliance*

Arnold Rosoff, Wharton University of Pennsylvania, *Privacy Perils in Promoting Personal Responsibility in Health*

Ani Satz, Emory University School of Law and Rollins School of Public Health, *Without Work and Medical Privacy: HIPAA's Privacy Rule, Workers' Compensation, and "Symbiotic Federalism"*

#### **Teaching Session 4F – Room 346**

##### ***Collaborative Programs: Masters Degrees and MLPs***

Moderator: Jimmy Mitchell, Georgia State University College of Law

R. Gregory Cochran, University of California, Hastings College of the Law, *UCSF/UC Hastings Health Policy and Law Masters Program: A Report on the Inaugural Year*

Daniel Dohan, University of California, San Francisco, *UCSF/UC Hastings Health Policy and Law Masters Program: A Report on the Inaugural Year*

Randall Hughes, Georgia State University College of Law, retired, *Developing and Sustaining MLP: A New Model*

Jessaca Machado, University of California, San Francisco, *UCSF/UC Hastings Health Policy and Law Masters Program: A Report on the Inaugural Year*

Elbert McQueen, Navicent Health, *Developing and Sustaining MLP: A New Model*

Dina Shek, University of Hawai'i William S. Richardson School of Law, *Medical-Legal Partnership in Hawai'i: Centering Race through Rebellious Lawyering*

10:30 – 10:45 AM      Break

10:45 AM – 12:15 PM      Concurrent Sessions 5

#### **Health Care Financing and Regulation Session 5A – Room 246**

##### ***Disclosure, Transparency, and Consumerism***

Moderator: Erin Fuse Brown, Georgia State University College of Law, *Consumer Financial Protection in Health Care*

Wendy Epstein, DePaul University College of Law, *Price Transparency and Incomplete Contracts*

Timothy Hall, University of Louisville Brandeis School of Law, *In Sickness and In Health: the Doctrine of Necessities and Medical Debt Collection from Spouses*

Max Helveston, DePaul University College of Law, *Assessing the Effectiveness of the ACA's Mandatory Disclosure Provisions*

Richard Saver, University of North Carolina School of Law and School of Medicine, *Fallout From the Sunshine Act*

## **Law, Medicine & Bioethics Session 5B – Room 345**

### ***Human Subjects Research***

Moderator: Leslie Wolf, Georgia State University College of Law

Jessica Berg, Case Western Reserve University School of Law, *Choice Architecture (aka Nudges) and Informed Consent in Human Subjects Research*

Benjamin Berkman, National Institutes of Health Department of Bioethics, *Reconsidering the Need for Reconsent at 18*

Maxwell Mehlman, Case Western Reserve University School of Law and School of Medicine, *Choice Architecture (aka Nudges) and Informed Consent in Human Subjects Research*

Jessica Roberts, University of Houston Law Center, *Biorights*

## **Law, Medicine & Bioethics Session 5C – Room 242**

### ***Medical Ethics***

Moderator: Sylvia Caley, Georgia State University College of Law

Jed Adam Gross, University Health Network, Toronto General Hospital, *When Transplant Clinicians Object to How Organs Became Available*

Jessica Mantel, University of Houston Law Center, *Firing Noncompliant Patients Is Not Good Medicine*

Evelyn Tenenbaum, Albany Law School, *Jumping to the Front of the Transplant Waiting List*

Megan Wright, Yale Law School and Weill Cornell Medical College, *Relationality and End-of-Life Decision-Making Law and Policy*

## **Law, Medicine & Bioethics Session 5D – Room 245**

### ***Access to Abortion in the Age of Zika and a New Presidential Administration***

Moderator: Paul Lombardo, Georgia State University College of Law

Linda Fentiman, Elisabeth Haub School of Law at Pace University, *Zika, Medical Abortion, and the Internet: The Criminal Prosecution of Women Who Use Abortifacient Drugs in Contravention of FDA Regulations and State and Federal Law*

Michele Bratcher Goodwin, University of California, Irvine School of Law, *How the US Exportation of Soft Law Set Women's Reproductive Health Back Worldwide*

Priscilla Smith, Yale Law School, *Expressing the Interest in Potential Life: Exploring Methods of and Inconsistencies in Expression*

Jonathan Will, Mississippi College School of Law, *Restricting Reproductive Choice by Focusing on Pre-born Status: Unanswered Questions from Whole Woman's Health*

## **Public Health Law Session 5E – Room 241**

### ***Winning Hearts, Minds, and Health: The Potential and Challenges of Vaccine Policies***

Moderator: Stacie Kershner, Georgia State University College of Law

Dorit Reiss, University of California, Hastings College of the Law, *Perception, Conflict and Response in Quarantine Regulatory Change*

Jason Schwartz, Yale School of Public Health, *The Uncertain Future of Federal Vaccine Financing and Safety Programs*

Ross Silverman, Indiana University Richard M. Fairbanks School of Public Health and Robert H. McKinney School of Law

Lindsay Wiley, American University Washington College of Law, *Shaming Vaccine Refusal*

Allison Winnike, University of Houston Law Center, *The Politics of Vaccine Laws: Lessons Learned from the Battleground of Texas*

Tony Yang, George Mason University, *Medical Exemptions in California after SB277*

### **Health and Social Justice Session 5F – Room 341**

#### ***International Health, Law, Ethics and Human Rights***

Moderator: Jonathan Todres, Georgia State University College of Law

Kevin Antoine, State University of New York Downstate Medical Center, *Exploring the Right to Health Care Under International Law*

Carl Coleman, Seton Hall University School of Law, *Ethical Issues in Marketing Pharmaceuticals in Emerging Economies*

Christina Ho, Rutgers School of Law, *Reconstructing the Right to Health as a Negative Procedural Right: Health Impact Assessments*

Wendy Mariner, Boston University School of Public Health and School of Law, *Why Health Policy Needs Human Rights Now More Than Ever*

Gerard Porter, University of Edinburgh, *Drug Regulatory Agencies: Guardians of the Ethics of International Clinical Trials?*

### **“Half-Baked” Ideas Workshop Session 5G – Room 346**

Moderators: Wendy Hensel, Georgia State University College of Law

Charity Scott, Georgia State University College of Law

12:15 – 1:15 PM

Lunch, Knowles Conference Center, Georgia State Law

#### **ACA Repeal & Replace: Implications and Issues to Watch**

Moderator: Erin Fuse Brown, Georgia State University College of Law

Mark Hall, Wake Forest University School of Law

Frank Pasquale, University of Maryland Francis King Carey School of Law

Rachel Sachs, Washington University in St. Louis School of Law

Torch Passing to Case Western Reserve University School of Law

Leslie Wolf, Georgia State University College of Law

1:15 – 1:30 PM

Break

1:30 – 3:00 PM

Concurrent Sessions 6

## **Health Care Financing and Regulation Session 6A – Room 342**

### ***Competition, Health Promotion, and Tax Incentives***

Moderator: Erin Fuse Brown, Georgia State University College of Law

Thomas Greaney, Saint Louis University School of Law, *Coping with Concentration*

Gwendolyn Majette, Cleveland-Marshall College of Law, *Competition, Quality & the High Cost Provider*

Ann Marie Marciarille, University of Missouri-Kansas City School of Law, *What's A Hospital For?*

Govind Persad, Johns Hopkins University Bloomberg School of Public Health, *Taxing Health Choices: Legal and Ethical Considerations*

Lauren Roth, St. John's University School of Law, *Data Mining for Precision Taxation in Health Financing*

## **Law, Medicine & Bioethics Session 6B – Room 246**

### ***Innovations in Informed Consent Law***

Moderator: Paul Lombardo, Georgia State University College of Law

Marc Ginsberg, The John Marshall Law School (Chicago), *Informed Consent-No Longer Just What The Doctor Ordered-Revisited*

Valarie Gutmann Koch, DePaul University College of Law, *Informed Consent Parity in Treatment and Research*

Thaddeus Pope, Mitchell Hamline School of Law, *Solving Persistent Problems of Informed Consent Law with Federally Certified Patient Decision Making Aids*

Nadia Sawicki, Loyola University Chicago School of Law, *Beyond Informed Consent: Assumption of Risk for Untraditional Treatments*

## **Public Health Law Session 6C – Room 345**

### ***Drug and Addiction Policy***

Moderator: Jonathan Todres, Georgia State University College of Law

Taleed El-Sabawi, The Ohio State University College of Public Health, *Congress, Health & Addiction: What motivated Congress to act?*

Diane Hoffmann, University of Maryland Francis King Carey School of Law, *Why DEA and FDA's Strategy for Medical Marijuana is Unlikely to Work*

Bhavani Madiseti-Vemireddy, South University Austin, *Can the Federal Government Effectively Eradicate the Explosive Opioid Addiction Epidemic in the United States?*

## **Public Health Law Session 6D – Room 245**

### ***Infectious Disease Control and Prevention***

Moderator: Leslie Wolf, Georgia State University College of Law

Robert Gatter, Saint Louis University School of Law, *Infectious Disease, Public Health, and CDC's New Final Regulations on Quarantine and Isolation*

Trudy Henson, University of Maryland Francis King Carey School of Law, *Zika's Long Emergency: Public Health Emergency Laws and Incidents of Long Duration*

Michael Ulrich, Boston University School of Public Health, *Director or Dictator? The CDC Quarantine Regulations and the Importance of Cooperation in Infectious Disease Control*  
Yanbai Andrea Wang, Stanford Law School, *Persistence and Dynamism: International Infectious Disease Law Through The Ages*

### **Health Sciences and Technology Session 6E – Room 242**

#### **FDA**

Moderator: Patricia Zettler, Georgia State University College of Law, *Closing the Regulatory Gap for Synthetic Nicotine*

Sarah Duranske, Stanford Law School, *Stem Cells and the Right to Try*

Craig Konnoth, University of Pennsylvania Law School, New York University School of Medicine, *Side Effects: A Broader Perspective on Drug Approval*

Jordan Paradise, Loyola University Chicago School of Law, *Cultivating Innovation in Precision Medicine through Regulatory Flexibility at the FDA*

Rachel Sachs, Washington University in St. Louis School of Law, *Administering Health Innovation Policy*

Ana Santos Rutschman, DePaul College of Law, *FDA as a Catalyst for Health Innovation: Reassessing Incentives to Pharmaceutical R&D*

### **Health and Social Welfare 6F – Room 341**

#### **Health Law and Health Equity**

Moderator: Courtney Anderson, Georgia State University College of Law

Daniel Dawes, Morehouse School of Medicine, *Overview of the Health Equity Movement Up To and Including the ACA*

Medha Makhoul, Pennsylvania State University Dickinson Law, *Immigrants' Limited Access to Health Care*

Dayna Matthew, University of Colorado Law School, *Empirical Evidence MLPs Improve Health Equity by Addressing Discriminatory Distribution of the Social Determinants of Health*

Elizabeth Pendo, Saint Louis University School of Law, *Integration of Law and Policy into Public Health Goals Related to Disability Health Inequities*