

# Thaddeus Mason Pope

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## Narrative Summary of Curriculum Vitae

Thaddeus Mason Pope is a foremost expert on medical law and clinical ethics. He maintains a special focus on improving medical decision-making and on protecting patient rights at the end of life.

Pope is Director of the Health Law Institute and Professor of Law at Mitchell Hamline School of Law in Saint Paul, Minnesota. He is also: (1) Adjunct Professor with the Australian Centre for Health Law Research at Queensland University of Technology; (2) Adjunct Associate Professor with the Alden March Bioethics Institute at Albany Medical College; and (3) Visiting Professor of Medical Jurisprudence at St. Georges University.

Ranked among the Top 20 most cited health law scholars in the United States, Professor Pope has more than 200 publications in leading: medical journals, law reviews, bar journals, nursing journals, bioethics journals, and book chapters. He coauthors the definitive treatise *The Right to Die: The Law of End-of-Life Decisionmaking*. He also runs the *Medical Futility Blog* (with over four million page-views).

Professor Pope works to calibrate the balance between individual liberty and public health in the end-of-life medical treatment context. Specific research topics include: (1) medical futility, (2) unwanted medical treatment, (3) ethics committees, (4) brain death, (5) advance directives, (6) surrogate decision-making, (7) unrepresented patients, (8) medical aid in dying, and (9) VSED. Most recently, Pope has been innovating new legal tools to better assure (10) fair internal dispute resolution mechanisms, and (11) adequate informed consent with patient decision aids.

Pope's engagement with these issues goes beyond academic scholarship. He bridges thought and action by developing: amicus briefs, legislative testimony, and professional organization policy statements.

Prior to joining academia, Professor Pope clerked on the U.S. Court of Appeals for the Seventh Circuit and worked as a corporate litigator for Arnold & Porter LLP. Pope earned a JD and PhD (in philosophy and bioethics) from Georgetown University.

# Highlights Summary of Curriculum Vitae

## Current Positions

- Director, Health Law Institute, Mitchell Hamline School of Law
- Professor of Law, Mitchell Hamline School of Law
- Adjunct Professor, Australian Centre for Health Law Research, Faculty of Law, Queensland University of Technology
- Adjunct Associate Professor, Albany Medical College
- Visiting Professor of Medical Jurisprudence, Saint Georges University
- Affiliate Faculty, University of Minnesota Center for Bioethics
- Co-chair, Minnesota POLST Task Force (Minnesota Medical Association)

## Expertise

- End-of-Life Decisions
- Clinical Bioethics
- Health Law
- Medical Liability
- Patient Rights
- Public Health

## Scholarship

- Top 20 most cited health law scholar (*Bill of Health* 2018)
- h-index = 22 (Google Scholar)
- Quoted and cited not only in academic literature but also in appellate court opinions, casebooks, treatises, and legislative debate
- Over 40 articles in law reviews and bar journals
- Over 160 articles in medical journals, bioethics journals, and book chapters
- Over 350 academic and public presentations at universities, hospitals, and professional associations in USA, Europe, Asia, Canada, and Australia

## Teaching

- Torts
- Bioethics
- Health Quality & Liability
- Health Finance & Organization

## Service

- Chair and consultant for international professional associations
- Regular peer reviewer for grants, journals, and book publishers

## Present Academic Appointments

**Mitchell Hamline School of Law**, Saint Paul, MN  
Director, Health Law Institute, January 2016 –  
Professor of Law, January 2016 –

**Australian Center for Health Law Research**  
**Faculty of Law, Queensland University of Technology**, Brisbane, QLD  
Adjunct Professor, July 2014 –

**Albany Medical College (Alden March Bioethics Institute)**, Albany, NY  
Adjunct Associate Professor, July 2010 –

**Saint Georges University**, Grenada, West Indies  
Visiting Professor of Medical Jurisprudence, 2015 –

**University of Minnesota Center for Bioethics**, Minneapolis, Minnesota  
Affiliate Faculty, 2015 –

## Education

**Georgetown University Graduate School**, Washington, DC  
Ph.D., Philosophy (bioethics concentration), May 2003  
M.A., Philosophy (bioethics concentration), December 1997  
GPA: 3.6/4.0 (unranked)  
Honors: Four-Year Academic Teaching Fellowship  
University Writing Center Fellowship

**Georgetown University Law Center**, Washington, DC  
J.D., *cum laude*, December 1997  
GPA: 10.6/12.0 (top 20%)  
Honors: Dean's List  
Appellate Litigation Clinic

**University of Pittsburgh**, Pittsburgh, PA  
B.A., *summa cum laude*, Philosophy, October 1992  
GPA: 3.8/4.0 (top 5%)  
Honors: Phi Beta Kappa  
Departmental Honors in Philosophy  
CAS Alumni Merit Award

**George Mason University School of Law**, Estes Park, CO  
Economics Institute for Law Professors, July 2012

**Universidad Complutense**, Madrid, Spain  
Language & Culture Program, 1985 – 1986

**Duquesne University**, Pittsburgh, PA  
Integrated Honors Program, 1985 & 1986

## Judicial Clerkship

**United States Court of Appeals for the Seventh Circuit**  
Judicial Law Clerk to the Honorable John L. Coffey, 1999 - 2000

- Drafted and edited: appellate opinions, unpublished orders, comments on other judges' proposed opinions, and bench memoranda.

## Teaching Experience & Interest

### Primary:

Torts  
Health Law: Quality & Liability  
Health Law: Finance & Regulation  
End-of-Life Decisions Law  
Bioethics  
Health Law Seminar  
Thesis Supervision (LLM, SJD, MJ)  
Healthcare Fraud & Abuse  
Health Law Externship

### Secondary:

Contracts  
Civil Procedure  
Jurisprudence  
Medical Malpractice  
Food & Drug Law  
Consumer Protection Law  
Elder Law  
Business Organizations  
Health Law Moot Court  
Public Health Law

## Academic Work Experience

### I. Tenure Track Positions

**Mitchell Hamline School of Law**, St. Paul, MN  
Professor of Law, January 2016 –

- Courses: Health Law Quality & Liability; Torts; Health Law Externship; Health Law Seminar; Health Law Moot Courts
- Service: *See infra*

**Mitchell Hamline School of Law**, St. Paul, MN  
Director, Health Law Institute, January 2016 –

- Outcomes

Until 2019, HLI had been ranked the 11<sup>th</sup> top program in the country by *US News & World Report*. The national rank rose consistently during my tenure, despite the introduction and expansion of many competing programs.

- Academic Programming & Curriculum Administration

HLI offered four certificates, dozens of courses, a clinic, and externship placements. My responsibilities have included: (i) course scheduling; (ii) course sequencing; (iii) developing new courses; (iv) developing academic policies; (v) managing a \$300,000 budget; (vi) supervising staff and student assistants, (vii) recruiting adjunct professors, (viii) maintaining adjunct professor relations, and (ix) publishing and maintaining, across multiple platforms, accurate information about our academic offerings and policies. I also helped develop a new M.S.L. degree focused on healthcare compliance.

- Event Planning

HLI has regularly offered over a dozen academic and practitioner CLE / CE events each year. Event planning consists of: (i) developing a curriculum, (ii) recruiting speakers, (iii) promoting the event, (iv) introducing and moderating presenters, and (v) administering the event onsite. I have also organized three or four health law career panels, each year.

- Student Services

HLI served a variety of student constituencies, including: (i) the student body as a whole, (ii) students interested in health law, (iii) students in the Student Health Law Association, and (iv) students interested in a health law certificate. I advised these students, helped with their event planning, and provide other student services. I conduct substantial one-on-one advising as well as numerous orientation and information sessions.

- Program Marketing

I promoted the school and HLI to a variety of external constituencies, such as local practitioners, alumni, advisory boards, and prospective students. I had a central role in drafting, editing, and updating our marketing materials. I significantly expanded both the depth of content and the navigability of the HLI website. I prepared and distributed a weekly newsletter, the *HLI Brief*. I prepared a detailed annual report, *HLI Highlights*.

**Hamline University School of Law, St. Paul, MN**

Associate Professor of Law, January 2012 – December 2015

- Courses: Health Law Quality & Liability; Bioethics; Medical Law at End of Life
- Service: *See infra*

**Hamline University School of Law, St. Paul, MN**

Director, Health Law Institute, January 2012 – December 2015

- *See supra* description for the HLI at Mitchell Hamline

**Widener University School of Law, Wilmington, DE**

Associate Professor of Law, July 2008 – December 2011

Visiting Assistant Professor of Law, July 2007 – June 2008

- Courses: Torts, Health Law I, Health Law II, Bioethics, Health Law Thesis, Health Law Moot Court, Fraud & Abuse
- Service: *See infra*

**University of Memphis School of Law, Memphis, TN**

Assistant Professor of Law, June 2005 – June 2008

- Courses: Health Law & Policy, Law & Medicine, Business Organizations, Bioethics & Law (seminar)
- Service: *See infra*

## **II. Other Teaching Positions**

**Saint Georges University, Grenada, West Indies**

Visiting Professor, February & July 2015, February & July 2016, February 2017

- Courses: Medical Jurisprudence, a block of eight lectures (with a USMLE focus) in the Department of Behavioral Science for 1400 students annually

**Southern Illinois University, Carbondale, IL**

John & Marsha Ryan Bioethicist in Residence, April 2015

- Delivered a public lecture on law and medicine
- Visited classes at the law school and provided a seminar for law/medical students in Carbondale and Springfield
- Organized interdisciplinary educational activities for students, residents, and faculty from both institutions

**Albany Medical College (Alden March Bioethics Institute), Albany, NY**

Adjunct Associate Professor of Medical Education, July 2010 –

- Courses: End-of-Life Ethics, Policy & Law (co-taught with Robert Swidler)

**Kennedy Institute of Ethics, Washington, DC**

Teaching Assistant for Tom L. Beauchamp, 1996 - 1997

- Taught Biomedical Ethics, both by evaluating the students' essays and exams, and by advising students in small-group sessions.

**Georgetown University, Washington, DC**

Teaching Assistant, 1992 - 1993, 1994 - 1996

- Lectured, counseled, and advised students in the undergraduate courses: Moral Reasoning, Epistemology, and Introduction to Ethics.

### **III. Other Research Positions**

**Australian Center for Health Law Research**

**Faculty of Law, Queensland University of Technology, Brisbane, QLD**

Adjunct Professor, July 2014 –

**University of Minnesota Center for Bioethics, Minneapolis, Minnesota**

Affiliate Faculty, 2015 –

**Edmond J. Safra Center for Ethics, Harvard University, Cambridge, MA**

Network Fellow, September 2013 – June 2014

**Thomas Jefferson University, Philadelphia, PA**

Senior Scholar in Health Policy, October 2007 – June 2009

Senior Scholar, Jefferson School of Population Health, June 2009 – June 2012

**Kennedy Institute of Ethics, Washington, DC**

Research Assistant for G. Madison Powers, May 1997

- Researched and drafted legal memoranda analyzing the liability of managed care organizations and the scope of ERISA preemption.

**Georgetown University Law Center, Washington, DC**

Research Assistant for Lawrence O. Gostin, Summer 1997

- Researched and wrote background papers on various public health law issues in international law, tort law, and municipal law.

Research Assistant for Anita L. Allen, 1995 - 1996

- Researched and edited law review articles on various issues in bioethics.
- Co-authored chapter seven in Blackwell's *Companion to African-American Philosophy*.

Research Assistant for Karen Summerhill, Summer 1995

- Conducted legal research for the Georgetown law faculty.

Research Assistant for Kevin P. Quinn, 1994 - 1995

- Conducted legal research on topics in biomedical ethics and jurisprudence.
- Recommended materials for the Law, Medicine, and Ethics seminar.

## Legal Work Experience

**Arnold & Porter LLP**, Los Angeles, CA

Associate Attorney, October 2000 - August 2005

- Attained litigation objectives at the trial and appellate level of state and federal courts for corporate clients including: Philip Morris, Wyeth, VeriSign, Microsoft, Comcast, Nikken, and State Farm Insurance.
- Assumed substantial responsibility both for strategic planning and for the day-to-day management of pharmaceutical product liability, commercial contract, securities, intellectual property, and other business litigation.
- Devised techniques for implementing innovative mechanisms pertaining to punitive damages and federal civil procedure in complex mass tort litigation.
- Contributed more than 500 hundred hours to *pro bono* cases involving adoptions, elder planning, and public health benefits.
- Firm activities included service both on the Summer Associates Committee (2004, 2005) and on the Associate Relations Committee (2004).

**Arnold & Porter LLP**, Washington, DC

Part-time Lawyer, 1997 - 1999

- Researched and drafted: U.S. Supreme Court briefs, appellate briefs, pretrial briefs, legal memoranda, international arbitral memorials, and a book on international human rights law.

**Montedonico, Hamilton & Altman**, Washington, DC

Law Clerk, 1996 - 1997

- Researched and drafted trial briefs and legal memoranda on both medical malpractice and construction law tort issues.

**Greines, Martin, Stein & Richland**, Beverly Hills, CA

Summer Associate, Summer 1996

- Researched and wrote legal memoranda for this accalimed appellate boutique concerning: state and federal appellate procedure, medical malpractice, civil rights, and constitutional law issues.



### **Commission on the Future of the Courts, Annapolis, MD**

Legal Consultant, Winter 1996

- Drafted criteria for the recruitment and selection of Maryland state judges.
- Made presentations before the Committee on Selection, Tenure, and Evaluation of Judges at the Maryland Court of Appeals.

### **National Academy of Sciences, Washington, DC**

Legal Consultant, Summer 1995

- Co-authored chapter seven of a report analyzing privacy and general liability problems with the FAA's use of invasive airport security screening devices.

## **Publications**

- Over 40 law review and bar journal articles (quoted in appellate court opinions, casebooks, treatises, and legislative debate)
- Over 160 book chapters and articles in medical and bioethics journals
- Numerous essays, websites, blogs, appellate briefs, and other occasional pieces

### **I. Books**

1. HASTENING DEATH BY VOLUNTARILY STOPPING EATING AND DRINKING: CLINICAL, ETHICAL, AND LEGAL DIMENSIONS (Oxford University Press forthcoming 2020) (with Tim Quill, Paul Menzel, Judith Schwarz).
2. THE RIGHT TO DIE: THE LAW OF END-OF-LIFE DECISIONMAKING (3<sup>rd</sup> ed. Wolters Kluwer Law & Business) (with Alan Meisel & Kathy L. Cerminara) (2015 & 2016 annual supplements) (2017, 2018, 2019 semi-annual supplements).
3. A DEFINITION AND DEFENSE OF HARD PATERNALISM: A CONCEPTUAL AND NORMATIVE ANALYSIS OF THE RESTRICTION OF SUBSTANTIALLY AUTONOMOUS SELF-REGARDING BEHAVIOR (Georgetown University doctoral dissertation 2003).

### **II. Book Chapters**

4. *Dismantling Death Panels: What Happened to the Texas Advance Directives Act and Why?* in INTERNATIONAL PERSPECTIVES ON END-OF-LIFE LAW REFORM: POLITICS, PERSUASION AND PERSISTENCE (Ben White & Lindy Wilmott eds., Cambridge University Press forthcoming 2020).

5. *Medical Futility*, in GUIDANCE FOR HEALTHCARE ETHICS COMMITTEES (2d ed. Cambridge University Press 2020).
6. *Jack Kevorkian*, in AMERICAN NATIONAL BIOGRAPHY (forthcoming 2019).
7. *Safeguards*, in PHYSICIAN-ASSISTED DEATH: SCANNING THE LANDSCAPE 5-2 to 5-4 (National Academies of Science Engineering & Medicine 2018).
8. *Case Study - Mrs. Selano: An Interprofessional Perspective*, in *Ethical Aspects of Care*, in PALLIATIVE CARE NURSING: QUALITY CARE TO THE END OF LIFE 70-71 (M. Matzo & D. Sherman eds., 5th ed. Springer 2018).
9. *Brain Death Rejected: Expanding Legal Duties to Accommodate Religious Objections to the Determination of Death by Neurological Criteria*, in LAW, RELIGION, AND AMERICAN HEALTHCARE ch.20, 293-305 (Cambridge University Press 2017).
10. *Emerging Legal Issues for Providers in the U.S.*, in SHARED DECISION MAKING IN HEALTHCARE: ACHIEVING EVIDENCE-BASED PATIENT CHOICE 38-42 (Glyn Elwyn, Rachel Thompson, and Adrian Edwards eds., Oxford University Press 2016) (with Benjamin W. Moulton).
11. *Medical Futility and Potentially Inappropriate Treatment*, in OXFORD HANDBOOK ON DEATH AND DYING 65-86 (Stuart Younger & Robert Arnold eds., Oxford University Press 2016) (with Douglas B. White).
12. *Patient Rights in the ICU*, in OXFORD TEXTBOOK OF CRITICAL CARE (Webb, Angus, Finfer, Gattioni & Singer eds., Oxford University Press 2016) (with Douglas B. White).
13. *Death Penalty*, in ENCYCLOPEDIA OF BIOETHICS 815-817 (4th ed., Bruce Jennings ed., Macmillan Reference 2014).
14. *Quality of Life in Legal Perspective*, in ENCYCLOPEDIA OF BIOETHICS 1832-1834 (4th ed., Bruce Jennings ed., Macmillan Reference 2014).
15. *Medical Futility*, in HEALTHCARE ETHICS COMMITTEES 88-97 (D. Micah Hester & Toby Schonfeld eds., Cambridge University Press 2012).
16. *The Slow Transition of U.S. Law toward a Greater Emphasis on Prevention*, in PREVENTION VS. TREATMENT: WHAT'S THE RIGHT BALANCE? 219-244 (Halley S. Faust & Paul T. Menzel eds., Oxford University Press 2011).

17. *Foreword to* STANLEY A. TERMAN, *PEACEFUL TRANSITIONS: AN IRONCLAD STRATEGY TO DIE HOW AND WHEN YOU WANT* vi-vii (2d ed., Life Transitions Pub. 2011).
18. *Involuntary Passive Euthanasia in U.S. Courts: Reassessing the Judicial Treatment of Medical Futility Cases*, in *MEDICAL TREATMENT AND LAW* 104-145 (Asifa Begum ed., Amicus Books 2010).
19. *Foreword to* STANLEY A. TERMAN, *PEACEFUL TRANSITIONS: AN IRONCLAD STRATEGY TO DIE HOW AND WHEN YOU WANT* vi-vii (Life Transitions Pub. 2009).
20. *Medical Futility Statutes: Can/Ought They Be Resuscitated?* in *THE MANY WAYS WE TALK ABOUT DEATH IN CONTEMPORARY SOCIETY: INTERDISCIPLINARY STUDIES IN PORTRAYAL AND CLASSIFICATION* ch.18 (Margaret Souza & Christina Staudt eds., Edwin Mellen Press 2009).
21. *Social Contract Theory, Slavery, and the Antebellum Courts*, in *A COMPANION TO AFRICAN AMERICAN PHILOSOPHY* 125-133 (Tommy Lott & John Pittman eds., Blackwell 2003) (paperback 2006) (with Anita L. Allen).
22. *Legal Issues (The Right to Privacy and Lawsuits)*, in *AIRLINE PASSENGER SECURITY: NEW TECHNOLOGIES AND IMPLEMENTATION ISSUES* 34-43 (National Academy of Sciences 1996) (with Paul F. Rothstein).

### **III. Guest Editor of Special Journal Issues**

23. *Voluntarily Stopping Eating and Drinking*, 6(2) *NARRATIVE INQUIRY IN BIOETHICS* 75-126 (2016).
24. *Caring for the Seriously Ill: Cost and Public Policy*, 39(2) *J. L. MED. & ETHICS* 111-234 (2011) (with Robert M. Arnold and Amber E. Barnato).

### **IV. Law Review & Bar Journal Articles**

25. *From Informed Consent to Shared Decision Making: Improving Patient Safety and Reducing Medical Liability Risk with Patient Decision Aids* (under submission).
26. *Video Advance Directives: Filming Healthcare Instructions*, 73 *SMU LAW REVIEW* (forthcoming 2020).

27. *Determination of Death by Neurologic Criteria in the United States: The Case for Revising the Uniform Determination of Death Act*, JOURNAL OF LAW, MEDICINE & ETHICS (forthcoming 2020) (with Ariane Lewis, Leon G. Epstein, David M. Greer, Matthew P. Kirschen, Michael Rubin, James A. Russell, Richard J. Bonnie).
28. *Legal History of Medical Aid in Dying: Physician Assisted Death in U.S. Courts and Legislatures*, 48(2) NEW MEXICO LAW REVIEW 267-301 (2018).
29. *Unbefriended and Unrepresented: Medical Decision Making for Incapacitated Patients without Healthcare Surrogates*, 33(4) GEORGIA STATE UNIVERSITY LAW REVIEW 923-1019 (2017).
30. *Brain Death Forsaken: Growing Conflict and New Legal Challenges*, 37(3-4) JOURNAL OF LEGAL MEDICINE 265-324 (2017).
31. *Certified Patient Decision Aids: Solving Persistent Problems with Informed Consent Law*, 45(1) JOURNAL OF LAW, MEDICINE, AND ETHICS 12-40 (2017).
32. *Procedural Due Process and Intramural Hospital Dispute Resolution Mechanisms: The Texas Advance Directives Act*, 10 SAINT LOUIS UNIVERSITY JOURNAL OF HEALTH LAW & POLICY 93-158 (2017).
33. *A Definition and Defense of Hard Paternalism: A Conceptual and Normative Analysis of the Restriction of Substantially Autonomous Self-Regarding Conduct: A New Normative Defense of Hard Paternalism*, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1087383](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1087383) (under revision for publication, over 250 downloads and citations).
34. *Texas Advance Directives Act: Almost a Model Dispute Resolution Mechanism for Intractable Medical Futility Disputes*, 16(1) QUT L. REV. 22-53 (2016).
35. *Health Care Reform Implementation in Minnesota: Mission Advanced but Not Accomplished: An Introduction to the Symposium*, 38 HAMLINE LAW REVIEW 161-176 (2015).
36. *Limiting Liberty to Prevent Obesity: Justifiability of Hard Paternalistic Public Health Regulation*, 46 CONN. L. REV. 1859-1876 (2014).
37. *The Growing Power of Healthcare Ethics Committees Heightens Due Process Concerns*, 15 CARDOZO J. CONFLICT RESOLUTION 425-447 (2014).
38. *Dispute Resolution Mechanisms for Intractable Medical Futility Disputes*, 58 N.Y.L. SCH. L. REV. 347-368 (2014).

39. *Legal, Medical, and Ethical Issues in Minnesota End-of-Life Care*, 36(2) *HAMLIN L. REV.* 139-150 (2013)
40. *Clinicians May Not Administer Life-Sustaining Treatment without Consent: Civil, Criminal, and Disciplinary Sanctions*, 9 *J. HEALTH & BIOMEDICAL L.* 213-296 (2013).
41. *Lessons from Tragedy - Part Two*, 19 *WIDENER L. REV.* 239-258 (2013).
42. *Safe Harbor Immunity for Healthcare Providers: Essential Attributes and Persistent Obstacles*, 21(2) *ANNALS HEALTH L.* 121-135 (2012).
43. *The Government's Duty to Preserve in False Claims Act Litigation*, American Health Lawyers Association (AHLA) *HEALTHCARE LIABILITY AND LITIGATION PRACTICE HEALTH BRIEFS E-NEWSLETTER* (Oct. 2012).
44. *Career Guide for the Future Healthcare Attorney*, 4(1) *WIDENER HEALTH LAW COLLOQUIUM* 2-7 (Fall 2012).
45. *Surrogate Decision Makers: Comparing the FHCDA with Other State Laws*, 16(1) *NYSBA HEALTH L.J.* 109-113 (Spring 2011).
46. *Introduction: Caring for the Seriously Ill: Cost and Public Policy*, 39(2) *J. L. MED. & ETHICS* 111-113 (2011) (with Robert M. Arnold and Amber E. Barnato).
47. *Voluntarily Stopping Eating and Drinking: A Legal Treatment Option at the End of Life*, 17(2) *WIDENER L. REV.* 363-428 (2011) (with Lindsey Anderson).
  - Cited in *Bentley v. Maplewood Seniors Care Society*, 2014 BCSC 165.
  - Reprinted in part in NINA A. KOHN, *ELDER LAW: PRACTICE, POLICY AND PROBLEMS* 540-543 (Wolters Kluwer 2014).
48. *Foreword: Symposium: Health Law and the Elderly: Managing Risk at the End of Life*, 17(2) *WIDENER L. REV.* i-vii (2011).
49. *The Topography and Geography of U.S. Health Care Regulation (Review of Robert I. Field, HEALTH CARE REGULATION IN AMERICA: COMPLEXITY, CONFRONTATION AND COMPROMISE)*, 38 *J. L. MED. & ETHICS* 427-432 (2010).
50. *Surrogate Selection: An Increasingly Viable, but Limited, Solution to Intractable Futility Disputes*, 3 *ST. LOUIS J. HEALTH L. & POL'Y* 183-252 (2010).
  - Reprinted in part in JANET L. DOLGIN & LOIS L. SHEPHERD, *BIOETHICS AND THE LAW* 796-798 (3d ed., Aspen 2013).

51. *2008-2009 National Health Law Moot Court Competition*, 30 J. LEG. MED. 443-466 (2009).
52. *A Conversation About End-of-Life Decisionmaking*, 14(2) NYSBA HEALTH L.J. 91-107 (Fall 2009) (with Nancy Dubler, Alicia Ouellette, Timothy Quill, Robert Swidler).
53. *Multi-Institutional Healthcare Ethics Committees: the Procedurally Fair Internal Dispute Resolution Mechanism*, 31 CAMPBELL L. REV. 257-331 (2009).
54. *Involuntary Passive Euthanasia in U.S. Courts: Reassessing the Judicial Treatment of Medical Futility Cases*, 9 MARQUETTE ELDER'S ADVISOR 229-268 (2008).
  - Reprinted in *MEDICAL TREATMENT AND THE LAW* 104-145 (Asifa Begum ed., Amicus Books, Icfai University Press 2010).
55. *EMTALA: Its Application to Newborn Infants*, 4 ABA HEALTH ESOURCE No. 7 (Mar. 2008).
56. *Medical Futility Statutes: No Safe Harbor to Unilaterally Stop Life-Sustaining Treatment*, 75 TENN. L. REV. 1-81 (2007).
  - Reprinted in part in *JANET L. DOLGIN & LOIS L. SHEPHERD, BIOETHICS AND THE LAW* 796-798 (2d ed., Aspen 2009).
  - Cited and quoted in *Betancourt v. Trinitas Hospital*, 1 A.3d 823, 415 N.J. Super. 301 (N.J. Super. A.D. 2010).
57. *Mediation at the End-of-Life: Getting Beyond the Limits of the Talking Cure*, 23 OHIO ST. J. ON DISP. RESOL. 143-194 (2007) (with Ellen Waldman).
58. *Rethinking Medical Liability: A Challenge to Defense Lawyers, Trial Lawyers, and Medical Providers: An Introduction to the Symposium*, 37 U. MEMPHIS L. REV. 455-458 (2007).
59. *Monstrous Impersonation: A Critique of Consent-Based Justifications for Hard Paternalism*, 73 UMKC L. REV. 681-713 (2005).
60. *Is Public Health Paternalism Really Never Justified? A Response to Joel Feinberg*, 30 OKLA. CITY U. L. REV. 121-207 (2005).
61. *Counting the Dragon's Teeth and Claws: The Definition of Hard Paternalism*, 20 GA. ST. U. L. REV. 659-722 (2004).
62. *Balancing Public Health against Individual Liberty: The Ethics of Smoking Regulations*, 61 U. PITT. L. REV. 419-498 (2000).

63. *The Maladaptation of Miranda to Advance Directives: A Critique of the Implementation of the Patient Self Determination Act*, 9 HEALTH MATRIX 139-202 (1999).

#### IV. Medical & Bioethics Journal Articles

64. *Brain Death: Status Shift and Implications*, AMA JOURNAL OF ETHICS (forthcoming 2020).
65. *Brain Death and the Law*, WORLD BRAIN DEATH PROJECT (forthcoming 2020) (with William Silvester, Rosanne Dawson, Sarah Quayyum, James L. Bernat, David Greer, Gene Sung, Sylvia Torrance, Sam D. Shemie, Ariane Lewis).
66. *An Official ATS/AGS Policy Statement: Making Medical Treatment Decisions for Unrepresented Patients in the ICU*, AMERICAN JOURNAL OF RESPIRATORY & CRITICAL CARE (under review).
67. *Stopping Eating and Drinking by Advance Directives (SED by AD) in the ALF and PALTC Setting*, 20 JOURNAL OF THE AMERICAN MEDICAL DIRECTORS ASSOCIATION (JAMDA) (2019) (with Ladislav Volicer, Karl E. Steinberg, and Stanley A. Terman).
68. *Curbside Consults: New Liability Risks to Avoid When You Are Not the Patient's Physician*, ASCO POST (June 25, 2019).
69. *Five Things Clinicians Should Know When Caring for Unrepresented Patients*, 21(7) AMA JOURNAL OF ETHICS 581-585 (July 2019).
70. *Informed Consent Requires Understanding: Complete Disclosure Is Not Enough*, 19(5) AMERICAN JOURNAL OF BIOETHICS 27-28 (2019).
71. *Full Disclosure: What Oncologists Must Tell Patients about Their Experience and Training*, ASCO POST (April 10, 2019).
72. *Healthcare Fraud Prosecutions Are on the Rise: Here's What Oncologists Need to Know to Avoid Unwittingly Committing Health-Care Fraud*, ASCO POST (March 10, 2019)
73. *New Regulations Require Better Communication with Patients Who Have Disabilities and Limited English Proficiency*, ASCO POST (January 25, 2019).
74. *Whether, When, and How to Honor Advance VSED Requests for End-Stage Dementia Patients*, 19(1) AMERICAN JOURNAL OF BIOETHICS 90-92 (2019).

75. *Brain Death and the Law – Hard Cases and Legal Challenges*, 48(6) HASTINGS CENTER REPORT S46-S48 (Nov/Dec 2018).
76. *The Best Interest Standard for Health Care Decision Making: Definition and Defense*, 18(8) AMERICAN JOURNAL OF BIOETHICS 36-38 (2018).
77. *Medical Aid in Dying in Hawaii: Appropriate Safeguards or Unmanageable Obstacles?* HEALTH AFFAIRS BLOG (August 2018) (with Mara Buchbinder).
78. *The 50-Year Legacy of the Harvard Report on Brain Death*, 320(4) JAMA 335-336 (2018) (with Robert Truog & David Shumway Jones).
79. *Charlie Gard’s Five Months in Court: Better Dispute Resolution Mechanisms for Medical Futility Disputes*, 44(7) JOURNAL OF MEDICAL ETHICS 436-437 (2018).
80. *Law and Ethics in Oncology: New Laws Limiting Opioid Prescriptions Create Undue Barriers for Cancer Patients and Survivors*, ASCO POST (September 25, 2018).
81. *Law and Ethics in Oncology: Expanding the Use of Provider Orders for Life Sustaining Treatment for Patients with Advanced Cancer*, ASCO POST (September 10, 2018).
82. *Law and Ethics in Oncology: Why Oncologists Should Decline to Participate in the Right to Try Act*, ASCO POST (August 10, 2018).
83. *Law and Ethics in Oncology: Voluntarily Stopping Eating and Drinking Is a Legal and Ethical Exit Option*, ASCO POST (June 25, 2018).
84. *Voluntary Stopping and Eating and Drinking Among Patients with Serious Advanced Illness—A Label in Search of a Problem? - Reply*, 178(5) JAMA INTERNAL MEDICINE 727 (2018) (with Timothy Quill, Linda Ganzini, Bob Truog).
85. *Voluntarily Stopping Eating and Drinking: Clinical, Psychiatric, Ethical and Legal Aspects*, 178(1) JAMA INTERNAL MEDICINE 123-127 (2018) (with Timothy Quill, Linda Ganzini, Bob Truog).
86. *Palliative Care: Medically Futile and Potentially Inappropriate / Inadvisable Therapies*, In: UpToDate, Post TW (Ed), UpToDate, Waltham, MA (2018).
87. *Legal Aspects in Palliative and End of Life Care in the United States*, In: UpToDate, Post TW (Ed), UpToDate, Waltham, MA. (2018).



88. *Medical Futility and Potentially Inappropriate Treatment: Better Ethics with More Precise Definitions and Language*, 60(3) PERSPECTIVES IN BIOLOGY AND MEDICINE 423-427 (2018).
89. *Law and Ethics in Oncology: Decision Aids Reflect Patients' Values and Preferences for Care. So Why Aren't More Oncologists Using Them?* ASCO POST (May 10, 2018).
90. *How to Respond to a Patient's Discriminatory Request for a Different Clinician*, ASCO POST (April 10, 2018).
91. *Legal Duties of Clinicians When Terminally Ill Patients with Cancer or Their Surrogates Insist on 'Futile' Treatment*, ASCO POST (Mar. 10, 2018).
92. *Providing Cancer Treatment without Patient Consent*, ASCO POST (Feb. 25, 2018).
93. *Medical Aid in Dying: When Legal Safeguards Become Burdensome Obstacles*, ASCO POST (Dec. 25, 2017).
94. *Informed Consent and the Oncologist: Legal Duties to Discuss Costs of Treatment*, ASCO POST (Nov. 25, 2017).
95. *Voluntarily Stopping Eating and Drinking (VSED) to Hasten Death: May Clinicians Legally Support Patients to VSED?* 15 BMC MEDICINE 187 (Oct. 2017).
96. *New Legal Guidelines for Determination of Brain Death*, 14(3) JOURNAL OF BIOETHICAL INQUIRY 323-328 (2017).
97. *Legal Briefing: Unwanted Cesareans and Obstetric Violence*, 28(2) JOURNAL OF CLINICAL ETHICS 163-173 (2017).
98. *Revolutionizing Informed Consent: Empowering Patients with Certified Decision Aids*, 10(5) THE PATIENT - PATIENT CENTERED OUTCOMES RESEARCH 537-539 (2017) (with Daniel S. Lessler).
99. *Legal Briefing: New Penalties for Disregarding Advance Directives and DNR Orders*, 28(1) JOURNAL OF CLINICAL ETHICS 74-81 (2017).
100. *Controlling the Misuse of CPR with Certified Patient Decision Aids and POLST*, 17(2) AMERICAN JOURNAL OF BIOETHICS 35-37 (2017).
101. *Physician Power to Declare Death by Neurologic Criteria Threatened*, 26(3) NEUROCRITICAL CARE 446-449 (2017) (with Ariane Lewis).

102. *TRIAD VIII: Nationwide Multicenter Evaluation to Determine Whether Patient Video Testimonials Can Safely Help Ensure Appropriate Critical Versus End-of-Life Care*, 13(2) JOURNAL OF PATIENT SAFETY 51-61 (2017) (with Ferdinando L. Mirarchi et al.).
103. *Re Physicians' Opinions About Accommodating Religiously Based Requests for Continued Life-Sustaining Treatment*, 52(5) JOURNAL OF PAIN AND SYMPTOM MANAGEMENT e5 (2016).
104. *Response: Reason-Giving and Medical Futility: Contrasting Legal and Social Discourse in the United States with the United Kingdom and Ontario, Canada*, 150(6) CHEST 1426 (2016) (with Gabriel Bosslet and Mary Baker).
105. *Reason-Giving and Medical Futility: Contrasting Legal and Social Discourse in the United States with the United Kingdom and Ontario, Canada*, 150(3) CHEST 714-721 (2016) (with Gabriel Bosslet and Mary Baker).
106. *Introduction: Voluntarily Stopping Eating and Drinking*, 6(2) NARRATIVE INQUIRY IN BIOETHICS 75-77 (2016).
107. *Legal Briefing: Stopping Non-Beneficial Life-Sustaining Treatment without Consent*, 27(3) JOURNAL OF CLINICAL ETHICS 254-264 (2016) (with Kristin Kemmerling).
108. *Clinical Criteria for Physician Aid-in-Dying*, 19(3) JOURNAL OF PALLIATIVE MEDICINE 259-262 (2016) (with David Orentlicher & Ben Rich).
109. *Legal Standards for Brain Death*, 13 JOURNAL OF BIOETHICAL INQUIRY 173-178 (2016).
110. *Mandated Reporters and Compulsory Reporting Duties*, 27(1) JOURNAL OF CLINICAL ETHICS 76-83 (2016).
111. *Legal Briefing: Medicare Coverage of Advance Care Planning*, 26(4) JOURNAL OF CLINICAL ETHICS 361-367 (2015).
112. *Advance Care Planning*, MINNESOTA HEALTH CARE NEWS 26-29 (Nov. 2015).
113. *Clinical Criteria for Physician Aid-in-Dying*, 18 JOURNAL OF PALLIATIVE MEDICINE (2015) (with David Orentlicher, Ben Rich, and Compassion & Choices Guidelines Development Group).
114. *Prospective Autonomy and Dementia: Ulysses Contracts for VSED*, 12(3) JOURNAL OF BIOETHICAL INQUIRY 389-394 (2015).

115. *Legal Briefing: Adult Orphans and the Unbefriended: Making Medical Decisions for Unrepresented Patients without Surrogates*, 26(2) JOURNAL OF CLINICAL ETHICS 180-188 (2015).
116. *Brain Death: Legal Duties to Accommodate Religious Objections*, 147 CHEST e69 (2015).
117. *The Texas Advance Directives Act: Must a Death Panel Be a Star Chamber?* 15(8) AMERICAN JOURNAL OF BIOETHICS 42-44 (2015).
118. *Statement on Futility and Goal Conflict in End-of-Life Care in ICUs*, 191(11) AMERICAN JOURNAL OF RESPIRATORY & CRITICAL CARE 1318-1330 (2015) (with Gabriel Bosslet, ATS Ethics Committee, and other external content experts).
119. *An Official American Thoracic Society Policy Statement: Managing Conscientious Objection in Intensive Care Medicine*, 191(2) AMERICAN JOURNAL OF RESPIRATORY & CRITICAL CARE 219-227 (2015) (with Mithya Lewis-Newby, Mark Wiccalir, ATS Ethics Committee, and other external content experts).
120. *Brain Death: Legal Obligations and the Courts*, 35(2) SEMINARS ON CLINICAL NEUROLOGY: THE CLINICAL PRACTICE OF BRAIN DEATH DETERMINATION 174-179 (2015) (with Christopher M. Burkle).
121. *Legal Briefing: Coerced Treatment and Involuntary Confinement for Contagious Disease*, 26(1) JOURNAL OF CLINICAL ETHICS 73-83 (2015) (with Heather Bughman).
122. *Advance Care Planning for End-Stage Kidney Disease (Protocol)*. COCHRANE DATABASE OF SYSTEMATIC REVIEWS 2013, Issue 7. Art. No.: CD010687. DOI: 10.1002/14651858.CD010687 (with A. Effiong, L. Shinn & J.A. Raho).
123. *Legal Briefing: Brain Death and Complete Brain Failure*, 25(3) J. CLINICAL ETHICS 245-257 (2014).
124. *The Changing Legal Climate for Physician Aid-in-Dying*, 311(11) JAMA 1107-1108 (2014) (with David Orentlicher and Ben A. Rich).
125. *Legal Briefing: Informed Consent in the Clinical Context*, 25(2) J. CLINICAL ETHICS 152-174 (2014) (with Melinda Hexum).
126. *Legal Briefing: Voluntarily Stopping Eating and Drinking*, 25(1) J. CLINICAL ETHICS 68-80 (2014) (with Amanda West).

127. *Making Medical Decisions for Patients without Surrogates*, 369(21) NEW ENGLAND JOURNAL OF MEDICINE 1976-1978 (2013).
128. *Judicial Responsibility to Decide Bioethics Cases*, 10(4) J. BIOETHICAL INQUIRY 441-444 (2013).
129. *Legal Briefing: Home Birth and Midwifery*, 24(3) J. CLINICAL ETHICS 293-308 (2013) (with Deborah Fisch).
130. *Legal Briefing: The New Patient Self Determination Act*, 24(2) J. CLINICAL ETHICS 156-167 (2013).
131. *Legal Briefing: Shared Decision Making and Patient Decision Aids*, 24(1) J. CLINICAL ETHICS 70-80 (2013) (with Mindy Hexum).
132. *Legal Briefing: POLST: Physician Orders for Life-Sustaining Treatment*, 23(4) J. CLINICAL ETHICS 353-376 (2012) (with Mindy Hexum).
133. *Facebook Can Improve Surrogate Decision Making*, 12(10) AM. J. BIOETHICS 43-45 (2012).
134. *The Courts, Futility, and the Ends of Medicine*, 307(2) JAMA 151-152 (2012) (with Douglas B. White).
135. *Legal Fundamentals of Surrogate Decision Making*, 141(4) CHEST 1074-1081 (2012) (in the series: *Intersection of Law and Medicine*).
136. *Responding to Requests for Non-Beneficial Treatment*, 5(1) MD-ADVISOR: JOURNAL FOR THE NEW JERSEY MEDICAL COMMUNITY 12-17 (2012).
137. *Legal Briefing: The Unbefriended: Making Decisions for Patients without Surrogates (Part 2)*, 23(2) J. CLINICAL ETHICS 177-192 (2012).
138. *Legal Briefing: The Unbefriended: Making Decisions for Patients without Surrogates (Part 1)*, 23(1) J. CLINICAL ETHICS 84-95 (2012).
139. *Review of Lawrence J. Schneiderman and Nancy S. Jecker, Wrong Medicine: Doctors, Patients, and Futile Treatment*, 12(1) AM. J. BIOETHICS 49-51 (2012).
140. *Legal Briefing: Medically Futile and Non-beneficial Treatment*, 22(3) J. CLINICAL ETHICS 277-296 (2011).
141. *MOLST: Honoring Patient Treatment Preferences*, THE FORUM, Oct. 2011, at 5-6.

142. *The Best Interest Standard: Both Guide and Limit to Medical Decision Making on Behalf of Incapacitated Patients*, 22(2) J. CLINICAL ETHICS 134-138 (2011).
143. *Medical Futility and Maryland Law*, 19 MID-ATLANTIC ETHICS COMMITTEE NEWSLETTER 1-3 (Winter 2011).
144. *Resolving Medical Futility Disputes*, 36(2) DELAWARE NURSES ASSOCIATION REPORTER, May-June-July 2011, at 5-6 (with Donna Casey).
145. *Legal Briefing: Healthcare Ethics Committees*, 22(1) J. CLINICAL ETHICS 74-93 (2011).
146. *Conscientious Objection by Health Care Providers*, 18(1) LAHEY CLINIC J. MED. ETHICS 4, 7 (Winter 2011).
147. *Law's Impact on the Resolution of End-of-Life Conflicts in the ICU*, 39(1) CRITICAL CARE MED. 223-224 (2011).
148. *Legal Briefing: Crisis Standards of Care*, 21(4) J. CLINICAL ETHICS 358-367 (2010).
149. *MOLST: A Cure for the Common Advance Directive*, 35(4) DELAWARE NURSES ASSOCIATION REPORTER, Nov.-Dec. 2010 & Jan. 2011, at 6 (with Monyeen Klopfenstein).
150. *Legal Briefing: Organ Donation*, 21(3) J. CLINICAL ETHICS 243-263 (2010).
151. *Legal Briefing: Conscience Clauses and Conscientious Refusal*, 21(2) J. CLINICAL ETHICS 163-180 (2010).
152. *The Case of Samuel Golubchuk: The Dangers of Judicial Deference and Medical Self-Regulation*, 10(3) AM. J. BIOETHICS 59-61 (2010).
153. *Legal Briefing: Informed Consent*, 21(1) J. CLINICAL ETHICS 72-82 (2010).
154. *Legal Update*, 21(1) J. CLINICAL ETHICS 83-85 (2010).
155. *Restricting CPR to Patients Who Provide Informed Consent Will Not Permit Physicians to Unilaterally Refuse Requested CPR*, 10(1) AM. J. BIOETHICS 82-83 (2010).
156. *Legal Briefing: Advance Care Planning*, 20(4) J. CLINICAL ETHICS 289-296 (2009).

157. *Resolving Conflicts with Surrogate Decision Makers*, 137(1) CHEST 238-239 (2010).
158. *Legal Briefing: Medical Futility and Assisted Suicide*, 20(3) J. CLINICAL ETHICS 274-86 (2009).
159. *Legal Update*, 20(3) J. CLINICAL ETHICS 287-288 (2009).
160. *Controversies Abound in End-of-Life Decisions*, 18(5) AM. J. CRITICAL CARE 400 (2009).
161. *The Pure Process Procedural Approach to Medical Futility*, J. MED. ETHICS eLetter June 10, 2009 (comment on S Moratti, *The Development of "Medical Futility": Towards a Procedural Approach Based on the Role of the Medical Profession*, 35 J. MED. ETHICS 369 (2009)).
162. *DNAR as Default Status: Desirable in Principle, Difficult in Practice*, 17 AM. J. CRITICAL CARE 404 (2008).
163. *Multi-Institutional Hospital Ethics Committees: For Rural Hospitals and Urban Ones Too*, 8(4) AM. J. BIOETHICS 69-71 (2008).
164. *The Language of Living Wills*, 178 CANADIAN MED. ASS'N J. 1324 (2008).
165. *Futility: The Limits of Mediation*, 132 CHEST 888-889 (2008) (with Ellen Waldman).
166. *Philosopher's Corner: Medical Futility*, 15 MID-ATLANTIC ETHICS COMMITTEE NEWSLETTER, Fall 2007, at 6-7.
167. *From Theoretical Foundations and Methods to Practical Applications: My Bioethics Education at Georgetown*, 2(4) AM. J. BIOETHICS 36-37 (2002).

## **V. Newsletters & Reports**

168. *Oregon Shows that Assisted Suicide Can Work Sensibly and Fairly*, 15(2) FINAL EXIT NETWORK NEWSLETTER 7 (May 2016).
169. *Letter from the Chair*, AALS SECTION ON LAW, MEDICINE, AND HEALTH CARE NEWSLETTER 1-2 (Dec. 2015).
170. *POLST Legislative & Regulatory Guide* (2014) (with Legislative Working Group of the National POLST Paradigm Task Force).

171. *Health Law Institute Highlights* (2012, 2013, 2014, and 2015 annual reports).
172. *Choosing the Right Medical Treatment at the End of Life*, USM NEWS [UNITED SENIORS OF MARYLAND] (Jan. 2011).

## VI. Newspapers

173. *Oregon Shows That Assisted Suicide Can Work Sensibly and Fairly*, NEW YORK TIMES (Oct. 7, 2014).
174. *Pregnant and Dead in Texas: A Bad Law, Badly Interpreted*, LOS ANGELES TIMES (Jan. 16, 2014) (with Arthur L. Caplan).
175. *End-of-Life Care: A Lack of Planning Complicates Matters*, MINNEAPOLIS STAR-TRIBUNE, Jan. 25, 2011, at 8A.
176. *U.S. Can Learn from China's Reform Efforts*, NEWS-J (Wilmington, DE), Jan. 8, 2010.
177. *Law Probably Won't Provide Safe Harbor to Hospitals*, PATRIOT NEWS (Harrisburg, PA), Dec. 24, 2006.
178. *Bartender Wrong to Refuse Service*, LAS VEGAS SUN, Mar. 15, 2000.
179. *It's Not About Smokers' Choices*, WASH. POST, Apr. 15, 1999, at A30.
180. *Nevada Court Abandoned Its Duty in Death Case: Allowing Execution Runs Counter to an International Treaty We Signed*, LAS VEGAS REV.-J., Aug. 30, 1998, at 3D.

## VII. Blogs & Websites

181. *Medical Futility Blog*, <http://www.medicalfutility.blogspot.com> (July 2007 – present) (tracking judicial, legislative, policy, and academic developments concerning end-of-life healthcare decisions).
- My solo-author blog has received over **four million page views**, plus syndication on Westlaw, Wellsphere, and Bioethics.net.
  - This blog was recognized in the AMERICAN BAR ASSOCIATION JOURNAL 7th Annual Blawg 100 (Dec. 2013).

182. *Health Paternalism Blog*, <http://www.healthpaternalism.com> (2013 – 2018) (tracking judicial, legislative, policy, and academic developments that address balancing individual liberty and public health).
183. *Bioethics.net*, <http://www.bioethics.net> (April 2013 – present) (invited regular contributor invited to publish original on this blog of the high impact factor AMERICAN JOURNAL OF BIOETHICS)
- My posts have been substantial multi-page arguments, including:
184. *Brain Death Is a Flash Point in End-of-Life Law, Ethics and Policy* (August 27, 2014).
185. *New York Medical Futility Bill Highlights Wide Variation in U.S. End-of-Life Decisions Law* (May 5, 2014).
186. *Death Panels: Can We Handle the Truth?* (March 17, 2014).
187. *Top 10 North American Death Panels* (Dec. 16, 2013).
188. *Cuthbertson v. Rasouli: Limited Guidance from the Supreme Court of Canada* (Nov. 25, 2013).
189. *Stop Therapeutic Obstinacy: Penalties for Administering Futile ICU Interventions* (Sept. 18, 2013).
190. *Dangerous Catholic Attack on POLST* (July 19, 2013).
191. *Defending Disability Discrimination* (May 31, 2013).
192. *Delaware Healthcare Decisions*, <http://delawaredecisions.org> (Feb. 2009 – present) (offering advance care planning resources for Delawareans).
193. *Health Law Professors Blog*, [http://lawprofessors.typepad.com/healthlawprof\\_blog](http://lawprofessors.typepad.com/healthlawprof_blog) (guest blogger, May 2012).
194. *ThaddeusPope.com*, a collection of hard-to-find laws and institutional policies, organized to inform the media and policymakers

## VIII. Amicus Briefs & Government Testimony

195. Submitted Comments, *Development of Life-Sustaining Treatment Guidelines*, Virginia Joint Commission on Health Care (November 2016), reported <http://jchc.virginia.gov/>.
196. Invited Testimony on *The Patient and Family Treatment Choice Rights Act of 2011, H.B. 3520*, Human Services Committee, Texas House of Representatives, Austin, Texas (April 12, 2011), available at <http://www.thaddeuspope.com>.



197. Amicus Curiae Brief in *Betancourt v. Trinitas Hospital*, No. A-003849-08T2 (N.J. Super. A.D. filed Sept. 10, 2009), available at <http://www.thaddeuspope.com>.
198. Invited Testimony, *Medical Futility: Institutional and Legislative Initiatives (Session 5)*, U.S. PRESIDENT'S COUNCIL ON BIOETHICS (September 12, 2008), available at <http://www.bioethics.gov/transcripts/sept08/session5.html>.
199. Amicus Curiae Brief in *Serono, Inc. v. Department of Health Services*, No. B170828, 2005 WL 779616 (Cal. App. Feb. 4, 2005), available at <http://www.thaddeuspope.com>.

## **IX. Expert Witness Testimony**

Professor Pope has served as both a consulting and testifying expert witness in court, arbitration, and other tribunal proceedings. Professor Pope has worked with a wide range of parties in the healthcare system. He has been retained by hospital systems, physicians, nurses, and patients. Professor Pope has worked for both plaintiffs and defendants.

Professor Pope has engaged on two main types of cases. First, he has worked on both tort and contract cases involving healthcare providers. These cases often intertwine with issues of clinical and/or professional ethics. For example, a key question in these cases was whether the manner of terminating a hospital-physician contract resulted in patient abandonment. Second, Professor Pope has worked on actions regarding life-sustaining treatment. These cases often concern the scope of consent authority possessed by surrogate decision makers like proxies, agents, parents, and guardians.

### **A. Testified at Trial**

*In Areen Charabarti*, No. 201800563MI (Orphans Court Division, Court of Common Pleas of Philadelphia County, Pennsylvania 2018). Professor Pope testified at a May 2018 trial on the legal status of brain death. He testified on behalf of a family dispute who contested the Children's Hospital of Philadelphia diagnosis and treatment plan. He also served as consulting expert for the family.

### **B. Testified at Deposition**

*Ramdas Bhandari, MD v. V/H/A Southwest Community Health Corporation d/b/a Community Hospital Corporation and Artesia General Hospital*, No. 1:09-CV-00932 JB/LAM (U.S. District Court for the District of New Mexico 2010-2011). Professor Pope was retained by Greenberg Traurig LLP for a hospital client. The

primary issue concerned hospital and physician duties to the former patients of a departing physician. The plaintiff took Professor Pope's deposition in Houston.

*Wagner v. Summa Health System*, No. CV-2013-09-4227 (Court of Common Pleas, Summit County, Ohio 2016-2017). Professor Pope was retained by the family of a deceased patient. The primary issue concerned provider duties to obtain appropriate consent for a DNR/CCO order. The defendant took Professor Pope's deposition in Saint Paul.

*Cedar Valley Medical Specialists v. Singh & Kamenova*, No. LACV 131470 (Black Hawk County District Court Iowa 2018). Professor Pope was retained by two oncologists. Their former employer charges that the manner of their contract termination and departure constituted patient abandonment. The defendant took Professor Pope's deposition in Saint Paul in December 2018.

### **C. Other**

*In re B.A.B.*, No. 68-0904-34484 (Minnesota Office of Admin. Hearings 2018). Professor Pope was retained by Fredrikson & Byron on behalf of a nurse client. This healthcare licensing board action involves professional boundaries. It questions whether a licensee should have accepted a significant gift from a patient long after the treatment relationship had ended. Professor Pope prepared a report but has not yet testified.

*Guardianship of Lisa Spangler*, No. BE15PO724GD (Massachusetts Probate & Family Court, Berkshire Division 2018). The family of a disabled individual retained Professor Pope in a matter that questioned whether a guardian may direct a healthcare facility to withdraw a patient's artificial nutrition and hydration. The patient died before Professor Pope was required to testify.

*Kosta M. Arget, MD et al. v. Renown Health et al.*, No. CV11-02477 (Second Judicial District for the State of Nevada, Washoe County 2013). Professor Pope was retained by Bryan Cave LLP for a hospital client. The primary issue concerned hospital and physician group duties to former patients of departing physicians. Professor Pope attended a hearing in Reno, but the case settled before his testimony was needed.

*In re Rodney Knoepfle* (Helena, Montana 2016-2017). Professor Pope worked as a pre-suit non-testifying expert for a patient planning claims against a hospital. Clinicians had resuscitated the patient against his wishes and directions.

## X. Current Research

### A. Informed Consent

1. *The Law of Informed Consent* (book project, in progress).

### B. End-of-Life Medicine

2. *Pulling the Plug: The Legal History of Medically Managed Death* (book project, in progress).

### C. Dispute Resolution Mechanisms

3. *Healthcare Ethics Committees Cannot Handle the Increasing Adjudicatory Power that We Are Giving Them* (in progress).
4. *Model Multi-Institutional Healthcare Ethics Committees* (in progress).
5. *Hospital Ethics Committees as a Forum of Last Resort under the Texas Advance Directives Act: A Violation of Procedural Due Process* (in progress).

### D. Public Health Ethics

6. *The Emperor Unclothed: Anti-Paternalism is Actually Paternalism* (in progress).
7. *Cigarettes, Big Macs, and Hot Coffee: A Defense of the Assumption of Risk and Other Consent-Based Doctrines in Tort Law* (in progress).

## Formal Conference & Meeting Presentations

- Over 350 academic and public presentations at universities, hospitals, and professional associations in the United States, Europe, Asia, Canada, and Australia
  - Major keynote engagements are in **bold**.
  - Materials (slides and recordings) for most presentations are available at [www.thaddeuspopecom](http://www.thaddeuspopecom)
1. **FOURTH INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL4)** (organizing for 2021).

2. ***Shared Decision Making and Patient Decision Aids: It Is Time to Revolutionize Informed Consent, So Patients Can Understand Their Treatment Options***, BROCHER FOUNDATION, Hermance, Switzerland (July 2020).
3. *Top 10 Legal Developments in Bioethics*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 21ST ANNUAL MEETING, Pittsburgh, Pennsylvania (October 24-27, 2019).
4. *Essential Elements of Bioethics Blogging: A Workshop*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 21ST ANNUAL MEETING, Pittsburgh, Pennsylvania (October 24-27, 2019).
5. *Death with Dignity Legislation: The Legal Doctrine of Physician Assisted Death in the United States*, UNIVERSITY OF KENTUCKY BIOETHICS CONFERENCE, Lexington, Kentucky (October 8, 2019) (invited keynote).
6. *Physician/Advanced Practitioner Support for Voluntary Stopping of Eating and Drinking*, WASHINGTON STATE MEDICAL ASSOCIATION & WASHINGTON END OF LIFE COALITION, Seattle, Washington (Sept. 13-14, 2019).
7. *Physician Participation in Physician-Assisted Death*, WASHINGTON STATE MEDICAL ASSOCIATION & WASHINGTON END OF LIFE COALITION, Seattle, Washington (Sept. 13-14, 2019).
8. *Implementing SDM into Clinical Practice: Law and Policy Update*, 10th INTERNATIONAL SHARED DECISION MAKING CONFERENCE, Quebec City, Canada (July 7-10, 2019).
9. *Brain Death: Legal Status Amid Growing Uncertainty*, 42<sup>ND</sup> ANNUAL ASLME HEALTH LAW PROFESSORS CONFERENCE, Chicago, Illinois (June 5-7, 2019).
10. ***Non-Maleficence: Unwanted Medical Treatment and Informed Consent***, MUNSON MEDICAL CENTER 4TH ANNUAL CLINICAL ETHICS CONFERENCE, Traverse City, Michigan (May 17, 2019) (invited keynote).
11. ***Brain Death Bioethics: Fundamental Principles and Emerging Issues***, EIGHTH ANNUAL GREAT LAKES PALLIATIVE CARE CONFERENCE, Lake Geneva, Wisconsin (May 3, 2019) (invited plenary).
12. *Legal Update on MAID, VSED, and PSU in the United States*, HARVARD MEDICAL SCHOOL ANNUAL BIOETHICS CONFERENCE, Boston, Massachusetts (April 11-12, 2019).

13. ***Brain Death Is Broken: Status Shift and Implications***, EMORY HEALTHCARE ETHICS CONSORTIUM CONFERENCE, Atlanta, Georgia (March 21, 2019) (invited keynote).
14. *Shared Decision Making: Time to Revolutionize Informed Consent*, EMORY UNIVERSITY, Atlanta, Georgia (March 20, 2019).
15. ***VSED Divulged: Legal, Ethical, and Clinical Status of the Voluntarily Stopping Eating and Drinking Exit Option***, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019) (invited plenary).
16. *Brain Death and the Law – Hard Cases and Legal Challenges*, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019).
17. *Medical Futility Dispute Resolution Options in the United States: Law & Ethics Fundamentals*, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019).
18. *Global Panel: Latest Developments in Assisted Dying around the World*, THIRD INTERNATIONAL CONFERENCE ON END OF LIFE LAW, ETHICS, POLICY, AND PRACTICE (ICEL3), Ghent, Belgium (March 7-9, 2019).
19. *The Ethics of Dying: A Panel Discussion on End-of-Life Care*, UNIVERSITY OF MINNESOTA STUDENT COMMITTEE ON BIOETHICS, Minneapolis, Minnesota (February 21, 2019).
20. *Euthanize Informed Consent: Moving to Shared Decision Making with Certified Patient Decision Aids after Fifty Years of a Failed Doctrine*, MAYO CLINIC, Rochester, Minnesota (December 13, 2018).
21. *Brain Death Bioethics*, MAYO CLINIC, Rochester, Minnesota (December 13, 2018).
22. *Roundtable on Jahi McMath and Other Controversial Brain Death Cases*, VIII INTERNATIONAL SYMPOSIUM ON BRAIN DEATH AND DISORDERS OF CONSCIOUSNESS, Havana, Cuba (December 4-7, 2018) (chairperson, moderator).
23. *Brain Death Uncertainty: Growing Challenges to Its Legal Status*, VIII INTERNATIONAL SYMPOSIUM ON BRAIN DEATH AND DISORDERS OF CONSCIOUSNESS, Havana, Cuba (December 4-7, 2018) (opening plenary).

24. *Brain Death Uncertainty: Growing Challenges to Its Legal Status*, UNIVERSITY OF CALIFORNIA - SAN DIEGO BIOMEDICAL ETHICS SEMINAR SERIES, San Diego, California (November 19, 2018).
25. *Avoid Unwanted Medical Treatment: How to Ensure Your Wishes Are Followed*, HEMLOCK SOCIETY OF SAN DIEGO, San Diego, California (November 18, 2018).
26. *Avoid Unwanted Medical Treatment: How to Ensure Your Wishes Are Followed*, HEMLOCK SOCIETY OF SAN DIEGO, Solana Beach, California (November 17, 2018).
27. *Medical Futility in Minnesota*, MINNESOTA MEDICAL ASSOCIATION, ETHICS AND MEDICAL-LEGAL AFFAIRS COMMITTEE, Minneapolis, Minnesota (November 6, 2018).
28. *Brain Death: New Challenges*, NEISWANGER INSTITUTE FOR BIOETHICS, LOYOLA UNIVERSITY OF CHICAGO STRITCH SCHOOL OF MEDICINE (October 29, 2018).
29. *Ethics Committees Are Not Just for Hospitals: Advancing Person-Centered Care in Long-Term Care Facilities*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 20TH ANNUAL MEETING, Anaheim, California (October 18-21, 2018).
30. *Top 10 Legal Developments in Bioethics*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 20TH ANNUAL MEETING, Anaheim, California (October 18-21, 2018).
31. *Shared Decision Making and Advance Care Planning: Using Decision Aids to Improve Patient Safety*, MICHIGAN ADVANCE CARE PLANNING CONFERENCE, Lansing, Michigan (October 11-12, 2018).
32. *Dementia, Withholding Food and Water, and Overcoming Barriers to VSED by Advance Directive*, MICHIGAN ADVANCE CARE PLANNING CONFERENCE, Lansing, Michigan (October 11-12, 2018).
33. *Ending Self-Regulation of Medicine: Does Less Physician Control Improve Patient Safety and Protect Patient Rights?* MICHIGAN STATE UNIVERSITY CENTER FOR ETHICS AND HUMANITIES IN THE LIFE SCIENCES, Lansing, Michigan (October 10, 2018).
34. *Medical Aid in Dying: Pro-Con Debate*, UNIVERSITY OF MINNESOTA SCHOOL OF NURSING, Minneapolis, Minnesota (October 8, 2018) (with Sen. Chris Eaton, Dr. Kirk Allison, Prof. Dennis O'Hare).
35. *Brain Death Challenges Facing Children's Hospitals*, CHILDREN'S HOSPITALS CHIEF LEGAL OFFICERS MEETING, Minneapolis, Minnesota (October 4, 2018).

36. *Medical Aid in Dying*, MINNESOTA STATE BAR ASSOCIATION ELDER LAW SECTION, Minneapolis, Minnesota (September 27, 2018).
37. *Revolutionizing Informed Consent Law and Practice: Empowering Patients with Certified Decision Aids*, 6TH INTERNATIONAL CONFERENCE ON COMMUNICATION IN HEALTHCARE, Faculty of Engineering of the University of Porto (FEUP), Porto, Portugal (September 1-4, 2018).
38. *Medical Futility Dispute Resolution Options in the UK and USA: Law and Ethics Fundamentals, Charlie Gard, and the Transfer Requirement*, 14TH INTERNATIONAL CONFERENCE ON CLINICAL ETHICS CONSULTATION (ICCEC), Oxford, England (June 20-23, 2018).
39. *Rationing Organs in the United States*, UNIVERSITY OF OXFORD, Oxford, England (June 20, 2018).
40. *Revolutionizing Informed Consent Law and Practice: Empowering Patients with Certified Decision Aids*, INSTITUTE OF MEDICAL ETHICS SUMMER RESEARCH CONFERENCE, Oxford, England (June 19, 2018).
41. *When Is the Patient Dead? When May Clinicians Stop Treating Dead Patients? Growing Challenges to the Status of Brain Death and Strategies for Clinical Ethics Consultants*, INSTITUTE OF MEDICAL ETHICS SUMMER RESEARCH CONFERENCE, Oxford, England (June 19, 2018).
42. *Understanding New and Emerging Issues Regarding Medical Decision Making for Incapacitated Patients*, MINNACLE HEALTH LAW INSTITUTE, Minneapolis, Minnesota (June 13, 2018).
43. *Die Better: A Legal Toolkit*, AMERICAN SOCIETY FOR LAW, MEDICINE & ETHICS (ASLME) 41ST HEALTH LAW PROFESSORS CONFERENCE, Cleveland, Ohio (June 7-9, 2018).
44. *Next Steps: Moving from Science and Policy to Practice: The Development and Certification of Decision Aids to Promote Shared Decision Making for Patients with Serious Illness*, HARVARD LAW SCHOOL, Cambridge, Massachusetts (April 18, 2018) (Project on Advanced Care and Health Policy by the Petrie-Flom Center at Harvard Law School and the Coalition to Transform Advanced Care).
45. *Washington State Experience: The Development and Certification of Decision Aids to Promote Shared Decision Making for Patients with Serious Illness*, HARVARD LAW SCHOOL, Cambridge, Massachusetts (April 18, 2018)

46. ***Brain Death and the Law: Hard Cases and Legal Challenges*, DEFINING DEATH: ORGAN TRANSPLANTATION AND THE 50-YEAR LEGACY OF THE HARVARD REPORT ON BRAIN DEATH, HARVARD MEDICAL SCHOOL, Boston, Massachusetts (April 11-13, 2018).**
47. *Right to Die? The Bioethical and Legal Issues in End of Life Care*, AMERICAN CONSTITUTION SOCIETY, UNIVERSITY OF MINNESOTA LAW SCHOOL, Minneapolis, Minnesota (April 3, 2018).
48. *Under-examined End-of-Life Option: Hastening Death by Voluntarily Stopping Eating and Drinking (VSED)*, DYING IN THE AMERICAS, Henderson, Nevada (March 21-25, 2018).
49. *Importance of Bioethics for Post-Acute Care: Compliance and Risk Management Benefits*, AMERICAN HEALTH LAWYERS ASSOCIATION - LONG TERM CARE AND THE LAW, New Orleans, Louisiana (March 2, 2018) (with Christine Wilson).
50. ***Current Landscape: Implementation and Practice, Physician-Assisted Death: Scanning the Landscape and Potential Approaches - A Workshop*, NATIONAL ACADEMY OF SCIENCES, Washington, DC (February 12-13, 2018).**
51. *Making Better Healthcare Decisions for Unrepresented Patients in California*, UCLA HEALTH, Los Angeles, California (January 17, 2018).
52. *Five New California Bioethics Cases*, SOUTHERN CALIFORNIA BIOETHICS COMMITTEE CONSORTIUM, Los Angeles, California (January 17, 2018).
53. *Better Decision Making for Unrepresented Patients*, CITIZEN'S LEAGUE TASK FORCE - A BACKUP PLAN FOR SOLOS (WILDER CENTER), Saint Paul, Minnesota (December 12, 2017).
54. *Medical Aid in Dying in Minnesota: Legal Landscape and Ethical Justifiability*, HENNEPIN COUNTY MEDICAL CENTER, Minneapolis, Minnesota (December 8, 2017).
55. *Better Decision Making for Unrepresented Patients*, UNIVERSITY OF MINNESOTA CENTER FOR BIOETHICS, Minneapolis, Minnesota (December 5, 2017).
56. *The Unrepresented Patient*, CATHOLIC HEALTH INITIATIVES ETHICS-LAB WEBINAR (November 28, 2017).
57. *Unwanted Medical Treatment: The Tragic, Utter Failure of U.S. Informed Consent Law*, HARVARD LAW SCHOOL, Cambridge, Massachusetts (November 20, 2017).



58. *Healthcare: Beyond the Insurance Coverage Debate*, THE WHOLE TRUTH WITH DAVID EISENHOWER, Washington, DC (November 10, 2017) (taping at Newseum).
59. *Final Instructions: Dilemmas in Drafting Wishes at the End of Life*, Barbara Jordan Conference Center, KAISER FAMILY FOUNDATION, Washington, DC (November 8, 2017).
60. *Fundamentals of Healthcare Decision Making by Minnesota Surrogates*, FALL AGING CONFERENCE, Minneapolis, Minnesota (October 26, 2017).
61. *One Patient, or Two? Brain Death and the Pregnant Patient*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 19TH ANNUAL MEETING, Kansas City, Missouri (October 19-22, 2017).
62. *Top 10 Legal Developments in Bioethics*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 19TH ANNUAL MEETING, Kansas City, Missouri (October 19-22, 2017).
63. *Meet the Professor*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 19TH ANNUAL MEETING, Kansas City, Missouri (October 20, 2017).
64. *Effecting Change & Impacting Policy - Law & Bioethics Affinity Group*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 19TH ANNUAL MEETING, Kansas City, Missouri (October 21, 2017).
65. *Brain Death: New Challenges*, NEISWANGER INSTITUTE FOR BIOETHICS, LOYOLA UNIVERSITY OF CHICAGO STRITCH SCHOOL OF MEDICINE October 17, 2017).
66. ***Narrowing the Gap Between Theory and Practice of Informed Consent: Ongoing Evolution to Shared Decision Making and Patient Decision Aids - 2017 Plous Family Lecture***, AURORA HEALTH CARE, Milwaukee, Wisconsin (October 9, 2017).
67. *Other End of Life Options, Ethical Issues and Legal Considerations*, MINNESOTA COALITION FOR DEATH EDUCATION & SUPPORT (MCDES) FALL CONFERENCE, Minneapolis, Minnesota (September 29, 2017).
68. *From Informed Consent to Shared Decision Making: Improving Patient Safety and Reducing Medical Liability Risk with Patient Decision Aids*, MINNESOTA SOCIETY FOR HEALTHCARE RISK MANAGEMENT, Minneapolis, Minnesota (September 28, 2017).

69. *The Role of State Constitutions and State Judiciaries in Establishing Civil Rights: A Look at Aid in Dying*, UNIVERSITY OF NEW MEXICO SCHOOL OF LAW, Albuquerque, New Mexico (September 23, 2017).
70. *The End of Death: Growing Challenges to the Legal Status of Brain Death*, SECOND INTERNATIONAL CONFERENCE ON END OF LIFE, LAW, ETHICS, POLICY, AND PRACTICE, Halifax, Nova Scotia (September 15-17, 2017).
71. *Medical Futility Dispute Resolution Options in the United States: Law & Ethics Fundamentals*, SECOND INTERNATIONAL CONFERENCE ON END OF LIFE, LAW, ETHICS, POLICY, AND PRACTICE, Halifax, Nova Scotia (September 15-17, 2017).
72. *The Under-examined End-of-Life Option: Hastening Death by Voluntarily Stopping Eating and Drinking (VSED)*, SECOND INTERNATIONAL CONFERENCE ON END OF LIFE, LAW, ETHICS, POLICY, AND PRACTICE, Halifax, Nova Scotia (September 15-17, 2017).
73. *Better Healthcare Decision Making for Incapacitated Patients without Surrogates*, OFFICE OF GUARDIANSHIP AND ELDER SERVICES, WASHINGTON STATE ADMINISTRATIVE OFFICE OF THE COURTS (July 19, 2017) (with David Godfrey, ABA).
74. *Three Legal Tools for Promoting Shared Decision Making*, 9TH INTERNATIONAL SHARED DECISION MAKING (ISDM) CONFERENCE, Lyon, France (July 2-5, 2017).
75. *Gaps in Minnesota Surrogate Decision Making Law*, MINNESOTA MEDICAL ASSOCIATION - ETHICS AND MEDICAL-LEGAL AFFAIRS COMMITTEE, Minneapolis, Minnesota (June 21, 2017).
76. *2017 Health Law Institute*, MINNCLE, Minneapolis, Minnesota (June 15-16, 2017) (planning committee).
77. *Where and How to Set Limits*, AMERICAN ASSOCIATION OF CRITICAL CARE NURSES (AACN Minnesota Chapter), Minneapolis, Minnesota (June 13, 2017).
78. *Finally Ending Legal Deference to Physician Judgment*, 40TH AMERICAN SOCIETY FOR LAW, MEDICINE & ETHICS (ASLME) HEALTH LAW PROFESSORS CONFERENCE, Atlanta, Georgia (June 8-10, 2017).
79. *Jay Healey Teaching Session (Externships)*, 40TH AMERICAN SOCIETY FOR LAW, MEDICINE & ETHICS (ASLME) HEALTH LAW PROFESSORS CONFERENCE, Atlanta, Georgia (June 8-10, 2017).
80. *End of Life Options in Minnesota*, MITCHELL HAMLINE SCHOOL OF LAW, Saint Paul, Minnesota (April 27, 2017).

81. *Advance Care Planning in Minnesota*, ROSEVILLE COMMUNITY HEALTH AWARENESS TEAM, Saint Paul, Minnesota (April 22, 2017).
82. ***Simon's Law: Unleashing Surrogate Authority to Demand Potentially Inappropriate Treatment***, UNIVERSITY OF KANSAS MEDICAL CENTER (April 14, 2017).
83. *Faculty Colloquium on Feedback*, MITCHELL HAMLINE SCHOOL OF LAW, Saint Paul, Minnesota (April 12, 2017) (with Dena Sonbol).
84. ***VSED: The OTHER End of Life Option***, UNIVERSITY OF NORTH CAROLINA CHARLOTTE (UNCC) ETHICS CENTER, Charlotte, North Carolina (April 6, 2017).
85. ***Withholding Food and Fluids in Cases of Advanced Dementia: An Ethical and Legal Choice?*** DAVIDSON COLLEGE, Charlotte, North Carolina (April 6, 2017).
86. *Medical Futility*, MINNESOTA NETWORK FOR HOSPICE AND PALLIATIVE CARE (MNHPC), Minneapolis, Minnesota (April 4, 2017).
87. *End of Life Options in Ohio: The Legality of Hastening Death by Voluntarily Stopping Eating and Drinking (VSED)*, UNIVERSITY OF CINCINNATI SCHOOL OF LAW, Cincinnati, Ohio (March 21, 2017).
88. *Pediatric Grand Rounds - Medical Futility: Dispute Resolution Options when Parents Demand Potentially Inappropriate Life-Sustaining Treatment*, CINCINNATI CHILDREN'S HOSPITAL, Cincinnati, Ohio (March 21, 2017).
89. *Round Table on Health Care Decision Making*, AMERICAN BAR ASSOCIATION COMMISSION ON LAW & AGING, Washington, DC (March 17, 2017).
90. *Medical Jurisprudence*, SAINT GEORGES UNIVERSITY, Grenada, West Indies (February 9-14, 2017).
91. *Better Healthcare Decision Making for Incapacitated Patients without Surrogates*, 3RD ANNUAL WINGS MN GUARDIANSHIP SUMMIT, Minneapolis, Minnesota (February 3, 2017).
92. *Works in Progress for New Health Law Teachers [Commentator]* ASSOCIATION OF AMERICAN LAW SCHOOLS, ANNUAL MEETING, San Francisco, California (January 5, 2017).
93. ***Changing Legal Status of Brain Death in California***, CEDARS SINAI MEDICAL CENTER, Los Angeles, California (December 21, 2016).

94. *Unbefriended and Unrepresented: Medical Decision Making for Incapacitated Patients without Healthcare Surrogates*, MINNESOTA ELDER JUSTICE CENTER, Saint Paul, Minnesota (December 9, 2016).
95. *When May You Stop Life-Sustaining Treatment without Consent? Leading Dispute Resolution Mechanisms for Medical Futility Conflicts*, CHILDREN'S HOSPITALS AND CLINICS OF MINNESOTA, Minneapolis, Minnesota (November 18, 2016).
96. *The Right to Die: 40 Years after Quinlan*, GEORGIA STATE UNIVERSITY, Atlanta, Georgia (November 11, 2016).
97. ***When Is Your Patient Dead? When May You Stop Treating Dead Patients?* KANSAS CITY UNIVERSITY OF MEDICINE AND BIOSCIENCES, Kansas City, Missouri (November 8, 2016).**
98. *Brain Death*, UNIVERSITY OF MINNESOTA BIOETHICS PROSEMINAR, Minneapolis, Minnesota (October 18, 2016).
99. *Advance Care Planning: Make Your Choices Known*, ROSEVILLE COMMUNITY HEALTH AWARENESS TEAM (CHAT) Roseville, Minnesota (October 15, 2016) (helped organize, train student volunteers).
100. *VSED Is Legal: Defending Voluntarily Stopping Eating and Drinking*, SEATTLE UNIVERSITY SCHOOL OF LAW, Seattle, Washington (October 14-15, 2016).
101. ***Hastening Death by Voluntarily Stopping Eating and Drinking: Clinical, Legal, Ethical, Religious, and Family Perspectives*, SEATTLE UNIVERSITY SCHOOL OF LAW, Seattle, Washington (October 14-15, 2016) (planning committee).**
102. *Bioethicists Must Engage the Public: Using Social Media to Advance Public Literacy in Bioethics*, ASBH 18TH ANNUAL MEETING, Washington, DC (October 8, 2016).
103. *Top 10 Legal Developments in Bioethics*, ASBH 18TH ANNUAL MEETING, Washington, DC (October 8, 2016).
104. *When Is Your Patient Dead? When May You Stop Treating Dead Patients? The Changing Legal Status of Brain Death*, NEISWANGER INSTITUTE FOR BIOETHICS, LOYOLA UNIVERSITY CHICAGO (September 29, 2016).
105. *Better Decision Making for Incapacitated Patients without Surrogates*, NORTH DAKOTA LONG TERM CARE ASSOCIATION, Fargo, North Dakota (September 21, 2016).

106. *Physician Aid in Dying*, MINNESOTA MEDICAL ASSOCIATION, Minneapolis, Minnesota (August 24, 2016).
107. *Hot Topics in Bioethics*, SEALS, Amelia Island, Florida (August 5, 2016).
108. *Medical Jurisprudence*, SAINT GEORGES UNIVERSITY, Grenada, West Indies (July 28- August 3, 2016).
109. *Revolutionizing Informed Consent Law: Empowering Patients with Certified Decision Aids*, 3rd INSTITUTE OF MEDICAL ETHICS, Edinburgh, Scotland (June 18, 2016).
110. *Revolutionizing Informed Consent Law: Empowering Patients with Certified Decision Aids*, INTERNATIONAL ASSOCIATION OF BIOETHICS (IAB) 13TH WORLD CONGRESS, Edinburgh, Scotland (June 2016).
111. *Revolutionizing Informed Consent Law: Empowering Patients with Certified Decision Aids*, 39th ASSOCIATION OF LAW, MEDICINE & ETHICS (ASLME) HEALTH LAW PROFESSORS CONFERENCE, Boston, Massachusetts (June 4, 2016).
112. *Career Paths in Public Health Law and Health Law*, NETWORK FOR PUBLIC HEALTH LAW (June 1, 2016) (webinar).
113. *Caring for the “Unrepresented Patient” : Strategies to Avoid Moral Distress and Substandard Care*, INTERNATIONAL CONFERENCE ON CLINICAL ETHICS CONSULTATION (ICCEC), Washington, DC (May 21, 2016).
114. *Brain Death: Expanding Duties to Accommodate Objections*, INTERNATIONAL CONFERENCE ON CLINICAL ETHICS CONSULTATION (ICCEC), Washington, DC (May 20, 2016).
115. *Making Decisions in the ICU for Incapacitated Patients without Available Surrogates*, AMERICAN THORACIC SOCIETY, San Francisco, California (May 13, 2016).
116. *Policy and Legal Perspectives on End-of-Life Care*, STANFORD UNIVERSITY, Palo Alto, California (May 12, 2016).
117. *National Healthcare Decisions Day [Panel]*, ROSEVILLE COMMUNITY HEALTH ACTION TEAM, Roseville, Minnesota (April 16, 2016).

118. *Dementia and VSED*, MINNESOTA NETWORK OF HOSPICE AND PALLIATIVE CARE ANNUAL CONFERENCE, Minneapolis, Minnesota (April 11, 2016) (with Vic Sandler).
119. ***Futility Redux: When May/Should/Must a Clinician Write a DNAR Order without Patient or Surrogate Consent?*** UNIVERSITY OF MIAMI & FLORIDA BIOETHICS NETWORK, Miami, Florida (April 8, 2016).
120. *Dying Fast and Slow: Improving Quality of Dying and Preventing Untimely Deaths*, SAINT LOUIS UNIVERSITY SCHOOL OF LAW, Saint Louis, Missouri (April 1, 2016).
121. *Testimony before the Minnesota Senate Committee on Health, Human Services and Housing on S.F. 1880*, MINNESOTA SENATE, Saint Paul, Minnesota (March 16, 2016).
122. *Jahi McMath and the California End of Life Options Act*, LOYOLA UNIVERSITY CHICAGO STRITCH SCHOOL OF MEDICINE (March 3, 2016) (guest lecture webinar).
123. *Minnesota Compassionate Care Act*, SENATE LISTENING SESSION, Mankato, Minnesota (February 20, 2016) (panelist for Q&A on proposed legislation).
124. *Medical Jurisprudence*, SAINT GEORGES UNIVERSITY, Grenada, West Indies (February 11-18, 2016).
125. *Minnesota Compassionate Care Act*, SENATE LISTENING SESSION, Saint Paul, Minnesota (January 30, 2016) (panelist for Q&A on proposed legislation).
126. *Commentator, New Law Teachers Workshop*, ASSOCIATION OF AMERICAN LAW SCHOOLS (AALS) ANNUAL MEETING, New York, New York (January 7, 2016).
127. *New Legal Constraints on Resolving Bioethics Cases*, HCA HEALTHCARE webinar (December 13, 2015).
128. *Policy Panel*, END OF LIFE OPTION ACT RESPONSE CONFERENCE, San Francisco, California (December 12, 2015).
129. *Addressing Ethical Issues at the End of Life*, MINNESOTA NETWORK OF HOSPICE & PALLIATIVE CARE, Plymouth, Minnesota (November 12, 2015) (four sessions on POLST, VSED, futility, and aid-in-dying).

130. ***Resolving Pediatric Medical Futility Conflicts with Efficiency and Fairness, 8th Annual Pediatric Bioethics Conference, FLORIDA BIOETHICS NETWORK & WOLFSON CHILDREN'S HOSPITAL, Jacksonville, Florida (November 6, 2015).***
131. *Legal Update 2015: Top 10 Legal Developments in Bioethics*, ASBH 17TH ANNUAL MEETING, Houston, Texas (October 22-25, 2015).
132. *The Unbefriended Must Not Be Unprotected: Organizational and Clinical Management of Patients without Surrogates*, ASBH 17TH ANNUAL MEETING, Houston, Texas (October 22-25, 2015).
133. *Advance Directives and POLST*, MINNCLE MINNESOTA ELDER LAW INSTITUTE, Minneapolis, Minnesota (October 20, 2015).
134. *Minnesota Compassionate Care Act*, SENATOR EATON LISTENING SESSION, Brooklyn Park, Minnesota (October 17, 2015) (panelist for Q&A on proposed legislation).
135. *Medical Futility*, SAINT CATHERINE'S UNIVERSITY, Minneapolis, Minnesota (October 8, 2015) (presentation to health sciences students).
136. *Physician Aid in Dying: Legal Landscape & Ethical Justifiability*, NEISWANGER INSTITUTE FOR BIOETHICS & HEALTH POLICY, Loyola University Chicago (September 24, 2015).
137. *Medical Jurisprudence*, ST. GEORGES UNIVERSITY, Grenada, West Indies (July 30 to August 5, 2015).
138. *Discussion Group: Hot Issues in Law and Bioethics*, SEALS ANNUAL MEETING, Boca Raton, Florida (July 27, 2015).
139. *Revolutionizing Informed Consent Law*, ASLME 38<sup>TH</sup> ANNUAL HEALTH LAW PROFESSORS CONFERENCE, St. Louis, Missouri (June 4-6, 2015).
140. ***Brain Death: Expanding Family Objections and Recommended Clinician Responses*, MEDICAL COLLEGE OF WISCONSIN, Milwaukee, Wisconsin (June 2, 2015).**
141. *Brain Death Rejected: Expanding Clinicians' Legal Duties to Accommodate Religious Objections and Continue Physiological Support*, 2015 ANNUAL CONFERENCE LAW, RELIGION, AND AMERICAN HEALTHCARE, PETRIE-FLOM CENTER FOR HEALTH POLICY, BIOTECHNOLOGY, AND BIOETHICS, HARVARD LAW SCHOOL, Boston, Massachusetts (May 8-9, 2015).

142. *ACA Impact on Public Health*, INTRODUCTION TO PUBLIC HEALTH - HAMLINE UNIVERSITY, Saint Paul, Minnesota (April 24, 2015).
143. *Medical Futility*, MINNESOTA NETWORK OF HOSPICE & PALLIATIVE CARE, Minneapolis, Minnesota (April 21, 2015).
144. *POLST*, MINNESOTA NETWORK OF HOSPICE & PALLIATIVE CARE, Minneapolis, Minnesota (April 20, 2015) (with Vic Sandler).
145. *Overtreatment at the End of Life: Legal Solutions*, RYAN BIOETHICIST IN RESIDENCE, SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF MEDICINE, Springfield, Illinois (April 17, 2015).
146. *Adjudicating Bioethics Disputes: Reconciling Saikewicz and Quinlan 40 Years Later*, RYAN BIOETHICIST IN RESIDENCE, SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW, Carbondale, Illinois (April 16, 2015).
147. ***Brain Death Rejected: Expanding Clinicians' Legal Duties to Accommodate Objections and Continue Physiological Support***, RYAN BIOETHICIST IN RESIDENCE, SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW, Carbondale, Illinois (April 15, 2015).
148. *Tools for Landing a Job in Public Health Law (Panel for Public Health Law Career Workshop)*, NETWORK FOR PUBLIC HEALTH LAW, William Mitchell College of Law, Saint Paul, Minnesota (April 14, 2015).
149. *Texas Advance Directives Act: Almost a Model Dispute Resolution Mechanism for Intractable Medical Futility Conflicts*, CHICAGO HEALTH LAW COLLOQUIUM (DePaul University College of Law and Loyola University Chicago School of Law), Chicago, Illinois (March 18, 2014).
150. *Deadly Debacle: Informal Dispute Resolution in U.S. Hospitals*, QUINNIPIAC YALE DISPUTE RESOLUTION WORKSHOP, Hamden, Connecticut (February 27, 2015).
151. *Adjudicating Bioethics Disputes: Reconciling Saikewicz and Quinlan 40 Years Later*, NEW YORK UNIVERSITY LANGONE MEDICAL CENTER, New York, New York (February 26, 2015).
152. *Brain Death: Clinician Duties to Accommodate Objections and "Treat" the Dead*, UNIVERSITY OF MINNESOTA CENTER FOR BIOETHICS, Minneapolis, Minnesota (February 13, 2015).



153. *Medical Jurisprudence*, ST. GEORGES UNIVERSITY, Grenada, West Indies (February 6-13, 2015).
154. ***What Is Reasonable Accommodation and Are We Doing It? -- at the "Brain Death": Facilitating Family/Hospital Dialogue about Death by Neurological Criteria***, LOYOLA MARYMOUNT UNIVERSITY BIOETHICS INSTITUTE & SOUTHERN CALIFORNIA BIOETHICS COMMITTEE CONSORTIUM (SCBCC), Los Angeles, California (January 18, 2015).
155. *The Unbefriended Elderly: Making Medical Decisions for Patients without Surrogates*, AMERICAN ASSOCIATION OF LAW SCHOOLS (AALS), Washington, DC (January 3, 2015) (organized and moderated program co-sponsored by Section on Law & Aging; and Section on Law, Medicine and Health Care).
156. *Health Law Works in Progress Workshop*, AMERICAN ASSOCIATION OF LAW SCHOOLS (AALS), Washington, DC (January 3, 2015) (organized program by Section on Law, Medicine and Health Care).
157. *Physician Aid in Dying: Legal Summary USA*, STUDENT AMA CHAPTER, LOYOLA UNIVERSITY CHICAGO STRITCH SCHOOL OF MEDICINE (Dec. 4, 2014).
158. *Conflict of Interest*, PRIME THERAPEUTICS COMPLIANCE TRAINING AT HAMLINE UNIVERSITY (November 20, 2014).
159. *Health Care Reform Implementation in Minnesota: Mission Advanced but Not Accomplished*, HAMLINE UNIVERSITY SCHOOL OF LAW, Saint Paul, Minnesota (October 24, 2014) (organizer, moderator).
160. *[Program Committee, Plenary Moderator]*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 16TH ANNUAL MEETING, San Diego, California (October 16-19, 2014).
161. *Mandatory Reporting Guidelines for Hospice Workers*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 16TH ANNUAL MEETING, San Diego, California (October 18, 2014).
162. *Legal Update: Brain Death & Medical Futility*, AMERICAN SOCIETY FOR BIOETHICS & HUMANITIES (ASBH) 16TH ANNUAL MEETING, San Diego, California (October 18, 2014).
163. *Informed Consent Roundtable*, AMERICAN BAR ASSOCIATION SPECIAL COMMITTEE ON BIOETHICS, San Diego, California (October 16, 2014)
164. *How Are We Resolving Medical Futility Conflicts*, LOYOLA UNIVERSITY NEISWANGER INSTITUTE FOR BIOETHICS, October 3, 2014 (webinar).

165. *Organizational Efforts*, 20TH WORLD RIGHT TO DIE CONFERENCE, Chicago, Illinois (September 20, 2014) (3-hour session chair).
166. *Population Health: Healthcare's New Frontier*, LEADERSHIP SAINT PAUL HEALTH CARE DAY, SAINT PAUL AREA CHAMBER OF COMMERCE, Saint Paul, Minnesota (September 11, 2014) (moderator).
167. ***Hubris to Humility: Medical Power in Medical Futility Conflicts***, SPECTRUM HEALTH ETHICS CONFERENCE, Prince Conference Center, Grand Rapids, Michigan (September 5, 2014).
168. ***Comparative Flash Points in End of Life Law, Ethics and Policy***, INTERNATIONAL CONFERENCE ON END OF LIFE: LAW, ETHICS, POLICY & PRACTICE (ICEL 2014), Queensland University of Technology, Brisbane, Australia (August 13-15, 2014).
169. *Resolution of Intractable Medical Futility Conflicts over Life-Sustaining Treatment: United States Law and Practice*, INTERNATIONAL CONFERENCE ON END OF LIFE: LAW, ETHICS, POLICY & PRACTICE (ICEL 2014), Queensland University of Technology, Brisbane, Australia (August 13-15, 2014).
170. *Health Law & Bioethics Workshop*, SOUTHEAST ASSOCIATION OF LAW SCHOOLS (SEALS), Amelia Island, Florida (August 1-7, 2014).
171. *Mandatory Reporting Duties for Hospice Workers*, NHPCO ETHICS ADVISORY COUNCIL, NATIONAL HOSPICE & PALLIATIVE CARE ORGANIZATION (July 16, 2014).
172. *Revitalizing Informed Consent Law*, DARTMOUTH SUMMER INSTITUTE FOR INFORMED PATIENT CHOICE, Lebanon, New Hampshire (June 25-27, 2014).
173. *Brain Death and Futility*, ARIZONA BIOETHICS NETWORK Webinar (June 19, 2014)
174. *Starting, Building, and Fostering Health Law Programs: Everything You Ever Wanted to Know*, 37TH HEALTH LAW PROFESSORS CONFERENCE, AMERICAN SOCIETY OF LAW MEDICINE & ETHICS, San Francisco, California (June 5-7, 2014).
175. *Death with Dignity*, Hosted #DWDChat, a weekly TwitterChat (May 8, 2014).
176. *Health Care Decisions and the "F" Word: Counseling Clients about Medical Futility*, AMERICAN BAR ASSOCIATION (ABA) Webinar (April 23, 2014).

177. *The Decline and Fall of Physician Power to Self-Regulate the Practice of Medicine*, YALE LAW SCHOOL, New Haven, Connecticut (March 28, 2014).
- 178. *Medical Futility: Legal Tools and Limits for Resolving Disputes over Inappropriate Life-Sustaining Treatment*, YALE SCHOOL OF MEDICINE, PROGRAM FOR BIOMEDICAL ETHICS, New Haven, Connecticut (March 27, 2014).**
179. *Doing Everything Possible: The Best or Worst Thing about American Medicine*, WORLD AFFAIRS COUNCIL OF PHILADELPHIA, Philadelphia, Pennsylvania (March 12, 2014).
180. *Ethics and Professionalism*, REVIEW COURSE: ABIM INTERNAL MEDICINE BOARD EXAM (March 2014).
181. *Treatment Conflicts when the Patient is Determined Dead by Neurological Criteria*, NEISWANGER INSTITUTE FOR BIOETHICS, LOYOLA UNIVERSITY OF CHICAGO (February 27, 2014) (guest lecturer via Adobe Connect)
182. *Growing Power of Healthcare Ethics Committees Heightens Due Process Concerns*, UNIVERSITY OF CALIFORNIA - LOS ANGELES SCHOOL OF MEDICINE & SCHOOL OF LAW, Los Angeles, California (February 25, 2014).
- 183. *Jahi Mcmath and Medical Futility: California Law on Therapeutic Obstinacy and Non-Beneficial Treatment*, UNIVERSITY OF CALIFORNIA - LOS ANGELES SCHOOL OF MEDICINE & SCHOOL OF LAW, Los Angeles, California (February 25, 2014).**
184. *Mandated Disclosures, Unrepresented Patients, and Brain Death*, HCA HEALTHCARE (February 4, 2014) (webinar).
185. *Medical Futility: Q&A with Patrik Hutzl*, INTENSIVE CARE HOTLINE, Feb. 3, 2014 (podcast).
- 186. *Medical Futility: Legal Status Nationwide and in Minnesota, What Does the Future Hold?* HEALTHPARTNERS & REGIONS HOSPITAL ETHICS GRAND ROUNDS, Saint Paul, Minnesota (December 10, 2013).**
187. *Medical Futility in Minnesota: Legal Status of Consensus Guidelines*, UNIVERSITY OF MINNESOTA BRENNAN CENTER, Minneapolis, Minnesota (November 22, 2013).
188. *Dispute Resolution and Bioethics*, CARDOZO UNIVERSITY SCHOOL OF LAW, New York, New York (November 18, 2013).

189. *The ACA and Public Health, for Introduction to Public Health*, HAMLIN UNIVERSITY HEALTH SCIENCES, Saint Paul, Minnesota (November 15, 2013).
190. *The Progress of POLST Programs Across the Nation, Litigation Arising from Failure to Respect Patients' Rights*, DELAWARE ACADEMY OF MEDICINE, DMOST CONFERENCE, Wilmington, Delaware (November 12, 2013).
191. *Futility in the ICU: Prevention, Procedure, and Policy*, AMERICAN COLLEGE OF CHEST PHYSICIANS ANNUAL MEETING, Chicago, Illinois (October 26-31, 2013).
192. *Top 10 Issues in Law and Bioethics*, AMERICAN SOCIETY OF BIOETHICS & HUMANITIES (ASBH) ANNUAL MEETING, Atlanta, Georgia (October 26, 2013).
193. *Lessons from Cuthbertson v. Rasouli*, AMERICAN SOCIETY OF BIOETHICS & HUMANITIES (ASBH) ANNUAL MEETING, Atlanta, Georgia (October 25, 2013) (organizer, moderator).
194. *A Tribute to Edmund Pellegrino and His Work*, AMERICAN SOCIETY OF BIOETHICS & HUMANITIES (ASBH) ANNUAL MEETING, Atlanta, Georgia (October 24, 2013) (organizer).
195. *Dispute Resolution and Medical Futility*, MARQUETTE UNIVERSITY, CENTER FOR DISPUTE RESOLUTION, Milwaukee, Wisconsin (October 18, 2013).
196. *Developments in End-of-Life Law and Policy*, NEISWANGER INSTITUTE FOR BIOETHICS, LOYOLA UNIVERSITY OF CHICAGO (October 2, 2013) (guest lecturer via Adobe Connect).
197. *Health Care Reform Reprised: What Has Changed Since Last Year?* SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS (SEALS) ANNUAL MEETING, Palm Beach, Florida (August 4-10, 2013).
198. *Is There Room for Conscientious Objection in Critical Care Medicine?* AMERICAN THORACIC SOCIETY INTERNATIONAL CONFERENCE, Philadelphia, Pennsylvania (May 21, 2013).
199. *Annual Ethics Committee Retreat and Grand Rounds*, UNIVERSITY OF VERMONT COLLEGE OF MEDICINE, **Burlington, Vermont (May 10, 2013)**.
200. *The ACA and Public Health, for Introduction to Public Health*, HAMLIN UNIVERSITY HEALTH SCIENCES, Saint Paul, Minnesota (April 22, 2013).

201. ***Improving Surrogate Decision Making***, GEISINGER HEALTH SYSTEM, BIOETHICS REVIEW & ADVISORY COMMITTEE ANNUAL SYMPOSIUM, Danville, Pennsylvania (April 10, 2013).
202. ***Facebook Can Help You Die - Better***, AMARILLO COLLEGE CREATIVE MINDS HUMANITIES LECTURE SERIES, Amarillo, Texas (March 28, 2013).
203. ***Averting Today's Biggest Public Health Epidemics with Social Media***, AMARILLO COLLEGE CREATIVE MINDS HUMANITIES LECTURE SERIES, Amarillo, Texas (March 28, 2013).
204. *Violence and the Future of Mental Health Law*, HAMLINE UNIVERSITY SCHOOL OF LAW, Saint Paul, Minnesota (March 12, 2013) (moderator).
205. *Medical Futility*, CHILDREN'S MERCY BIOETHICS CENTER, Kansas City, Missouri (February 5, 2013).
206. *Health Law Cases before the Minnesota Supreme Court and Court of Appeals*, HAMLINE UNIVERSITY SCHOOL OF LAW, Saint Paul, Minnesota (January 29, 2013).
207. *Graceful Journey Project - World Cafe*, MINNESOTA COUNCIL OF CHURCHES & HONORING CHOICES MINNESOTA, Saint Paul, Minnesota (November 29, 2012).
208. *The ACA and Public Health, for Introduction to Public Health*, HAMLINE UNIVERSITY HEALTH SCIENCES, Saint Paul, Minnesota (November 27, 2012).
209. *Freedom of Choice at the End of Life: Protecting the Patient's Rights over Government, Health Care Provider and Pressure Group Resistance*, NEW YORK LAW SCHOOL, New York, New York (November 16, 2012).
210. *Legal, Medical, and Ethical Issues in End-of-Life Care*, HAMLINE UNIVERSITY LAW REVIEW & HAMLINE HEALTH LAW INSTITUTE, Saint Paul, Minnesota (November 8-9, 2012) (organizer, moderator).
211. *Legal Update 2012: Top Ten Legal Developments in Bioethics*, AMERICAN SOCIETY OF BIOETHICS & HUMANITIES, Washington, D.C. (October 18, 2012).
212. ***Plenary Panelist: Healthcare Reform and Health Care Stakeholder Disputes: Can We Identify Common Ground?*** MARQUETTE UNIVERSITY PROGRAM IN DISPUTE RESOLUTION, Milwaukee, Wisconsin (October 12, 2012).
213. *The Patient-Healthcare Provider Relationship: When Is the Relationship Broken? Healthcare Reform and Health Care Stakeholder Disputes: Can We Identify Common Ground?* MARQUETTE UNIVERSITY PROGRAM IN DISPUTE RESOLUTION, Milwaukee, Wisconsin (October 12, 2012).

214. *The Affordable Care Act Decisions: Implications for Healthcare and Beyond*, HAMLINE UNIVERSITY SCHOOL OF LAW, Saint Paul, Minnesota (September 12, 2012) (organizer, moderator).
215. *Introduction to the Health Law Institute*, HAMLINE UNIVERSITY SCHOOL OF LAW, Saint Paul, Minnesota (August 30, 2012).
216. *ASBH-ABA Collaboration*, ABA SPECIAL COMMITTEE ON BIOETHICS AND THE LAW, ABA ANNUAL MEETING, Chicago, Illinois (August 4, 2012).
217. *The Meaning of Reproductive Rights Today*, SOUTHEAST ASSOCIATION OF LAW SCHOOLS (SEALS) ANNUAL MEETING, Amelia Island, Florida (July 30, 2012).
218. *Implementing Healthcare Reform: What the Headlines Missed*, SOUTHEAST ASSOCIATION OF LAW SCHOOLS (SEALS) ANNUAL MEETING, Amelia Island, Florida (July 29, 2012).
219. *Developing Clinical Practice Guidelines*, COMPASSION & CHOICES CONFERENCE, Chicago, Illinois (July 2, 2012).
220. *Bioethics and End-of-Life Choice*, COMPASSION & CHOICES CONFERENCE, Chicago, Illinois (June 29, 2012).
221. *The New Landscape of End-of-Life Decision-Making: How POLSTs (Physician Orders for Life-Sustaining Treatment) Turn Health Care Decisions into Medical Orders*, 35TH ANNUAL ASLME HEALTH LAW PROFESSORS CONFERENCE (ARIZONA STATE UNIVERSITY, SANDRA DAY O'CONNOR COLLEGE OF LAW), Tempe, Arizona (June 8, 2012).
222. *What Are the Boundaries of Acceptable Medical Practice Near the End of Life in ICUs? Legal Mechanisms to Resolve Futility Disputes*, AMERICAN THORACIC SOCIETY INTERNATIONAL CONFERENCE, San Francisco, California (May 23, 2012).
223. *Statement on Futility and Goal Conflict in End-of-Life Care in ICUs*, AMERICAN THORACIC SOCIETY INTERNATIONAL CONFERENCE, San Francisco, California (May 21, 2012) (drafting workshop).
224. *Statement on Conscientious Objection*, AMERICAN THORACIC SOCIETY INTERNATIONAL CONFERENCE, San Francisco, California (May 20, 2012) (drafting workshop).
225. *New 2012 Legislation Impacting Healthcare Facilities' Non-Beneficial Treatment Policies*, HCA, Nashville, Tennessee (May 14, 2012) (webinar).

226. *White House Policy Briefing on Judicial Vacancies*, THE WHITE HOUSE, Washington, DC (May 7, 2012) (with the Leadership Conference on Civil and Human Rights).
227. *National Healthcare Decisions Day*, HILTON MINNEAPOLIS/ST. PAUL AIRPORT – MALL OF AMERICA, Bloomington, Minnesota (April 16, 2012) (planning committee, facilitator).
228. *National Healthcare Decisions Day TweetChat*, <http://www.nhdd.org/chat/> (February 16, 2012) (host).
229. *Biannual Briefing to the HLI Advisory Committee*, HAMLINE UNIVERSITY SCHOOL OF LAW, Minneapolis, Minnesota (February 13, 2012).
230. *Model Regulations and Guidelines for New York Healthcare Ethics Committees*, ALDEN MARCH BIOETHICS INSTITUTE, ALBANY MEDICAL COLLEGE, Albany, New York (November 18, 2011).
231. *Proper and Improper Use of Institutional Medical Futility Policies*, HCA, Nashville, Tennessee (November 7, 2011) (webinar).
232. *Lessons from Tragedy: Legal, Professional, and Ethical Issues Raised by Bradley and Beyond - Roundtable Discussion on Legislation*, WIDENER UNIVERSITY SCHOOL OF LAW, Wilmington, Delaware (November 4, 2011) (moderator).
233. *Continuing Lessons from Betancourt, Guest Lecture for Biomedical Ethics and the Law*, NEISWANGER INSTITUTE FOR BIOETHICS AND HEALTH POLICY, LOYOLA UNIVERSITY STRITCH SCHOOL OF MEDICINE (October 17, 2011).
234. *Impact of State Legislation on Ethics Committee Case Review*, AMERICAN SOCIETY OF BIOETHICS AND HUMANITIES [ASBH], Minneapolis, Minnesota (October 13-16, 2011).
235. *Advance Directives*, WILMINGTON VAMC [VETERANS ADMINISTRATION MEDICAL CENTER], Wilmington, Delaware (September 30, 2011).
236. *Divergent Legal Approaches to Medical Futility Disputes: Comparing Australia and the United States*, AUSTRALASIAN ASSOCIATION OF BIOETHICS AND HEALTH LAW 2011 CONFERENCE, Gold Coast, Queensland, Australia (July 7-10, 2011).

237. *Safe Harbor Immunity: The Right Prescription for Providers' 'Bad Law' Claims and Hyper Risk Averseness?* 34TH ANNUAL ASLME HEALTH LAW PROFESSORS CONFERENCE, Chicago, Illinois (June 10, 2011).
238. ***Ethics, End-of-Life Care, and the Law: Overview for APNs*, BAYADA NURSES [at the Adventure Aquarium], Camden, New Jersey (June 7, 2011).**
239. *Medical Futility Treatment Disputes: Constraints, Best Practices, and Strategies*, 2011 NATIONAL ACADEMY OF ELDER LAW ATTORNEYS (NAELA) ELDER AND SPECIAL NEEDS LAW ANNUAL NATIONAL CONFERENCE, Las Vegas, Nevada (May 20, 2011).
240. *Statement on Futility and Goal Conflict in End-of-Life Care in ICUs*, AMERICAN THORACIC SOCIETY, Denver, Colorado (May 13, 2011) (workshop).
241. ***Lessons from Seville: Identifying and Reducing Inappropriate End-of-Life Treatment in New Jersey*, Z. STANLEY STYS MEMORIAL LECTURE, PRINCETON UNIVERSITY MEDICAL CENTER, Princeton, New Jersey (May 10, 2011).**
242. *Medical Futility in New Jersey*, TRI-COUNTY REGIONAL ETHICS COMMITTEE, Brightview Senior Living, Mt. Laurel, New Jersey (April 21, 2011).
243. *The New Delaware Next-of-Kin Registry*, NATIONAL HEALTHCARE DECISIONS DAY AT CHRISTIANA CARE HEALTH SYSTEM, Newark, Delaware (April 16, 2011).
244. *Advance Directives: Legal Liability and the Good Faith Standard*, NATIONAL HEALTHCARE DECISIONS DAY AT CHRISTIANA CARE HEALTH SYSTEM, Newark, Delaware (April 15, 2011).
245. *Testimony on the Patient and Family Treatment Choice Rights Act of 2011, H.B. 3520*, Human Services Committee, TEXAS HOUSE OF REPRESENTATIVES, Austin, Texas (April 12, 2011).
246. *Medical Futility at the End of Life: Legal, Ethical, and Practical Considerations for Nurses*, DELAWARE NURSES' ASSOCIATION 2011 SPRING DNA/APRN CONFERENCE, Newark, Delaware (April 7, 2011).
247. *Constitutionality of the Affordable Care Act*, FEDERALIST SOCIETY OF WIDENER LAW SCHOOL, Wilmington, Delaware (March 28, 2011) (moderator).
248. *The Advantages of MOLST over PACD*, DELAWARE LONG TERM CARE CONTINUUM NURSING COUNCIL ("DON Group"), Smyrna, Delaware (March 8, 2011).



249. *The Advantages of MOLST over PACD*, DELAWARE OFFICE OF THE STATE LONG TERM CARE OMBUDSMAN, MILFORD SERVICE CENTER, Milford, Delaware (March 8, 2011).
250. *Impact of Federal Healthcare Reform on End-of-Life Care*, LEAGUE OF WOMEN VOTERS, Dover, Delaware (February 23, 2011).
251. *Hot Issues in Health Law*, AMERICAN BAR ASSOCIATION LAW STUDENT DIVISION, THIRD CIRCUIT SPRING MEETING, Wilmington, Delaware (February 12, 2011).
252. *Advance Directives*, ETHICS ROUNDS, CHRISTIANA CARE HEALTH SYSTEM, Newark, Delaware (December 5, 2010).
253. *Medical Futility and Maryland Law*, UNIVERSITY OF MARYLAND SCHOOL OF LAW, Baltimore, Maryland (November 30, 2010).
254. *New York's 2010 Family Health Care Decisions Act and Its Impact at the Hospitalized Patient's Bedside*, ALDEN MARCH BIOETHICS INSTITUTE, Albany, New York (November 19, 2010).
255. *Allowing Death Can Be Love's Demand*, 2010 FILM AND HISTORY CONFERENCE, Milwaukee, Wisconsin (November 11-14, 2010).
256. *In Treatment Ever Futile? Who Decides?* UNIVERSITY OF WISCONSIN, Madison, Wisconsin (November 5, 2010).
- 257. *Practical and Legal Obstacles to Implementing Non-Beneficial Treatment Policies*, MERITER HOSPITAL, Madison, Wisconsin (November 5, 2010).**
258. *Legal Update 2010: The Top Ten Legal Developments in Bioethics*, AMERICAN SOCIETY OF BIOETHICS AND HUMANITIES 12<sup>TH</sup> ANNUAL MEETING, San Diego, California (October 22, 2010) (organizer, presenter).
259. *Bioethics from the Bench*, AMERICAN SOCIETY OF BIOETHICS AND HUMANITIES 12<sup>TH</sup> ANNUAL MEETING, San Diego, California (October 22, 2010) (organizer).
260. *Law & Bioethics Pre-Conference Workshop*, AMERICAN SOCIETY OF BIOETHICS AND HUMANITIES 12<sup>TH</sup> ANNUAL MEETING, San Diego, California (October 21, 2010) (small group facilitator).
261. *The Impact of Betancourt on the Resolution of Futility Disputes in Delaware*, CHRISTIANA CARE HEALTH SYSTEM, ETHICS RETREAT (September 30, 2010).

262. *Fear of Lawsuits Driving Clinical Treatment*, RADY CHILDREN'S HOSPITAL, San Diego, California (September 14, 2010).
263. *Conscientious Objection and Intensive Care Medicine: Legal Overview*, AMERICAN THORACIC SOCIETY POLICY STATEMENT WORKING GROUP WEB CONFERENCE (July 29, 2010).
264. *The Growing Decision Making Power of Healthcare Committees and Why Regulation Is Needed to Assure Due Process*, 10<sup>TH</sup> WORLD CONGRESS OF BIOETHICS, Singapore (July 28-31, 2010) [withdrawn].
265. *Bioethics Resources outside the Institutional Setting*, DELAWARE ASSOCIATION OF HOME AND COMMUNITY CARE (DAHC) MEETING, MeadowWood Behavioral Health System, New Castle, Delaware (June 17, 2010).
266. *Voluntarily Stopping Eating and Drinking: A Legal Treatment Option at the End of Life*, 33<sup>RD</sup> ANNUAL HEALTH LAW PROFESSORS CONFERENCE, Austin, Texas (June 4, 2010).
267. *Pro-Con Debates in Critical Care Medicine*, AMERICAN THORACIC SOCIETY INTERNATIONAL CONFERENCE, New Orleans, Louisiana (May 16, 2010).
268. *The Growing Decision Making Power of Healthcare Committees and Why Regulation Is Needed to Assure Due Process*, INTERNATIONAL CONFERENCE ON CLINICAL ETHICS CONSULTATION SERIES (ICCEC), Portland, Oregon (May 12-14, 2010).
269. *Advance Directives*, ETHICS ROUNDS, CHRISTIANA CARE HEALTH SYSTEM, Newark, Delaware (May 12, 2010).
270. Appellate Oral Argument, *in Betancourt v. Trinitas Hospital*, No. A-003849-08T2 (N.J. Super. A.D. April 27, 2010).
271. *Health Law and the Elderly: Planning for the End of Life*, WIDENER UNIVERSITY LAW REVIEW, Wilmington, Delaware (March 26, 2010) (organizer, moderator).
272. *The Scope of Patient Autonomy at the End of Life: Unsettled Questions*, UNIVERSITY OF DELAWARE ACADEMY FOR LIFELONG LEARNING, Wilmington, Delaware (March 18, 2010).
273. *U.S.-China Comparative Health Law Initiatives*, BOARD OF OVERSEERS FOR WIDENER UNIVERSITY SCHOOL OF LAW, Wilmington, Delaware (Jan. 25, 2010).

274. *Divergent Approaches to End-of-Life Decision Making: China and the United States*, SOUTHWEST UNIVERSITY OF POLITICAL SCIENCE AND LAW, Chongqing, China (December 14, 2009).
275. *Medical Futility Laws and Policies: Are They Making a Difference?* SUMMIT MEDICAL CENTER (HCA), Nashville, Tennessee (December 4, 2009).
276. *Model Mechanisms for Resolving Medical Futility Disputes*, TRISTAR-HCA FAMILY OF HOSPITALS, Webinar (December 1, 2009).
277. *Health Law and Bioethics for Nurses*, WIDENER UNIVERSITY SCHOOL OF NURSING, Chester, Pennsylvania (November 23, 2009).
278. *Legal Update 2009: The Top Ten Legal Developments in Bioethics*, AMERICAN SOCIETY OF BIOETHICS AND HUMANITIES 11<sup>TH</sup> ANNUAL MEETING, Washington, DC (October 16, 2009) (organizer, moderator).
279. *Resolving Conflicts over Non-Beneficial Treatment*, ETHICS ROUNDS, MEDICAL COLLEGE OF WISCONSIN, Milwaukee, Wisconsin (Sept. 25, 2009).
280. *What Can (and Must) Bioethics Learn from Corporate Governance Decisions Like Disney and Van Gorkom?* 32<sup>nd</sup> ANNUAL HEALTH LAW PROFESSORS CONFERENCE, Cleveland, Ohio (June 5, 2009).
281. *Advance Care Planning in Delaware*, NATIONAL HEALTH CARE DECISIONS DAY, Wilmington, Delaware (April 16, 2009) (organizer).
282. *Crisis Standards of Care*, KEYSTONE CENTER DIALOGUE AT THE UNIVERSITY OF PENNSYLVANIA CENTER FOR BIOETHICS (March 2009).
283. *Multi-Institutional Health Care Ethics Committees: The Procedurally Fair Internal Dispute Resolution Mechanism*, WIDENER UNIVERSITY SCHOOL OF LAW FACULTY WIP WORKSHOP, Wilmington, Delaware (March 18, 2009).
284. *Long Term Care Regional Ethics Committees: How Does New Jersey Measure Up?* NEW JERSEY DEPARTMENT OF THE PUBLIC ADVOCATE, OFFICE OF THE OMBUDSMAN FOR THE INSTITUTIONALIZED ELDERLY, Trenton, New Jersey (March 12, 2009).
285. *Compliance Standards Concerning End-of-Life Care*, WIDENER HEALTH LAW INSTITUTE: CERTIFICATION FOR HEALTHCARE REGULATORY COMPLIANCE PROFESSIONALS – HOSPITAL AND LONG-TERM PROVIDER PROGRAM, Wilmington, Delaware (March 4, 2009) (with Dr. John Goodill).

286. *Multi-Institutional Health Care Ethics Committees: The Procedurally Fair Internal Dispute Resolution Mechanism*, CAMPBELL LAW REVIEW SYMPOSIUM ON PRACTICAL ISSUES IN HEALTH LAW, Raleigh, North Carolina (January 30, 2009).
287. *Avoiding and Resolving Medical Futility Disputes: U.S. Lessons for Manitoba*, CRITICAL CARE MONTHLY ROUNDS, UNIVERSITY OF MANITOBA HEALTH SCIENCES CENTRE, Winnipeg, Manitoba (December 17, 2008).
288. *Mechanisms and Strategies for Resolving End-of-Life Disputes (Medical Residents)*, UNIVERSITY OF MANITOBA HEALTH SCIENCES CENTRE, Winnipeg, Manitoba (December 16, 2008).
289. *Mechanisms and Strategies for Resolving End-of-Life Disputes (Critical Care Fellows)*, UNIVERSITY OF MANITOBA HEALTH SCIENCES CENTRE, Winnipeg, Manitoba (December 16, 2008).
- 290. *Limits to Patient Autonomy: Where and on What Basis Can They Be Drawn?* MEDICAL GRAND ROUNDS, UNIVERSITY OF MANITOBA HEALTH SCIENCES CENTRE, Winnipeg, Manitoba (December 16, 2008).**
291. *Multi-Institutional Health Care Ethics Committees: the Procedurally Fair Internal Dispute Resolution Mechanism*, HAMLINE UNIVERSITY LAW SCHOOL, St. Paul, Minnesota (December 10, 2008).
292. *The Failure of Advance Health Care Directive Policies: What to Do About Them*, 8<sup>TH</sup> ANNUAL NATIONAL AARP AGING AND LAW CONFERENCE, Arlington, Virginia (December 6, 2008) (with Stanley Terman).
293. *Pitfalls and Potentials in Planning End-of-Life Treatment: Educational and Strategic Initiatives*, 8<sup>TH</sup> ANNUAL NATIONAL AARP AGING AND LAW CONFERENCE, Arlington, Virginia (December 5, 2008) (with Stanley Terman).
294. *Multi-Institutional Health Care Ethics Committees: Motivations and Models*, MARYLAND HEALTHCARE ETHICS COMMITTEE NETWORK (MHECN), Baltimore, Maryland (December 3, 2008).
295. Moderator: *Role of Government in Public Health*, AMERICAN SOCIETY OF BIOETHICS AND HUMANITIES 10<sup>TH</sup> ANNUAL MEETING, Cleveland, Ohio (October 25, 2008).
296. *Future Tense: How to Better Avoid and Resolve Tomorrow's End-of-Life Treatment Disputes*, AMERICAN SOCIETY OF BIOETHICS AND HUMANITIES, Cleveland, Ohio (October 24, 2008).

297. *Institutional and Legislative Approaches to Medical Futility Disputes in the United States*, PRESIDENT'S COUNCIL ON BIOETHICS, Arlington, Virginia (September 12, 2008).
298. *Divergent Approaches to Medical Futility Disputes: Comparing Great Britain and Australia with Canada and the United States*, NINTH WORLD CONGRESS OF BIOETHICS, Rijeka, Croatia (September 5, 2008).
299. *Medical Ethics, Medical Decision Making, and Backlash to Autonomy*, ST. THOMAS OF CANTERBURY CHURCH, Albuquerque, New Mexico (August 30, 2008).
300. *Drafting Hospital Policies to Better Address End-of-Life Care*, UNIVERSITY OF NEW MEXICO HEALTH SCIENCES CENTER, Albuquerque, New Mexico (August 29, 2008).
- 301. *Resolving Medical Futility Disputes*, W. STERLING EDWARDS SURGERY GRAND ROUNDS, UNIVERSITY OF NEW MEXICO HEALTH SCIENCES CENTER, Albuquerque, New Mexico (August 28, 2008).**
302. *Hospital Ethics Committees as a Forum of Last Resort under the Texas Advance Directives Act: A Violation of Procedural Due Process*, FACULTY WORKSHOP, WASHINGTON UNIVERSITY SCHOOL OF LAW, St. Louis, Missouri (June 23, 2008).
303. *Extrajudicial Resolution of Intractable Futility Disputes: Empowering Multi-Institutional Ethics Committees*, 31<sup>st</sup> ANNUAL HEALTH LAW PROFESSORS CONFERENCE, Philadelphia, Pennsylvania (June 6, 2008).
304. *Advance Care Planning in Delaware: National Health Care Decisions Day*, NEW CASTLE COUNTY BRANDYWINE HUNDRED LIBRARY, Wilmington, Delaware (April 16, 2008).
305. *Medical Futility Statutes: Can/Ought They Be Resuscitated?* AUSTIN M. KUTSCHER MEMORIAL CONFERENCE: THE PULSE OF DEATH NOW, COLUMBIA UNIVERSITY, New York, New York (March 29, 2008).
306. *End-of-Life Conflicts and the Law*, HEALTH LAW SOCIETY BROWN BAG, WIDENER UNIVERSITY, Wilmington, Delaware (February 21, 2008).
307. *The Intersection of International Human Rights and Bioethics*, SECTION OF INTERNATIONAL HUMAN RIGHTS PANEL ON NEW VOICES IN HUMAN RIGHTS, AMERICAN ASSOCIATION OF LAW SCHOOLS (AALS) ANNUAL MEETING, New York, New York (January 6, 2008).

308. *Withdrawing Life Support Despite the Patient's Decision to Continue: The Adjudicatory Authority of Hospital Ethics Committees*, UNIVERSITY OF PENNSYLVANIA CENTER FOR BIOETHICS, Philadelphia, PA (December 4, 2007).
309. *Withdrawing Life Support Despite the Patient's Decision to Continue: Adjudicatory Authority of Hospital Ethics Committees*, WIDENER UNIVERSITY SCHOOL OF LAW, Wilmington, Delaware (November 28, 2007).
310. *Withdrawing Life Support Despite the Patient's Decision to Continue: Adjudicatory Authority of Hospital Ethics Committees*, DRAKE UNIVERSITY SCHOOL OF LAW, Des Moines, Iowa (November 16, 2007).
311. Moderator: *Panel on Beginning and End-of-Life Issues*, PUBLIC HEALTH LAW CONFERENCE, WIDENER UNIVERSITY LAW SCHOOL, Wilmington, Delaware (October 19, 2007).
312. *Decisional Authority of Ethics Committees*, KAISER PERMANENTE BIOETHICS COMMITTEE OFFSITE RETREAT, San Diego, California (September 26, 2007).
313. ***Legal Landscape Here and Elsewhere: What Can We Learn from the Texas Advance Directives Act*, KAISER PERMANENTE BIOETHICS COMMITTEE OFFSITE RETREAT, San Diego, California (September 26, 2007) (keynote).**
314. *Hospital Ethics Committees as a Forum of Last Resort under the Texas Advance Directives Act: A Violation of Procedural Due Process*, TEXAS JUNIOR LEGAL SCHOLARS CONFERENCE, TEXAS WESLEYAN UNIVERSITY, Fort Worth, Texas (August 11, 2007).
315. *Medical Futility Statutes: Can They Be Resuscitated?* AMERICAN SOCIETY OF LAW, MEDICINE & ETHICS (ASLME), 30<sup>TH</sup> ANNUAL HEALTH LAW PROFESSORS CONFERENCE, Boston, Massachusetts (June 1, 2007).
316. *Dispute Resolution in Health Care*, SYMPOSIUM ON ALTERNATIVE DISPUTE RESOLUTION STRATEGIES IN END-OF-LIFE DECISIONS, SPONSORED BY THE OHIO STATE JOURNAL ON DISPUTE RESOLUTION AND THE ABA SECTION OF DISPUTE RESOLUTION, Columbus, Ohio (January 18, 2007).
317. *Medical Futility is a Healthcare Rationing Issue*, NATIONAL ASSOCIATION OF ELDER LAW ATTORNEYS (NAELA), 2006 ADVANCED ELDER LAW INSTITUTE, HEALTH CARE SIG PANEL, Salt Lake City, Utah (November 4, 2006).
318. *Pulling the Plug without Consent: The Impact of Laws Authorizing Health Care Providers to Override Patient Requests for Treatment*, WILLIAM MITCHELL COLLEGE OF LAW, St. Paul, Minnesota (October 17, 2006).

319. ***Medical Futility Policies: Legal Obstacles***, ANNUAL HEALTH LAW SCHOLARS WORKSHOP, SAINT LOUIS UNIVERSITY SCHOOL OF LAW, St. Louis, Missouri (September 15-17, 2006) (selected as one of four emerging health law and bioethics scholars through nationwide competition).
320. *Pulling the Plug without Consent: The Unilateral Decision Statutes*, ANNUAL MEETING OF THE SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS (SEALS), Palm Beach, Florida (July 18, 2006).
321. *The Legitimacy and Prevalence of Medical Futility Policies Authorizing Involuntary Passive Euthanasia*, AMERICAN SOCIETY OF LAW, MEDICINE & ETHICS (ASLME), 30<sup>TH</sup> ANNUAL HEALTH LAW TEACHERS CONFERENCE, Baltimore, Maryland (June 3, 2006).
322. Moderator: *Panel on Concierge Medicine*, AMERICAN SOCIETY OF LAW, MEDICINE & ETHICS (ASLME), 30<sup>TH</sup> ANNUAL HEALTH LAW TEACHERS CONFERENCE, Baltimore, Maryland (June 2, 2006).
323. *It's Your Right to Live or Die – Or Is It?* PUBLIC FORUM INTERDISCIPLINARY PANEL, UNIVERSITY OF MEMPHIS, Memphis, Tennessee (April 17, 2006).
324. *The Right of Health Care Providers to Unilaterally Make Determinations of Medical Futility*, DEPAUL UNIVERSITY COLLEGE OF LAW, Chicago, Illinois (February 7, 2006).
325. *License to Kill: The Right of Health Care Providers to Unilaterally Make Determinations of Medical Futility*, CENTRAL STATES LAW SCHOOL ASSOCIATION ANNUAL MEETING, Lansing, Michigan (November 5, 2005).
326. *The Right of Tennessee Health Care Providers to Unilaterally Make Determinations of Medical Futility under the New Health Care Decisions Act*, UNIVERSITY OF MEMPHIS LAW SCHOOL, FACULTY COLLOQUIA SERIES, Memphis, Tennessee (October 27, 2005).
327. *Your Right to Unilaterally Write a DNAR Order under the Tennessee Health Care Decisions Act*, BIOETHICS GRAND ROUNDS, LEBONHEUR CHILDREN'S MEDICAL CENTER, Memphis, Tennessee (September 20, 2005).
328. *Volenti Non Fit Injuria: The Decline and Fall of Consent and Consent-Based Doctrines in Tort Law*, UNIVERSITY OF MEMPHIS SCHOOL OF LAW, Memphis, Tennessee (April 20, 2005).
329. *A Plan for Improving the Content and Design of the Practicelaw.org Website*, MINNESOTA STATE BAR ASSOCIATION, Minneapolis, Minnesota (April 18, 2005).

330. *A Critique of Consent-Based Justifications for Hard Paternalism*, CHAPMAN UNIVERSITY SCHOOL OF LAW, FACULTY WORKSHOP, Orange, California (March 3, 2005).
331. *The Evolution of Classical Liberalism and Public Health Ethics*, UNIVERSITY OF MINNESOTA CONSORTIUM ON LAW AND VALUES IN HEALTH, ENVIRONMENT & THE LIFE SCIENCES, Minneapolis, Minnesota (January 24, 2005).
332. *Paternalism and Tort Law: The Obesity Cases*, SUNY - UNIVERSITY AT BUFFALO LAW SCHOOL, Buffalo, New York (January 14, 2005).
333. *Paternalism and Tort Law: The Obesity Cases*, UNIVERSITY OF AKRON LAW SCHOOL, Akron, Ohio (November 29, 2004).
334. *Choosing the Proper Framework for Balancing Autonomy and the Control of Lifestyle Epidemics*, AMERICAN PUBLIC HEALTH ASSOCIATION 132D ANNUAL MEETING, Washington, DC (November 9, 2004).
335. *Public Health Paternalism: Justificatory Criteria*, AMERICAN PUBLIC HEALTH ASSOCIATION 132D ANNUAL MEETING, Washington, DC (November 9, 2004).
336. *Go Sue Yourself: Limitations of Tort as a Public Health Tool*, AMERICAN PUBLIC HEALTH ASSOCIATION 132D ANNUAL MEETING, Washington, DC (November 8, 2004).
337. *Revising Hospital CPR Policies to Provide for Unilateral DNAR Orders - II*, LOS ANGELES COUNTY BAR ASSOCIATION BIOETHICS COMMITTEE, Los Angeles, California (May 12, 2004).
338. *Revising Hospital CPR Policies to Provide for Unilateral DNAR Orders - I*, LOS ANGELES COUNTY BAR ASSOCIATION BIOETHICS COMMITTEE, Los Angeles, California (April 14, 2004).
339. *The Hard Paternalism Dragon Is Out of His Cave; Now to Tame Him and Make Him a Useful Animal*, THE HASTINGS CENTER, LUNCHEON PRESENTATION, Garrison, New York (February 4, 2003).
340. *A Striking Transition in Health Care Values: Recent Attacks on Autonomy and the Expansion of Paternalism*, 30TH ANNUAL CONFERENCE ON VALUE INQUIRY, Milwaukee, Wisconsin (April 6, 2002).
341. *Bioethics Backlash: The Implications of the Retreat from Autonomy for the Communication of Scientific Health Information*, AUSTRALIAN INSTITUTE OF HEALTH LAW AND ETHICS, FIFTH ANNUAL CONFERENCE, Melbourne, Victoria (June 30, 2001).



342. *A Re-Examination of Hard Paternalism*, INTERNATIONAL ASSOCIATION OF BIOETHICS, FIFTH WORLD CONGRESS OF BIOETHICS, London, England (September 22, 2000).

## Media Appearances

- Quoted more than 100 times in leading publications.
  - Media mentions include: *New York Times*, *Los Angeles Times*, *Wall Street Journal*, *National Public Radio (NPR)*, *The New Yorker*, *Washington Post*, *Philadelphia Inquirer*, and *USA Today*
1. Glenn Howatt, *Minnesota Supreme Court Ruling on Malpractice Causes Stir in Medical Community*, MINNEAPOLIS STAR TRIBUNE (May 27, 2019).
  2. Stacey Kusterbeck, *Call for Uniform Brain Death Standard: Opponents Increasingly Vocal and Influential* 35(4) MEDICAL ETHICS ADVISOR (April 2019).
  3. Stacey Kusterbeck, *Ethical Responses if Surrogate Is Unfit for Role* 35(2) MEDICAL ETHICS ADVISOR (Feb. 2019).
  4. Robin Seaton Jefferson, *What Does 'Dead' Mean? The Debate Continues Some 50 Years After Harvard Defined Death* FORBES (Jan. 16, 2019).
  5. Susan Scutti, *How Does Someone in a Vegetative State Have a Baby?* CNN (Jan. 9, 2019).
  6. Victoria Gibson, *Ontario Family's Legal Fight to Keep Daughter on Life Support Could Change How Death is Defined across Canada*, GLOBE & MAIL (December 11, 2018).
  7. Mitch Mitchell, *9-Year-Old Girl Who Had Been on Life Support at Hospital Dies Friday Evening*, FORT WORTH STAR TELEGRAM (October 19, 2018).
  8. Anita Slomski, *Another Brain Dead Patient Wakes Up Just in Time*, MEDSCAPE (October 16, 2018).
  9. *Better Emergency Medical Decisions through POLST*, AM950 - MINNESOTA HOSPICE SHOW (August 18, 2018).
  10. Matthias Gafni, *Jahi McMath Death Could Have Costly Implications in Civil Case Against Hospital, Doctors*, MERCURY NEWS (June 30, 2018).

11. Bob Egelko, *Case of Jahi McMath, Girl Declared Brain-dead, Raises Judicial Issues*, SAN FRANCISCO CHRONICLE (June 29, 2018).
12. Amy Dockser Marcus, *Doctors Face Scrutiny About Defining Death*, WALL STREET JOURNAL (May 28, 2018).
13. Tom Avril, *At CHOP, Two Boys Were Diagnosed with Brain Death. Here's What That Means*, PHILADELPHIA INQUIRER (May 24, 2018).
14. Brian Fraga, *The US 'Futile-Care' Debate: How Are Cases Like Alfie Evans' Handled Here?* NATIONAL CATHOLIC REGISTER (May 23, 2018).
15. Lisa M. Krieger, *Right-to-die Battle Leaves Terminally Ill in Limbo*, DAILY DEMOCRAT (May 20, 2018).
16. *Controversy Persists as States, Courts 'Question, Push Back, and Challenge' Brain Death Criteria*, 34(5) MEDICAL ETHICS ADVISOR 49-51 (May 2018).
17. Sammy Caiola, *Why A Riverside County Judge Ruled California's Aid-In-Dying Law Is Invalid*, KVCR [NPR San Bernardino] (May 17, 2018).
18. *Judge Tosses California Law Allowing Life-Ending Drugs*, KPBS [NPR San Diego] (May 16, 2018).
19. *Treating Corpses*, THE WEEK IN HEALTH LAW, Episode 139 (May 14, 2018).
20. *Expert Says More Testing Needed Before Boy Removed from Life Support*, NBC10 NEWS (Philadelphia) (May 11, 2018).
21. *South Jersey Mom Continues to Fight for Her Son after Doctors Declare Him Brain Dead*, FOX29 NEWS (Philadelphia) (May 11, 2018).
22. Tom Avril, *CHOP Physicians Testify in Court that N.J. Boy is Brain-Dead*, PHILADELPHIA INQUIRER (May 9, 2018).
23. Tom Avril, *On Life Support at CHOP for Nearly Three Weeks, 'Brain Dead' Boy in Legal, Medical Limbo*, PHILADELPHIA INQUIRER (May 4, 2018).
24. Dylan Scott, *What We Can Learn from the Heartbreaking Alfie Evans Case — and What We Can't*, VOX (April 27, 2018).
25. Olivia Goldhill, *A Legal Quirk Means You Can Be Dead in New York but Alive in New Jersey*, QUARTZ (April 18, 2018).

26. *Healthcare: Beyond the Insurance Coverage Debate*, THE WHOLE TRUTH WITH DAVID EISENHOWER, PBS - WHYY (April 13, 2018) (Season 3, Episode 4).
27. JoNel Aleccia, *Aggressive Advance Directive Permits Halting Food and Water In Severe Dementia*, NPR (March 29, 2018).
28. Rob Kuznia, *In Oregon, Pushing to Give Patients with Degenerative Diseases the Right to Die*, WASHINGTON POST (Mar. 11, 2018).
29. Rachel Aviv, *What Does It Mean to Die?* THE NEW YORKER (Feb. 5, 2018).
30. Judith Graham, *Straight from The Patient's Mouth: Videos Can Clearly State Your End-of-Life Wishes*, WASHINGTON POST (Nov. 30, 2017).
31. Stacey Kusterbeck, *Lawsuits Allege Patient's' End-of-Life Wishes Ignored: \$1 Million Settlement is Strong Message*, MEDICAL ETHICS ADVISOR (Dec. 2017).
32. Mary Anne Pazanowski, *Providers Beware: Debate Grows Over When Death Is Really Death*, BLOOMBERG BNA (October 10, 2017).
33. Todd Ackerman, *New Law Limits Doctors' Ability to Invoke DNR without Patient Consent*, HOUSTON CHRONICLE (September 28, 2017).
34. JoNel Aleccia, *Despite Advance Directive, Dementia Patient Denied Her Last Wish, Says Spouse*, USA TODAY (August 20, 2017).
35. Jo Cavallo, *Advance Care Planning: Ensuring Patients' End-of-Life Wishes Are Honored*, ASCO POST (July 25, 2017).
36. Jo Cavallo, *Ensuring Advance Directives Are Followed and Lawsuits Are Avoided: A Conversation with Thaddeus Mason Pope*, ASCO POST (July 25, 2017).
37. Lizzie Johnson, *Jahi McMath's Family Wins Backing for Argument that She's Alive*, SAN FRANCISCO CHRONICLE (July 24, 2017).
38. *Dr. Thaddeus Mason Pope on the Latest Charlie Gard Update*, WMAL - LARRY O'CONNOR SHOW (July 10, 2017).
39. *Benefits v. Burden: Larry Grills Bioethicist Dr. Thaddeus Mason Pope Over Charlie Gard Story*, WMAL - LARRY O'CONNOR SHOW (June 13, 2017).
40. Jennifer Uscher, *Finding a Friend for Unbefriended Patients: Hospitalists Can Help the Most Vulnerable*, ACP HOSPITALIST, May 2017.

41. Paula Span, *The Patients Were Saved. That's Why the Families Are Suing*, NEW YORK TIMES, April 11, 2017.
42. Paula Span, *The VSED Exit: A Way to Speed Up Dying, Without Asking Permission*, NEW YORK TIMES, October 21, 2016.
43. Kie Relyea, *When Life Becomes Unbearable, Stopping Eating and Drinking Is an Exit Strategy*, BELLINGHAM HERALD, October 9, 2016.
44. Matthias Gafni, *Jahi McMath: Court Says Family Can Try to Prove She's Alive*, EAST BAY TIMES, July 13, 2016.
45. Randi Belisomo, *Doctors Blame Many Factors for Futile Care, Themselves Included*, REUTERS, June 17, 2016.
46. David DeBolt, *Jahi McMath: Brain Death Cases Similar to Oakland Teen Found throughout State*, SAN JOSE MERCURY NEWS, May 18, 2016.
47. Daniel Gaittan, *Doctors Want Guidance On Assisted Death, Supporters Say*, LIFE MATTERS MEDIA, March 30, 2016.
48. Siobhan McAndrew, *The Contested Death of Aden Hailu*, RENO GAZETTE JOURNAL, March 25, 2016.
49. Ann Neumann, *The Patient Body: When are Religious Exemptions Religious?* THE REVEALER, March 22, 2016.
50. *BTN11: MN 'Right to Die' Bill Scrapped*, KARE 11 (NBC), March 17, 2016.
51. Leigh Page, *Doctor Don't Give Up on Me*, MEDSCAPE, March 16, 2016.
52. Maya Rao, *Doctor Assisted Suicide Proposal Tabled after Emotional Hearing*, MINNEAPOLIS STAR TRIBUNE, March 16, 2016.
53. Diana Wray, *In Texas, A Hospital Ethics Panel - Not the Patient or Family - Decides Whether to End Care*, HOUSTON PRESS, February 9, 2016.
54. Celeste McGovern, *Top Neurologist: Jahi McMath Is 'No Longer' Dead*, NATIONAL CATHOLIC REGISTER, November 30, 2015.
55. Lisa Schencker, *Family Challenges Texas Law Allowing Providers to End Life Sustaining Care*, MODERN HEALTHCARE, November 29, 2015.

56. Paula Span, *Near the End, It's Best to be Friendled*, NEW YORK TIMES, September 25, 2015.
57. *Is ICU Treatment Inappropriate? Clinicians Now Have Guidelines*, MEDICAL ETHICS ADVISOR, September 1, 2015.
58. Karen Scullin, *Six Put on Leave Following Nursing Home Death*, FOX 9 KMSP, August 19, 2015.
59. Sara Horner, *Maplewood Death Investigation Highlights Rules on Medics, Resuscitation*, PIONEER PRESS, August 20, 2015.
60. Matthias Gafni, *Tentative Ruling: Judge Rules against Jahi's Family in Civil Case*, SAN JOSE MERCURY NEWS, July 30, 2015.
61. David DeBolt, *Exclusive: Jahi McMath's Mother Speaks on Legal Battle over Brain Death*, SAN JOSE MERCURY NEWS, July 30, 2015.
62. Kerri Miller, MPR News, *Physician Assisted Suicide*, MINNESOTA PUBLIC RADIO, June 23, 2015.
63. L.J. Jackson, *Directing Death: With Increased Awareness of Alzheimer's Disease Comes a New Push to Use an Old Advance Directive*, ABA JOURNAL, June 2015.
64. Chris Kardish, *Courts Are Keeping Assisted Suicide Laws Alive*, GOVERNING MAGAZINE, May 2015.
65. *Current Trends in End-of-Life Medical Treatment*, WSIU [NPR], April 16, 2015.
66. *The Week in Health Law* (with Nic Terry and Frank Pasquale), TWIHL.com, April 14, 2015.
67. Katherine Doyle, *Unrelated 'Next of Kin' May Lead to Legal Confusion*, REUTERS, April 8, 2015.
68. Paula Span, *Complexities of Choosing an End Game for Dementia*, NEW YORK TIMES, Jan. 20, 2015, at D1.
69. *Physician CPR Policy Not Disproportionately Applied*, 31(1) MEDICAL ETHICS ADVISOR, Jan. 2015.
70. Daniel Gaitan, *Medicare Declines to Reimburse Physicians for End of Life Discussions in 2015*, LIFE MATTERS MEDIA, Dec. 9, 2014.

71. Nick Tabor, *The Nurse Coaching People through Suicide by Starvation*, THE DAILY BEAST, Nov. 17, 2014.
72. Nina Martin, *As Vote Nears, North Dakota Amendment Stirs Debate About More Than Abortion*, PROPUBLICA, Oct. 31, 2014.
73. David DeBolt, *Jahi McMath: New Tests May Not Be Enough to Declare Her Alive, Experts Say*, SAN JOSE MERCURY NEWS, Oct. 25, 2014.
74. Michael Vitez, *Teen's Death Adds to Debate over Brain Death*, PHILADELPHIA INQUIRER, Oct. 23, 2014.
75. Thaddeus Mason Pope, *Oregon Shows that Assisted Suicide Can Work Sensibly and Fairly*, NEW YORK TIMES - ROOM FOR DEBATE, Oct. 7, 2014.
76. Robert Cribb, *Stalemate: Deciding Life or Death*, TORONTO STAR, Sept. 26, 2014.
77. Morning Break, MEDPAGE TODAY, Sept, 2, 2014.
78. Christine Kilgore, *The Unbefriended Challenge: PA/LTC*, 15(6) CARING FOR THE AGES [AMDA: Society for Post-Acute & Long-Term Care Medicine] 1, 12 (June 2014).
79. Michael Vitez, *Schiavo Family Honors Parents of Brain Dead Girl*, PHILADELPHIA INQUIRER, Mar. 27, 2014.
80. Michael Vitez, *Guidelines Will Help End-of-Life Oversight*, PHILADELPHIA INQUIRER, Mar. 5, 2014.
81. Patrik Hutzal, INTENSIVE CARE HOTLINE, Feb. 3, 2014 (podcast).
82. Matthias Gafni, *Jahi McMath: Could Her Case Change How California Determines Death?* CONTRA COSTA TIMES, Jan. 25, 2014.
83. Matthias Gafni, *Jahi McMath: Could Her Case Change How California Determines Death?* SAN JOSE MERCURY NEWS, Jan. 25, 2014.
84. Arthur L. Caplan & Thaddeus M. Pope, *Pregnant & Dead in Texas: A Bad Law, Badly Interpreted*, LOS ANGELES TIMES, Jan. 16, 2014.
85. Sara Mui & Lee Rawles, *7th Annual Blawg 100*, ABA JOURNAL, December 2013, at 33, 41.

86. *Assisted Suicide: The Ethical and Legal Issues*, RADIO TIMES [NPR, WHY], August 20, 2013.
87. *Legal Debate over Doctor-Assisted Suicide*, THE DIANE REHM SHOW [NPR], March 5, 2013.
88. Robert Cribb, *Atkinson Project: Lessons from Life and Death*, TORONTO STAR, Dec. 17, 2012.
89. Robert Cribb, *Supreme Court Decision on Hassan Rasouli Will Clarify End-of-Life Medical Decisions*, TORONTO STAR, Dec. 10, 2012.
90. Nicholas Hune-Brown, *A Life Interrupted: Hassan Rasouli's Journey from an Earache to a High Stakes Battle over End-of-Life Decisions*, TORONTO LIFE, Nov. 27, 2012.
91. Lorell LaBouble, *The Courts and Medical Futility*, BIOETHICS CHANNEL, Jan. 26, 2012.
92. Christine Facciolo, *Delaware's Bradley Bills: Effective in Raising Voices to Stop Child Sexual Abuse?* DELAWARE FIRST MEDIA NEWS, Jan. 13, 2012.
93. Jonathan Sher, *End-of-Life Decisions Heads to Supreme Court*, LONDON FREE PRESS, Dec. 26, 2011.
94. Tamsin McMahon, *Doctors Take Fight to Remove Man from Life Support to Supreme Court*, NATIONAL POST, Dec. 22, 2011.
95. Hiran Ratnayake, *Year After Health Law, Confusion Continues*, DELAWARE NEWS-JOURNAL, Mar. 28, 2011.
96. Jonathan Sher, *Baby Joseph Becomes U.S. Political Issue*, TORONTO SUN, Mar. 22, 2011.
97. Taunya English, *End-of-Life Disputes Go to Court*, WHY (NPR), Mar. 15, 2011.
98. Ann Neumann, *Antichoice at the End of Life*, THE NATION, Jan. 13, 2011.
99. Michael Vitez, *Medical Challenge: Finding More Balance in Decision Making at the End of Life*, PHILADELPHIA INQUIRER, Oct. 17, 2010.
100. Taunya English, *Court Declines to Weigh-In on New Jersey End-of-Life Case*, WHY (NPR), Aug. 17, 2010.

101. Charles Toutant, *Mootness Ruling Doesn't Deter Hospital from Considering Life Support Appeal*, NEW JERSEY LAW JOURNAL (Aug. 16, 2010).
102. Jacob Appel, *Rational Rationing vs. Irrational Rationing: The Struggle for the Legacy of Ruben Betancourt*, HUFFINGTON POST (June 23, 2010).
103. Susanne Sataline, *Court Weighs Death Decision*, WALL STREET JOURNAL (June 4, 2010).
104. Charles Toutant, *Hospital Seeks Right to Pull Plug on Vegetative Patient Based on Futility*, NEW JERSEY LAW JOURNAL (April 27, 2010).
105. *Legal Developments from Bioethics Conference*, HOSPICE MGMT. ADVISOR, Feb. 1, 2010.
106. Taunya English, *Digest This: Dying Right*, WHYY (NPR), JAN. 15, 2010.
107. *Why the Legal Aspects of Medical Ethics Matter*, MED. ETHICS ADVISOR, Jan. 1, 2010.
108. *Most Notable Legal Developments in Bioethics*, MED. ETHICS ADVISOR, Dec. 1, 2009, at 138.
109. Rebecca Dube, *'Death Panels' Obscure Real End-of-Life Challenges*, FORWARD: THE JEWISH DAILY, Oct. 9, 2009.
110. Viki Kind, *The Legal Standing of Medical Futility*, BLOGTALK RADIO, Aug. 4, 2009, <http://www.blogtalkradio.com/KindEthics>.
111. Hiran Ratyanake, *Annual Campaign Touts Importance of Living Wills*, WILMINGTON NEWS-JOURNAL, Apr. 14, 2009.
112. *Medical Futility: Practice of Treating Patients with Little Hope Is Debated*, AARP BULL. TODAY, Sept. 19, 2008.
113. Winthrop Quigley, *Medical Futility: Practice of Treating Patients with Little Hope Is Debated*, ALBUQUERQUE JOURNAL, Sept. 18, 2008.
114. Allan Loudell, *Withdrawing Life Support from Lauren Richardson*, WDEL 1150 AM DELAWARE AFTERNOON NEWS, Jan. 31, 2008.
115. *Manitoba MD Body Sets Conditions for Withdrawal of Treatment*, 23(6) COMMUNITY ACTION, Feb. 20, 2008.



116. John P. Mayer, *Podcast Interviews with Law Faculty Podcasters: Professor Thad Pope Teaching Health Law*, CALIOPOLIS, June 11, 2006.
117. Chris Harris, *Intellectual Property, Health Care Law among Most Popular Topics in Law School*, MEMPHIS BUS. JOURNAL, Apr. 28, 2006.
118. *Big Suits of 2005: VeriSign Inc. v. Internet Corporation for Assigned Names and Numbers* CORPORATE COUNSEL, Feb. 2006, at 43.
119. Denali K. Dasgupta, *Big Suits of 2005: VeriSign Inc. v. Internet Corporation for Assigned Names and Numbers*, AMERICAN LAWYER, Jan. 2006, at 53.

## Competitive Research Grants

- Faculty Research Grant, Mitchell Hamline (Summers 2016, 2017, 2018)
- Association for Nonsmokers Minnesota (2015) (\$10,000)
- Clearway & Association for Nonsmokers Minnesota (2015) (\$20,000)
- Greenwall Foundation, Making a Difference in Real-World Bioethics Dilemmas (2013-2014 co-investigator) (\$50,000).
- Faculty Research Grant, Hamline University (Summers 2007 - 2012).
- Faculty Research Grant, University of Memphis (Summers 2006, 2007).

## Professional & Public Service

### I. Service to the Academy: Grant Peer Review

#### **NETHERLANDS ORGANIZATION FOR SCIENTIFIC RESEARCH (NWO, the Dutch Research Council)**

Independent reviewer for €750,000 research proposal, Winter 2019

#### **NATIONAL INSTITUTE OF AGING (NIH), Bethesda, MD**

Primary Reviewer for the Medical and Safety Core of a \$55,000,000 Alzheimer's Disease Cooperative Study renewal application, June-July 2012

#### **WELLCOME TRUST, London, UK**

Evaluated grant proposals concerning public health and ethics, Fall 2008

## **II. Service to the Academy: Promotion & Tenure Peer Review**

**FLORIDA STATE UNIVERSITY SCHOOL OF MEDICINE**  
Promotion and Tenure External Reviewer, 2016

**SANTA CLARA UNIVERSITY**  
Promotion and Tenure External Reviewer, 2019

**SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF MEDICINE**  
Promotion and Tenure External Reviewer, 2010

**SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW**  
Promotion and Tenure External Reviewer, 2016

**UNIVERSITY OF WASHINGTON**  
Promotion and Tenure External Reviewer, 2017

## **III. Service to the Academy: Editorial Boards**

**ASCO POST**  
Editorial Board, 2018 – present

**JOURNAL OF CLINICAL RESEARCH & BIOETHICS**  
Editorial Board, 2010 – 2015

**JOURNAL OF CLINICAL ETHICS**  
Associate Editor, 2014 –

**JOURNAL OF HEALTHCARE LEADERSHIP**  
Editorial Board, 2010 – 2017

**JOURNAL OF MEDICAL ETHICS**  
Editorial Board, 2018 –

**LAWS**  
Editorial Board, 2016 –

## **IV. Service to the Academy: Publishing Peer Review**

**AMERICAN JOURNAL OF BIOETHICS**  
Evaluated manuscripts, 2011 - 2018

**AMERICAN JOURNAL OF LAW & MEDICINE**

Evaluated manuscripts, 2011

**AMERICAN MEDICAL ASSOCIATION JOURNAL OF ETHICS**

Evaluated manuscripts, 2016

**ANNALS OF THE NEW YORK ACADEMY OF SCIENCES**

Evaluated manuscripts, 2015

**BMC MEDICAL ETHICS**

Evaluated manuscripts, 2011 – 2012, 2018 – 2019

**BMJ OPEN**

Evaluated manuscripts, 2019

**BRIDGEPOINT EDUCATION**

Evaluated book manuscripts on health law, 2013

**CAMBRIDGE UNIVERSITY PRESS**

Evaluated book manuscripts on health law, 2011

**CANADIAN JOURNAL OF BIOETHICS**

Evaluated manuscripts, 2018

**CANADIAN MEDICAL ASSOCIATION JOURNAL**

Evaluated manuscripts, 2015

**CHEST**

Evaluated manuscripts, 2012 – 2014

**CHILDREN & YOUTH SERVICES REVIEW**

Evaluated manuscripts, 2016

**CRITICAL CARE NURSING**

Evaluated manuscripts, 2015

**INTERNATIONAL REVIEW OF LAW**

Evaluated manuscripts, 2013

**JAMA INTERNAL MEDICINE**

Evaluated manuscripts, 2015, 2016

**JOURNAL OF THE AMERICAN GERIATRICS SOCIETY**

Evaluated manuscripts, 2014, 2019

**JOURNAL OF APPLIED PHILOSOPHY**  
Evaluated manuscripts, 2017

**JOURNAL OF BIOETHICAL INQUIRY**  
Evaluated manuscripts, 2015 - 2017

**JOURNAL OF CLINICAL ETHICS**  
Evaluated manuscripts, 2014 - 2018

**JOURNAL OF CRITICAL CARE**  
Evaluated manuscripts, 2012 - 2013

**JOURNAL OF HEALTH & LIFE SCIENCES LAW [AHLA]**  
Evaluated manuscripts for Volume 2, spring 2009

**JOURNAL OF HEALTH POLITICS, POLICY AND LAW**  
Evaluated manuscripts, 2014

**JOURNAL OF LAW, MEDICINE & ETHICS**  
Guest Editor for Volume 39(1), spring 2011  
Evaluated manuscripts, 2008, 2015 – 2018

**JOURNAL OF MEDICAL ETHICS**  
Evaluated manuscripts, 2015, 2017 – 2019

**JOURNAL OF MEDICINE & PHILOSOPHY**  
Evaluated manuscripts, 2015

**JOURNAL OF PALLIATIVE CARE & MEDICINE**  
Evaluated manuscripts, 2012

**MEDICOLEGAL & BIOETHICS**  
Evaluated manuscripts, 2015

**NEUROCRITICAL CARE**  
Evaluated manuscripts, 2019

**NEW ENGLAND JOURNAL OF MEDICINE**  
Evaluated manuscripts, 2017, 2019

**PALLIATIVE CARE RESEARCH & TREATMENT**  
Evaluated manuscripts, 2019

**ROUTLEDGE (TAYLOR & FRANCIS)**

Evaluated book manuscripts on health law, 2011

**SOUTH CAROLINA LAW REVIEW**

Evaluated manuscripts for Volume 60, Fall 2008

**YALE JOURNAL OF BIOLOGY AND MEDICINE**

Evaluated manuscripts, 2019

**V. Other Service to the Academy**

**American Association of Law Schools (AALS), Washington, DC**

- Executive Board, Section on Law, Medicine, and Healthcare, 2016 – 2018
- Chair, Section on Law, Medicine, and Healthcare, 2015
  - Implemented section community service award
  - Implemented junior scholars workshop
  - Coordinated programming at annual meeting
  - Coordinated off-site evening reception
- Chair-Elect, Section on Law, Medicine, and Healthcare, 2014
- Secretary, Section on Law, Medicine, and Healthcare, 2013

**American Society of Bioethics and Humanities (ASBH), Chicago, IL**

- At Large Board Member, 2015 – 2018
- Awards Committee, 2016 – 2017
- Program Committee, 2012 - 2014
- Co-chair, Law Affinity Group, 2009 - 2013
- Chair, Program Planning Subcommittee (Law), 2011 - 2012
- Reviewed and scored Annual Meeting Proposals, 2008 - 2010
- Moderator, ASBH Annual Meeting, 2008, 2011

**International Conference on Clinical Ethics Consultation, Washington, DC**

- Scientific Committee, 2015 - 2016

**Georgetown University Law Center, Washington, DC**

Alumni Admissions Board, August 2012 – 2017

- Interviewed law school candidates in the Minneapolis area

**Georgetown University, Washington, DC**

Alumni Admissions Board, August 2014 – 2017

- Interviewed undergraduate candidates in the Minneapolis area

**American Thoracic Society, New York, NY**

Consultant, Ethics and Conflict of Interest Committee

- Unrepresented Patient Policy, 2016 – 2019
- Conscientious Objection Policy, 2010 – 2015
- Statement on Futility and Goal Conflict in End-of-Life Care in ICUs, October 2010 – 2015

**American College of Legal Medicine, Carbondale, IL**

National Health Law Moot Court Competition

- Drafted Problem and Bench Brief, June - September 2008
- Moot Court Judge, November 2008

**VI. Service to the University**

**Mitchell Hamline School of Law**

Professor of Law, January 2016 –

- Director, Health Law Institute
- Faculty Advisor, Health Law Moot Court Competitions, 2012 – 2019
- Representative to AALS House of Representatives, 2016
- Outcomes & Assessment subcommittee, Curriculum Committee), 2016 – 2019
- Non-JD Committee, 2016 – 2017

**Hamline University**

Associate Professor of Law, January 2012 – December 2015

- Benefits Advisory Committee, Benchmarking Work Group, 2013 – 2015
- Benefits Advisory Committee, 2012 – 2015
- Chair, Tobacco Free Hamline, March 2013 – August 2013

**Hamline University School of Law**

Associate Professor of Law, January 2012 – December 2015

- Student Code of Conduct Investigator, 2015
- Chair, Weekend, Institute, and Special Programs (WISP), 2013 - 2014
- Honor Code Investigator, December 2013
- Dean's Steering Committee, 2012 - 2013
- Advisor to 1L students, 2012 - 2013
- Public Interest Law Committee, 2012 - 2013
- Academic Affairs Committee, 2012 - 2013
- WISP Committee, 2012 - 2013

### **Hamline University School of Law**

Director, Health Law Institute, January 2012 – December 2015

- Supervisor, Health Law Externship, 2013 – 2015
- Coach, National Health Law Moot Court team, 2012 – 2015
- Advisor, Transactional Health Law Moot Court Team, 2013
- Advisor, Healthcare Compliance Competition Team, 2013 & 2015
- Advisor to Health Law Certificate students, 2012 – 2015
- Advisor to Student Health Law Association, 2012 – 2015
- Made presentations to, and met individually with prospective, admitted, and new students, 2012 – 2015
- Made presentations to, and met individually with Advisory Board
- Made invited presentations to other law school and Health Sciences classes

### **University of Minnesota Center for Bioethics**

Affiliate Faculty, August 2015 –

### **Widener University School of Law**

Associate Professor of Law, July 2008 – December 2011

- Widener University Institutional Review Board (Office of the Provost), IRB Board Member, April 2010 – December 2011
- Advisor, Health Law Society, 2010 - 2011
- Non-J.D. Committee (Chair), 2010 – 2011
- Coach, National Health Law Moot Court Team, 2009
- Chair, Law Review Annual Symposium, 2009 - 2010
- Bar Passage Committee, 2009 - 2010
- Technology Committee, 2008 - 2010
- Student Learning Assessment Committee, 2008- 2009
- Active participant in the student Health Law Society, 2007 – 2011
- Active participant with HLI Board of Advisors and community partners
- Advisor for independent LL.M., S.J.D., D.L., and other theses, 2007 – 2011

### **Widener University School of Law**

Visiting Assistant Professor of Law, July 2007 - June 2008

- Advisor for L.L.M. thesis, 2007 - 2008
- PIRC MLK Fellow, Spring 2008, Spring 2009

### **University of Pittsburgh**

Volunteer, Panther Career Network, 2007 –

### **University of Memphis School of Law**

Assistant Professor of Law, June 2005 - June 2008

- Advisor on formation of Health Law Institute, 2005 - 2008
- Faculty mentor for law review notes on health law topics, 2006 - 2008
- Honors and Awards Committee, 2005 - 2007
- Curriculum Committee, 2006 – 2007
- Library and Technology Committee, 2005 - 2006
- Advisor for the Law Review's 2007 symposium
- Moot court judge for multiple competitions and rehearsals, 2005 – 2007

### **University of Memphis, Memphis, TN**

Faculty Evaluator for Undergraduate Works in Progress Symposium, 2006

### **Loyola Marymount University, Los Angeles, CA**

Judge, Business Ethics Competition, April 2002, April 2003, April 2004

## **VII. Service to the Community**

### **University of Minnesota, Minneapolis, MN**

Hospital Ethics Committee, April 2015 –

### **Minnesota Medical Association, Minneapolis, MN**

Co-chair, POLST Task Force, April 2014 –

POLST Task Force, February 2012 –

### **National Healthcare Decisions Day**

Helped coordinate community outreach by law students, 2012 - 2015

### **POLST Legislative Working Group**

Drafted best practices guidance for state legislatures, 2013 - 2014

### **University of Minnesota & AHRQ, Decision Aids for Advanced Care**

#### **Planning Technical Brief**

Key Informant, 2013

### **Second Harvest Heartland / Target *Meals for Minds*, Minneapolis, MN**

Volunteer, elementary school grocery distributions, 2012 –

### **Compassion & Choices, Denver, CO**

Advocacy Advisory Committee, September 2011 – 2015

Clinical Practice Guidelines Committee, June 2012 – 2015



**Delaware MOLST Task Force**, Wilmington, DE  
Legal Representative, March 2009 – December 2011  
Regulations Drafting Subcommittee, May 2010 – August 2011

**Christiana Care Health System**, Wilmington, DE  
Institutional Ethics Committee, January 2009 – December 2011  
Futility Task Force, January 2009 – August 2009

**National Healthcare Decisions Day**, Saint Paul, MN

- State Planning Committee, 2012
- Coordinated event planning with Hamline and William Mitchell law students, 2013-2014

**National Healthcare Decisions Day**, Wilmington, DE

Delaware State Liaison, 2009, 2010, 2011

- Planning committee for two-day event at CCHS (2011)
- Organized a multi-disciplinary consumer education forum (Apr. 16, 2009).
- Developed *DelawareDecisions.org* (with Delaware Academy of Medicine)
- Drafted Del. Sen. Res. 9, 145<sup>th</sup> Gen. Assembly (Apr. 9, 2009).
- Presented *Advance Care Planning in Delaware*, New Castle County Brandywine Hundred Library (April 16, 2008).
- Presented *Advance Directives: Legal Liability and the Good Faith Standard*, CHRISTIANA CARE HEALTH SYSTEM, Newark, Delaware (April 15, 2011).

**Delaware End-of-Life Coalition**, Dover, DE

Public Policy Committee, May 2008 – May 2009

Chair, Public Policy Committee, May 2009 – December 2011

Board Member, May 2009 – December 2011

**Caring Advocates**, San Diego, CA

Advisory Board, March 2009 –

**Tri-County Regional Ethics Committee**, Moorestown, NJ

Medical Ethics Committee, July 2008 – November 2010

NJ OOIE Consortium, December 2008 – November 2010

**Regional Medical Center at Memphis**, Memphis, TN

Hospital Ethics Committee, February 2006 – February 2008

Subcommittee on Policy Drafting, February 2006 – February 2008

**Le Bonheur Children's Medical Center**, Memphis, TN

Hospital Ethics Committee, October 2005 – February 2008

**Bet Tzedek**, Los Angeles, CA

Volunteer Attorney, May 2004 - July 2005

- Assisted and advised seniors in drafting advance directives for health care.

**HALSA, HIV & AIDS Legal Services Alliance**, Los Angeles, CA

Volunteer Attorney, August 2003 - July 2005

- Litigated action against the California Department of Health to ensure Medicaid beneficiaries' access to the only FDA-approved drug for AIDS wasting.
- Obtained favorable appellate ruling: *Paleski v. State Dept. of Health Services*, 144 Cal. App. 4th 713 (2006).

**Public Counsel**, Los Angeles, CA

Volunteer Attorney, Summer 2003

- Represented clients in the adoption of children who had been removed from their natural parents.

**Commission on the Future of the Courts**, Annapolis, MD

Legal Consultant, Winter 1996

- Drafted criteria for the recruitment and selection of Maryland state judges.
- Made presentations before the Committee on Selection, Tenure, and Evaluation of Judges at the Maryland Court of Appeals.

## VIII. Service to the Bar

**Minnesota State Bar Association**

Governing Council, Health Law Section, 2012 – 2018

**American Bar Association, Special Committee on Bioethics**

Formed an affiliation with ASBH, 2012

**American Health Lawyers Association**

- Leadership Development Program, Healthcare Liability and Litigation Practice Group, 2011 – 2012
- Authored contributions for AHLA newsletters
- Facilitated Academic Alliance with Hamline, 2011 – 2012

**Joint Bioethics Committee, of the Los Angeles County Medical Association and LA County Bar Association**

Member, May 2004 - July 2005

- Participated, at the invitation of a select group of physicians and lawyers, in the drafting of revised *Guidelines for Foregoing Life-Sustaining Treatment*.

**Los Angeles Lawyer**

*Editorial Board, July 2003 - July 2005*

- Solicited, edited, and discussed articles for the bar journal.

**Bioethics Committee, Los Angeles County Bar Association**

*Chairperson, Subcommittee on Death and Dying, May 2003 - July 2005*

*Member, June 2002 - July 2005*

**IX. Public Service**

**Minnesota Medical Association, Minneapolis, MN**

POLST Task Force, February 2012 –

**National Quality Forum, Washington, DC**

Expert Panel Member on the Decision Aids Project, 2016 - 2017

**MEDCAC, Medicare Evidence Development & Coverage Advisory Committee**

Appointed by the U.S. Department of Health & Human Services to Advise the Centers for Medicare & Medicaid Services (CMS), 2013 – 2018

**POLST Model Legislation Task Force**

Drafted best practices guidance for state legislatures, 2013 – 2014

**Delaware MOLST Task Force, Wilmington, DE**

Legal Representative, March 2009 – December 2011

Regulations Drafting Subcommittee, May 2010 – August 2011

**Human Services Committee, Texas House of Representatives**

Invited testimony: Patient and Family Treatment Choice Rights Act of 2011, H.B. 3520 (April 12, 2011).

**New Jersey Appellate Division**

Pro Bono Amicus Brief: *Betancourt v. Trinitas Hospital*, No. A-003849-08T2 (N.J. Super. A.D. filed Sept. 10, 2009).

**President's Council on Bioethics**

Invited testimony: *Medical Futility: Institutional and Legislative Initiatives* (September 12, 2008).

## **IX. Other Service**

### **Compassion & Choices**

Dementia Advisory Panel, 2017 –

### **End of Life Liberty Project**

Advisory Board, 2016 –

## **HONORS & AWARDS**

### **Brocher Foundation**

Visiting Researcher, Summer 2020

### **Harvard Law School Petrie-Flom Center, *Bill of Health***

Top 20 Most Cited Health Law Scholar, 2018

### **Southern Illinois University**

John & Marsha Ryan Bioethicist in Residence, 2015

### **Harvard University, Edmond J. Safra Center for Ethics**

Network Fellowship, 2013-2014

### **AMERICAN BAR ASSOCIATION JOURNAL**

Recognized *Medical Futility Blog* in 7th Annual Blawg 100, Dec. 2013

### **Hamline University School of Law**

Dean's Apple Award for Scholarly Engagement, Dec. 2013

### **2006 Annual Health Law Scholars Workshop**

Competitively selected as an emerging Health Law Scholar by the American Society of Law, Medicine & Ethics (ASLME) and Saint Louis University School of Law

### **Who's Who in Medicine and Healthcare (2006 ed.)**

### **Hon. Benjamin Aranda III Outstanding Public Service Award**

Awarded by Los Angeles County Bar Association, June 2005

### **Champion for Justice**

Awarded by Public Counsel for "Run for Justice" fundraising, March 2005

### **Wiley W. Manuel Award for Pro Bono Legal Services**

Awarded by State Bar of California, November 2004

**National Merit Scholar**, 1987

**NROTC – Carnegie Mellon University**

Four-year scholarship, 1987

**REACH Games (Pennsylvania)**

1<sup>st</sup> Place Othello, 1986

## **Professional Affiliations**

### **I. Bar Admissions**

- State Bar of California (admitted 1999)
- U.S. Court of Appeals for the Seventh Circuit (admitted 1999)
- U.S. District Court for the Central District of California (admitted 2000)
- U.S. District Court for the Northern District of California (admitted 2004)
- U.S. District Court for the Southern District of California (admitted 2005)
- New Jersey (pro hac vice 2009, 2010)

### **II. Selected Professional Associations - Law**

- AALS Section on Law, Medicine & Health Care (2005 - present)
- American Bar Association [ABA] (1993 - present)
- ABA - Health Law Section (2007 – present)
- ABA - Tort Trial & Insurance Practice Section (2004 - present)
- American Health Lawyers Association [AHLA] (2006 - present)
- American Society of Law, Medicine and Ethics [ASLME] (2005 - present)
- Minnesota State Bar Association [MSBA] (2012 – present)
- MSBA – Health Law Section (2012 – present)
- MSBA – Elder Law Section (2012 – 2013)
- MSBA – Food & Drug Law Section (2012 – 2013)
- Ramsey County Bar Association (2012 – 2013)

### **III. Selected Professional Associations - Bioethics**

- American Society of Bioethics and Humanities [ASBH] (2007 – present)
- ASBH Law and Bioethics Affinity Group (2007 – present)
- International Association of Bioethics (2000 - present)

## **V. Selected Professional Associations – Healthcare**

- International Shared Decision Making Society (2019 – present)

## **VI. Selected Past Affiliations**

- American Philosophical Association (1992 - 2004)
- American Public Health Association (2004 - 2010)
- APHA SPIG on Public Health and Law (2004 - 2010)
- Kennedy Institute of Ethics (1992 - 2006)
- Los Angeles County Bar Association (2000 - 2005)
- LACBA Bioethics Committee (2002 - 2005)
- LACBA Select Joint Committee on Biomedical Ethics (2004 - 2005)
- Memphis Bar Association (2005 - 2006)
- Southern Jersey Ethics Alliance (2008 – 2011)

[June 2019]