



Center Briefings

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Collaborations in Health Law and Policy

Courtney Anderson and Erin Fuse Brown are the newest faculty members to be hired by the College of Law as part of the Second Century Initiative (2CI). 2CI is Georgia State University's signature program to promote interdisciplinary collaboration in cutting-edge research fields across campus.

The College of Law participated in two health-related 2CI awards in 2010, which created three new faculty lines in the law school, two new faculty lines in the Institute of Public Health, and one new faculty line in the Institute of Health Administration in the J. Mack Robinson College of Business. Anderson joins the faculty cluster with the Institute of Public Health that is focused on achieving health justice through improving health equity and reducing

health disparities. Fuse Brown joins the faculty cluster with the Institute of Health Administration that is focused on law, policy, and ethics in the governance of businesses in the fields of health care, life sciences, and biotechnology.

"We are delighted to have attracted such talented new faculty who are eager to engage in interdisciplinary collaborations," said Steve Kaminshine, Dean of the College of Law. "Courtney and Erin both bring a range of expertise that enriches our legal education curriculum and our research programs. They also join with our existing health law faculty to add further depth and strength to our nationally recognized health law program."

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ERIN FUSE BROWN AND COURTNEY ANDERSON



Center Welcomes New Associate Director

The Center for Law, Health & Society is pleased to announce that Stacie P. Kershner (JD '08) has joined as its new Associate Director.

"We are delighted to have Stacie on board at the Center," said Charity Scott, Director of the Center and Catherine C. Henson Professor of Law. "Stacie is a graduate of the College of Law, and has a tremendous background in law and policy settings that fits so well the Center's future directions."

Kershner has most recently been working in the Public Health Law Program at the Centers for Disease Control and Prevention in Atlanta. Her responsibilities included project management, public health law and policy research, and legal technical assistance to state and local public health legal counsel.

While in law school, Kershner worked in the Andrew Young School of

Policy Studies, serving as project manager on a project focused on improving outcomes for children in foster care. "Her broad familiarity with people and units across campus and in our Atlanta community will be an invaluable asset in her position," observed Scott.

Kershner has long been interested in issues affecting children, and co-chaired the State Bar of Georgia's Young Lawyer's Division (YLD) Advocates for Students with Disabilities Committee for three years. She received the 2010 Award of Achievement for Outstanding Service to the Public from the YLD of the State Bar.

Kershner earned her JD from the College of Law in 2008 (with honors), and graduated from Agnes Scott College in 2000 (magna cum laude, Phi Beta Kappa).

Director's Message

This issue of our *Center Briefings* covers many exciting new developments at the Center for Law, Health & Society. Our health law program continues to grow with the addition of two new faculty members this year, Courtney Anderson and Erin Fuse Brown, whom we are pleased to introduce to you in the newsletter's cover story. These faculty members join us through two University awards under the Second Century Initiative to expand interdisciplinary connections across campus and build strength in research related to health law and policy. We are also delighted to welcome Stacie Kershner, our new Associate Director for the Center for Law, Health & Society, who is featured on this page. All of these folks bring a wealth of talent and expertise to our health law program, and we are thoroughly delighted to have them on board. We are also happy to announce the launch of our new certificate program in health law, which allows law students to concentrate their studies in health law and receive close faculty guidance on curriculum and career paths in health law fields. Other stories cover the diverse accomplishments and activities of our faculty, students, and graduates, who are contributing so much in so many ways to working with the law to promote the health of our society.

Best wishes,

Director, Center for Law, Health & Society



STACIE KERSHNER, ASSOCIATE DIRECTOR

The health law program at Georgia State Law is ranked #2 in the nation by *U.S. News and World Report*.



New Certificate Program in Health Law

Certificate Requirements

The College of Law is launching a new certificate program for law students who wish to concentrate their studies in health law.

Beginning with the graduating class of 2013, law students have the opportunity to participate in this distinctive program designed to foster the knowledge, skills, and values that contemporary lawyers need in order to navigate the rapidly-changing regulatory environments in the health care industry and in the public health law field.

“Completion of the certificate program will signal to employers that students have developed certain core competencies for work in this challenging field,” said Charity Scott, Director of the Center for Law, Health & Society. “While many students who participate in the program may have a specific health law career goal in mind, the core competencies developed through this program apply to a broad range of health law settings and are easily transferrable to other legal fields.”

“The new certificate program offers students the opportunity to apply theory to real-world health law issues that they may face in their future legal careers.”

– Stacie Kershner, Associate Director

Students in the program must take five required courses, one of which is an elective course in either bioethics or public health law. Students must also complete a substantial writing project on a health law topic. In addition, students must participate in a lawyering-skills course, clinic experience, or externship opportunity.

“The program’s integrated educational approach offers students a unique blend of course work and professional practice,” observed Stacie Kershner, Associate Director of the Center, who will serve as the students’ primary administrative point of contact for the certificate program.

Participation in the certificate program will allow students to take advantage of faculty advisement on course selection and career paths, a key feature of the program. “Developing a relationship with individual students will allow faculty to tailor their advisement to the students’ interests,” said Kershner.

“This new program was specifically designed to incorporate the recommendations of the Carnegie Foundation report on legal education by providing more integration during the second and third years of law school among the core professional competencies of successful practicing attorneys,” said Scott. “It is also fully consistent with the new Strategic Plan at GSU and will lay the foundation for increased health-related interdisciplinary opportunities across campus.”

Course work

Students must take five classroom courses:

- Administrative Law
- Corporations
- Health Law: Quality and Access
- Health Law: Financing and Delivery
- One course in either bioethics or public health law

Public health law options:

- Public Health Law
- HIV/AIDS and the Law
- Law and Mental Health
- Food and Drug Law
- Law and Social Welfare

Bioethics options:

- Bioethics and the Law
- Biotechnology Law, Policy and Ethics
- Forensic Medicine
- Human Subjects Research Law and Ethics
- Genetics and the Law

Lawyering skills

Students must take at least one lawyering-skills course:

- Clinic experience
- Externship in health law
- Experiential-learning course that provides instruction in practical lawyering skills

Writing requirement

Students must complete a substantial writing project, which may also be used to satisfy the College of Law’s writing requirement.

Extracurricular activities

Students must participate in 15 hours of approved extracurricular activities or 5 approved events.

Grades and honors

A minimum GPA of 3.0 is required for all courses taken in satisfaction of the certificate requirements. A minimum grade of 3.0 is required for the writing requirement. Honors will be awarded for achievement of a GPA of 3.6 or higher in all health law courses taken for the certificate or as additional electives.

Law Students Shadow Grady Medical Ethicist

To allow students to experience directly how critical decisions about ethical dilemmas are actually made in health care settings, Professor Paul Lombardo created an opportunity for students to shadow Jason Lesandrini, the medical ethicist for Grady Health System, as part of an independent study during the spring semester. Jane “Danny” Vincent, 3L, who was enrolled in Lombardo’s Genetics and the Law course, and Jena Jolissaint, 3L, who had taken Lombardo’s Bioethics course in the fall, jumped at the chance to participate in this experimental project.

“In class, whether we were discussing beginning-of-life issues, end-of-life issues, or all of the issues in between, the overarching issue was always who should decide,” said Jolissaint. “This independent study provided the opportunity to see how decisions are made by a hospital ethics committee when there is a gray area in the black-letter law.”

As part of the independent study, the students attended rounds with Lesandrini, participated in consultations, and observed meetings of the medial ethics committee. “All of the issues we observed have legal frameworks that set the outer boundaries of medical decisions, but they also all have questions that are unanswered by the law,” stated Vincent.

The students also entered data from past patient cases that had involved an ethics consultation with members of the Grady’s ethics committee. “Of the many cases I entered into the database, only a handful had an actual ethical problem, rather than one better suited to resolution by the social worker, legal counsel, or the medical team,” observed Jolissaint.

The semester was an informative introduction to applied ethics in a hospital setting. “The students brought a unique perspective to the ethics program at Grady Health System and we all enjoyed their input,” commented Lesandrini. “As each of us who practices clinical ethics quickly learns, what’s provided in bioethics textbooks is often quite distinct from what takes place on the hospital floor.”

“There is no better place to see ideas about bioethics play out in real time than in a busy general hospital like Grady,” reflected Lombardo. “Our plan is to continue the pilot program next spring.”



PAUL LOMBARDO AND JASON LESANDRINI



JANE “DANNY” VINCENT AND JENA JOLISSAINT

GRAs Work on NIH Project

Graduating third-year law students Mayank “Mike” Patel, Brett Williams, and Jeffrey Austin spent the last two years working as graduate research assistants (GRAs) with Professor Leslie Wolf on a research project funded by the National Institutes of Health (NIH). The project, conducted in collaboration with Duke University, focuses on Certificates of Confidentiality, a legal tool to provide protection of sensitive, identifiable information collected for research.

The students worked closely as a team, meeting regularly to discuss their on-going work. Wolf pointed out that this was a two-way street: “While I provided guidance on their research, I actively sought my GRAs’ input, including doing a run through of our preliminary data before our first presentation to the NIH.”

The team aspect of the research project was driven home when the students traveled in March with Wolf to North Carolina’s Research Triangle area to attend a conference sponsored by the Office for Human Research Protections and the National Institute of Environmental Health Sciences. Wolf presented findings from the study and participated in a meeting with the Duke collaborators.

“Despite how much we knew about the project from our work, meeting with the whole team for an entire day really opened our eyes to the direction the project was headed and put our work in context with the overall goals and aims,” said Patel. Williams added, “It was fascinating to participate in the meeting and see the collaboration at work.”



BRETT WILLIAMS, MIKE PATEL, AND JEFFREY AUSTIN WITH LESLIE WOLF
AT THE 2012 COMMENCEMENT AND HOODING CEREMONIES

Students Attend Health Law Conferences



STUDENTS ATTEND HEALTH LAW CONFERENCE AT THE STATE BAR OF GEORGIA.

The Center for Law, Health & Society is always searching for new ways to introduce students the real world of health law. Two conferences during the spring semester offered students the opportunity to hear speakers present on health law topics and to network with attorneys in the field.

Ten students attended the “Fundamentals of Health Care Law” conference, which was co-sponsored by the Health Law Section of the State Bar of Georgia and the Institute of Continuing Legal Education (ICLE). “Sometimes it can be like drinking from a fire hose,” acknowledged Joseph Leonard, 2L, referring to the range of new terms, programs, and legislation in health law. “This event was an invaluable tool in having many of these hieroglyphs deciphered into easily digestible pieces.”

Three students attended the

“21st Annual Health Law and Policy Forum,” a day-long session sponsored by King & Spalding which focused on the latest legal and regulatory developments in the health care industry. “Amidst discussion of PPACA implementation, reform of the Medicare program, and enforcement of the False Claims Act,” said Sarah Ketchie, 2L, “the strongest impression I walked away with was that the health law industry is in the middle of a sea of change.”

“Our students benefit tremendously from attending events such as these and learning about health law from practitioners in the field,” said Charity Scott, Director of the Center for Law, Health & Society. “We are so grateful to ICLE and King & Spalding for allowing our students to attend, and we look forward to future opportunities for our students to participate.”

New SHLA Officers Named

The Student Health Law Association (SHLA) is a student-run organization for law students interested in health-related legal disciplines. The following students were elected as Student Health Law Association officers for 2012-2013:

President: Gregory Fosheim

Vice President of Operations: Kara Gordon

Vice President of Communications: Sarah Ketchie

Treasurer: Ashley Worrell

Student Advisor: Evelyn Clark

Event Coordinators: Leslie Salley, Donald Snyder, and Samuel Shapiro

Community Liaisons: Christine Lee and Brittanie Browning

Student Outreach Coordinator: Kyle Gregory

Part-Time Student Liaison: Kay Hill

The position of Secretary is reserved for an incoming first-year student interested in health law and will be selected at the beginning of the academic year.



2012-2013 SHLA OFFICERS
(NOT PICTURED: BRITTANIE BROWNING)

Health Law Awards

Several health law students were acknowledged for their achievements at the 2012 College of Law Honors Day. “We have many bright, dedicated health law students,” said Charity Scott, Director of the Center for Law, Health & Society. “These awardees stand out in many ways, meriting recognition of their accomplishments.”

Jennifer Paige Whitton, 3L, was awarded the Health Law Award. This award, which includes a monetary gift sponsored by the State Bar of Georgia’s Health Law Section, recognizes outstanding student achievement in health law including academic performance, writing ability, experiential learning, and involvement in the health law community.

The ABA/BNA Award for Excellence in the Study of Health Law is awarded to three students with the highest grades in core health law courses. Whitton received this award for Health Law: Regulation; Jena Jolissaint, 3L, received the award for Bioethics and the Law; and Sarah Lamb Chambers received this award



WHITTON



JOLISSAINT



CHAMBERS



KETCHIE



VINCENT

for Health Law: Liability. These students received a certificate and a complementary book selection from ABA/BNA.

Sarah Ketchie, 2L, was selected by the health law faculty to receive the American Society of Law, Medicine & Ethics (ASLME) Health Law Student Award. Ketchie was selected for her outstanding leadership and community-building in the area of health law. Included with the award is a scholarship to the annual ASLME career-day conference for law students.

Jane “Danny” Vincent was presented with the HeLP Legal Services Clinic Award, including a monetary gift sponsored by the HeLP Advisory Council, for demonstrating excellent legal analysis, writing, advocacy, and professionalism in the delivery of legal services to low-income families served by the Clinic.

Graduates

Spotlight: Derek Empie

Derek Empie, Associate General Counsel at Indiana University Health, Inc. (IU Health) and a 2002 College of Law graduate, was recently honored to be selected to be on Indianapolis Business Journal's 2012 Forty Under 40 list. This former sports broadcast professional is now in-house counsel for Indiana's largest health care system.

Empie serves as lead attorney to several hospitals and a multi-specialty physician group comprised of over 800 providers, advising the organization on physician and managed care contracts, regulatory compliance, employment law and corporate legal matters. He was also appointed to serve as General Counsel to the newly created Accountable Care Organization (ACO) which IU Health formed in response to the Affordable Care Act.

Before law school, Empie, who was a starting baseball pitcher in college, wanted to be in sports broadcasting, but once there he found the hours long, the starting pay low, and the travel hard. With the support of his wife, Amber, he enrolled in law school.

When asked to share advice with students interested in health law, Empie reflected, "While in law school, I reached out to attorneys in various fields with several firms about what path to take and what things I needed to do and be involved in to become a successful attorney. What I found is that everyone has a different story and there is no one formula for achieving success in the legal field. Probably the best advice I received was to get involved in areas that I like and have an interest in, and everything else will fall into place."



Spotlight: Lisa Liang

Lisa Liang, a 2008 graduate of the College of Law, is working as a staff attorney with the Health Law Unit of Atlanta Legal Aid Society. During law school, Liang interned for Legal Aid, and she continued volunteering there after graduation until a full-time position became available.

In this position, Liang provides legal services in civil matters to low-income clients with life-threatening illness such as HIV/AIDS or cancer. She also conducts educational presentations for practitioners and communities affected by life-threatening illness to bring awareness and attention to the role of legal services as part of the holistic continuum of care.

Liang has long been interested in working with low-income and disadvantaged populations. Before law school, Liang, who also has a Master of Arts in Teaching, worked as a first-grade teacher in a Title I public school in Chicago. "As a teacher in my community, I was often the most educated and literate person in my children's parents' lives," she said. "They asked me to explain public benefits applications, process, and denials. I saw the disparate impact on children when services were denied or terminated."

Liang credited her experience with the HeLP Legal Services Clinic at the law school with helping to develop basic but crucial legal skills she uses regularly in her current position, including interviewing clients, issue spotting through a convoluted story, comprehensible letter writing, and dealing with layers of government bureaucracy. "I would urge law students to take advantage of diverse experiences, especially where you will gain exposure to real-life situations," she said.

She also challenged GSU law students and graduates to help those in need of legal services. "Remember your obligation to pro bono and public interest service and embrace it," she said.



Thanks to our Graduate Mentors

The Center for Law, Health & Society and the Student Health Law Association would like to thank the many graduates who have volunteered during the 2011-2012 year to be mentors to our students. They are:

- **Tunde Akinyele**, Dekalb County District Attorney's Office
- **Nancy Allstrom**, State of Georgia, Office of the Attorney General, Georgia Medicaid Fraud Control Unit
- **Sylvia B. Caley**, Georgia State University
- **Meredith H. Carr**, Centers for Disease Control and Prevention
- **Dr. Ralph E. Gaskins, Jr.**, Spectropath, Inc.
- **Nichole L. Hair**, Hall Booth Smith & Slover, PC
- **Barry S. Herrin**, Smith Moore Leatherwood, LLP
- **Marsha A. Hopkins**, Georgia Department of Human Services
- **Dr. Judy Jarecki-Black**, Merial Ltd.
- **Dr. Ronald I. Kaplan**, Kaplan & Lukowski, LLP
- **Mark S. Kashdan**, HHS Office of the General Counsel, Centers for Disease Control and Prevention
- **Lisa K. Liang**, Atlanta Legal Aid Society
- **Lance J. LoRusso**, LoRusso Law Firm, PC
- **Michael Manely**, The Manely Firm, PC
- **R. Scott Masterson**, Lewis Brisbois Bisgaard & Smith, LLP
- **Lori Pearson**, UHS-Pruitt Corporation
- **Kimberly S. Ruark**, McKenna Long & Aldridge, LLP
- **Jodi D. Taylor**, Baker Donelson Bearman Caldwell & Berkowitz, PC
- **Mark W. Wortham**, Hall Booth Smith & Slover, PC

Please contact Associate Director Stacie Kershner to become a mentor for the 2012-13 academic year, at 404-413-2088 or skershner1@gsu.edu.

Faculty Granted Promotion, Tenure, Professorships, and Administrative Appointment

Professorships



Paul Lombardo
*Bobby Lee Cook
Professor of Law*



Bobby Lee Cook



Charity Scott
*Catherine C. Henson
Professor of Law*



Catherine C. Henson



JESSICA GABEL



WENDY HENSEL



JONATHAN TODRES

Georgia State University President Mark Becker approved the College of Law's promotion and tenure recommendations. Professor Jonathan Todres has been awarded tenure. Professor Jessica D. Gabel was promoted to the rank of Associate Professor.

In addition, Dean Steve Kaminshine has appointed Professor Wendy F. Hensel as the first Associate Dean for Research and Faculty Development.

"We are honored to have Professors Todres, Hensel, and Gabel affiliated with our health law program," said Charity Scott, Director of the Center for Law, Health & Society. "They all reflect exceptional strength in research and scholarship, and their nationally recognized expertise in public health law, human rights, forensic medicine, and disability law brings incredible breadth and depth to the College of Law."

Dean Kaminshine also awarded named professorships to Paul Lombardo and Charity Scott. Lombardo has been named Bobby Lee Cook Professor of Law. Bobby Lee Cook is a nationally respected trial attorney, advocate of civil liberties and justice, and long-time supporter of the College of Law.

Scott has been named Catherine C. Henson Professor of Law. Catherine Henson is a distinguished graduate of the College of Law and a passionate leader for education reform in Georgia.

Todres Appointed to IOM Committee

Professor Jonathan Todres has been appointed to the Institute of Medicine's Study Committee on Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States. The Committee will examine the scope and severity of the problem, including the causes and consequences of commercial sexual exploitation and sex trafficking of minors.

The Study Committee also will review current approaches to addressing the problem at the federal, state, and local levels and will study evidence associated with selected efforts in human services, health care, education, and law enforcement settings to prevent such exploitation of children. It is expected to issue its report in August 2013.

Scott Joins Leadership of Two National Organizations

Charity Scott, Catherine C. Henson Professor of Law and Director of the Center for Law, Health & Society, has joined the Board of Directors of the American Society of Law, Medicine & Ethics (ASLME). ASLME is a national, multi-disciplinary organization that serves the legal and health-related professions through educational conferences, publications, and other activities.

"ASLME is a leader in bringing together lawyers, academics, and health professionals to collaborate on cutting-edge issues that impact the health of people globally," said Scott.

Scott also has been appointed as a Section Councilor in the newly established Law Section of the American Public Health Association (APHA). Established in 1872, APHA is the oldest and most diverse organization of public health professionals in the world.

"The creation of the new Law Section reflects the hard work of its leadership and APHA's awareness of the critical role that law and lawyers play in the public's health," said Scott.

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2CI Cluster in Health Justice

Courtney Anderson studied finance and business management at the University of Pittsburgh, graduating in 2003, and enrolled in Harvard Law School that fall. During and since law school, Anderson's scholarship and practice have centered on transactional law and community and economic development.

As an associate at Sidley Austin in Chicago, Anderson was a member of the real estate group, where her work focused on corporate and financing transactions. Her pro bono activities at the firm fostered her interest in affordable housing and economic development. In 2010, she moved to Washington, D.C., to join the Harrison Institute for Public Law at Georgetown University Law Center. As a Fellow in the Institute's Housing and Community Development clinic, she supervised students who were assigned to clinic cases, and she also taught a seminar course. She earned an LL.M. in advocacy while at Georgetown.

Environmental hazards, segregated neighborhoods, and dilapidated housing all exacerbate adverse health outcomes in vulnerable populations," said Anderson. "This position through 2CI offers the chance to collaborate with the Institute of Public Health and other entities in the Atlanta area to understand best practices to eradicate these inequities." This coming year, Anderson will be teaching courses on property law and on law and social welfare.

Anderson joins Associate Professor Laura Salazar in this three-faculty 2CI cluster collaboration between the College of Law and the Institute of Public Health. Hired in 2011 by the Institute of Public Health, Salazar is a social scientist with a Ph.D. in community psychology whose research interests include HIV/AIDS and adolescents. The Institute of Public Health is seeking to fill the third faculty line in this 2CI cluster with an epidemiologist.

2CI PROFESSORS ERIN FUSE BROWN, LAURA SALAZAR, YANIV HELED, COURTNEY ANDERSON, AND DANIEL MONTANERA.



Collaborations in

2CI Cluster: Health Justice



Courtney L. Anderson
Assistant Professor
College of Law

LL.M., Georgetown University Law Center
J.D., Harvard Law School
B.S., University of Pittsburgh



Laura F. Salazar
Associate Professor
Institute of Public Health

Ph.D., Georgia State University
M.A., Georgia State University
B.S., State University of New York at Buffalo

2CI Cluster in Regulation of Business in Health and Life Sciences

Erin Fuse Brown was most recently a Visiting Assistant Professor in the Sandra Day O'Connor College of Law at Arizona State University and a Fellow in ethics and health policy with ASU's Lincoln Center for Applied Ethics. Previously Fuse Brown had practiced in the health care group of Ropes & Gray LLP's San Francisco office and served as a law clerk for Judge Alan C. Kay on the U.S. District Court in Honolulu. She obtained her JD and MPH degrees from a dual degree program at Georgetown University Law Center and the Johns Hopkins Bloomberg School of Public Health.

The health care industry has long been of interest to Fuse Brown, whose father is a physician. "I knew I didn't want to become a physician myself [but] was always

interested in the broader health care industry and the broken health care system of the U.S.," Fuse Brown said. "The more I studied it, it solidified that interest."

This year Fuse Brown will teach courses on administrative law and on the financing and delivery of health care. She sees her position as bridging the business and regulatory sides of health care. "That vision of the Second Century Initiative really struck me as being a strong statement on the part of the university, that they're committed not only to this particular topic but to interdisciplinary learning and teaching," Fuse Brown observed.

Fuse Brown is the second law faculty member to join the 2CI health care business cluster. Assistant Professor Yaniv Heled, who joined the College of Law

in 2011 and was the first law professor hired in this 2CI cluster, focuses his research and teaching in emerging biotechnologies and intellectual property. Assistant Professor Daniel Montanera was hired this year in the Institute of Health Administration and completes this three-member 2CI faculty cluster. Montanera's research focuses on physician-insurer interactions and the impact on consumer health care.

"We are truly excited that our new faculty in these 2CI clusters will have the opportunity to build on existing relationships across the campus, enhance our research capacity, and focus on these important health law fields with our 2CI partners," said Charity Scott, Director of the Center for Law, Health & Society.

Health Law and Policy

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2CI Cluster: Regulation of Business in Health and Life Sciences



Erin C. Fuse Brown
*Assistant Professor
College of Law*

J.D., Georgetown University Law Center
M.P.H., Johns Hopkins Bloomberg
School of Public Health
B.A., Dartmouth College



Yaniv Heled
*Assistant Professor
College of Law*

J.S.D., Columbia Law School
LL.M., Columbia Law School
LL.B., Tel Aviv University
Undergraduate Diploma in Biology,
Tel Aviv University



Daniel Montanera
*Assistant Professor
J. Mack Robinson College of Business
Institute of Health Administration*

Ph.D., The University of Western Ontario
(expected 2012)
M.A., Queen's University
B.A., King's University College at
The University of Western Ontario

HeLP Shares Expertise at National Summit

Members of the Health Law Partnership (HeLP) presented at seven sessions at the National Center for Medical-Legal Partnership's 7th annual summit entitled "Medical-Legal Partnership: Innovative Solutions for a Healthier Community," in San Antonio, Texas. The summit brought together policymakers and leaders from the fields of law, medicine, nursing, social work, and public health to discuss best practices and share new ideas around medical-legal partnerships (MLPs).

The summit focused on building capacity and promoting sustainable community-based organizations. Professor Sylvia Caley, Director of HeLP and Co-Director of the HeLP Legal Services Clinic at the College of Law, presented at several sessions. "Strengthening partnerships with health care providers and community stakeholders will lead to more opportunities to leverage resources and coordinate services," she said.

"Both students and clients benefit from medical-legal partnerships housed at law schools."

– Sylvia Caley, Director of HeLP and Co-Director of the HeLP Legal Services Clinic

Caley also presented on how law schools are uniquely situated to host MLPs. "Participation in the clinic provides students the opportunity for experiential learning outside of the traditional classroom model," she observed. "Clients receive coordinated services from a multi-disciplinary team working to address their health-related needs."

Sessions at the summit addressed a wide range of legal issues that impact health that MLPs may encounter. Emily Suski, Supervising Attorney in the HeLP Clinic, presented an overview of federal special education law with College of Law graduate Laurice Rutledge (JD '10). "The session facilitated conversation between doctors, lawyers, and social workers about

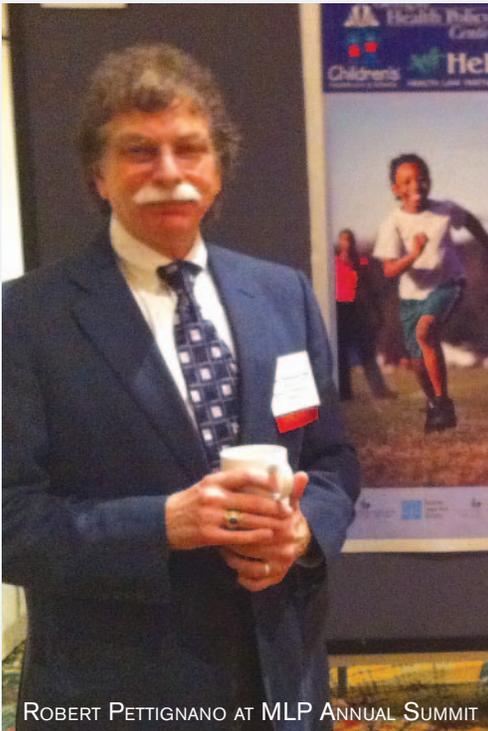
how they can work together meaningfully to improve health and education outcomes for children," Suski stated.

Scott Hart, a private attorney who provides pro bono services to HeLP, and HeLP staff attorney Allison Stiles discussed legal strategies that can be used to address housing conditions that impact health in their presentation. "Poor housing conditions are a frequent cause of adverse health outcomes for low-income patients," Stiles said. "Assistance often focuses on crisis management. However, proactive legal measures can be employed to avoid negative health effects and eviction."

Another session, at which HeLP staff attorney Payal Kapoor and Children's Healthcare of Atlanta Dr. Roshni Patel spoke, addressed the importance of family stability. "Through a heart transplant HeLP case study, we were able to show how members of the health care team and their partners can become better patient advocates by identifying where family stability is critical to the health and well-being of the patient," said Kapoor. "Lawyers and health care professionals can collaborate to save lives through MLPs which can be critical in assuring positive health outcomes for children," Patel added.

Together with Dr. Robert Pettignano, HeLP's medical champion and Director of Medical Affairs at Children's Healthcare of Atlanta at Hughes Spalding, Patel and Caley also presented on the use of social media with MLPs. "Tools such as Facebook and Twitter can be important mechanisms for sharing the message of MLPs and for effectively reaching out to potential funders, policy makers, and partners," acknowledged Caley.

Pettignano credited these presentations with continuing to raise awareness of HeLP in the MLP community as a model program. "Not only did we participate in these offerings, we interacted with many of the new partnerships that asked to tap into our significant and recognized expertise," he said.



ROBERT PETTIGNANO AT MLP ANNUAL SUMMIT

HeLP Clinic Serves as Bioethics Practicum

The Health Law Partnership served as a practicum site for the Master of Arts in Bioethics program at Emory University for the first time during the spring 2012 semester. Helen Williams, M.D., a student in the bioethics program and an assistant professor at Emory University School of Medicine, worked with HeLP and the law school clinic fulfilling her 150-hour service learning practicum requirement, under the supervision of Professor Sylvia Caley, who is the Director of HeLP and co-Director of the HeLP Legal Services Clinic.

“Working in the clinic has given me a new appreciation for the complexities of poverty law and the immense challenges that low-income families face when seeking to obtain services for their medical fragile children.”

– Helen Williams, M.D.

Williams is also an attending neonatologist at Children's Healthcare of Atlanta, Grady Memorial Hospital, and Emory University Hospital Midtown. “During my time in the bioethics master's program, I have developed an interest in health law and how the law impacts the care of my patients,” she stated. “Working with HeLP and at the HeLP Clinic in the law school provided an excellent opportunity for me to further explore this area of interest.”

HeLP Director Sylvia Caley said, “Our clinic students benefited from Dr. William's background and expertise. She provided both a medical and bioethics perspective on the cases, helped students review medical records, and educated them on a variety of diagnoses.”

Williams worked closely with Lisa Bliss, Associate Clinical Professor and Co-Director of the HeLP Clinic, and three 2L students, Ramona Condell, Chris Lessard and Patrick Smith, on their preparation for an SSI hearing at administrative court, which ultimately achieved a successful verdict. “It became obvious to me when working with the low-income clients/patients that good care within the hospital was insufficient if a child is unable to continue that care after discharge,” she observed. “Working in the clinic has given me a new appreciation for the complexities of poverty law and the immense challenges that low-income families face when seeking to obtain services for their medically fragile children.”

Although her practicum is now over, Williams plans to continue her collaboration with HeLP. “The medical-legal partnership model has great ethical appeal,” she said. “By looking beyond the basic medical needs of the patients, medical-legal partnerships are able to address many of the social determinants of health that physicians alone are often powerless to impact.”



SPRING 2012 HELP CLINIC FACULTY AND STUDENTS, INCLUDING HELEN WILLIAMS (TOP, FAR RIGHT)

The Health Law Partnership (HeLP) is an interdisciplinary community collaboration between health care providers and lawyers to address the multiple social and economic conditions that affect low-income children's health. One of HeLP's core components is interdisciplinary education of graduate professional students through the HeLP Legal Services Clinic at the College of Law.



Debunking the Myth That 20% of Human Genes Are Patented

The Center for Law, Health & Society and the Intellectual Property Law Society hosted University of Missouri-Kansas City School of Law Associate Professor Christopher Holman, PhD, JD. Holman's presentation focused on debunking the myth that 20% of human genes are patented, a widely cited proposition based on a 2005 article in *Science*.

This proposition has led to the assumption that thousands of human genes cannot be used, studied, or even "looked at" by researchers and health care providers without infringing on a patent, unless the researcher receives permission or a license, which could involve burdensome expense.

"The policy discussion has been driven by misperceptions of what a gene patent actually is and more particularly treating this idea of 'gene patents' in abstract terms without actually looking at these patents," Holman said.

Holman demonstrated how a lack of understanding of patent law contributed to the creation of a myth. He further explained why there is no basis to infer from the *Science* article that current whole genome sequencing technologies would result in the infringement of a large number of human gene patents.

Holman described his own analysis of the data relied on by the authors of the *Science* article. Examining a subset of the data, Homan found that only a small number of patents identified by the authors as "gene patents" could potentially be infringed by some form of genetic testing under some circumstances.

Holman also reviewed patent litigation and found that very few lawsuits have been filed for infringement. "An important thing to remember is that we have had these patents for many years and no one has ever successfully asserted one," Holman argued.

Added Professor Yaniv Heled, who had invited Holman to come to Georgia State Law, "Professor Holman's work on this issue is so important, not only because it does away with this myth about gene patents, but also because it serves as a warning sign for all of us that we must take similar claims made about biotechnology patents with a grain of salt."

The Progress of Health Care Reform

The Student Health Law Association and the Center for Health, Law & Society co-sponsored Kim Roeder's presentation on recent developments in governmental health program reforms authorized under the Affordable Care Act.

Roeder, a partner in King & Spalding's Healthcare Practice Group in Atlanta, began by discussing the changes to past and current delivery systems, and then outlined the new Medicare shared saving program's encouragement of accountable care organizations (ACOs). She explained the potential tensions in implementing these new structures and also discussed the Center for Medicare & Medicaid Innovation and its demonstration projects.

After speaking to attendees about these evolving health care delivery systems, Roeder answered attendees' questions. This question-and-answer session sparked lively discussion about the challenges to funding these ACOs and the Innovation Center as well as the practicability of the new delivery systems.

"Ms. Roeder's presentation opened my eyes to very interesting developments that could change the way health care providers organize their administrative systems," said first-year student Ruthie Keister. "Based on the large number of practicing attorneys in attendance, I could tell that this was a very relevant emerging issue for the health law field."



Pandemics and Peace

William J. Long, PhD, JD, Dean of the Georgia State University College of Arts and Sciences, spoke at the College of Law on April 3 as part of Law Week, an annual week-long series of student-organized events honoring the legal profession. The session was co-sponsored by the Student Health Law Association (SHLA), the Asian American Law Students, and the Intellectual Property Law Society.

Long discussed his recent research and newest book, *Pandemics and Peace: Public Health Cooperation in Zones of Conflict*, released by the United States Institute of Peace. "Dr. Long is a distinguished scholar, an academic, and an accomplished author," College of Law Dean Steven Kaminshine said of Long in his introduction.

In his presentation, Long explored why traditionally adversarial countries may cooperate to address global health

concerns not limited to a single country of region. A widespread pandemic with high mortality could bring governments to a halt, potentially instigating widespread violence and looting.

Transnational organizations comprised of public and private regional actors have come together to address public health concerns enhancing surveillance, reporting, and training efforts. "Is health the leading edge of peace?" Long asked. "Can we apply lessons from health to other transnational problems?"

"This presentation illustrated how scientists with the same goal of improving their nation's health can overlook political boundaries for the common good, especially because infectious diseases pay little attention to borders," said Greg

Fosheim, 1L, SHLA president-elect.

To answer whether the lessons learned through cooperation could translate to other international concerns, Long asserted that there is both potential to replicate the model of cooperation around health-related issues and challenges that may arise. With a fuller understanding of successful transnational cooperation, practitioners and policymakers will have a greater opportunity to apply the lessons learned to other international concerns such as terrorism, resource management, and human rights protections.



WILLIAM J. LONG

Patient Benefits and the Affordable Care Act

The Student Health Law Association and Center for Law, Health & Society welcomed preeminent health law author and respected academic Professor Barry Furrow for a presentation entitled "Do Patients Really Benefit from the Affordable Care Act?" Furrow spoke to students and others from the University and community regarding the current problems with our health care system and what the Patient Protection and Affordable Care Act (ACA) aims to accomplish.

Furrow began by discussing the existing problems that the ACA attempts to remedy, namely, the growing number of uninsured Americans. He then transitioned into explaining the ACA's goals and expected benefits.

"It was great to finally have the Affordable Care Act explained to me by a knowledgeable expert," said Leah Murphy, a first-year student. "Professor Furrow outlined the policy rationales supporting the act from a neutral, unbiased perspective and gave an overview of the act that I could understand without being a health care insider."

Later in the afternoon, SHLA students attended an informal question-and-answer session with Furrow. "I never thought I'd actually get to meet someone who wrote one of my textbooks," said first-year student Alex Joslin. "It was a great experience."



BARRY FURROW

Center Highlights



Courtney L. Anderson



Professor Anderson's article *Opening Doors: Preventing Youth Homelessness through Housing and Education Collaboration* will be published in the SEATTLE JOURNAL FOR SOCIAL JUSTICE

in December 2012. She will present a forthcoming paper, "Rebuilding Detroit through Health Equity Development" at the Southeastern Law Scholars Conference this September. She intends for this paper to lead to qualitative research and scholarship collaborations with public health scholars in issues connecting neighborhood revitalization and health equity.

Roberta M. Berry



Professor Berry spoke at the Congress on Teaching Social and Ethical Implications of Research at Arizona State University and at the Sixth International Conference on Applied Ethics

in Sapporo, Japan. She published a co-authored article in SCIENCE AND ENGINEERING ETHICS, and is now working on research projects including oocyte donation in assisted reproduction and dual use issues surrounding neuroscience and neurotechnologies.

Lisa R. Bliss



Professor Bliss recently returned from Thailand, where she served as a clinical legal education expert for NGO Bridges Across Borders Southeast Asia's Clinical

Legal Education Initiative. She worked on several projects at Mae Fah Luang University in Chiang Rai. She developed a working plan for establishing a clinic, supported faculty in integrating experiential learning into courses, and helped design a course in Legal English that incorporated social justice and experiential learning.

Sylvia B. Caley



Professor Caley presented at five regional, national, and international conferences, including the International Conference on Health, Wellness, and Society, the Medical Legal

Partnership Annual Summit, and the annual Health Law Professors Conference. Students enrolled in her Health Legislation and Advocacy course performed research and drafting services on proposed legislation to require the sale of child-only health insurance policies that gained passage and was signed into law by the Governor.

Erin C. Fuse Brown



Professor Fuse Brown is participating in two panels at the College of Law discussing the implications of the Supreme Court's decision on the Affordable Care Act. One panel

explores the constitutional issues raised by the decision and the other discusses the future of Medicaid in Georgia. She also presented on the topic of legal support for health impact assessments (HIA) at the International HIA Conference in Quebec City.

Jessica D. Gabel



Professor Gabel published *Redeeming the Genetic Groupon: Efficacy, Ethics, and Exploitation in Marketing DNA to the Masses*, (MISSISSIPPI LAW JOURNAL 2011). She also co-authored

Regulating the Science of Forensic Evidence: A Broken System Requires a New Federal Agency (UNIVERSITY OF TEXAS LAW REVIEW SEE ALSO 2011). Professor Gabel will be speaking on "Strengthening Forensic Science through Standardization" at the 21st International Symposium on the Forensic Sciences in Australia in October 2012.

Wendy F. Hensel



Professor Hensel has been appointed as the College of Law's first Associate Dean for Research and Faculty Development. She published (with Professor Wolf) *Valuing Lives: Allocating Scarce*

Medical Resources During a Public Health Emergency and the Americans with Disabilities Act (PLOS CURRENTS: DISASTERS 2011) and spoke on this topic at the Disability Studies Conference in New Zealand. She presented on the topic of special needs vouchers at Chapman University School of Law.

Yaniv Heled



Professor Heled published two articles: *Patents vs. Statutory Exclusivities in Biological Pharmaceuticals—Do We Really Need Both?* (MICH. TELECOMM. & TECH.

LAW REVIEW 2012) and *Why Primary Patents Covering Biologics Should Be Unenforceable Against Generic Applicants Under the Biologics Price Competition and Innovation Act* (ANNALS OF HEALTH LAW 2012). He presented his forthcoming paper *How Abortion Politics and Technophobia Gave Us the Distinction Between Patently Human and Patentably Non-Human* at numerous conferences.

Randall L. Hughes



Professor Hughes was recently awarded the 19th Ben F. Johnson Jr. Public Service Award, which is presented annually to a Georgia attorney demonstrating a lifelong commitment

to public service. Hughes is helping to coordinate two panels at the College of Law on the Supreme Court's decision on the Affordable Care Act. He also continues to volunteer with the Health Law Partnership.

Stacie P. Kershner



Ms. Kershner has quickly jumped into Center activities, including organizing community programs, identifying research and fundraising opportunities,

advising students, and coordinating the health law certificate and JD/MSHA programs. She continues to research public health legal issues and presented on legal strategies to prevent prescription drug abuse at a conference sponsored by the Association of State and Territorial Health Officials and the Centers for Disease Control and Prevention.

Paul A. Lombardo



Professor Lombardo continued his work as Senior Advisor to the Presidential Commission for the Study of Bioethical Issues, contributing to its most recent report: *Moral Science: Protecting*

Participants in Human Subjects Research. He spoke at the American Public Health Association annual meeting, the Centers for Disease Control and Prevention, and the University of Michigan. He was interviewed on CNN's Anderson Cooper 360, Al Jazeera's Inside Story Americas, and by USA Today.

Charity Scott



Professor Scott wrote an article about innovative ways to teach lawyering skills and values through interdisciplinary collaborations with legal and health practitioners, which will be published

in the INDIANA HEALTH LAW REVIEW. She has been appointed as Chair of a new Task Force on Conflict Management in Health Care in the ABA's Health Law Section. She has given presentations on conflict resolution in health care to various professional and academic groups.

Emily F. Suski



Supervising Attorney Suski co-taught the HeLP I and HeLP II Clinic in the Fall 2011 and Spring 2012 semesters. She made a number of presentations including

presentations at the American Association of Law Schools Clinical Conference, the National Medical Legal Partnership Summit, and at the Institute of Special Education Advocacy at William & Mary Law School. In addition, she continues work on her scholarship on public education law and clinical legal and interdisciplinary pedagogy.

Jonathan Todres



Professor Todres published *Maturity* (HOUSTON LAW REVIEW 2012), *The Private Sector's Pivotal Role in Combating Human Trafficking* (CALIFORNIA LAW REVIEW CIRCUIT 2012), and

Mainstreaming Children's Rights in Post-Disaster Settings (EMORY INTERNATIONAL LAW REVIEW). He presented papers recently at Brooklyn Law School, Santa Clara University School of Law, and conferences of the ABA and Law & Society Association. He also serves as Chair-Elect of the AALS Section on Children and the Law.

Leslie E. Wolf



Professor Wolf continued her work with the CDC Ethics Subcommittee, developing training in public health ethics and law with colleagues for presentation at CDC and at

national meetings for public health practitioners. She also participated in a workshop on hematopoietic stem cell therapy in Switzerland and conferences at Johns Hopkins University and Harvard Law School on proposed changes to human subjects research regulations.

Working with the law... To promote society's health

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Get Involved

Visit our website at www.lawandhealth.org to learn about upcoming events and speakers, read current news stories about the Center's activities, and to view past newsletters. Find us on Facebook at <https://www.facebook.com/lawhealthandsociety>.

Join us as a Friend of the Center at <http://law.gsu.edu/clhs/friends>. Anyone may become a Friend of the Center. Friends are invited to attend educational and networking events and receive Center newsletters and updates.

College of Law graduates are invited to join the Graduate Health Law Network (GHLN) at <http://law.gsu.edu/clhs/ghln>. GHLN members participate in social and professional networks, including Linked In, CLE programs, and the Center's Mentor Program for law students.

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