

## BARRY R. FURROW

*Professor of Law and Director, the Health Law Program*  
*Thomas R. Kline School of Law*  
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### EDUCATION

#### **HARVARD LAW SCHOOL**, Cambridge, MA.

J.D. 1971. 3<sup>rd</sup> Year Paper supervised by Professor Lawrence Tribe -- "Legislative and Judicial Remedies for Environmental Wrongs" (published in 6 SUFFOLK UNIVERSITY L. REV. 536 (1972)).

#### **HARVARD COLLEGE**, Cambridge, MA.

A.B. *cum laude* 1967. Major in Government (Political Theory). Thesis supervised by Professor Michael Walzer - "From Coercion to Consent: Defenses Against and Obligations toward Institutions".

### ACADEMIC APOINTMENTS AND EXPERIENCE

#### **THOMAS R. KLINE SCHOOL OF LAW, DREXEL UNIVERSITY**, Philadelphia, PA. 2006 - present

*Professor of Law*

*Director, the Health Law Program*

Courses: Torts, Health Care Quality Regulation, Health Law Colloquium, Legislation and Regulation. Have also taught Law and Science, Advanced Torts, Administrative Law, Comparative Health Law, Products Liability, Land Use Planning, Non-Profit Organizations, Uniform Commercial Code.

Committees (Specific years omitted):

Law School: Faculty Appointments; Student Code of Conduct; Dean Search; Curriculum Committee; Strategic Planning.

University: Benefits; Commencement; Global Affairs; Senate Committee on Academic Affairs (SCAA); Senate Committee on Academic Support (SCAS); Senate Committee for Budget, Planning & Development Committee (BP&D).

#### **UNIVERSITY OF VENICE (CA' FOSCARI)**, Venice, Italy Spring 2015

*Professor of Law (Visiting)*

#### **WIDENER UNIVERSITY DELAWARE LAW SCHOOL**, Wilmington, DE. 1987 – 2006

*Professor of Law*

*Director, the Health Law Institute (founder)*

*Director, Summer Foreign Law Institutes (Padua & Venice, Italy; Geneva, Switzerland)* Summers, 1990-1995

#### **UNIVERSITY OF DETROIT MERCY SCHOOL OF LAW**, Detroit, MI. 1982 - 1987

*Professor of Law*

*Director, Health Law Center (founder)*

#### **UNIVERSITY OF MICHIGAN LAW SCHOOL**, Ann Arbor, MI. 1980 - 1982

*Visiting Professor of Law* 1981 - 1982

*Visiting Scholar* 1980 - 1981

#### **UNIVERSITY OF MICHIGAN, Ann Arbor, MI.** 1980 - 1987

*Lecturer in Law, Residential College* 1980 - 1981

*Professor, Dept. of Environmental and Industrial Health, School of Public Health (adjunct)* 1980 - 1987

<b>AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW</b> , Washington, D.C.	1977 - 1980
<i>Professor of Law</i>	1978 - 1980
<i>Assoc. Professor of Law</i>	1977 - 1978
<b>GEORGE MASON ANTONIN SCALIA LAW SCHOOL</b> , Arlington, VA.	1975 - 1977
<i>Assoc. Professor of Law</i>	
<b>UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW</b> , Chapel Hill, N.C.	1974 -1975
<i>Visiting Asst. Professor</i>	
<b>HARVARD LAW SCHOOL, Cambridge, MA.</b>	
<i>Research Assistant to Visiting Professor Donald Thompson</i>	1970 - 1971
“The Economics of Environmental Protection”	
<i>Research Assistant to Visiting Professor Roderick Hills</i>	1969 -1970
“Pension Plan Portability and Collective Bargaining”	

### ADMINISTRATIVE EXPERIENCE

<b>WIDENER UNIVERSITY DELAWARE LAW SCHOOL</b>	
<i>Interim Dean</i>	2000 - 2001
<i>Dean of Faculty</i>	1997 - 2001
<i>Director (and founder), the Health Law Institute</i>	1988 - 2006
<i>Director, Graduate Programs</i>	1996 - 1997
<b>UNIVERSITY OF DETROIT MERCY SCHOOL OF LAW</b>	1982 - 1987
<i>Director (and founder), the Health Law Center</i>	

### NONACADEMIC LEGAL EMPLOYMENT

<b>PALMER &amp; DODGE</b> , Boston, MA.	1972 - 1974
<i>Associate. Civil litigation – primarily town counsel and health law work.</i>	
<b>SUPERIOR COURT, COMMONWEALTH OF MASSACHUSETTS</b> , Boston, MA.	1971 – 1972
<i>Law clerk to the Justices (10 clerk pool for 40 sitting judges)</i>	
<b>RADCLIFFE COLLEGE</b> , Cambridge, MA.	1971 - 1972
<i>Pre-Law Advisor and Head Resident, Comstock Hall, North House</i>	
<b>PRESTON, THORGRIMSON, STARIN, ELLIS &amp; HOLMAN</b> , Seattle, WA.	Summer 1970
<i>Summer Law Clerk</i>	

### PROFESSIONAL ACTIVITIES

#### Honors, Grants, Fellowships, and Other Recognition

<b>Fulbright Specialist Appointment</b> , U.S. Department of State	October 2018
<b>Twenty Most-Cited Health Law Faculty 2013-2017 (ranked # 10)</b> , by Mark A. Hall and I. Glenn Cohen, <i>Petrie-Flom Center, Harvard Law School</i>	September 2018
<b>Twenty Most-Cited Health Law Scholars 2010-2014 (ranked # 12)</b> , by Mark A. Hall and I. Glenn Cohen, <i>Petrie-Flom Center, Harvard Law School</i>	April 18, 2017
<b>Brocher Foundation</b> , Geneva, CH.	Summers 2016, 2011
<i>Bioethics Research Fellow</i>	
<b>Mayday Fund.</b>	2009 - 2013
<i>Research grant, research on pain management legal issues</i>	

<b>Seton Hall Law School</b> , Newark, N.J. <i>Merck Visiting Scholar</i>	Spring Semester 1998
<b>American Society of Law, Medicine &amp; Ethics</b> , Boston, MA. <i>Recipient, Jay Healey Distinguished Health Law Teacher Award</i>	June 1995
<b>University of Detroit School of Law</b> , Detroit, MI. <i>Recipient, James T. Barnes, Sr. Faculty Award</i>	June 1987
<b>Law and Economics Institute for Law Professors</b> , Hanover, NH. <i>Scholarship Award</i>	July 1984
<b>National Endowment for the Humanities</b> <i>Fellowship to attend Summer Program for Law Professors -- Herbert Morris' seminar, "Topics in Moral and Legal Responsibility," UCLA, Los Angeles, CA.</i>	Summer 1979

### Consulting Positions

<b>Consumer Product Safety Commission</b> , Washington, D.C. <i>Consumer Member, Drafting Committee, Voluntary Safety Standards Project for Chainsaws, (publicly funded consumer participant).</i>	1978-1980
<b>Office of Technology Assessment</b> , U.S. Congress, Washington, DC. <i>Participant, Advisory Panel on Cystic Fibrosis, Genetic Screening, and Insurance, culminating in final report to Congress. (Report: U.S. Congress, Office of Technology Assessment, U.S. Congress, Office of Technology Assessment, <i>Genetic Tests and Health Insurance: Results of a Survey-Background Paper</i>, OTA-BP-BA-98 (Washington, DC: U.S. Government Printing Office, October 1992)).</i>	1991

### Editorial Positions

MEDICO-LEGAL JOURNAL OF IRELAND (Univ. College Dublin) <i>Board of International Advisors</i>	2010 - present
JOURNAL OF BIOETHICAL INQUIRY <i>Recent Developments Contributor</i>	2009 - present
JOURNAL OF LAW, MEDICINE & ETHICS <i>Member, editorial board (Editor-in-Chief, 1983-'86)</i>	1983 - present
JOURNAL OF LEGAL MEDICINE <i>Article peer reviewer</i>	2020 - present
HEALTH LAW AND POLICY ABSTRACTS Social Science Research Network (SSRN) <i>Advisory Board Member</i>	2006 - present
HEALTH AFFAIRS; JOURNAL OF HEALTH LAW POLITICS, POLICY & LAW; JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION; JOURNAL OF LEGAL MEDICINE <i>Article peer reviewer</i>	2000 - present

### Bar Memberships

District of Columbia, Massachusetts, Michigan; Federal District Court (Mass.)

### Corporate Board and Other Memberships

<b>Catholic Health East</b> (nonprofit health care system with 24 regional health corporations) <i>Board member</i>	2010 - 2013
<b>ACLU Delaware, Wilmington, DE</b> <i>Board member</i>	1997 - 2005
<b>Center for Bioethics</b> , University of Pennsylvania, Philadelphia, PA <i>Associate Fellow. Participated in bioethics seminars and collaborated with other Fellows.</i>	2009 - 2012

## Organization Memberships

American Bar Association  
American Health Lawyers Association  
American Society of Law, Medicine, & Ethics  
Association of American Law Schools  
Pennsylvania Bar Association (Health Law Section)  
Pennsylvania Bar Institute (Health Law Advisory Committee)

## PUBLICATIONS

### *Books*

1. HEALTH LAW: CASES, MATERIALS AND PROBLEMS (with B. Clark, E. Fuse Brown, R. Gatter, T. Greaney, J. King, S. Johnson, T. Jost, E. Pendo, and R. Schwartz), 8<sup>th</sup> edition, West Academic Publishing, 2018. [*Plus paperback spinoffs -- BIOETHICS; HEALTH CARE LAW & ETHICS; HEALTH CARE ORGANIZATION & FINANCE; AND THE LAW OF QUALITY, PATIENT SAFETY, AND MEDICAL LIABILITY (2018).*]
2. HEALTH LAW: CASES, MATERIALS AND PROBLEMS (Abridged edition) (with B. Clark, E. Fuse Brown, R. Gatter, T. Greaney, J. King, S. Johnson, T. Jost, E. Pendo, and R. Schwartz), 8th edition, West Academic Publishing, 2018.
3. HEALTH LAW: CASES, MATERIALS AND PROBLEMS (with T. Greaney, S. Johnson, T. Jost, and R. Schwartz), 7<sup>th</sup> edition, West Academic Publishing, 2013.
4. HEALTH LAW: CASES, MATERIALS AND PROBLEMS (Abridged edition) (with T. Greaney, S. Johnson, T. Jost, and R. Schwartz), 7th edition, West Academic Publishing, 2013.
5. HORNBOOK ON HEALTH LAW (with T. Greaney, S. Johnson, T. Jost, and R. Schwartz), 2<sup>nd</sup> edition, West Publishing Company, 2014.
6. HEALTH CARE REFORM 2012 (*Supplement to 6<sup>th</sup> edition, HEALTH LAW: CASES, MATERIALS AND PROBLEMS (with T. Greaney, S. Johnson, T. Jost, and R. Schwartz, West Publishing Co).*
7. HEALTH LAW (with T. Greaney, S. Johnson, T. Jost, and R. Schwartz; Practitioners' Treatise Series, West Publishing Company, 2nd edition, 2000).
8. MEDICAL LAW: THE UNITED STATES (with T. Greaney, S. Johnson, T. Jost, and R. Schwartz), 2<sup>nd</sup> Ed., Kluwer, 2014.
9. MALPRACTICE IN PSYCHOTHERAPY, D.C. Heath / Lexington Books, 1980.

### *Law review articles*

1. *The Bewildered and Confused Hospital: The Tangled Interplay of Artificial Intelligence, Pay-for-Performance (P4P), and Patient Safety*, 46 AMERICAN JOURNAL OF LAW & MEDICINE 219 (2020).
2. *Eleanor Kinney Tribute*, 17 INDIANA HEALTH L. REV. 79 (2020).
3. *The Limits of A.I. in Health Care: Patient Safety Policing in Hospitals*, 12 NE. U. L. REV. 1 (2020).
4. *Searching for Adverse Events: Big Data and Beyond*, 27 ANNALS OF HEALTH LAW 1 (2018).
5. *The CRISPR-Cas9 Tool of Gene Editing: Cheaper, Faster, Riskier?* 26 ANNALS OF HEALTH LAW 33 (2017).
6. *Cost Control and the Affordable Care Act: CRAMPing our Health Care Appetite*, 13 NEVADA L. J. 822 (2013).
7. *Uncovering Adverse Events: How Should Regulators Proceed?* 18 MEDICO-LEGAL JOURNAL OF IRELAND 84 (2012).
8. *Adverse Events and Patient Injury: Coupling Detection, Disclosure, and Compensation*, 46 NEW ENG. L. REV. 436 (2012).
9. *The Patient Injury Epidemic: Medical Malpractice Litigation as a Curative Tool*, 4 DREXEL L. REV. 101 (2011).
10. *Regulating Patient Safety: The Patient Protection and Affordable Care Act*, 159 UNIV. PENN. L. REV. 1727 (2011).
11. *Toward Universal Health Care Coverage: The Legacy of Senator Ted Kennedy*, 14 N.Y.U. J. LEG. & PUBLIC POLICY 445 (2011).
12. *Patient Safety and the Fiduciary Hospital: Sharpening Judicial Remedies*, 1 DREXEL L. REV. 101

- (2009).
13. *Access to Health Care and Political Ideology: Wouldn't You Really Rather Have A Pony?* 29 W. NEW ENG. L. REV. 405 (2007).
  14. *The Problem of the Sports Doctor: Serving Two (Or Is It Three or Four?) Masters*, 50 ST. LOUIS UNIV. L. REV. 165 (2006).
  15. *Data Mining and Substandard Medical Practice: The Difference Between Privacy, Secrets, and Hidden Defects*, 51 VILLANOVA L. REV. 101 (2006).
  16. *Regulating Patient Safety: Toward a Federal Model of Medical Error Reduction*, 12 WIDENER L. REV 1 (2005).
  17. *The Current Medical Liability Insurance Crisis: An Overview of the Problem, Its Catalysts, and Solutions*, Third Annual Health Law Colloquium, 13 ANNALS HEALTH LAW 505 (2004).
  18. *From the Doctor to the System: The New Demands of Health Law*, 14 HEALTH MATRIX 67 (2004).
  19. *Medical Mistakes: Tiptoeing Toward Safety*, 3 HOUSTON J. HEALTH LAW & POLICY 181 (2003).
  20. *Pain Management and Provider Liability: No More Excuses*, 29 J. LAW, MED. & ETHICS 28 (2001) (reprinted as *Failure to Treat Pain: No More Excuses*, TRIAL, Oct. 2002, at 32.)
  21. *Broadcasting Clinical Guidelines on the Internet: Will Physicians Tune In?* 25 AM. J. LAW & MED. 403 (1999).
  22. *Regulating the Managed Care Revolution: Private Accreditation and a New System Ethos*, 43 VILLANOVA L. REV. 361 (1998).
  23. *Doctors' Dirty Little Secrets: The Dark Side of Medical Privacy*, 37 WASHBURN L. J. 283 (1998). (reprinted in Specialty Law Digest: Health Care Law 9 (February 2001)).
  24. *Managed Care Organizations and Patient Injury: Rethinking Liability*, 31 UNIV. GA. L. REV. 419 (1997).
  25. *Enterprise Liability for Bad Outcomes From Drug Therapy: the Doctor, the Hospital, the Pharmacy, and the Drug Firm*, 44 DRAKE LAW REVIEW 377 (1996).
  26. *Incentivizing Medical Practice: What (If Anything) Happens to Professionalism?* 1 WIDENER LAW SYMPOSIUM JOURNAL 1 (1996).
  27. *Setting Limits in the Dying Zone: Assisted Suicide, Scarce Resources, and Hard Cases*, Conference on Assisted Suicide and Euthanasia: Legal, Medical and Ethical Implications, 72 UNIV. DETROIT MERCY LAW REV. 902 (1995).
  28. *Managed Care and the Evolution of Quality*, 9 TRENDS IN HEALTH CARE, LAW & ETHICS 36 (Summer 1995).
  29. *An Overview and Analysis of the Impact of the Emergency Medical Treatment and Active Labor Act*, 16 J. LEGAL MEDICINE 325 (Fall 1995).
  30. *Managing Care, Managing Risks: Enterprise Liability and National Health Care Reform*, 39 ST. LOUIS L. J. 1 (1994).
  31. *Forcing Rescue: The Landscape of Health Care Provider Obligations to Treat Patients*, 3 HEALTH MATRIX 31 (1993).
  32. *Managed Care and Institutional Liability in the AIDS Context*, 3 COURTS, HEALTH SCIENCES & THE LAW 63 (1991).
  33. *The Effect of Malpractice Litigation on Access to Specialty Physician Services*, 11 J. LEG. MED. 201 (1990) (with Walker and Broyles).
  34. *Physician Payment Reform: Plugging the Drain*, 34 ST. LOUIS UNIV. L. REV. 821 (1990) (Symposium issue). 6
  35. *The Changing Role of the Law in Promoting Quality in Health Care: From Sanctioning Outlaws to Managing Outcomes*, 26 HOUSTON L. REV. 147 (1989) (Symposium issue).
  36. *The Ethics of Cost-Containment: Bureaucratic Medicine and the Doctor as Patient-Advocate*, 3 NOTRE DAME J. OF LAW, ETHICS & PUB. POL'Y 187 (1988).
  37. *Medical Malpractice and Cost Containment: Tightening the Screws*, 36 CASE WESTERN RESERVE L. REV. 985 (1985-'86) (Symposium issue).
  38. *Defining Health Law: Toward A Client-Oriented Perspective*, 63 UNIVERSITY OF DETROIT L. REV. 1 (1985).
  39. *Malpractice Revisited: Of Medical Errors, Social Transformations, and Tort Standards*, 63 NEBRASKA L. REV. 806 (1984).
  40. *Public Psychiatry and the Right to Refuse Treatment: Toward an Effective Damage Remedy*, 19 HARVARD CIVIL RIGHTS - CIVIL LIBERTIES L. REV. 26 (1984).
  41. *Governing Science: Public Risks and Private Remedies*, 131 UNIV. PENN. L. REV. 1403 (1983); reprinted in ENVIRONMENTAL LAW AND ECONOMICS, VOLUME II: POLLUTION, PROPERTY AND PUBLIC LAW (2007) (David Campbell and Robert Lee, Editors)

42. *Defective Mental Treatment: A Proposal for the Application of Strict Liability to Psychiatry*, 58 BOSTON UNIVERSITY L. REV. 391 (1978).
43. *Legislative and Judicial Remedies for Environmental Wrongs*, 6 SUFFOLK UNIVERSITY L. REV. 536 (1972).

### **Peer-reviewed Journal Articles**

1. *Origins: Our Health Law Casebook and Tim Jost*, HEALTH AFFAIRS BLOG, November 6, 2020 (with Thomas L. Greaney, Sandra H. Johnson, and Robert L. Schwartz), [10.1377/hblog20201104.901411](https://doi.org/10.1377/hblog20201104.901411)
2. *Regulating the New: A Consideration of CRISPR and Approaches to Professional Standards of Practitioners of Chinese Medicine in Australia and Accessing the NDIS*, 14 J. BIOETHICAL INQUIRY (2017) (with Bernadette J. Richards).
3. *Pain Management and Liability Issues*, 16 HEMATOL. ONCOL. CLIN. N. AM. 1483 (2002).
4. *Must Physicians Reveal Their Wounds?* 5 CAMBRIDGE QUARTERLY OF HEALTHCARE ETHICS 204 (1996).
5. *Quality Control and Medical Malpractice: Current Developments*, 21 JOURNAL OF LAW, MEDICINE, AND ETHICS 173 (1993).
6. *The Chainsaw and the Regulator: The Chainsaw Project of the Consumer Product Safety Commission*, 17 LAW, MEDICINE & HEALTH CARE 78 (1989)
7. *The Problem Approach to the Teaching of Health Law: Peer Review and Cost Containment as an Example*, 38 JOURNAL OF LEGAL EDUCATION 535 (1988).
8. *Impaired Children and Tort Remedies: The Emergence of a Consensus*, 11 LAW, MEDICINE & HEALTH CARE 148 (1983).
9. *Damage Remedies and Institutional Reform: The Right to Refuse Treatment*, 10 LAW, MEDICINE & HEALTH CARE 152 (1982).
10. *Diminished Lives and Malpractice: The Courts in Transition*, 10 LAW, MEDICINE & HEALTH CARE 100 (1982).
11. *The Causes of Wrongful Life Suits: Ruminations on the Diffusion of Medical Technologies*, 10 LAW, MEDICINE & HEALTH CARE 11 (1981) (reprinted in 88 CASE & COMMENT 28 (1983)).
12. *Iatrogenesis and Medical Error: The Case for Medical Malpractice Litigation*, 9 LAW, MEDICINE & HEALTH CARE 4 (1981).
13. *The Private Firm as Manager of an Urban Renewal Project*, 36 JOURNAL OF THE AMERICAN INSTITUTE OF PLANNERS 120 (1970) (co-author, Samuel Doctors).

### **Book Chapters**

1. *Rewritten Opinion, Bouvia v. Superior Court* (Case Name), in FEMINIST JUDGMENTS: REWRITTEN HEALTH LAW OPINIONS (Seema Mohapatra and Lindsay F. Wiley, eds). (Cambridge University Press, forthcoming 2020).
2. “Medical Malpractice in Comparative Perspective” (with Karl Sovig), in OXFORD HANDBOOK ON COMPARATIVE HEALTH LAW, David Orentlicher and Tamara Hervey, eds. (Oxford University Press, forthcoming 2020).
3. “Smashing into Windows: Limits of Consumer Sovereignty in Health Care”, in TRANSPARENCY IN HEALTH AND HEALTH CARE IN THE UNITED STATES: LAW AND ETHICS, I. Glenn Cohen, Holly Fernandez Lynch, Barbara J. Evans, and Carmel Shachar, eds. (Cambridge University Press, 2019).
4. “Death and the Image of the Body: Who Decides to Let Go?” in EMBODIED DIFFERENCE: DIVERGENT BODIES IN PUBLIC DISCOURSE, Jamie Thomas and Christina Jackson, eds. (Lexington Books, 2019). <https://edublog.news/2019/11/04/professor-barry-furrow-contributes-two-chapters-to-new-books/>
5. “Medical Malpractice in Perspective”, in OXFORD HANDBOOK OF AMERICAN HEALTH LAW, I. Glenn Cohen, Allison Hoffman, and William M. Sage, eds. (Oxford University Press 2016).
6. “Reforming Medical Malpractice Liability,” in DEBATES ON U.S. HEALTH CARE , Jennie Jacobs Kronenfeld, Wendy E. Parmet, and Mark A. Zezza, eds. (Sage Publishing 2012).
7. “Promoting Patient Safety in the U.S.,” in PATIENT SAFETY, LAW POLICY AND PRACTICE, John Tingle and Pippa Bark, eds. (Cavendish Routledge 2011).
8. “Patient Rights and Health Care Providers: The Link Between Health Law and Bioethics,” in PENN CENTER GUIDE TO BIOETHICS, Vardit Ravitsky, Autumn Fiester, and Arthur L. Caplan, eds. (Springer Publishing Company 2009).

9. "Work in the American System: Health Insurance as a Source of Job Insecurity," EFFICACIA E DIRITTO DEL LAVORO, A. Lyon-Caen and A. Perulli, eds. (CEDAM S.p.A. 2008).
10. "Forcing Rescue: The Landscape of Health Care Provider Obligations to Treat Patients", in JUSTICE AND HEALTH CARE: COMPARATIVE PERSPECTIVES, Andrew Grubb and Maxwell J. Mehlman, eds., (John Wiley & Sons 1995).
11. "Quality Control and Malpractice," in LEGAL MEDICINE 1994, Cyril Wecht, ed. Oxford University Press 1994).
12. "Changing Legal Perspectives in Medical Malpractice," in NEW PERSPECTIVES IN MICHIGAN MEDICAL MALPRACTICE LITIGATION, Professional Education Systems (1984).
13. "Products Liability Law in Michigan: An Overview," in HANDLING PRODUCTS LIABILITY CASES IN MICHIGAN, Professional Education Systems (1984).

### **Book reviews**

1. *The Problem of Medical Misadventures: A Review of E. Haavi Morreim's* HOLDING HEALTH CARE ACCOUNTABLE, 29 J. LAW, MEDICINE & ETHICS 381 (2001).
2. *Review, Paul C. Weiler et al.,* A MEASURE OF MALPRACTICE: MEDICAL INJURY, MALPRACTICE LITIGATION, AND PATIENT COMPENSATION (1993), 19 J. HEALTH POLITICS, POLICY & LAW 463 (1994).
3. *Guest Review, Cystic Fibrosis and DNA Tests, a review of* Office of Technology Assessment, CYSTIC FIBROSIS AND DNA TESTS: IMPLICATIONS OF CARRIER SCREENING (1993), in XIX AM. J. LAW & MED. 177 (1993).
4. *Medical Genetics and the Law's Response: 'In the Rear and Limping', a review essay of Elias and Annas,* GENETICS AND THE LAW (1988) and Andrews, MEDICAL GENETICS: A LEGAL FRONTIER (1988), 9 J. LEG. MEDICINE\_329 (1988) (with Susan Goldberg).
5. *The Great Arc of Progress Toward Total Justice, a review of* Lawrence Friedman's TOTAL JUSTICE, 2 SOCIOLOGICAL FORUM 585 (1988).
6. *Informed Consent: A Thorn in Medicine's Side? An Arrow in Law's Quiver?, a review essay about* Jay Katz's THE SILENT WORLD OF DOCTOR AND PATIENT, 12 LAW, MEDICINE & HEALTH CARE 268 (1984).
7. *The Mental Health System in Crisis: Politics and Rights, review of* H. Foley and S. Sharfstein's MADNESS IN GOVERNMENT: WHO CARES FOR THE MENTALLY ILL? and S. Herr, S. Arons, and R. Wallace's LEGAL RIGHTS AND MENTAL-HEALTH CARE, 12 LAW, MEDICINE & HEALTH CARE 76 (1984).
8. *Review,* BEHAVIORAL SCIENCES AND THE LAW (VOL. 1, NO. 1), 11 LAW, MEDICINE & HEALTH CARE 130 (1983).
9. *Book Review,* Marshall Shapo's A NATION OF GUINEA PIGS, 1981 DUKE LAW JOURNAL 878.
10. *Book Review,* Ivan Illich's MEDICAL NEMESIS, 27 AM. UNIV. L.REV. 763 (1978).
11. *Book Review,* Arnold Porter's THE RECOVERY OF AMERICAN CITIES, 1 INTERN. SCHOOL OF LAW L. REV. 221 (1976).

### **Short writings and editorials**

1. *Malpractice: Avoid Claims with Confidence,* 1 PRACTICAL NEUROLOGY\_17 (April 2002)
2. *Health Care Reform: Alive or Dead?* SOCIETY OF HEALTHCARE ATTORNEYS NEWSLETTER (1996)
3. *What's Wrong With Clinton's Health Care Reforms,* SOCIETY OF HEALTHCARE ATTORNEYS NEWSLETTER, Reed Hamilton Memorial Lecture, Hospital Association of Pennsylvania Fall Meeting, Hershey, Pa., October 24, 1993.
4. *Training American Law Students in Italy,* 3 ITALIAN J. 38 (1990).
5. *The Battle Over Cost Control: What if the Patient is Harmed?* NEWSLETTER OF THE MICHIGAN SOCIETY OF HOSPITAL ATTORNEYS, February (1987).
6. *New Technology, Illness Keep Med Mal in Flux,* 3 MEDICAL MALPRACTICE: LAW & STRATEGY\_1 (1986).
7. *The Body Zone,* 13 LAW, MEDICINE & HEALTH CARE 260(1985)
8. *The Problem of Civil Commitment: Improving Policy by Generating Data,* 13 LAW, MEDICINE & HEALTH CARE 283 (1985).
9. *Caring for the Elderly: Striking a Balance,* 12 LAW, MEDICINE & HEALTH CARE 96 (1984).

10. *Surrogate Motherhood: A New Option for Parenting*, 12 LAW, MEDICINE & HEALTH CARE 106 (1984).
11. *Will Psychotherapy be Transformed in the 1980's?* 11 LAW, MEDICINE & HEALTH CARE 96 (1983)

***Invited presentations*** (Past 10 years listed; earlier years upon request)

1. *What Have We Learned About COVID Preparedness So Far, And Where Does Bioethics Lead Us?*, Brocher MeetUp # 4, Fondation Brocher, (Chair), March 11, 2021  
[https://www.youtube.com/watch?v=6Lv6vd6fbAo&ab\\_channel=FondationBrocher](https://www.youtube.com/watch?v=6Lv6vd6fbAo&ab_channel=FondationBrocher)
2. *Smartmatic, Dominion, and the Lawsuits Taking Aim at a Media Empire*, KYW NEWS RADIO PODCAST, March 4, 2021, <https://www.radio.com/kywnewsradio/podcasts/kyw-newsradio-in-depth-229/smartmatic-dominion-and-the-lawsuits-taking-aim-at-a-media-empire-358457194>.
3. *Too Little, Too Late: The Limits of Clinical Medicine in Improving Health*, 27<sup>th</sup> Annual PBI Health Law Institute, Online, March 11, 2021.
4. *Transparency as a Primary Government Strategy in Health Care: Cheap but Ineffective*, 26<sup>th</sup> Annual PBI Health Law Institute, Philadelphia, PA, March 11, 2020.
5. *The Bewildered and Confused Hospital: The Tangled Interplay of Artificial Intelligence, Pay-for-Performance (P4P), and Patient Safety*, 2020 Emerging Issues in Bioethics, AJLM Symposium, Boston University School of Law, January 24, 2020.
6. *The U.S. Health Care System as a Model? Slipping Downhill?* Graduate School of Biomedical Sciences and Professional Studies, School of Medicine, Drexel University, October 23, 2019.
7. *The Problem of Modernizing a Healthcare System: How to Serve All People in a Country*, Public Health Masters Program, Azim Premji University, Bangalore, India, September 19, 2019.
8. *Big Data: Physician Friend or Foe*, 2019 Annual Health Law Conference: Promises and Perils of Emerging Health Innovations, Northeastern University School of Law, Boston, Mass., April 11, 2019. .  
*Smashing into Windows: The Limits of Consumer Sovereignty in Health Care*, Bioethics Program, PennState College of Liberal Arts, State College, Pa., October 29, 2018.
9. *The Affordable Care Act – From Its Origins to Its Possible Demise*, Graduate School of Biomedical Sciences and Professional Studies, College of Medicine, Drexel University, Philadelphia, PA., October 25, 2018.
10. *The Cuban Health Care System: Excellence Within Limits*, Kline School of Law, Drexel University, Philadelphia, PA., April 2, 2018
11. *Smashing Into Windows: The Limits of Consumer Sovereignty in Health Care*, Pennsylvania Bar Institute, 24<sup>th</sup> Annual Health Law Institute, Philadelphia, PA., March 14, 2018.
12. *The Cuban Health Care System: Excellence within Limits*, Cuba by Land and Sea--Swarthmore College Alumni, Cuba, January 10, 2018.
13. *Searching for Adverse Events: Big Data and Beyond*, Symposium, College of Law, Loyola University Chicago, Chicago, Illinois, October 28, 2017.
14. *Smashing Into Windows: the Limits to Consumer Sovereignty in Health Care*, 2017 Petrie-Flom Center Annual Conference: Transparency in Health and Health Care: Legal and Ethical Possibilities and Limits, Harvard Law School, Cambridge, MA, April 28, 2017.
15. *From Chaos to Modest Disorder: A Hard Look At Quality Efforts and Their Limits in Improving Consumer and Patient Health*, Pennsylvania Bar Institute, 23<sup>rd</sup> Annual Health Law Institute, Philadelphia, Pa. March 8, 2017.
16. *The CRISPR-Cas9 Tool of Gene Editing: Cheaper, Faster, Riskier?* Symposium, College of Law, Loyola University Chicago, Chicago, Illinois, October 28, 2016.
17. *Death and the Image of the Body: Who Decides to Let Go?* Panel, Morality, Race, and the Body, Univ. Pennsylvania, Philadelphia, Pa., September 19, 2016.
18. *From Patient Safety to Pay-for-Performance: What Has the Patient Gained from the ACA?* Pennsylvania Bar Institute, 22<sup>nd</sup> Annual Health Law Institute, Philadelphia, Pa. March 14, 2016.
19. *The Complexities of Health Law: How To Equip Lawyers to Understand History, Core Legal Frameworks, and Forces for Industry Change*, TAANA (The American Association of Nurse Attorneys) 34th Annual Meeting & Educational Conference, Philadelphia, Pa. Oct. 2, 2015.
20. *The Case for a Right to Language: From General Principles to Legal Framework*, St Petersburg-New York Institute of Linguistics, Cognition and Culture, St. Petersburg, Russia, July 21, 2015.
21. *Building Disasters: The Liability of Architects*, Università IUAV di Venezia, Venice, Italy, June 14, 2015.



22. *Health Care Reform in the United States: The Affordable Care Act*, Università Ca' Foscari Venezia, Venice, Italy, April 3, 2015.
23. *Enhancing Patient Sovereignty: Decision Aids as the Standard of Care*, Dartmouth Institute, 2014 Summer Institute for Informed Patient Choice (SIIPC), Hanover, NH, June 25-27, 2014.
24. *The Ever Shrinking World of Medical Liability*, 37<sup>th</sup> Annual Health Law Professors Conference, San Francisco, June 4, 2014.
25. *The Book Contract: Thinking Like a Lawyer*, Regional Meeting, Society of Childrens Book Writers and Illustrators (SCBWI), Bettendorf, Iowa, May 12, 2014.
26. *The Expanding World of Patient Safety: Regulating to Improve Quality, Reduce Errors, and Narrow Practice Variation*, Pennsylvania Bar Institute, 20<sup>th</sup> Annual Health Law Institute, Philadelphia, Pa., March 13, 2014.
27. *What Do Law Casebooks Do? Equip Lawyers to Understand History, Core Legal Frameworks, and Forces for Industry Change*, Drexel University School of Law, Philadelphia, Pa., January 31, 2014.
28. *Expansion of Scope of Practice Laws: Liability Issues*, Loyola University (Chicago) Law School, Chicago, Illinois, November 15, 2013.
29. *Non-Profit Hospital Boards and the Affordable Care Act: Hospitals as Fiduciaries*, Pennsylvania Bar Institute, 18<sup>th</sup> Annual Health Law Institute, Philadelphia, Pa. March 13, 2012.
30. *Reducing Hospital Adverse Events: Some Modest Proposals*, Charleston Law School, Charleston, S.C. March 1, 2012.
31. *Regulating Patient Safety: The Patient Protection and Affordable Care Act*, University of Georgia School of Law, Athens, Georgia January 27, 2012.
32. *Do Patients Really Benefit from the Affordable Care Act?* Center for Law, Health and Society, College of Law, Georgia State University, Atlanta, Georgia, January 25, 2012.
33. *On the Table: An Examination of Medical Malpractice, Litigation, and Methods of Reform*, New England Law School, Boston, Massachusetts, October 20, 2011.
34. *Physician Practice and Liability: the Effect of the Patient Protection and Affordable Care Act*, Pennsylvania Bar Institute (PBI) Program, Philadelphia, Pa. October 18, 2011.
35. *How to Read a Contract*, Fall Conference of the Society of Children's Book Writers and Illustrators, Mackinac Island, Michigan, Sept. 23-25, 2011.
36. *Why the Affordable Care Act Is a Good Idea*, School of Law, University of Montana, April 15, 2011.
37. *The Economic Impact of Health Reform: It's Better Than You Think*, Hamline Law School, St. Paul, Minnesota, April 5, 2011.
38. *Physician Practice and Liability: the Effect of the Patient Protection and Affordable Care Act*, 17<sup>th</sup> Annual Health Law Institute, Pennsylvania Bar Institute Program, Philadelphia, Pa. March 15, 2011.
39. *The Economic Consequences of the Affordable Care Act*, Lewis & Clark Law School, Portland, Oregon, Feb. 16, 2011.
40. *The Economic Implications of the Affordable Care Act* (keynote address), Symposium, Health Care Law in the Federal Courts, Charleston School of Law, Charleston, So. Carolina, Jan. 28, 2011.
41. *The Shape of the U.S. Health Care System*, Session for Foreign Scholars, University of Pennsylvania, Philadelphia, Pa., October 27, 2010.
42. *Regulating Patient Safety: The Affordable Care Act*, Symposium on the Affordable Care Act, University of Pennsylvania, October 28, 2010.
43. *Can Hospitals First Do No Harm? Accountability for Adverse Events in Health Care*, Physician Assistant Program, Drexel University, Philadelphia, Pa. August 10, 2010.
44. *Patient Safety and Liability: The Effects of Reform*, 33<sup>rd</sup> Annual Health Law Professors Conference, University of Texas, Austin, Texas, June 5, 2010.
45. *Health Care Reform in the U.S.: Universal Health Care Within Reach?* The Faculty of Law, University of Oxford, Oxford, U.K., May 10, 2010.
46. *The Evolution of the American Health Care System: From Anxiety to Security*, Centre for Social Ethics and Policy, School of Law, University of Manchester, Manchester, U.K., May 4, 2010.
47. *Reforming the American Health Care System: Is It Universal Health Care?* Wales Medico-Legal Society, Cardiff Centre for Ethics, Law and Society, Cardiff University, Wales, U.K., April 28, 2010.
48. *Reforming the American Health Care System: Are the 2010 Reforms Enough?* Centre for Legal Research, Law School, Nottingham Trent University, Nottingham, U.K., April 16, 2010.