

Professor Kathy L. Cerminara

CURRENT POSITION

Shepard Broad College of Law
Nova Southeastern University
Ft. Lauderdale, FL
Since August 1998

- Professor (as of 7/1/05); previously Assistant and Associate Professor (1998-2002 and 2002-2005 respectively)
- Creator and former director, Master of Science in Health Law Program (2000-2003)
- Courses taught in J.D. program: Administrative Law; Bioethics Seminar; Civil Procedure; Health Policy, Bioethics & Quality; Law & Medicine Seminar; Mental Health Law; Torts
- Ethics Thread Director for NSU College of Allopathic Medicine Founding Curriculum Committee
- Courses taught in M.S. Health Law program: Administrative Law, Legal Perspectives on Health Care Ethics
- Leo Goodwin Sr. Professor, Winter 2001, on *Health Care in the 21st Century: Cost, Quality and Access in the New Millennium*
- Independent reviewer for publishers such as University of North Carolina Press and publications such as *Health Affairs*; *Yale Journal of Health Policy, Law & Ethics*; *Journal of the American Medical Association Internal Medicine*; *CHEST*; *Ethics, Medicine, & Public Health*; *International Journal of Law & Psychiatry*; *Psychology, Public Policy & Law*; and *The Journal of Philosophy, Science and Law*
- Co-author, *Key Events in the Case of Theresa Marie Schiavo*, in *Schiavo* case resources at http://www.miami.edu/index.php/ethics/projects/schiavo/schiavo_timeline/

PUBLICATIONS

Book, Book Supplements and Book Chapters

THE RIGHT TO DIE: THE LAW OF END-OF-LIFE DECISIONMAKING (Aspen 3d ed. 2004) (co-authored with Alan Meisel) (with annual cumulative supplements to the present; Thaddeus M. Pope co-author beginning in 2015)

End-of-Life Care chapter in FROM BIRTH TO DEATH AND BENCH TO CLINIC: THE HASTINGS CENTER BIOETHICS BRIEFING BOOK FOR JOURNALISTS, POLICYMAKERS, AND CAMPAIGNS (2d ed. 2016) (co-authored with Alan Meisel)

The Schiavo Maelstrom and Its Legal Impact, chapter in ETHICS, POLITICS AND DEATH IN THE 21ST CENTURY: THE STRANGE, SAD CASE OF TERRI SCHIAVO (Kenneth W. Goodman, ed., New York, Oxford University Press 2010)

Three Female Faces: The Law of End-of-Life Decision-Making in America, chapter in DECISION-MAKING NEAR THE END OF LIFE: RECENT DEVELOPMENTS AND FUTURE DIRECTIONS (James L. Werth & Dean Blevins, eds., New York, Routledge, 2008)

THE RIGHT TO DIE, 2d ed., annual cumulative supplements (Aspen 2001, 2002 and 2003)
(responsible for recent additions cumulative to material written by Alan Meisel)

Legal Scholarly Articles and Essays

ERISA As a Hurdle to Health Equity (in progress)

Removing Obstacles to a Peaceful Death, 25 ELDER L.J. ____ (2017)
(forthcoming) (co-authored)

Rip Currents: Rough Water for End-of-Life Decisionmaking, 20 U. MD. J. HEALTH
CARE L. & POL'Y ____ (2017) (forthcoming)

*Whose Freedom? Teaching the Contraception Coverage Cases as a Bridge from
Policy to Bioethics* 61 ST. LOUIS U. L. J. 529 (2017) (invited symposium issue)
2016)

*Introduction: Regulating Innovation in Healthcare: Protecting the Public
or Stifling Progress?*, 41 NOVA. L. REV. 305 (2017) (symposium issue, co-authored)

*Give Me Liberty to Choose (a Better) Death: Respecting Autonomy More Fully in
Advance Directive Statutes*, 10 ST. LOUIS U. J. HEALTH L. & POL'Y 67 (2016) (invited
symposium issue)

Law, Perception, and Cultural Cognition Near the End of Life, 55 WASHBURN L.J. 597
(2016) (lead article)

*Introduction: Wounds of War: Meeting the Needs of Active-Duty Military Personnel and
Veterans with Post-Traumatic Stress Disorder*, 37 NOVA L. REV. 439 (2013)
(symposium issue, co-authored)

Hospice and Health Care Reform: Improving Care at the End of Life, 17 WIDENER L.
REV. 443 (2011) (invited symposium issue)

Introduction: Remembering Stephanie Feldman Aleong, 34 NOVA L. REV. 565 (2010)

Schiavo Revisited? The Struggle for Autonomy at the End of Life in Italy, 12 MARQUETTE
UNIV. ELDER'S ADVISOR 295 (2011) (co-authored)

*La Caja de Pandora: Improving Access to Hospice Care Among Hispanic and African-
American Patients*, 10 HOUS. J. HEALTH L. & POL'Y 255 (2010) (symposium issue, co-
authored)

Pandora's Dismay: Eliminating Coverage-Related Barriers to Hospice Care, 11 FLA.
COASTAL L. REV. 107 (2010) (invited symposium issue)

*A Paper About a Piece of Paper: Regulatory Action as the Most Effective Way to
Promote Use of Physician Orders for Life-Sustaining Treatment*, 29 J. LEGAL MED. 479
(2008) (co-authored)

Collateral Damage: The Aftermath of the Political Culture Wars in Schiavo, 29 W. N. ENG. L. REV. 279 (2007) (lead article, invited symposium issue)

Musings on the Need to Convince Some People With Disabilities That End-of-Life Decisionmaking Advocates Are Not Out to Get Them, 37 LOYOLA CHICAGO L.J. 343 (2006) (invited symposium issue)

Tracking the Storm: The Far-Reaching Power of the Forces Propelling the Schiavo Cases, 35 STETSON L. REV. 147 (2005) (invited symposium issue)

Dealing With Dying: How Insurers Can Help Patients Seeking Last-Chance Therapies (Even When The Answer is “No”), 15 HEALTH MATRIX: JOURNAL OF LAW-MEDICINE 285 (2005)

Taking a Closer Look at the Managed Care Class Actions: Impact Litigation as an Assist to the Market, 11 ANNALS OF HEALTH L. 1 (2002) (lead article, invited symposium issue)

Contextualizing ADR in Managed Care: A Proposal Aimed at Easing Tensions and Resolving Conflict, 33 LOYOLA UNIV. CHICAGO L. J. 547 (2002) (lead article)

Introduction: Health Care in the 21st Century, Cost, Quality and Access in the New Millennium, 26 NOVA L. REV. 397 (2002)

The Intersection of Law and Medicine, 12 ST. THOMAS L. REV. 1 (2001) (forward, symposium issue)

Therapeutic Death: A Look at Oregon's Law, 6 PSYCHOL., PUB. POL'Y & L. 503 (2000) (co-authored)

Protecting Patients in and Beneficiaries of ERISA-Governed Managed Health Care Plans, 29 U. MEMPHIS L. REV. 317 (1999)

Eliciting Patient Preferences in Today's Health Care System, 4 PSYCHOL., PUB. POL'Y & L. 688 (1998)

The Class Action Suit As A Method of Patient Empowerment in the Managed Care Setting, 24 AM. J. L. & MED. 7 (1998) (lead article)

Remembering Arthur: Some Suggestions for Law School Academic Support Programs, 21 T. MARSHALL L. REV. 249 (1996)

Harnessing the Spirit of Insubordination: A Model Student Disciplinary Code, 17 J. COLL. & UNIV. L. 89 (1990) (co-authored)

Refusing Life-Sustaining Treatment for Incompetent Patients: Mere Existence or a Quality Life?, 35 MED. TRIAL TECH. Q. 121 (1988) (recipient of the 1986 Letourneau Award, Honorable Mention, American College of Legal Medicine)

Professional, Medical and Popular Publications

Finally Joining the Aid in Dying Crowd, SAN FRANCISCO DAILY J. (February 8, 2015)

Right to Die Law and Policy in ENCYCLOPEDIA OF BIOETHICS (Macmillan Reference 4th edition 2014) (co-authored)

The Law and Its Interaction With Medical Ethics in End-of-Life Decision-Making, 140 CHEST775 (2011)

A Stranger in a Strange Land: A Doctrinal Professor's Journey into the Legal Research and Writing Classroom, 19 PERSPECTIVES 29 (2010) (co-authored)

Health Care Reform at the End of Life: Giving With One Hand But Taking With The Other, "Society Scholars," American Society of Law, Medicine & Ethics, www.aslme.org/Society_Scholars (June 7, 2010)

Theresa Marie Schiavo's Long Road to Peace, 30 DEATH STUDIES 101 (2006)

2005-2006 National Health Law Moot Court Competition Problem, 27 J. LEG. MED. 377 (2006)

A View From the Battleground – Or Lessons From Physicians From Schiavo, FLA. BIOETHICS, July 2005

Unique Circumstances, Broad Lessons, THE HARVARD CRIMSON, March 25, 2005

With Schiavo, Congress Thumbs Nose at Courts, ORLANDO SENTINEL, March 23, 2005

Legislative End-Run Around Supreme Court in Schiavo Case Threatens Separation of Powers, DAILY BUSINESS REVIEW, March 18, 2005

Clinical Trials: Legal Aspects and Consent, in ENCYCLOPEDIA OF FORENSIC AND LEGAL MEDICINE (Elsevier Science Academic Press 2005 & update in second edition)

Futile Treatment in the United States, SUMMONS, Autumn 2003, at 6

Advance Directives in the United States, SUMMONS, Summer 2003, at 8

Deal With Patient Complaints Before Arrival of Subpoenas, MANAGED CARE, February 2003, at 40

(also available at <http://www.managedcaremag.com/archives/0302/0302.conflict.html>)

Developing an Online Program, JURIST'S LESSONS FROM THE WEB, available at <http://jurist.law.pitt.edu/lessons> (October 2002)

Financial Considerations Complicate Case Still Further, FLA. BIOETHICS, Summer 2001 (accompanying article on *In re Guardianship of Schiavo*)

Preserve Commodore Bay's Character and Hammock, THE MIAMI HERALD, October 14, 1998, at 9A (Viewpoint column)

Metaphors Help Students Write More Logically, THE LAW TEACHER, spring 1997, at 2

In the U.S. Supreme Court: Can States Prosecute Physicians for Assisting Their Competent, Terminally Ill Patients in Committing Suicide?, 1-3-97 WLN (West's Legal News) 13997 (January 3, 1997)

Resolving Ethical Decisions with Advance Directives, PROVIDER, October 1990, at 51

Life-Sustaining Treatment Policy: Put It In Writing, PROVIDER, July 1990, at 26

Legal Considerations in Forgoing Life-Sustaining Treatment, in TEXTBOOK OF CRITICAL CARE MEDICINE (Saunders 2d ed. 1989) (co-authored with Professor Alan Meisel)

Book Reviews

Book Review, ___ J. LEGAL MED. ___ (2017 forthcoming) (reviewing Daniel E. Dawes, *150 Years of Obamacare* (2016))

Book Review, 32 J. LEGAL MED. 239 (2011) (reviewing Norman L. Cantor, *After We Die: The Life and Times of the Human Cadaver* (2010))

Book Review, 6 AM. J. BIOETHICS 57 (September/October 2006) (reviewing Michael Schiavo & Michael Hirsh, *Terri: The Truth* (2006) and Mary Schindler et al., *A Life That Matters: The Legacy of Terri Schiavo – A Lesson For Us All* (2006))

Book Review, 27 LEGAL STUDIES FORUM 489 (2003) (reviewing Lawrence O. Gostin, *Public Health Law: Power, Duty, Restraint* (2000))

Book Review, 25 LEGAL STUDIES FORUM 672 (2001) (reviewing Melvin I. Urofsky, *Lethal Judgments: Assisted Suicide and American Law* (2000))

Book Review, 93 L. LIB. J. 197 (2001) (reviewing Georgia Warnke, *Legitimate Differences: Interpretation in the Abortion Controversy and Other Public Debates* 1999))

Book Review, 23 LEGAL STUDIES FORUM 569 (1999) (reviewing Robert Tillman, *Broken Promises: Fraud by Small Business Health Insurers* (1998))

Book Review Essay, 20 J. LEGAL MED. 281 (1999) (reviewing Linda L. Emanuel, ed., *Regulating How We Die* (1998))

Other Publications

Abstract, *Improving End-of-Life Care for Minorities in South Florida: Knowledge, Choices, and Policies* (with co-authors), 21st Annual IAGG (International Association of Gerontology and Geriatrics) World Conference on Gerontology and Geriatrics, July 23-27, 2017, presented as a poster by Alina Perez

Abstract, *Knowledge and Preferences of End of Life Choices of Hispanics in South Florida: Informing Policy and Future Directions in End of Life Care* (with co-authors), American Public Health Association Annual Meeting, November 4-8, 2017, presented as a poster by Alina Perez

Abstract, *Understanding End of Life Choices in the Aging Minority Population of South Florida: Policy Implications* (with co-authors), American Public Health Association Annual Meeting, November 4-8, 2017, presented as a poster by Akiva Turner

Abstract, *Legal and Policy Implications of Physicians Counseling Minority Patients Regarding Their End-of-Life Choices* (with co-authors), American Public Health Association Annual Meeting, November 4-8, 2017, presented as a poster by Matthew Slingbaum

Abstract, *End of Life as a Public Health Issue: Setting the Ethics and Policy Making Agenda* (with co-authors), American Public Health Association Annual Meeting, October 31-November 4, 2015, presented as a roundtable discussion by Alina Perez and Akiva Turner

Abstract, *Health Care Proxy and Surrogate Decisionmaking*, (publication of abstracts from Nova Southeastern University's Geriatric Education Center Symposium, 2010)

Abstract, *Optometrist in Court: Development and Summative Evaluation of an Innovative Educational Program*, INTERNET JOURNAL OF ALLIED HEALTH SCIENCES & PRACTICE, available at <http://ijahsp.nova.edu> (within http://ijahsp.nova.edu/articles/vol5num2/hpers_abstracts_final.pdf)

National Health Law Moot Court Competition problem (2005) (problem published at 27 J. LEG. MED. 377 (2006)); (also judged final round of competition)

Internal NSU Publications

M.H.L. FACULTY RESOURCE PACKET (for use by faculty in M.H.L. program) (1st version 2001 through 5th version 2003)

SELECTED READINGS ON BIOETHICAL ISSUES (compilation of materials supplementing commercial textbook for M.H.L. class, *Legal Perspectives on Health Care Ethics*) (2003, 2004 & 2005)

LEGAL PERSPECTIVES ON HEALTH CARE ETHICS (compilation of materials serving as textbook for M.H.L. class of same name) (West Custom Publishing 2001 & 2002) (plus CD-ROM used in course)

GRANTS

Awarded: Franklin Kenyon and Frances Kenyon Agneski Trust Endowed Cancer Research Grant, *Assessing Knowledge and Attitudes of South Florida Minority Populations on End-of-Life Care*, \$9,360, co-investigator with an interprofessional team from NSU's Health Professions Division

Application: Robert Wood Johnson Public Health Services and Systems Research, *How Medicare Reimbursement Rules Impact Disparities in Access and Use of Hospice Services Among Racial and Ethnic Minorities*, co-investigator with Alina Perez & Amy Campbell

Awarded: President's Faculty Research & Development Grant, Nova Southeastern University, *Optometrist in Court: Summative Evaluation of an Innovative Educational Program*, \$8,240, co-investigator with Scott Gorman, O.D.

PRESENTATIONS

Pre-conference workshop, Interest Group on Hospice & Palliative Care, on aid-in-dying for the Gerontological Society of America, Boston, MA, November 2018 (in planning stages)

End of Life Update on Legal and Ethical Issues, NSU College of Health Sciences, February 22, 2018, Ft. Lauderdale, FL (co-presented with Alina Perez and Akiva Turner) (anticipated)

End of Life Decisionmaking in Florida: Where We Are and What's Coming Next?, Boca Raton Regional Hospital Ethics Committee, August 16, 2017, Boca Raton, FL

Becoming a Productive Scholar, discussion group moderator, Southeastern Association of Law Schools, August 1, 2017, Boca Raton, FL

Recent Developments in Health Law and Public Health Law Ethics, discussion group participant, Southeastern Association of Law Schools, July 31, 2017, Boca Raton, FL

Advance Directive Statutes: A Therapeutic Approach for Patients With Disorders of Consciousness, panelist on panel titled "Health Care and Actual or Perceived Mental Illness and/or Cognitive or Intellectual Disability," 35th International Congress of the International Academy of Law and Mental Health, July 12, 2017, Prague, Czech Republic

End of Life Caring Through Communication, Law, & Ethics, series of presentations with Dr. Monica Broome, Continuing Education Inc. University at Sea, June 29-July 7, 2017, Royal Caribbean Independence of the Seas

Wellness Programs and Genetic Information: Empirical Analysis – Here We Go Again, panelist, American Society of Law, Medicine & Ethics Health Law Professors Conference, June 10, 2017, Atlanta, GA

Jay Healey Plenary Session: Experiential Teaching and Learning in Health Law, table moderator and presenter in World Café session, June 8, 2017, American Society of Law, Medicine & Ethics Health Law Professors Conference, Atlanta, GA

Withdrawal of Treatment in Disorders of Consciousness, lecture titled *Current State of the Law: Advance Directives, End-Of-Life Care, & Patients in Minimally Conscious to Persistent Vegetative States Due to Brain Injury* and member of working group, Galveston Brain Injury Conference, May 4-5, 2017, Galveston, TX

Intersections, Trends & Cross-Currents in the Law Governing End-of-Life Care, Center for Bioethics & Health Law, September 30, 2016, Pittsburgh, PA

The Art and Science of Mentoring Law Students, discussion group participant, Southeastern Association of Law Schools, August 8, 2016, Amelia Island, FL

Scholarship Nuts and Bolts, panelist, Southeastern Association of Law Schools, August 5, 2016, Amelia Island, FL

Hot Issues in Law and Bioethics, discussion group participant, Southeastern Association of Law Schools, August 5, 2016, Amelia Island, FL

Drafting in the Law School Classroom, Summer Institute for Law Faculty, NSU Law's Global Legal Education Consortium, July 21, 2016, Ft. Lauderdale, FL (co-presented with Marilyn Uzdavines)

Perspectives on Medical-Legal Interprofessionalism, panelist, American Society of Law, Medicine & Ethics Health Law Professors Conference, June 4, 2016, Boston, MA

Jay Healey Plenary Session: Innovations in Health Law Teaching, table moderator and presenter in World Café session, June 2, 2016, American Society of Law, Medicine & Ethics Health Law Professors Conference, June 4, 2016, Boston, MA

Advance Directive Statutes: Guarding State Interests at the Expense of Liberty, panelist, Dying Fast and Slow symposium, St. Louis University School of Law, April 1, 2016, St. Louis, MO

Designing Effective First Year and Upper Level Courses, panelist, Southeastern Association of Law Schools, July 30, 2015, Boca Raton, FL

Hot Issues in Law and Bioethics, discussion group participant, July 27, 2015, Southeastern Association of Law Schools, Boca Raton, FL

Health Care Reform Efforts in the United States: Steps Toward a Better Death, panelist on panel titled "Therapeutic Jurisprudence Approaches to Dealing With Vulnerable Populations, 34th International Congress of the International Academy of Law and Mental Health, July 16, 2015, Vienna, Austria

Ten Years After Terri Schiavo, With Reflections On Eulana Englaro, keynote address at the University of Milan Faculty of Law, July 10, 2015, Milan, Italy

The End-of-Life Landscape Ten Years After Schiavo, ASLME Health Law Professors Conference, June 6, 2015, St. Louis, MO

Hospice, Palliative Care and Aid in Dying: The Current Status of End of Life Policies in the United States and Their Impact on Population Health (with Alina Perez of NSU HPD Public Health and Akiva Turner of NSU HPD Medical Sciences), Geriatrics Eighth Annual Interprofessional Training Institute: Collaborating for Quality, May 1, 2015, Ft. Lauderdale, FL

Schiavo, Ten Years Later, Florida Bioethics Network Annual Clinical Bioethics Conference, April 17, 2015, Miami, FL

Palliative Care and Medical-Legal Issues at the End of Life, series of presentations with Dr. Naushira Pandya, Continuing Education Inc. University at Sea, April 4-11, 2015, Royal Caribbean Oasis of the Seas

A Promising Future: Medical-Legal Partnerships (with Jayme Cassidy), March 4, 2015, Ft. Lauderdale, FL

The Law of End-of-Life Decisionmaking in Florida, lecture to residents at Broward Health Medical Center, December 19, 2014, Ft. Lauderdale, FL

What Deans Would Tell Newer Law Teachers If They Asked, discussion group participant, August 5, 2014, Southeastern Association of Law Schools, Amelia Island, FL

Creating and Designing an Effective First Year Course, Upper Level Elective Course or Seminar, panelist, August 3, 2014, Southeastern Association of Law Schools, Amelia Island, FL

Faculty Development Deans: Defining Our Role, Tips for Each Other and Others, August 3, 2014, discussion group participant, Southeastern Association of Law Schools, Amelia Island, FL

Hot Issues in Law and Bioethics, discussion group participant, August 1, 2014, Southeastern Association of Law Schools, Amelia Island, FL

Collaboratively Serving Those Who Have Served: Envisioning A Medical-Legal Partnership Veterans' Clinic as Part of Interprofessional Education Efforts, panelist, June 7, 2014, American Society of Law, Medicine & Ethics Health Law Professors Conference, San Francisco, CA

Health Care Reform At the End of Life, April 10, 2014, Nova Southeastern University Ambassadors' Board, Ft. Lauderdale. FL

The Human Genome, co-presenter, November 7, 2013, NSU Faculty Symposia Series, Ft. Lauderdale, FL

Managing Cognitive Decline in the Chronically Ill, moderator, November 1, 2013, Nova Southeastern University Alumni CLE, Ft. Lauderdale, FL (co-organizer of event)

Therapeutic Jurisprudence and Problem-Solving Courts, panelist, September 20, 2013, *Public Health Law Summit -- Problem-Solving Justice & Reducing Recidivism: The Power of Public Health Collaboratives*, Ft. Lauderdale, FL (co-organizer of summit)

Health Care Reform Revisited: What Progress Has Been Made Since Last Year?, discussion group participant, August 9, 2013, Southeastern Association of Law Schools, Palm Beach, FL

Creating and Designing an Effective Course or Seminar, panelist, August 6, 2013, Southeastern Association of Law Schools, Palm Beach, FL

Therapeutic Value: Expanding Access to Hospice Care as a High-Relative-Value End-of-Life Option, panelist, July 15, 2013, 33rd Congress of the International Academy of Law & Mental

Health, Amsterdam, The Netherlands (also co-organizer and member of the International Scientific Committee for this Congress)

Health Care Reform: What Progress Has Been Made for People Who Use the Health Care System the Most -- Those Requiring Palliative Care, Including Hospice Care, panelist, June 6, 2013, American Society of Law, Medicine & Ethics Health Law Professors Conference, Newark, NJ

Decoding the ACA for Interprofessional Practice, February 28, 2013, NSU's Interprofessional Program, College of Osteopathic Medicine, Ft. Lauderdale FL

Health Care Reform: A Look Back and a Look Forward, Palm Beach County Health Department Public Health Seminar, February 14, 2013, West Palm Beach, FL

Health Law 2013-2014, panelist, February 11, 2013, University of Nevada, Law Vegas, Las Vegas, NV

Implementing Health Care Reform –What the Headlines Missed, discussion group participant, Sunday July 29, 2012, Southeastern Association of Law Schools, Amelia Island, FL

The Affordable Care Act: The Supreme Court's Decision and Implications for Florida, July 23, 2012, Palm Beach County Health Department Residency Program, West Palm Beach, FL

POLST and the Possibilities in Florida, July 19, 2012, NSU's Geriatrics Education Center faculty and student education session, Ft. Lauderdale, FL

Advance Directives and Other Subjects in End-of-Life Decisionmaking, July 18, 2012, Parkinson's Support Group meeting at NSU's HPD (part of the NSU Caregiver Alliance efforts), Ft. Lauderdale, FL

Experimental Treatment, co-presenter, February 2, 2012, NSU Faculty Symposia Series, Ft. Lauderdale, FL

Shrinking the First-Year Courses: Making Difficult Content Choices, panelist, July 26, 2011, Southeastern Association of Law Schools, Hilton Head, SC

Hospice and American Health Reform, panelist on *Therapeutic Jurisprudence as a Frame for Health Policy*, July 19, 2011, International Academy of Law and Mental Health, Berlin, Germany

Hospice and Health Care Reform: Improving Care at the End of Life, June 9, 2011, American Society of Law, Medicine & Ethics Health Law Professors Conference, Chicago, IL

Improving Access to Hospice Care for Hispanic and African-American Patients, poster presentation, January 7, 2011, Association of American Law Schools annual meeting, San Francisco, CA

End-of-Life Issues, December 8, 2010, Nova Southeastern University Caregivers

Alliance, Ft. Lauderdale, FL

A Lesson Before Dying: The Law's Push For More Humanity in End-of-Life Care, November 18, 2010, Nova Southeastern University Faculty Development Presentation, Ft. Lauderdale, FL

Health Care Reform and the End of Life, August 2, 2010, Southeastern Association of Law Schools, Palm Beach, FL

Law, Policies and Hospital Visitation, July 7, 2010, Broward Human Rights Initiative, Ft. Lauderdale, FL

Health Care Proxy and Surrogate Decisionmaking, April 24, 2010, Nova Southeastern University's Geriatric Education Center Symposium, Ft. Lauderdale, FL

Medicine in the Crossroads: Construction Zone Ahead!, panelist on health care reform, April 22, 2010, Nova Southeastern University College of Osteopathic Medicine, Ft. Lauderdale, FL

Hospice Care: Intersection With the Law, March 26, 2010, Widener University School of Law, Wilmington, DE

End-of-Life Decisionmaking, Nova Southeastern University Physical Therapy Program, March 16, 2010, Ft. Lauderdale, FL

Advance Directives and End-of-Life Care, January 19, 2010, Palmetto General Hospital Residents Program, Miami, FL

End-of-Life Decisionmaking, December 10, 2009, Nova Southeastern University Lifelong Learning Institute & Broward Homebound Caregiver Assistance Education Program, Ft. Lauderdale, FL

What's Death Got to Do With It?, August 5, 2009, Southeastern Association of Law Schools, Palm Beach, FL

Legal, Ethical and Cultural Implications of Proposals that Hospice Care be Open to Those Continuing Curative Treatment, June 9, 2009, American Society of Law, Medicine & Ethics Health Law Professors Conference, Cleveland, OH

Healthcare Proxy and Surrogate Decisionmaking, November 8, 2008, Nova Southeastern University CME Medicolegal Forum 2008, Ft. Lauderdale, FL

Careers in Academia, panelist, October 17, 2008, American Society of Law, Medicine & Ethics Student Health Law Conference, Pittsburgh, PA

Restrictive Covenants in the Practice of Medicine, August 24, 2008, Nova Southeastern University CME Medicolegal Forum 2008, Ft. Lauderdale, FL

POLST: A Necessary Supplement to Advance Directives – Legal and Ethical Issues, co-facilitator, June 20, 2008, Bioethics Summer Camp (Stanford University),

Santa Rosa, CA

Optometrist in Court: Summative Evaluation of an Innovative Educational Program, poster, June 7, 2008, American Society of Law, Medicine & Ethics Health Law Professors Conference, Philadelphia, PA

Jay Health Plenary Teaching Panel, panelist, June 6, 2008, American Society of Law, Medicine & Ethics Health Law Professors Conference, Philadelphia, PA

Medicine in the Crossroads: Construction Zone Ahead!, panelist, April 2, 2008, Nova Southeastern University College of Osteopathic Medicine, Ft. Lauderdale, FL

Scholarship in the Digital Age – New Tools: What They Are and Why Use Them, March 18, 2008, Nova Southeastern University Shepard Broad Law Center, Ft. Lauderdale, FL

End-of-Life Decisionmaking, Nova Southeastern University Physical Therapy Program, March 3, 2008, Ft. Lauderdale, FL

I Got a Grant! What Do I Do Now?, January 17, 2008, Nova Southeastern University Shepard Broad Law Center, Fort Lauderdale, FL

Optometrist in Court: Summative Evaluation of an Innovative Educational Program, poster, January 3-5, 2008, Association of American Law Schools annual meeting, New York, NY

Optometrist in Court: Summative Evaluation of an Innovative Educational Program, panelist, October 27, 2007, American Academy of Optometry annual meeting, Tampa FL

Three Female Faces: The Law of End-of-Life Decisionmaking in America, June 29, 2007, University of Milan, Milan, Italy

Therapeutic Effects on Physicians and Other Health Care Providers of Assisting Patients in Dying, June 26, 2007, 30th International Congress on Law and Mental Health, Padua, Italy

End-of-Life Legal Issues, Southern California Association of Healthcare Risk Managers, June 19, 2007 (webcast)

Assisted Dying: Cognitive Dissonance or Warm Fuzzy Feelings for Providers?, panel on *Disability and Lack of Legal Competence* (panel moderator also), Health Law Professors' Conference of the American Society of Law, Medicine & Ethics, June 2, 2007, Boston, MA

End-of-Life Decisionmaking, Nova Southeastern University Lifelong Learning Institute, May 22, 2007, Ft. Lauderdale, FL

Medicine in the Crossroads: Construction Zone Ahead!, panelist, March 21, 2007, Nova Southeastern University College of Osteopathic Medicine, Ft. Lauderdale, FL

End-of-Life Decisionmaking, Nova Southeastern University Physical Therapy Program, March 6, 2007, Ft. Lauderdale, FL

End-of-Life Care in Florida: How to Get What You Want (Or How To Avoid Getting What You Don't Want), February 28, 2007, Miami Springs Rotary Club, Miami Springs, FL

Collateral Damage: The Aftermath of Schiavo, October 23, 2006, Old Dominion University Institute for Ethics and Public Affairs, Norfolk, VA

Health Law: The Major Issues for Ethics Committees, October 12, 2006, University of North Florida Ethics Committee Education Program, Jacksonville, FL

The Schiavo Case: Interdisciplinary Perspectives, panel moderator, February 18, 2006, Coral Gables, FL

Boutique Medicine: A Bandwagon Model or a Dead Access Issue?, panelist, A Glimpse of the Future of Health Care in America, September 24, 2005, Ft. Lauderdale, FL

Achieving Peace Through Advance End-of-Life Care Planning, Center for Positive Connections, August 18, 2005, North Miami, FL

States' Rights and Drug Policy, panelist, Southeastern Association of Law Schools Conference, July 20, 2005, Hilton Head, SC

Reproduction and Parenting, panel moderator & speaker, American Society of Law, Medicine & Ethics Health Law Teachers Conference, June 4, 2005, Houston, TX

The Right to Die: An Examination of End of Life Issues 30 Years After Quinlan, panelist, April 9, 2005, Chicago, IL

The Future of The Right to Die, panelist, Reflections On and Implications of *Schiavo*, January 28, 2005, St. Petersburg, FL

Dealing With Dying: How Insurers Can Help Patients Seeking Last-Chance Therapies (Even When The Answer is "No"), South Florida Bioethics/Health Law Working Group, November 8, 2004, Ft. Lauderdale, FL

The Long, Sad Case of Terri Schiavo: Perspectives on Law, Ethics and Society, panelist, Clinical Ethics: Decisions, Debates, Solutions, April 17 2004, Miami Beach, FL

Involuntary Sterilization?, panel participant, Nova Southeastern University Paul R. Joseph Memorial Colloquium, January 27, 2004, Ft. Lauderdale, FL

End-of-Life Decisionmaking, Nova Southeastern University Institute for Learning in Retirement, October 16, 2003, Ft. Lauderdale, FL

Current Developments in Health Law, panel discussion moderator, Southeastern Association of Law Schools, July 22, 2003, Amelia Island, FL

Building Health Law Programs, roundtable discussion leader, Health Law Teachers Conference of the American Society of Law, Medicine & Ethics, June 7, 2003, Wilmington, DE

End-of-Life Care in Florida: How to Get What You Want (Or How To Avoid Getting What You Don't Want), Brandeis University National Women's Committee Study Group Program, April 21, 2003, Hallandale, FL

Medical Malpractice: Is There a Crisis?, panel discussion moderator, A Glimpse of the Future of Health Care in America, January 18, 2003, Ft. Lauderdale, FL

Law and the Dental Profession, Nova Southeastern University College of Dentistry, October 14, 2002, Ft. Lauderdale, FL

Asynchronous Work Groups, Best Practices in Online Learning Forum, September 25, 2002, Ft. Lauderdale, FL

New Life, Valuable Property or Waste Material? Bioethical Considerations Arising From the Technological Development of the New Family, Southeastern Conference, Association of American Law Schools, August 2, 2002, Kiawah Island, SC

Medicine in a Managed Care World, Institute for the Study of Health Law, July 13, 2002, Ft. Lauderdale, FL

End-of-Life Medical Care in Florida: Ensuring Your Client's Wishes are Honored, Visiting Nurse Association and Hospice Foundation, June 19, 2002, Vero Beach, FL (morning) & Melbourne, FL (afternoon)

Workshop on On-Line Teaching and Degree Programs, Health Law Teachers Conference of the American Society of Law, Medicine & Ethics, June 8, 2002, Indianapolis, IN

Law and Foodservices for Retirement Communities, Culinary Institute, March 13, 2002 Ft. Lauderdale, FL (joint presentation with Alina Perez)

How the Law Interacts With Public Health Efforts, Nova Southeastern University College of Optometry Public Health Seminar, November 14, 2001, Ft. Lauderdale, FL

Patient Empowerment and Marketplace Regulation, Health Law and Policy Colloquium: The Role of the Law in Encouraging Quality Health Care, October 26, 2001, Chicago, IL

The Legal Regulatory Structure of the Health Care System, Institute for the Study of Health Law, each July 2001-2006, Ft. Lauderdale, FL

A Therapeutic Jurisprudential Look at Issues in Health and Public Health Law: Is Trust an Important Value and What Is Its Therapeutic Importance?, panel discussion moderator, Second International Conference on Therapeutic Jurisprudence, May 3, 2001, Cincinnati, OH

Pain Relief, Power and the Right to Die, Clinical Ethics Conference, University of

Miami Forum for Bioethics and Philosophy, March 2, 2001, Ft. Lauderdale, FL

Psychological Dissonance and Physician-Assisted Suicide, Young Scholars Program, Southeastern Conference, Association of American Law Schools, August 2, 2000, Captiva Island, FL

Alternative Dispute Resolution in the Managed Care Setting, Health Law Teachers Conference of the American Society of Law, Medicine & Ethics, June 9, 2000, Cleveland, OH

Preventive Lawyering, Ethics and Managed Care Contracts, Law, Ethics & Death CLE sponsored by The Florida Bar Health Law Section, The Florida Bioethics Network, the Robert Wood Johnson Foundation, and the Florida Academy of Healthcare Attorneys (an affiliate of the Florida Hospital Association), May 12, 2000, Orlando, FL

Oregon's Law Authorizing Physician-Assisted Suicide, Third International Symposium on Coma and Death, February 25, 2000, Havana, Cuba

Bioethics and the Law: ERISA and the Challenge of Managed Care, National Association of Women Judges Annual Conference, October 15, 1999, Miami Beach, FL

Dispute Resolution in the Health Care Setting, Young Scholars Program, Southeastern Conference, Association of American Law Schools, July 19, 1999, Hilton Head, SC

Ethical Obligations in a Managed Care World, Clinical Ethics Conference, University of Miami Forum for Bioethics and Philosophy, March 26, 1999, Ft. Lauderdale, FL

The Physician's Obligation to Report Suspected Elder Abuse, Nova Southeastern University College of Optometry Gerontology Class, November 12, 1998; November 4, 1999; April 19, 2001; and April 4, 2002, Ft. Lauderdale, FL

Using Metaphors in the Legal Writing Classroom, 1998 Summer Institute of Legal Writing, June 19, 1998, Ann Arbor, MI

Consumerism in Health Care, Health Law Teachers Conference of the American Society of Law, Medicine & Ethics, June 6, 1998, Houston, TX

Ethics, Law and Managed Care, presentation at *Clinical Ethics: Cancer*, University of Miami Forum for Bioethics and Philosophy, February 20, 1998, Hollywood, FL

Health Care Law: What Can and Should Primary Care Physicians Do in the Age of Managed Care?, Gauze Ceiling Coalition, September 20, 1997, Miami, FL

The Class Action As a Method of Patient Empowerment in the Managed Care Setting, Bioethics/Health Law Working Group, September 9, 1997, Coral Gables, FL

The Right to Physician-Assisted Suicide in Florida, a discussion of *McIver v. Krischer*, Bioethics/Health Law Working Group, March 19, 1997, Coral Gables, FL

Risk Management and Bioethics, presentation at *Clinical Ethics: Debates, Decisions, Solutions*, University of Miami Forum for Bioethics and Philosophy, March 7, 1997, Ft. Lauderdale, FL

A Panel Discussion on the Right to Die, one of three panelists, University of Miami School of Law Organization for Human Rights, February 12, 1997, Coral Gables, FL

HMOs and Disclosures to Patients, portion of panel presentation titled *Walking the Thin Line Between Fraud and Business Judgment*, Joint Meeting of the Law and Society Association and Research Committee on the Sociology of Law of the International Sociological Association, July 13, 1996, Glasgow, Scotland

Physician-Assisted Suicide: Legal Implications, speech presented at a conference titled "Physician-Assisted Suicide: Christian, Jewish and Islamic Perspectives," May 10, 1995, Duquesne University, Pittsburgh, PA

Please Help Me Die: The Changing Legal Environment Related to Patient Choice, Grand Rounds address, May 9, 1995, St. Francis Hospital, Pittsburgh, PA

Clinical Ethics: Practice and Theory, roundtable discussion group leader, University of Miami Forum for Bioethics & Philosophy in Conjunction with the Miami Area Geriatric Education Center, March 10-11, 1995, Miami, FL (also annually at same conference held in various locations, in addition to other presentations at them, to present time – now titled *Clinical Ethics: Decisions, Debates, Solutions*)

Cruzan and OBRA '90: The Future for Health Care Providers, speech presented at the National Health Lawyers Association Conference on Long-Term Care in the Law, January 1991, New Orleans, LA

POST-TENURE VISITING ACADEMIC POSITIONS

University Pittsburgh School of Law
Pittsburgh, PA
August 2016-December 2016

-Courses taught: Bioethics and Law, Federalism in Health Policy Seminar

University of Puerto Rico School of Law
San Juan, PR
June 11-15, 2012 (mini-course)

-One week of evening lectures on The Law of End-of-Life Decisionmaking

St. Louis University School of Law
St. Louis, MO
August 2011 – May 2012

- Courses taught: Torts, Civil Procedure, Bioethics

University of Miami School of Law

Coral Gables, FL

August - December 2007

- Courses taught: Civil Procedure, Health Care Financing & Regulation

PREVIOUS ACADEMIC POSITIONS

St. Thomas University School of Law

Miami, FL

August 1997 – July 1998

- Visiting Assistant Professor
- Courses taught: Products Liability, Property, Contracts

University of Miami School of Law

Coral Gables, FL

August 1996 - July 1997 & August 1994 - May 1995

- Instructor, 1994-95; visiting assistant professor, 1996-97; and visiting assistant professor & director, Center for Continuing Legal Education (June & July 1997)
- Courses taught: Complex Litigation, Health Law, Issues in Complex Litigation Seminar, Legal Research and Writing, Right to Die Seminar
- Worked extensively with the school's Academic Achievement Program
- Worked with the Center for the Study and Prevention of Juvenile Violence, an interdisciplinary group studying the predictors of violence in juveniles and the appropriate intervention points in the system
- Created a series of workshops in the spring of 1995 for first- and second-year students who had demonstrated a need for academic assistance (involved analyzing and critiquing sample exam answers, assisting in the development of exam-taking and organizational skills, and providing hands-on practice in writing exam answers under controlled conditions)

Columbia University School of Law

New York, NY

Spring 1996

- Assistant, Federal Court Clerk Externships Program, supervising 24 second- and third-year students who received credit for working in judicial chambers and submitting journals recounting their experiences; working with judges and their staffs arranging judicial presentations; advising students; and reading and commenting on student journals

EDUCATION

Columbia University School of Law

New York, NY

LL.M., 1996; J.S.D., 2002

Morris Fellow

- Thesis: an examination of procedural and substantive ways in which patients might achieve good health care in a managed care system
- Studied legal education and teaching methods in Seminar on Legal Education

University of Pittsburgh School of Law

Pittsburgh, PA

J.D., 1987, *magna cum laude*

Order of the Coif

- Research assistant for Professor Alan Meisel, principally assisting in research on THE RIGHT TO DIE (Wiley 1989)
- Note editor, University of Pittsburgh Law Review
- Teaching assistant providing both instruction in legal research and writing and substantive reviews of first-year courses

Ohio University

Athens, OH

B.S. Journalism, 1983

Grade Point Average: 3.83 on a scale of 4.0

- Editor, *The Post*, daily campus newspaper
- Internship, *The Pittsburgh Press*
- National Merit Scholarship and various other awards for academic achievement

SPECIAL EDUCATIONAL ACTIVITY

Medical Institute for Law Faculty (non-credit, educational seminar)
 Cleveland-Marshall School of Law and the Cleveland Clinic Foundation
 Cleveland, OH
 May 31 to June 9, 1995

- One of seven law faculty members selected to participate in a program offering behind-the-scenes access to and intensive on-site involvement with physicians at the Cleveland Clinic

OTHER PROFESSIONAL EXPERIENCE

Senior Law Clerk, The Honorable Timothy K. Lewis

United States Court of Appeals for the Third Circuit

Pittsburgh, PA

October 1992-July 1994

(also a clerk for this judge at the District Court for the Western District of Pennsylvania, July 1991-October 1992)

- Assisted Judge Lewis in establishing a system for case management, review, and disposition at both the appellate and district court levels; researched pending cases and drafted bench memoranda and opinions at both levels; supervised co-clerks at court of appeals

Senior Attorney, Mellon Bank, N.A.
Pittsburgh, PA
March 1991-July 1991

- Handled legal issues arising in corporate trust and information management and resources departments

Associate, Reed Smith Shaw & McClay
Pittsburgh, PA
September 1987-June 1988 and October 1989-March 1991

- Involved in large-scale commercial litigation including class actions and restrictive covenant cases; prepared applications for local real estate tax exemption for nonprofit clients such as health care institutions, representing those clients through administrative hearings and trials *de novo* when necessary

Law Clerk, The Honorable Alan N. Bloch
United States District Court for the Western District of Pennsylvania
Pittsburgh, PA
July 1988-August 1989

- In addition to usual law clerk duties, created chambers guidelines sentencing procedure after Supreme Court declared federal sentencing guidelines constitutional

MISCELLANEOUS

Awards

Wexler-Winick Distinguished Service Award, International Society of Therapeutic Jurisprudence, 2017 (co-recipient); Scholars' Award for Innovative Interprofessional Work With the Broward County Mental Health Court, 2017; American Health Lawyers Association 2012 Pro Bono Champion for co-organizational work on *Wounds of War: Meeting the Needs of Active-Duty Military & Veterans With Post-Traumatic Stress Disorder*, taking place at NSU law school on February 1, 2013

Memberships and Organizational Activities

International Society of Therapeutic Jurisprudence, board member

International Academy of Law & Mental Health, International Scientific Committee, member

Southeastern Association of Law Schools, mentor (for new scholars) and discussant (for junior scholars) several times, chair, Mentor Committee; member, Health Law Resource Team; and member. Newer Law Professors Workshop Committee

End of Life Liberty Project, advisory board member

American Health Lawyers Association, member

American Society of Law, Medicine & Ethics, member

American Bar Association, member (Legal Education, Health Law and Torts and Insurance Practice Sections)

Florida Bar Elder Law Section, affiliate member

Florida Bar Health Law Section, affiliate member

Florida Bioethics Network, member

American Judicature Society, past member

Bioethics and Health Law Consortium of South Florida (formerly South Florida Bioethics/Health Law Working Group), co-founder, member and chair (1997-suspension of operations)

State of Florida Managed Care Ombudsman Committee for Miami-Dade County, former member (2002)

Phi Alpha Delta, honorary faculty member

Pennsylvania Bar, retired

Other

University School, Nova Southeastern University, high school internship supervisor;
University of Miami Forum for Bioethics and Philosophy, former co-faculty discussion leader, ethics intern program (summer 1997)

8/2017