

# JESSICA L. MANTEL

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## CURRENT ACADEMIC APPOINTMENT

**University of Houston Law Center**, Houston, TX

*Associate Professor* (2016-present)

*Assistant Professor* (2010-2016)

*Co-Director*, Health Law & Policy Institute (2010-present)

Teaching Health Law Financing, Organization, and Quality/The U.S. Health System: An Introduction to Managed Care, Transactions, and Policy, Health Regulatory State/Health Regulatory Process, and Torts

## EDUCATION

**University of Michigan Law School**, J.D., 1997

*Magna cum laude*

*Michigan Law Review*, Contributing Editor

Honors: Order of the Coif

**University of Michigan School of Public Policy**, M.P.P., 1997

**University of Pennsylvania**, B.A., 1993

*Summa cum laude*, major awarded in Psychology; minor awarded in Music

Honors: Phi Beta Kappa, Benjamin Franklin Scholar

## PUBLICATIONS

*Refusing to Treat Noncompliant Patients is Bad Medicine* (forthcoming *Cardozo Law Review* (2017))

*Tackling the Social Determinants of Health: A Central Role for Providers*, 33 *Ga. St. U. L. Rev.* 217 (2017)

- Selected by Section on Law, Medicine, and Health Care of the American Association of Law Schools (AALS) for New Scholars Workshop (January, 2016)

*Spending Medicare's Dollars Wisely: Taking Aim at Hospitals' Cultures of Overtreatment*, 49 *U. MICH. J. L. REFORM* 121 (2015)

*A Defense of Physicians' Gatekeeping Role: Balancing Patients' Needs with Society's Interests*, 42 *PEPPERDINE L. REV.* 633 (2015)

*The Myth of the Independent Physician: Implications for Health Law, Policy and Ethics*, 64 *CASE WESTERN RESERVE L. REV.* 455 (2013)

*Accountable Care Organizations: Can We Have Our Cake and Eat It Too?*, 42 *SETON HALL L. REV.* 1392, Symposium on Accountable Care Organizations (2012) (invited contribution)

*Setting National Coverage Standards for Health Plans Under Health Care Reform*, 58 UCLA L. REV. 221 (2010)

*Procedural Safeguards for Agency Guidance: A Source of Legitimacy for the Administrative State*, 61 ADMIN. L. REV. 343 (2009)

*The Prima Facie Case of Age Discrimination in Reduction-in-Force Cases*, 94 MICHIGAN LAW REVIEW 832 (1995)

## **SHORTER WORKS**

*Ethical Integrity in Health Care Organizations*, 43 J. OF LAW, MED. & ETHICS 661 (2015) (invited guest column)

*Legal Barriers to Physicians' Stewardship Role*, 14 AM. J. OF BIOETHICS 40 (2014)

## **ACADEMIC PRESENTATIONS**

AMERICAN ASSOCIATION OF LAW SCHOOLS, San Francisco, CA  
Panelist, *Experiential Learning in Legal Writing Programs* (January, 2017)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Amelia Island, FL  
Roundtable Discussant, *Challenges and Opportunities in Defining and Regulating Wellness* (August, 2016)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Amelia Island, FL  
Roundtable Discussant, *Hot Topics in Health Law and Bioethics* (August, 2016)

CASE WESTERN RESERVE LAW SCHOOL, Cleveland, OH  
Invited Workshop Presenter, *Tackling the Social Determinants of Health* (February, 2016)

NEW SCHOLARS WORKSHOP, American Association of Law Schools, New York, NY  
Workshop Participant, *Tackling the Social Determinants of Health* (January, 2016)

TEXAS LEGAL SCHOLARS WORKSHOP, University of Houston Law Center, Houston, TX  
Workshop Participant, *Taking Aim at the Social Determinants of Health?* (August, 2015)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Boca Raton, FL  
Panelist, *Reforming Medicare's Hospital Value-Based Purchasing Program* (July, 2015)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Boca Raton, FL  
Roundtable Discussant, *Hot Issues in Law and Bioethics* (July, 2015)

AMERICAN SOCIETY OF LAW, MEDICINE, AND ETHICS, St. Louis, MO  
Panelist, *Motivating Providers to Address Social Determinants of Health* (June, 2015)

TEXAS SOUTHERN UNIVERSITY THURGOOD MARSHALL SCHOOL OF LAW  
Invited Presenter, *Law Symposium: The Affordable Care Act Five Years Later*, Houston, TX (April, 2015)

EMORY UNIVERSITY SCHOOL OF LAW, Atlanta, GA

Invited Workshop Presenter, *Incentivizing Health Care Providers to Address the Social Determinants of Health* (February, 2015)

GEORGIA STATE SCHOOL OF LAW, Atlanta, GA  
Invited Presenter, *Using Medicare Payment Policy to Take Aim at Hospitals' Cultures of Overtreatment* (February, 2015)

AMERICAN ASSOCIATION OF LAW SCHOOLS, Washington, DC  
Invited Panelist, *AALS Crosscutting Program — The Fifty Years' War: Can Legislation Ameliorate Poverty?* (January, 2014)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Amelia Island, FL  
Panelist, *The Affordable Care Act: Encouraging Providers to Join the War on Poverty* (August, 2014)

AMERICAN SOCIETY OF LAW, MEDICINE, AND ETHICS, San Francisco, CA  
Panelist, *Legal and Ethical Barriers to Physicians' Gatekeeping Role* (June, 2014)

CASE WESTERN RESERVE LAW SCHOOL, Cleveland, OH  
Law Review Distinguished Lecture, *The Influence of Organizational Culture on Clinical Decision-Making* (October 2013)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Palm Beach, FL  
Roundtable Discussant, *Health Care Reform Reprised: What Progress Has Been Made Since Last Year?* (August, 2013)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Palm Beach, FL  
Moderator and Presenter, *Our Patchwork Health Care System: Benefits and Challenges* (August, 2013)

AMERICAN SOCIETY OF LAW, MEDICINE, AND ETHICS, Newark, NJ  
Panelist, *The Myth of the Autonomous Physician: Implications for Health Law, Policy, and Ethics* (June, 2013)

LAW AND SOCIETY ANNUAL MEETING, Boston, MA  
Panelist, *The Myth of the Autonomous Physician, Implications for Health Law, Policy, and Ethics* (June, 2013)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Amelia Island, FL  
Panelist, *Organizational Culture and the Risk of Undertreatment* (July, 2012)

AMERICAN SOCIETY OF LAW, MEDICINE, AND ETHICS, Tempe, AZ  
Panelist, *The Growth of ACOs: A Preliminary Look* (June, 2012)

SOUTHWEST/WEST JUNIOR FACULTY CONFERENCE, Sandra Day O'Connor School of Law, Arizona State University, Tempe, AZ  
Workshop Participant, *ACOs: Can We Have Our Cake and Eat It Too?* (March, 2012)

SETON HALL LAW SCHOOL SYMPOSIUM: ACCOUNTABLE CARE ORGANIZATIONS, Newark, NJ  
Invited Panelist, *ACOs: Can We Have Our Cake and Eat It Too?* (October, 2011)

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS, Hilton Head, SC  
Panelist, *ACOs: Can We Have Our Cake and Eat It Too?* (July, 2011)

AMERICAN SOCIETY OF LAW, MEDICINE, AND ETHICS, Chicago, IL  
Roundtable Discussant, *ACO Roundtable* (June, 2011)

AMERICAN SOCIETY OF LAW, MEDICINE, AND ETHICS, Austin, TX  
Panelist, *Setting Coverage Standards for Health Plans Under Health Care Reform* (June, 2010)

AMERICAN HEALTH LAWYERS ASSOCIATION LONG TERM CARE AND THE LAW CONFERENCE, Dallas, TX  
Invited Panelist, *The New Medicare Prescription Drug Benefit and Long Term Care: What You Need to Know* (February, 2006)

AMERICAN HEALTH LAWYERS ASSOCIATION INSTITUTE ON MEDICARE AND MEDICAID PAYMENT ISSUES,  
Baltimore, MD  
Invited Panelist, *Medicare Approved Drug Discount Card and Transitional Assistance* (April, 2004)

## **MEDIA APPEARANCES/EDITORIALS**

*Briefcase: Social Determinants of Health*, Houston Public Radio (January, 2017)

*The Week in Health Law Podcast*, [www.twihl.com](http://www.twihl.com)  
Talk Show Guest (September 25, 2015)

*Houston Matters: How Will Recent Supreme Court Rulings Affect Texas?*, Houston Public Radio,  
Talk Show Guest (June, 2015)

Quoted in *A Week of Generational Change Reflected in Court Rulings*, SAN ANTONIO-EXPRESS  
NEWS (June 26, 2015)

*Texas Standard: The Supreme Court is Getting Semantic with Obamacare*, Austin Public Radio  
Talk Show Guest (April, 2015)

*Op-Ed: Mentally Ill Texans Needs Medicaid Expansion* (with Sandra Guerra Thompson),  
AMERICAN-STATESMAN (April 7, 2015)

Quoted in *Health Care Reform Ushers in Changes to Medicare*, HOUSTON BUS. J. (Nov. 16, 2012)

## **RECOGNITIONS**

### *Honors:*

Selected by University of Houston Faculty Senate for Assistant Professor Excellence Series  
(APeX) (2015-2016)

American Society of Law, Medicine & Ethics/SLU Health Law Scholar (2015)

### *Grants:*

Co-investigator, *A Comparative Evaluation of Canada's Regulation of Two-Tier Care and the  
Relationship to Wait Times*, Canadian Institutes of Health Research (2015-2016)

Recipient, New Faculty Research Grant, University of Houston (2011-2012)

## ACADEMIC SERVICE

*Section on Law, Medicine and Health Care, Association of American Law Schools,*  
Executive Committee, at-large member (2016-present)

*Internal Committees – University of Houston Law Center:*

Admissions Committee (2011-2012, 2012-2013, 2015-2016)

Application Disclosure Subcommittee (2012-2013)

Clinical Promotion & Long-Term Status Committee (2015-16, 2016-17)

Curriculum Committee (2013-2014)

Library Committee (2010-2011, 2014-2015, 2015-2016)

*Activities:*

Blogger, Jotwell (2015 - present)

1L Faculty Mentor, University of Houston Law Center (2010-present)

Faculty Advisor, *Journal of Health Law & Policy*, University of Houston Law Center (2010-present)

Outreach to admitted students, University of Houston Law Center (2011-present)

Peer Reviewer, *Journal of General Internal Medicine* (2014)

Peer Reviewer, *American Journal of Law & Medicine* (2010)

Academic Mentor, Schweitzer Fellowship (2014-2015)

Lecturer, The People's Law School, University of Houston Law Center (2015)

Presenter, U.S. Supreme Court Update, University of Houston Law Center (2015)

Presenter, American Constitution Society (Dallas/Fort Worth chapter) (2015)

Presenter, Health Policy & Career Development Workshop, Baylor College of Medicine (2014)

Presenter, Greater Houston's Health – Urban Health Care in the 21<sup>st</sup> Century, University of Houston (2013)

Interviewer, Pre-Pipeline Program, University of Houston Law Center (2015)

## ADDITIONAL EXPERIENCE

**U.S. Department of Health and Human Services, Office of the General Counsel,**  
Washington, DC

*Senior Attorney, CMS Division* (2003-2010)

Awards: Secretary's Award for Distinguished Services (2005), Office of the General Counsel Certificate of Appreciation (2004 and 2005), CMS Administrator's Achievement Award (2004 and 2006).

**Government Accountability Office,** Washington, DC  
*Health Policy Analyst, Health Care Team* (2002-2003)

**Ropes & Gray,** Boston, MA  
*Associate, Health Care Department* (1998-2002)

**U.S. Court of Appeals for the Sixth Circuit,** Cleveland, OH  
*Law Clerk to the Honorable Karen Nelson Moore* (1997-1998)

## PROFESSIONAL ASSOCIATIONS

American Society of Law, Medicine & Ethics (2010-present)  
American Association of Law Schools, Law, Medicine and Health Care Section (2010-present)  
American Health Lawyers Association (1998-2003, 2012-present)