

## VALERIE GUTMANN KOCH

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## ACADEMIC APPOINTMENTS

### UNIVERSITY OF HOUSTON LAW CENTER, HOUSTON, TX

Assistant Professor and Co-Director of the Health Law & Policy Institute (June 2020 – Present)

- Classes: Torts, Bioethics & Law, The Law of Patient Care, and Health Industry Basics

### MACLEAN CENTER FOR CLINICAL MEDICAL ETHICS, UNIVERSITY OF CHICAGO, CHICAGO, ILLINOIS

Director of Law & Ethics (July 2013 – Present)

- Teach Law, Medicine, and Ethics course to fellowship cohort comprised of clinicians, academic physicians, and other professionals (full academic year)
- Teach and participate in Summer Intensive fellowship program
- Participate in weekly Case Consultation Conferences
- Secure funding for the Center

### DEPAUL UNIVERSITY COLLEGE OF LAW, CHICAGO, ILLINOIS

Jaharis Faculty Fellow in Health Law and Intellectual Property (September 2016 – July 2020)

- Classes: Health Law & Policy, Bioethics & the Law, and Medical Malpractice Law
- Planned Jaharis Symposium on Health Law and Intellectual Property, “*Democratizing*” *Medicine in a Data and Tech-Driven World* (March 2019); Jaharis Symposium on Health Law and Intellectual Property, *Genetic Justice: Data, Privacy, and Crime* (March 2020)
- Oversaw and taught health law certificate for partnership with Dignity Health
- Developed and taught Health Law & Policy course for Health Law Certificate Program

### IIT CHICAGO-KENT COLLEGE OF LAW, CHICAGO, ILLINOIS

Visiting Assistant Professor (July 2012 – June 2016)

- Classes: Legal Research & Writing I and II; Law & Bioethics
- Committee: Technology Committee (2012-2015)
- Advisor, law review notes and independent writing

### SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NEW JERSEY

Research Faculty, Center for Health & Pharmaceutical Law & Policy (January 2009 - June 2010)

- Extensive research and writing, focusing on genetic testing; out-of-network services and balance billing; conflicts of interest in clinical research; biologics exclusivity; assisted reproductive technologies; and direct-to-consumer drug advertising
- Co-authored Center’s White Papers: *Conflicts of Interest in Clinical Trial Recruitment & Enrollment: A Call for Increased Oversight* and *The Limits of Disclosure as a Response to Financial Conflicts of Interest in Clinical Research*
- Coordinated roundtables for and co-author of grant application related to Medicare Part D
- Regular author for Health Reform Watch ([healthreformwatch.com](http://healthreformwatch.com)) blog
- Contributed pieces to the quarterly Center E-Newsletter and Health Law Highlights

## PROFESSIONAL EXPERIENCE

### **NEW YORK STATE TASK FORCE ON LIFE AND THE LAW, NEW YORK, NEW YORK**

Special Advisor (January 2014 – May 2016); Consultant (July 2012 – January 2014); Senior Attorney (September 2010 - July 2012)

- Legal advisor to the Task Force, the state's bioethics commission
- Provided ethical and legal staff support to the Empire State Stem Cell Board, the body charged with overseeing New York's \$600 million stem cell research program
- Authored recommendations on behalf of the Task Force to the New York State legislature to modify and extend Family Health Care Decisions Act (FHCDA)
- Authored legal update to the *Allocation of Ventilators in an Influenza Pandemic*; contributed to addenda addressing clinical and ethical pediatric triage protocol
- Substantial authorship, oversight, and completion of Task Force's *Report and Recommendations on Research with Human Subjects who Lack Consent Capacity*.
- Contributed to drafting of revised Department of Health *Brain Death Determination Guidelines*
- Prepared grant applications and letters of inquiry seeking funding for Task Force projects, which resulted in funding awards

### **KIRKLAND & ELLIS LLP, WASHINGTON, DC**

Associate (October 2005-July 2008); Summer Associate (Summer 2003 and Summer 2004);

Research Assistant (during course of 2003-2004 and 2004-2005 academic years)

- Participated in three federal court trials, prepared witnesses and witness outlines, drafted bench briefs and proposed jury instructions, and participated in extensive jury charge conference. Drafted Second Circuit Appeal brief and prepared for argument
- Drafted numerous *motions in limine*, discovery motions, motions for summary judgment, memoranda in support of PIs and TROs, and legal research memoranda
- Took, prepared, and second-chaired over 40 depositions of fact and expert witnesses, selected and retained expert witnesses, assisted experts in drafting reports
- Participated in Kirkland Institute for Trial Advocacy, writing training, and deposition training
- Served on recruiting committee and summer associate recruiting committee

### **KING AND SPALDING LLP, WASHINGTON, DC**

Summer Associate (Summer 2004)

### **NATIONAL ACADEMY OF SCIENCES/NATIONAL RESEARCH COUNCIL, WASHINGTON, DC**

Project Assistant (2001 - 2002)

### **AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE, WASHINGTON, DC**

Research Assistant, Scientific Freedom, Responsibility and Law Program (2001)

### **AMERICAN BAR ASSOCIATION COORDINATING GROUP ON BIOETHICS & THE LAW, WASHINGTON, DC**

Summer Intern (Summer 2000)

### **INSTITUTE FOR SCIENCE, LAW AND TECHNOLOGY, CHICAGO-KENT COLLEGE OF LAW, CHICAGO, ILLINOIS**

Research Assistant (Summer 1999 and continued collaboration through 2002)

### **UNIVERSITY CENTER FOR HUMAN VALUES, PRINCETON, NEW JERSEY**

Research Assistant (1999 - 2001)

## EDUCATION

### HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS

Juris Doctor (June 2005)

- Third Year Paper: *A New Era in Drug Development: Legal and Ethical Implications of Pharmacogenomics*, Professor Peter Hutt, advisor
- Journal of Law, Medicine, & Ethics - Editor-in-Chief and author, Recent Developments
- Ethics, Law, & Biotechnology Society - Liaison between Kennedy School of Government and HLS
- Journal on Legislation

### PRINCETON UNIVERSITY, PRINCETON, NEW JERSEY

A.B., *magna cum laude* (June 2001)

- Princeton School of Public and International Affairs
- Senior Thesis: *Manic-Depressive DNA: An Ethical Analysis of Genetic Discoveries for Bipolar Affective Disorder*, President Harold Shapiro, advisor
- Teaching Assistant, WWS 402d: *Genomics and Mental Illness*, Professor Burton Singer
- Princeton Bioethics Forum – Co-President, Conference Chair

## PUBLICATIONS

### LAW REVIEWS

*Reimagining Informed Consent: From Disclosure to Comprehension* (forthcoming)

- Selected for American Society of Law, Medicine & Ethics/Saint Louis University Health Law Scholars Workshop, September-October 2022

*Medical Harm Without Negligence*, 91 FORDHAM LAW REVIEW (forthcoming December 2022)

- Selected from call for papers for the Sixth Annual Health Law Works-in-Progress Retreat at Seton Hall Law University School of Law, February 2022

*Norms Reborn: Controversies and Challenges for the Future of Reproductive Technologies*, 22 HOUSTON J. HEALTH LAW & POLICY 1 (2022) (forward to symposium issue)

*Previvors*, 49(3) FLORIDA STATE UNIVERSITY LAW REVIEW 643 (2022)

- Selected from call for papers for the AALS New Voices in Law, Medicine and Health Care, January 2021

*Crisis Standards of Care and State Liability Shields*, 57(4) SAN DIEGO LAW REVIEW 924 (2021)

*Eliminating Liability for Informed Consent to Medical Treatment*, 53 UNIVERSITY OF RICHMOND LAW REVIEW 1211 (2019)

*Research Revolution or Status Quo?: the New Common Rule and Research Arising from Direct-to-Consumer Genetic Testing*, 56(1) HOUSTON LAW REVIEW 81 (2018) (with Kelly Todd)

*Under Attack: Reconceptualizing Informed Consent*, 45(1) JOURNAL OF LAW, MEDICINE & ETHICS 6 (2017) (author and symposium issue guest editor with Nanette Elster)

*A Private Right of Action for Informed Consent in Research*, 45(1) SETON HALL LAW REVIEW 173 (2015)

*A Policy in Flux: New York State's Evolving Approach to Human Subjects Research Involving Individuals Who Lack Consent Capacity*, 42(3) JOURNAL OF LAW, MEDICINE & ETHICS 383 (2014)

*“Of Vital Importance”*: The New York State Task Force on Life and the Law’s Report and Recommendations for Research with Human Subjects Who Lack Consent Capacity, 19(1) N.Y. STATE BAR ASSOCIATION HEALTH LAW JOURNAL 28 (2014) (with Susie A. Han)

*Unique Proposals for Limiting Legal Liability and Encouraging Adherence to Ventilator Allocation Guidelines in an Influenza Pandemic*, 14(3) DEPAUL JOURNAL OF HEALTH CARE LAW 467 (2013) (with Beth E. Roxland)

*PGTandMe: Social Networking-Based Genetic Testing and the Evolving Research Model*, 22(1) HEALTHMATRIX: JOURNAL OF LAW-MEDICINE 33 (2012)

*Incentivizing the Utilization of Pharmacogenomics in Drug Development*, 15(2) JOURNAL OF HEALTH CARE LAW & POLICY 263 (2012)

*Changing Expectations for Board Oversight of Healthcare Quality: The Emerging Paradigm*, 2(4) JOURNAL OF HEALTH & LIFE SCIENCES LAW 31 (2009) (with Tracy Miller)

*Kentucky Association of Health Plans, Inc. v. Miller*, 31(4) JOURNAL OF LAW, MEDICINE & ETHICS (2003) (note)

*Prenatal Care: Revisions to SCHIP Extend Health Care to “Unborn Children,”* 31(3) JOURNAL OF LAW, MEDICINE & ETHICS (2003) (note)

*Assisted Reproductive Technologies: Failure to Cover Does Not Violate ADA, Title VII, or PDA*, 31(2) JOURNAL OF LAW, MEDICINE & ETHICS (2003) (note)

#### **PEER-REVIEW JOURNALS AND BOOK CHAPTERS**

*Dobbs and Implications for Trauma and Acute Care Surgeons*, TRAUMA SURGERY AND ACUTE CARE OPEN (forthcoming 2022) (with Tanya L. Zakrisson et al.)

*A New Weapon in the Anti-Vaccine Arsenal: Claiming the Unvaccinated as Protected Class*, White Paper, Baker Institute for Public Policy (October 2022)

*Medical Decision Making and the Previsor*, 33(2) JOURNAL OF CLINICAL ETHICS 141 (2022)

*Liability Shields in the Covid-19 Pandemic*, THE ADVOCATE: TEXAS STATE BAR LITIGATION SECTION REPORT (Winter 2021)

*Open Notes: Legal and Ethical Issues*, THE NEW GASTROENTEROLOGIST (November 2021)

*Preimplantation Genetics: Liabilities and Limitations*, book chapter in REPRODUCTIVE ETHICS IN CLINICAL PRACTICE (Julie Chor and Katie Watson, eds.) (2021)

*Reciprocity and Liability Protections During the Covid-19 Pandemic*, 51(3) THE HASTINGS CENTER REPORT 5-7 (May-June 2021) (with Diane E. Hoffmann)

*COVID in NYC: What New York Did, and Should Have Done*, 20(7) AMERICAN JOURNAL OF BIOETHICS 153 (July 2020) (with Susie A. Han)

*Clinical and Ethical Considerations in Allocation of Ventilators in an Influenza Pandemic or Other Public Health Disaster: A Comparison of the 2007 and 2015 New York Ventilator Allocation Guidelines*, DISASTER MED. & PUB. HEALTH PREPAREDNESS 1 (July 2020) (with Susie A. Han)

*Everything in Moderation: Dual-Role Consent and State Law Mandates*, 19(4) AMERICAN JOURNAL OF BIOETHICS 35-37 (2019) (with Nadia Sawicki)

*Delegating Informed Consent*, 47(5) THE HASTINGS CENTER REPORT 5-6 (2017)

*The Law and Legal Perspectives on Prenatal and Preimplantation Genetic Diagnosis*, book chapter in PRENATAL AND PREIMPLANTATION GENETIC DIAGNOSIS: THE BURDEN OF CHOICE (2015)

*Contemporary Ethical Issues in Stem Cell Research*, book chapter in STEM CELL HANDBOOK II (2013) (with Beth E. Roxland, Barbara Pohl, and Sarah Keech)

## **BLOGS AND NEWSLETTER POSTS**

*The Impossibility of Legal Accountability for COVID-19 Torts*, PETRIE-FLOM CENTER BILL OF HEALTH (October 11, 2022).

- Special Symposium Editor, *Tort Law and Covid-19*, PETRIE-FLOM CENTER BILL OF HEALTH (October 2022)

*Previvorship and the Legal Doctrine of Informed Consent* (video), PETRIE-FLOM CENTER BILL OF HEALTH (November 23, 2020)

*Physicians Should Not be Forced to Determine Resource Allocation: Triage Committees May Reduce Physician Trauma*, HEALTHAFFAIRS BLOG (May 8, 2020) (with Susie A. Han)

*How States are Protecting Health Care Providers from Legal Liability in the COVID-19 Pandemic*, PETRIE-FLOM CENTER BILL OF HEALTH (May 5, 2020)

*Denying Ventilator Therapy to Covid-19 Patients with Prior DNR Orders is Unethical*, HASTINGS CENTER BIOETHICS FORUM (April 21, 2020) (with Susie A. Han)

*Pandemic Guidelines, Not Changed Malpractice Rules, are the Right Response to COVID-19*, PETRIE-FLOM CENTER BILL OF HEALTH (March 30, 2020) (with Govind Persad & Wendy Netter Epstein)

*Allocate Ventilators, Other Covid-19 Resources Based on Evidence, Not Political Hunches*, STAT FIRST OPINION (March 17, 2020) (with Susie A. Han)

*Recreational Genetics or Research Enterprise? Cloudy Consent Issues Arising from Direct-to-Consumer Genetic Testing*, PETRIE-FLOM CENTER BILL OF HEALTH (August 2, 2018)

*A Right to Seek Payment for One's Tissue*, HASTINGS CENTER BIOETHICS FORUM (April 28, 2017) (with Jessica L. Roberts)

*Law vs. Regulations in the Common Rule*, YALE JOURNAL OF LAW & TECHNOLOGY BLOG (January 6, 2016) (with Jessica L. Roberts)

*FDA Announces Plans to Regulate LDTs (But What About DTC Genetic Tests?)*, HEALTH LAW PROFESSORS BLOG (August 5, 2014) (invited guest blogger)

*Ventilator Allocation in a Pandemic*, HEALTH LAW PROFESSORS BLOG (August 19, 2014) (invited guest blogger)

*How an Obligation to Return Research Results is (and Should be) Changing the Investigator-Participant Relationship*, HEALTH LAW PROFESSORS BLOG (August 19, 2014) (invited guest blogger)

*Bioethics Fact and Fiction in Lifetime's The Lottery*, HEALTH LAW PROFESSORS BLOG (August 27, 2014) (invited guest blogger)

*Enrolling the Cognitively Impaired in a Research Study: The Role of a Legally Authorized Representative in Providing Surrogate Consent to Enroll Adults Who Lack Consent Capacity in Research*, PRIM&R'S AMPERSAND (February 12, 2014) (with Susie A. Han)

*New Recommendations for Research with Human Subjects Who Lack Consent Capacity*, HASTINGS CENTER BIOETHICS FORUM (January 13, 2014) (with Susie A. Han)

Regular contributor, HEALTH REFORM WATCH, healthreformwatch.com (2009-2010)

- *Financial Remuneration of Clinical Study Investigators* (Jan. 27, 2010)
- *Further Calls for Increased Oversight on Medical Research & Physician Conflicts of Interest* (Dec. 11, 2009)
- *New Breast Cancer Screening Recommendations Cause Controversy* (Nov. 18, 2009)
- *Risks to Directors and Trustees of Health Care & Life Sciences Companies: Corporate Compliance in a Distressed Economy* (Nov. 5, 2009)
- *Communication and Transparency: An Answer to Our Health Care Woes* (Oct. 22, 2009)
- *The Biosimilars Debate: Is It Over?* (Oct. 7, 2009)
- *Biologics, How Long Exclusive? What Cost?* (Aug. 2, 2009)
- *Dr. Kuklo and the Larger Lesson: Transparency in Medical Research* (June 18, 2009)

*Conflicts of Interest in Clinical Trial Recruitment & Enrollment: A Call for Increased Oversight* (2009) (A White Paper by the Center for Health & Pharmaceutical Law & Policy) (collaborator)

*American Society for Reproductive Medicine Addresses Preconception Gender Selection*, 14(3) AAAS PROFESSIONAL ETHICS REPORT (2001)

*NORD Issues Gene Patenting Statement*, 14(3) AAAS PROFESSIONAL ETHICS REPORT (2001)

## SELECTED LECTURES AND PRESENTATIONS

*The Legal Doctrine(s) of Informed Consent in Medical Treatment and Research*, guest lecturer for Professor Daniel Brudney, University of Chicago (January 12, 2023; November 10, 2020; January 27, 2020; November 14, 2017)

*Medical Harm without Negligence*

- MacLean Center Conference, University of Chicago (November 12, 2022)
- American Society for Law, Medicine and Ethics, Health Law Professors Conference, Sandra Day O'Connor College of Law, Arizona State University (June 2, 2022)
- BioLawLapalooza, Stanford University Law School (May 13, 2022)
- AALS Virtual Health Law Conference (February 25, 2022)
- Health Law Works-in-Progress Retreat, Seton Hall Law School (February 11, 2022)
- Rocky Mountain Junior Scholars Forum, BYU Law (November 11, 2021)
- Regulation and Innovation in the Biosciences (RIBS) Workshop (May 26, 2021)

*Reimagining Informed Consent*

- American Hall Center Virtual Grand Rounds, Indiana University Robert H. McKinney School of Law (November 3, 2022)
- American Society of Law, Medicine & Ethics/Saint Louis University Health Law Scholars Workshop (September 30, 2022)

*Legal Updates 2022: Top 10 Legal Developments in Bioethics*, American Society for Bioethics and the Humanities (October 27, 2022)

*A New Weapon in the Anti-Vaccine Arsenal: Claiming the Unvaccinated as Protected Class*, 2022 Vaccine Policy Symposium, Baker Institute for Public Policy, Rice University (October 14, 2022)

*Informed Consent in Treatment and Research – What’s the Difference?*, MacLean Center Summer Intensive (July 18, 2022; July 23, 2021; July 23, 2020; July 30, 2019; July 31, 2018; August 1, 2017; August 1, 2016; August 7, 2015)

*Judges and Lawyers as Medical Decision-Makers*, MacLean Center Summer Intensive (July 8, 2022; July 13, 2021; July 16, 2020; July 11, 2019; July 11, 2018; July 21, 2017; July 18, 2016; August 3, 2015)

#### *Previvors*

- MacLean Center Conference, University of Chicago (November 12, 2021)
- American Society for Law, Medicine and Ethics, Health Law Professors Conference, Northeastern University School of Law (June 9, 2021)
- South Texas College of Law (February 26, 2021)
- New Voices in Law, Medicine and Health Care, Association of American Law Schools (January 8, 2021)
- Health Law, Bioethics, Biotechnology Workshop, Petrie-Flom Center for Health Law Policy, Biotechnology, & Bioethics, Harvard Law School (November 23, 2020)

*Liability Protections: Legal Issues around Making Triage Decisions*, U.S. National Academy of Sciences, Engineering, and Medicine (November 8, 2021)

- Quoted extensively in National Academies of Science, Engineering, and Medicine, [\*Evolving Crisis Standards of Care and Ongoing Lessons from COVID-19: Proceedings of a Workshop Series \(2022\)\*](#), Washington, DC: The National Academies Press

*Legal Updates 2021: Top 10 Legal Developments in Bioethics*, American Society for Bioethics and the Humanities (October 13, 2021)

#### *Crisis Standards of Care and Liability Shields*

- MacLean Center Conference, University of Chicago (November 13, 2020)
- American Society for Bioethics & Humanities Law & Bioethics Affinity Group (July 1, 2020)

*Consumers or Research Participants?: Legal Issues at the Intersection of Direct-to-Consumer Genetic Testing and Research*

- American Society for Bioethics and the Humanities (October 2020)
- American Society for Law, Medicine and Ethics, Health Law Professors Conference, Northeastern University School of Law (June 3, 2020) (accepted but cancelled due to Covid-19)

#### *Delegating Informed Consent*

- Informed Consent Ruling: Contrary to Ethical Standards for Upholding the Primacy of the Surgeon-Patient Interaction, American College of Surgeons Clinical Congress (October 6, 2020)
- American Society for Law, Medicine and Ethics, Health Law Professors Conference, Case Western Reserve University (June 9, 2018)
- MacLean Center Conference, University of Chicago (November 11, 2017)

*Legal Updates 2020: Top 10 Legal Developments in Bioethics*, American Society for Bioethics and the Humanities (October 2020)

*Ethics and Covid-19*, Illinois Association of Healthcare Attorneys (September 10, 2020)

*Covid-19: Health Law Disruption – Crisis Standards of Care and Legal Liability Protections for Physicians* (recorded mini-series), AHLA/Dbase Media (May 2020)

*21<sup>st</sup> Century Legal Challenges to the Doctor-Patient Relationship*, University of Chicago/MacLean Center Seminar Series on the DPR (February 2020)

*Owning Genetic Information*, University of Chicago Human Genetics Journal Club (January 28, 2020)

*Informed Consent and Direct-to-Consumer Genetic Testing*, MacLean Center Conference, University of Chicago (November 9, 2019)

*Legal Updates 2019: Top 10 Legal Developments in Bioethics*, American Society for Bioethics and the Humanities (October 24, 2019)

*Current Issues in Informed Consent: The Impact of Technological Innovation for Law and Ethics*, American Association of Pathologists' Assistants (August 26, 2019)

*Recent Developments in the Law: Public Health & Government Regulation of Behavior*, Arizona Bioethics Network (June 19, 2019)

*Eliminating Liability for Informed Consent to Medical Treatment*

- American Society for Law, Medicine and Ethics, Health Law Professors Conference, Loyola University College of Law (June 6, 2019)
- MacLean Center Conference, University of Chicago (November 9, 2018)

*The Present and Future Legality of CRISPR Modifications of Humans*, University of Chicago Law Magazine (May 22, 2019)

*"Democratizing" Medicine in a Data and Tech-Driven World*, Jaharis Symposium on Health Law and Intellectual Property (March 14, 2019)

*Legal Updates 2018: Top 10 Legal Developments in Bioethics*, American Society for Bioethics and the Humanities (October 20, 2018)

*Emerging ELSI Issues*, Frontiers in Precision Medicine for Inherited Cancers: From Risk Assessment to Targeted Therapies, University of Chicago and City of Hope Center for Clinical Genetics (April 20, 2018)

*Legal Update 2017: Top 10 Legal Developments in Bioethics*, American Society for Bioethics and the Humanities (October 22, 2017)

*Informed Consent Parity in Treatment and Research*

- American Society for Bioethics and the Humanities (October 21, 2017)
- American Society for Law, Medicine and Ethics, Health Law Professors Conference, Georgia State University College of Law (June 2017)
- MacLean Center Conference, University of Chicago (November 12, 2016)

*Preimplantation Genetics: Liabilities and Limitations*, University of Chicago/MacLean Center Seminar Series on Reproductive Ethics (February 15, 2017)

*Rethinking Informed Consent, Element by Element*, American Society for Bioethics and the Humanities (October 6, 2016)

*Duty: Can (and Should) Research Participants Sue Investigators for Failure of Informed Consent?* in *Reconceptualizing the Legal Doctrine of Informed Consent*, American Society for Law, Medicine and Ethics, Health Law Professors Conference, Boston University School of Law (June 4, 2016)

*The Past, Present, and Future of Informed Consent: Report on the Town Hall Meeting Process*, American Society for Law, Medicine, and Ethics, Health Law Professors Conference, Boston University School of Law (June 4, 2016)

*Ex Machina*, Science on the Screen and Doc Films, University of Chicago (May 14, 2016) (panel moderator)

*Adherence to Altered Standards of Care in a Public Health Crisis*, MacLean Center Conference, University of Chicago (November 13, 2015)

*Bringing Law, Ethics and Health Care to the Table: The ABA Special Committee on Law and Bioethics Town Halls on Informed Consent*, American Society for Bioethics and the Humanities (October 24, 2015)



*A Private Right of Action for Informed Consent in Research*

- Chicago Health Law Colloquium, DePaul College of Law (April 8, 2015)
- Chicago-Kent College of Law (October 8, 2014)
- Valparaiso University Law School Chicago Junior Faculty Workshop (February 7, 2014)

*Direct-to-Consumer Genetic Testing*, Loyola University Stritch School of Medicine, Neiswanger Institute for Bioethics and Health Policy (April 2, 2015)

*Take It or Leave It: The Role of Bioethics Advisory Bodies in Effecting Policy Change*, American Society for Bioethics and the Humanities (October 16, 2014)

*Stem Cells: Impact on Law, Ethics, and Policy*, in *Forging New Frontiers: the Intersection of Bioethics and Biotechnology Law*, Presidential Showcase Program, American Bar Association Annual Meeting (August 10, 2014)

*FDA vs. 23andMe: Oversight of a Medical Device or Overreach of a Recreational Product?*, in *Give the People What They Want?: FDA Regulation and Public Demand*, American Society for Law, Medicine, and Ethics, Health Law Professors Conference, University of California Hastings (June 2014)

*Careers & Opportunities in Bioethics and the Law*

- Beazley Institute for Health Law and Policy, Loyola University Chicago School of Law (May 15, 2014)
- American Bar Association Annual Meeting (August 8, 2013)
- American Bar Association and American Bar Foundation (January 30, 2013)

*What's the Real Truth? The Impact of Direct-to-Consumer Genetic Testing*, American Bar Association Midyear Meeting (February 8, 2014)

*"State" It Like It Is: The Impact of State Laws on Informed Consent and Other Aspects of Research*, Public Responsibility in Medicine and Research (PRIM&R) Advancing Ethical Research Conference (November 8, 2013)

*The Role of the New York State Task Force on Life and the Law and the Empire State Stem Cell Board in Shaping Public Policy: Lessons Learned and Recommendations for Action Beyond New York State*, American Society for Bioethics and the Humanities (October 26, 2013)

*The Myriad Genetics Decision: A Victory for Patients and R&D?*, American Bar Association Annual Meeting (August 10, 2013)

*Representing the Underrepresented in Allocating Scarce Resources in a Public Health Emergency: Ethical and Legal Considerations*, American Society for Bioethics and the Humanities (October 21, 2012)

*Social Networking-Based Genetic Testing: the Shifting Role of Participants in the Evolving Research Model*, American Society for Bioethics and the Humanities (October 20, 2012)

*Topics in Bioethics and Public Health Law: Human Subjects Research with Patients Lacking Consent Capacity and Allocation of Ventilators in an Influenza Pandemic*, CUNY School of Public Health at Hunter College (July 5, 2012)

*Framing Bioethics Policy: A Look Inside State & Federal Bioethics Commissions*, Harvard Law School Association (June 5, 2012)

*Exploring the Post-Recession Legal Landscape*, University of Chicago Laboratory Schools Alumni (June 1, 2012)

## **MEDIA APPEARANCES AND COVERAGE**

Newspaper Interview, Shawn Arrajj & Hunter Marrow, *Omicron, Vaccine Lawsuits Closed Coronavirus Outlook in 2022*, COMMUNITY IMPACT NEWSPAPER (January 2022)

Podcast, Kevin P. Donovan, *Federal Vaccine Mandates and Requirements: Navigating a Pandemic of Litigation*, EMPHASIS ADDED (December 8, 2021)

Web Article Interview, Andrew Keshner, *Debate Over Mandatory COVID-19 Vaccines has Shifted to Legal Wrangling Over “Sincerely Held Beliefs.”* MARKETWATCH (October 19, 2021)

Newspaper Interview, Keri Heath, *Biden’s COVID Order Provides Cover, Conflict for Employers in Galveston County*, GALVESTON DAILY NEWS (September 18, 2021)

Web Article Interview, Eliza Relman, *‘Tremendous Hypocrisy’: All the GOP Governors Banning COVID-19 Vaccination Mandates Require Other Vaccines*, BUSINESS INSIDER (September 17, 2021)

TV Interview, Deidre Bolton, *Mandate Debate*, ABC NEWS PRIME (September 15, 2021)

TV Interview, Linsey Davis, *Challenges to Vaccine Mandates ‘Will Ultimately Fail’: Legal Expert*, ABC NEWS LIVE (September 10, 2021)

TV Interview, Mycah Hatfield, *Gov. Abbott Slams Biden Administration Over Sweeping New Vaccine Mandates*, ABC13 (September 10, 2021)

Newspaper Interview, David Jackson, *Republicans Attack Biden’s COVID Vaccine Plan and Threaten Court Challenges*, USA TODAY (September 10, 2021)

Radio Interview, John Howell, *As Vaccine Exemptions Sky Rocket, What are Companies Doing?*, WLS-AM 890 Chicago (August 23, 2021)

Newspaper Interview, Stephanie Goldberg, *Companies Prepare for a Test of Faith*, CRAIN’S CHICAGO (August 20, 2021)

TV Interview, Mycah Hatfield, *HISD, Mayor Turner May Defy Abbott: Our Expert Predicts Legal Showdown*, ABC13 (August 5, 2021)

TV Interview, Tetsutaro Soe, NY NHK (July 2, 2021) (Japanese broadcast about legality of employer vaccine mandates)

TV Interview, Ahmed Sharma, *Health and Law Expert Reacts to Houston Doctor Not Indicted for ‘Stealing’ COVID-19 Vaccines for Loved Ones*, FOX 26 HOUSTON (July 2, 2021)

TV Interview, Diane Macedo, *Vaccine Mandate Battle*, ABC NEWS LIVE (June 15, 2021)

Newspaper Interview, Juan A. Lozano and Brian Melley, *Workers Push Back Against Hospitals Requiring COVID Vaccines*, ASSOCIATED PRESS (June 14, 2021) (reported across myriad news sites)

Newspaper Interview, Brittany Shammass and Paulina Firozi, *Judge Dismisses Lawsuit Filed by Houston Hospital System Employees Who Refused Coronavirus Vaccine*, THE WASHINGTON POST (June 13, 2021)

Newspaper Interview, Eva Vigh, *Officials: Widespread Countywide Vaccine Mandates Unlikely Despite Decisions of Some Employers*, COMMUNITY IMPACT NEWSPAPER (June 2021)

Newspaper Interview, Keri Heath, *Galveston County Companies Incentivize, Rather than Require, Workplace Vaccinations*, THE DAILY NEWS (June 10, 2021)

Newspaper Interview, Melina Delkic, *Employees Sue a Houston Hospital for Requiring Vaccines*, NEW YORK TIMES (May 30, 2021)

TV Interview, Jon Chrisos, *Can Maine Businesses Ask for Proof of COVID-19 Vaccination?*, WGME CBS 13 (May 20, 2021)

Web Article Interview, Peter Holley, *She's Leading the Fight Against Mandatory Vaccines in Texas. She Also Happens to be a Nurse*, TEXAS MONTHLY (May 19, 2021)

TV Interview, *The Question of Many: Who Can Request Proof of Vaccination?*, TELEMUNDO HOUSTON (May 17, 2021)

TV Interview, Anayeli Ruiz, *Businesses Still Have Right to Require Masks*, KHOU-11 CBS (May 14, 2021)

Newspaper Interview, Shawn Mulcahy, *With Time Running Out in the Texas Legislative Session, Health Experts Urge Lawmakers to Prepare for the Next Pandemic*, THE TEXAS TRIBUNE (April 29, 2021)

TV Interview, Jason Miles, *Expert Says Private Companies Can Require Employees to Get Vaccinations*, KHOU-11 CBS (April 27, 2021)

Web Article Interview, Christina Frangou, *Court Ruling Alters Informed Consent Process*, GENERAL SURGERY NEWS (April 16, 2021)

Newspaper Interview, Stephanie Goldberg, *How One Doctor Fights the Pandemic – Profitably*, CRAIN'S CHICAGO (February 12, 2021)

Radio Interview, Nik Rajkovic, *More Americans Support Mandatory COVID Vaccine for Work and Leisure*, NEWSRADIO 740 KTRH (February 1, 2021)

Newspaper Interview, Zach Despart, *Harris County Judge Dismisses Vaccine Theft Charge Against Doctor, Blasts DA for Bringing the Case*, HOUSTON CHRONICLE (January 24, 2021)

TV Interview, Jon Chrisos, *Thinking About Testing Your Ancestry? Here's How Police, Researchers are Using the Results*, WGME CBS 13 (November 16, 2020)

Conference Summary, Tayler Sindhu, *Trends in Precision Medicine: Emerging Ethical, Legal, and Social Implications*, WOLTERS KLUWER EXPERT INSIGHTS (August 4, 2020)

Web Article Interview, Karen Robinson-Jacobs, *State Crisis Plans "Discriminate" Against the Disabled, Groups Charge in Federal Complaints*, FORBES (July 27, 2020)

Magazine Interview, Rachel Cohrs, *McConnell Draws 'Red Line' Over Liability Protections*, MODERNHEALTHCARE (July 17, 2020)

TV Interview, *Family Speaks Out After Father Dies from COVID-19 in Nursing Home*, 10TAMPABAY (July 17, 2020)

Web Article Interview, Tony Pugh & Lydia Wheeler, *Push to Expand Doctors' Legal Immunity for Virus Draws Ire*, BLOOMBERG LAW (June 25, 2020)

Newspaper Interview, Jacqueline Stevens, *The Problem with Pritzker's Pandemic Immunity Orders*, CHICAGO READER (June 12, 2020)

Podcast Interview, *DePaul Bioethicists and Their Roles in the Fight Against Covid-19*, DEPAUL DOWNLOAD (May 12, 2020)

Magazine Interview, Rachel Cohrs, *Provider Liability Protections Could Get Caught in Partisan Fight*, MODERNHEALTHCARE (May 6, 2020)

Medical Journal Interview, Kim Painter, *US Ventilator Crisis Brings Patients and Doctors Face-to-Face with Life-or-Death Choices*, BMJ (May 5, 2020)

Radio Interview, Stephanie Kim, *The Role of Medical Ethics on the Front Lines of Covid-19*, WBEZ RESET (April 13, 2020)

Profile, Stephanie Goldberg, *Pandemic Puts Medical Ethics to Real-World Test*, CRAIN'S CHICAGO (April 10, 2020)

Radio/Web Article Interview, Martin Kaste and Rebecca Hersher, *Ventilator Shortages Loom as States Ponder Rules for Rationing*, NPR (April 3, 2020)

Newspaper Interview, Mary Schmich, *If You Get the Coronavirus, Would You, Should You, Make it Public?*, CHICAGO TRIBUNE (April 3, 2020)

Web Article Interview, *Trump's Misleading Ventilator Counter-Punch at Cuomo*, FACTCHECK.ORG (March 26, 2020)

Blog Interview, *Jaharis Faculty Fellow Professor Valerie Koch Brings Genetic Justice Symposium to DePaul Law*, E-PULSE BLOG (February 12, 2020)

Radio Interview, Mark Brodie, *National Academies Outline Guidelines on Human Gene Editing*, THE SHOW, KJZZ RADIO (February 28, 2017)

Radio Interview, *Gestational Surrogacy*, THE CAPITOL PRESSROOM, WNYC RADIO (October 28, 2015)

## SERVICE

### *Law Center Committees*

- Faculty Appointments (2021-23)
- Student Scholarship (2020-23)
- Faculty Scholarship & Advancement (2020-21)

### *External Committees*

- ABA SPECIAL COMMITTEE ON BIOETHICS AND THE LAW, Chair (2016-18); Appointed at-large member (2012-16)
- AMERICAN SOCIETY FOR BIOETHICS AND HUMANITIES, Co-Chair, Law Affinity Group (2013-18); Reviewer, health policy abstracts for annual meeting (2013, 2014, 2015, 2019)
- NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES (NIEHS) OFFICE OF HUMAN RESEARCH COMPLIANCE (OHRC) BEST PRACTICES WORKING GROUP FOR THE DEVELOPMENT OF SPECIAL CONSIDERATIONS FOR IRB REVIEW OF DISASTER AND EMERGENCY RELATED PUBLIC HEALTH RESEARCH (2015-17)
- PRINCETON UNIVERSITY ALUMNI GIVING VOLUNTEER (2010 - present)

### *Activities*

- Faculty Advisor, Health Law Association
- Organizer, Houston Journal of Health Law & Policy annual symposium (October 2021)

### *Organizational Memberships*

- American Society for Bioethics & Humanities (2011-present)
- American Society of Law, Medicine & Ethics (2012-present); Featured member, *ASLME Insider* (December 2014)
- American Health Lawyers Association (2013-15)

*Peer Review*

- JOURNAL OF LAW, MEDICINE & ETHICS (JLME)
- JOURNAL OF CLINICAL ETHICS
- AMERICAN JOURNAL OF BIOETHICS (AJOB)
- ANNALS OF EPIDEMIOLOGY
- THE HASTINGS CENTER REPORT
- ETHICS & HUMAN RESEARCH (formerly IRB: ETHICS & HUMAN RESEARCH)
- JOURNAL OF MEDICAL ETHICS (JME)
- NATIONAL ACADEMIES OF SCIENCE, ENGINEERING, AND MEDICINE (NASEM)
- JOURNAL OF LEGAL MEDICINE
- JOURNAL OF LAW AND THE BIOSCIENCES
- HEALTH CARE ANALYSIS
- HUMAN GENETICS AND GENOMIC ADVANCES
- AMERICAN JOURNAL OF LAW AND MEDICINE (AJLM)

*Bar Admissions*

- Illinois (2005)
- District of Columbia (2006)
- U.S. Court of Appeals for the Second Circuit