Thursday, June 9, 2011   Corboy Law Center

12:00 – 4:00 pm   Public Health Law Research Workshop: Using Empirical Methods to Measure Law, Special Workshop presented by Scott Burris & Evan Anderson, Temple University School of Law (extra fee required)

4:30-6:00 pm   Things I Wish I Knew: Program for New Health Law Professors

4:30-5:10 Balancing Teaching and Scholarship

5:10-5:20 Break

5:20-6:00 How to Engage Your Students

6:00-8:00 pm   Welcome Reception, Ceremonial Courtroom Lobby, 10th Floor

Friday, June 10, 2011   Corboy Law Center

8:00-8:45 am   Registration and Continental Breakfast

8:45-9:00 am   Welcome
Ted Hutchinson, American Society of Law, Medicine & Ethics
David Yellen, Dean, Loyola University Chicago School of Law
Lawrence Singer, Director, Beazley Institute for Health Law and Policy

9:00 – 10:00 am   Plenary Session #1: The Constitutionality of Health Care Reform
Wendy Mariner, Boston University School of Law
Mark Hall, Wake Forest University School of Law
David Orentlicher, Indiana University School of Law-Indianapolis

10:00-10:20 am   Break

10:20-11:45 am   Concurrent Sessions, Group 1

Session A: Informed Consent and Tort Law
10:20-10:35 Ben Moulton, Foundation for Informed Medical Decision Making
The Promise of Shared Decision-Making

10:35-10:50 Nadia Sawicki, Loyola University Chicago School of Law
Informed Consent Beyond the Physician-Patient Encounter

10:50-11:05 Evelyn Tenenbaum, Albany Law School
The Causation Element of Informed Consent and Why Current Trends in Health Care Support the Need for Change
11:05-11:15  Break to switch sessions

11:15-11:30  Margo Kaplan, Brooklyn Law School
A Special Class of Persons?: Carhart’s Implications for Treatment Refusal

11:30-11:45  Emily Michiko Morris, Indiana University School of Law-Indianapolis
An Interdisciplinary Approach to Informed Consent

**Session B: Public Health**

10:20-10:35  Bernard Black, Northwestern University Law School
Does Hospital-Acquired Infection Reporting Affect Actual Infection Rates, Reported Rates, or Both?

10:35-10:50  Kristin Madison, University of Pennsylvania Law School
The Law, Ethics, and Policy of Employer Incentives for Healthy Behaviors

10:50-11:05  John Blum, Loyola University Chicago School of Law
Excise Taxes and the Disconnect with Public Health

11:05-11:15  Break to switch sessions

11:15-11:30  Brigitte Feuillet, Rennes France
Health Law in France: Undergoing Change

11:30-11:45  Dru Bhattacharya, Loyola University Chicago Stritch School of Medicine
The Impact of Health Care Reform on Public Health and Public Health Law

**Session C: Mental Health**

10:20-10:35  Kelly Dineen, Saint Louis University School of Law
Not Your Grandmother’s Lobotomy: The Promise and Perils of Modern Psychiatric Surgery

10:35-10:50  Stacey Tovino, University of Nevada, Las Vegas William S. Boyd School of Law
Reforming Mental Health Parity Law

10:50-11:05  William Winslade, University of Houston Law Center
Is Castration a Cure for Pedophilia?

11:05-11:15  Break to switch sessions

**Session D: Pharmaceutical Regulation**

10:20-10:35  Robert Bohrer, California Western School of Law
Ariad Pharmaceuticals v. Eli Lilly: Too Little Patent Protection for Drug Developers

10:35-10:50  Freeman Farrow, DePaul University College of Law
Potential Physician Malpractice Through Sociological Effects of Pharmaceutical Detailing and Direct to Patient Advertising

10:50-11:05  Robert Field, Drexel University Earle Mack School of Law
How the Government Created and Sustains the Pharmaceutical Industry
11:05-11:15  Break to switch sessions

11:15-11:30  Yaniv Heled, Georgia State University College of Law
Patents vs. Statutory Exclusivities in Biological Pharmaceuticals: Do We Really Need Both?

11:30-11:45  Efthimios Parasidis, Saint Louis University School of Law
Harmonizing Tort Reform Measures with Active Post-Market Surveillance

Session E: Implementation of Health Care Reform
10:20-10:35  Nicole Huberfeld, University of Kentucky College of Law
Federalizing Medicaid

10:35-10:50  Fazal Khan, University of Georgia School of Law
Community Transformation Grants and Wellness: Assessing the Potential of Federal Health Care Reform (PPACA) to Promote Public Health Through the Built Environment and Community Networks

10:50-11:05  Eleanor Kinney, Indiana University School of Law-Indianapolis
Health Care Reform: Comparative Effectiveness and Development of a Minimum Benefit Health Package

11:05-11:15  Break to switch sessions

11:15-11:30  Richard Saver, University of North Carolina School of Law
Health Care Reform’s New Era of Comparative Effectiveness: Implications for Public Health

11:30-11:45  Gwendolyn R. Majette, Cleveland-Marshall College of Law
Coherency within PPACA: A Framework to Create a Health Care System that Protects the Human Right to Health

Session F: Emergencies
10:20-10:35  Lance Gable, Wayne State University Law School
Reimagining Public Health Emergency Governance

10:35-10:50  James Hodge, Arizona State University Sandra Day O’Connor College of Law
Assessing the Legal Environment for Mental & Behavioral Health Services during Emergencies

10:50-11:05  Paul Lombardo, Georgia State University College of Law
Contagion, Quarantine, and the Peril of “Dago Yellow Fever”

11:05-11:15  Break to switch sessions

11:15-11:30  Leslie Wolf & Wendy Hensel, Georgia State University College of Law
Playing God: The Legality of Plans Restricting People with Disabilities from Scarce Resources in Public Health Emergencies

Session G: Reproduction Roundtable Discussion
This case study will last the entire concurrent session time
Gaia Bernstein, Seton Hall University
The Impact of Prohibiting Donor Anonymity on the Diffusion of ART
Kimberly Mutcherson, Rutgers School of Law-Camden
Welcome to the Wild West: Reproductive Tourism and the Right to Procreate
John Robertson, University of Texas Law School
Will Technology Change Abortion Rights: Sonograsm, Fetal Pain, Viability, and Early Prenatal Diagnosis

11:45 am-1:00 pm Lunch
Lewis Towers, Beane Hall, 13th Floor

1:10-2:10 pm Plenary Session #2: Clinics and Social Justice
Emily Benfer, Loyola University Chicago School of Law
Lisa Bliss, Sylvia Caley, Robert Pettignano, Georgia State University College of Law
Patricia Harrison, Saint Louis University School of Law
Louise McKinney, Case Western University School of Law
Elizabeth Tobin Tyler, Roger Williams University School of Law

2:10-2:20 pm Break

2:20-3:45 pm Concurrent Sessions, Group 2

Session H: Insurance
2:20-2:35 Susan Cancelosi, Wayne State University Law School
Chinks in Their Armor? An Evaluation of Public Sector Retiree Health Benefits in the New World of Health Reform and Financial Turmoil

2:35-2:50 Elizabeth Weeks Leonard, University of Kansas School of Law
If You Like Your Health Plan, Can You Really Keep Your Health Plan?

2:50- 3:05 Thomas “Tim” Greaney, Saint Louis University School of Law
Health Insurance Exchanges: Competition Issues in Designing State Exchanges

3:05-3:15 Break to switch sessions

3:15-3:30 Laura Hermer, University of Texas Medical Branch
A Case for the Reinvention of Medicaid

3:30-3:45 Jessica Roberts, University of Houston Law Center
Healthism: An Antidiscrimination Approach to Health Insurance and American Health Care Reform

Session I: Vulnerable Populations
2:20-2:35 Camille Davidson, Charlotte School of Law
PPACA and the Rural Elderly Population

2:35-2:50 Peter Hammer, Wayne State University Law School
Experiments, Ethics, and Epistemology in the Construction of International Health Policy: Knowledge and Vulnerability in Cambodia’s Indigenous Communities
2:50-3:05  Jonathan Todres, Georgia State University College of Law  
Rights, Resources, and Child Well-Being in Post-Disaster Settings

3:05-3:15  Break to switch sessions

3:15-3:30  John Jacobi, Seton Hall Law School  
High Utilizers of Emergency Department Services and Lessons for System Reform

3:30-3:45  Linda Fentiman, Pace Law School  
Rethinking Addiction

Session J: Genomics, Genetics, and Personalized Medicine
2:20-2:35  Deleso Washington, Florida A&M University College of Law  
HeLa Cells and Unjust Enrichment in the Human Body

2:35-2:50  Ken Gatter, Oregon Health Sciences University and Willamette Law School  
Biobanking

2:50- 3:05  Benjamin Berkman, National Institutes of Health  
Exploring the Ethical and Regulatory Implications of Next-Generation Genomic Research: A Health and Science Policy Workshop

3:05-3:15  Break to switch sessions

3:15-3:30  Karen Rothenberg, University of Maryland School of Law  
From Eugenics to the “New” Genetics: Theatre and the Role of Women

3:30-3:45  Jonathan Kahn, Hamline University School of Law  
The Expanding Embrace of Race in Pharmacogenomics

Session K: Medical Malpractice and Physician Behavior
2:20-2:35  Ronen Avraham, University of Texas Law School  
Do Cardiologists Respond to Liability Risk and Financial Incentives When They Make Invasive Treatment Decisions?

2:35-2:50  Robert Leflar, University of Arkansas School of Law  
Error, Crime, Tort, Apology: Medical Malpractice Disputes in Japan

2:50-3:05  Christopher Robertson, University of Arizona James E. Rogers College of Law  
Blind Experts and Determinants of Credibility in Med Mal Trials

3:05-3:15  Break to switch sessions

3:15-3:30  Thaddeus Pope, Widener University School of Law  
Safe Harbor Immunity: The Right Prescription for Providers’ ‘Bad Law’ Claims and Hyper-Risk-Averseness?

Session L: Special Concerns in Health Care Reform
2:20-2:35  Kathy Cerminara, Nova Southeastern Shepard Broad Law Center  
Hospice and Health Care Reform: Improving Care at the End of Life
2:35-2:50  Susan Channick, California Western School of Law
Taming the Beast of Health Care Costs

2:50-3:05  Elizabeth Pendo, Saint Louis University School of Law
Reducing Disparities through Health Care Reform: Disability and Accessible Medical Equipment

3:05-3:15  Break to switch sessions

3:15-3:30  Arnold Rosoff, University of Pennsylvania Wharton School
The Role of Clinical Practice Guidelines in Health Care Reform: The IOM Committee’s Report

3:30-3:45  Sidney Watson, Saint Louis University School of Law
Medicaid in a Time of Health Reform: Social Support and Social Insurance

Session M: Medical Education
2:20-2:35  Amy Campbell, Upstate Medical University
Teaching Law to Medical Students: Reflections from the Field

2:35-2:50  Christine Coughlin, Wake Forest University School of Law
Legal Methods for Medical Professionals: Combining Medical School Rotation and Legal Education

2:50-3:05  Marshall Kapp, Florida State University College of Medicine
Humanizing the Legal Risk Management Education of Medical Students

3:05-3:15  Break to switch sessions

Session N: White Collar Crime
3:15-3:30  Kathleen Boozang, Seton Hall Law School
Use of Strict Liability for Officers of Life Sciences Companies

3:30-3:45  Joan Krause, University of North Carolina School of Law
Kickbacks, Honest Services, and Health Care Fraud After the Skilling Decision

Session O: Junior Faculty Workshop
2:20-3:00  Kate Greenwood, Seton Hall Law School
Taking the Measure of Medication: A Comparative Analysis of the Social Security Administration’s “Need to Follow Prescribed Treatment” Requirement

3:00-3:10  Break

3:10-3:50  Seema Mohapatra, Barry University School of Law
Are They All “Bad Ads?”

4:00-5:00  Plenary Session #3: Industry Panel

5:30-6:00 pm  Trolleys Depart for Reception from Corboy Law Center
Saturday, June 11, 2011  Corboy Law Center

7:00-7:45 am  Be Healthy “Ken Wing” Fun Run/Walk

8:15-9:00 am  Continental Breakfast  
_Informal Discussion for Health Law Program Administrators_

9:00-10:30 am  Plenary Session #4, Jay Healey Teaching Session: Innovative Teaching Methodologies,
Roberta Berry, Georgia State University College of Law/Georgia Institute of Technology
Interdisciplinary Problem-Based Learning Regarding “Fractious Problems” in Healthcare, Bioscience, and Biotechnology
Michael Greenberger, University of Maryland School of Law
Tabletop Exercises: A New Twist on the Team Teaching Model
Stacey Lee, Johns Hopkins University Carey Business School
The Use of Mind Mapping in the Classroom
Charity Scott, Georgia State University College of Law
Bioethics at the Movies: Teaching Health Law Through Film
Barbara Youngberg, Loyola University Chicago School of Law
The Challenges and Rewards of Online Teaching

10:30-10:45 am  Break

10:45 am -12:10 pm  **Concurrent Sessions, Group 3**

**Session P: Bioethics**

10:45-11:00  Browne Lewis, Cleveland-Marshall College of Law  
_Until Health Do Us Part: Expanding and Regulating Assisted Suicide_

11:00-11:15  Maxwell Mehlman, Case Western Reserve University School of Law  
The Ethics and Legality of Military Enhancement

11:15-11:25  _Break to switch sessions_

11:25-11:40  Glenn Cohen, Harvard Law School  
_Medical Outlaws or Medical Refugees?_

11:40-11:55  Rob Schwartz, University of New Mexico School of Law  
_State Statutes that Provide Information to Terminally Ill Patients_

11:55-12:10  Joanna Weinberg, University of California Hastings College of the Law  
_Law and Ethics in Medical Decision-Making: A Curriculum for Ethics Committees_

**Session Q: Teaching Strategies**
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<th>Time</th>
<th>Speaker(s)</th>
<th>Topic</th>
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<tbody>
<tr>
<td>11:25-11:40</td>
<td>Linda Fentiman, Pace Law School</td>
<td>Administrative Law Principles in Teaching Public Health Law</td>
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<td>11:40-11:55</td>
<td>Nanette Elster, DePaul University College of Law</td>
<td>Kayhan Parsi, Loyola University Chicago Stritch School of Medicine</td>
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<td>Multi-dimensional Format for Teaching Biotechnology and the Law</td>
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<td>11:55-12:10</td>
<td>Alicia Ouellette, Albany Law School</td>
<td>Pros and Cons of Online Teaching for Law Students</td>
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**Session R: Health Records, Data, Technology & Privacy**

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<tbody>
<tr>
<td>10:45-11:00</td>
<td>Barbara Evans, University of Houston Law Center</td>
<td>Do Property Rights in Health Data Really Matter?</td>
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<td>11:00-11:15</td>
<td>Sharona Hoffman, Case Western Reserve University School of Law</td>
<td>Meaningful Use and Certification of Health Information Technology: What About Safety?</td>
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<td>11:15-11:25</td>
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<td>Break to switch sessions</td>
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<tr>
<td>11:25-11:40</td>
<td>Frank Pasquale, Seton Hall Law School</td>
<td>Patient Autonomy and Personal Health Records</td>
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<td>11:40-11:55</td>
<td>Margaret Riley, University of Virginia School of Law</td>
<td>Building a Genomically-Enabled Electronic Medical Record</td>
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<td>11:55-12:10</td>
<td>Nicolas Terry, Saint Louis University School of Law</td>
<td>Meaningful Use and Certification</td>
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**Session S: Research and Food and Drug Regulation**

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<td>10:45-11:00</td>
<td>Jennifer Bard, Texas Tech School of Law</td>
<td>Whistleblower Protection for Medical Researchers</td>
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<td>11:00-11:15</td>
<td>Nathan Cortez, Southern Methodist University Dedman School of Law</td>
<td>The FDA’s Use of Adverse Publicity to Punish Regulated Firms</td>
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<td>11:25-11:40</td>
<td>Diane Hoffmann, University of Maryland School of Law</td>
<td>The Regulation of Probiotics</td>
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<td>11:40-11:55</td>
<td>Nancy King, Wake Forest University School of Medicine</td>
<td>Early-Phase Research: Science or Treatment?</td>
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<td>11:55-12:10</td>
<td>Diana Winters, Boston University School of Law</td>
<td>Not Sick Yet: Food Safety Impact Litigation and Barriers to Justiciability</td>
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**Session T: Case Study: Ethical and Legal Issues in Human-Machine Mergers**

*This case study will last the entire concurrent session time (10:45-12:10)*

Linda MacDonald Glenn, Albany Medical Center
Session U: Accountable Care Organizations Roundtable Discussion

This roundtable discussion will last the entire concurrent session time (10:45-12:10)
Moderator: Kevin Outterson, Boston University School of Law

Sallie Sanford, University of Washington School of Law
State-based ACO and Medical Home Pilots: Early Lessons from the Other Washington

Jessica Mantel, University of Houston Law Center
ACOs and the Decline of Physician Autonomy

Priscilla Keith, Indiana University School of Law-Indianapolis
The Impact of Accountable Care Organizations on Public Health

12:15-1:45 pm

Lunch, Plenary Session #5: Bioethics, Conference Wrap Up
Anita Allen, University of Pennsylvania Law School
Obama’s Bioethics Commission: Why We Took on Synthetic Biology

George Annas, Boston University School of Law
Dr. Sherman Elias, Northwestern Memorial Hospital
Whole Genome Screening in Clinical Medicine: Hope, Hype, and Legal Dilemmas