The Houston Journal of Health Law & Policy

and the Health Law Organization.

HLPI is home to

The Houston Journal of Health Law & Policy and the Health Law Organization.

HLPI was

established in 1978.

HLPI has been ranked

among the top 10 programs in health law in the country for the last 25 years. Source: U.S. News & World Report

HLPI is

nationally recognized and has earned a powerful reputation.

HLPI partners

with the Texas Medical Center, the Texas DSHS, NIH, UNICEF, and Baylor College of Medicine to give students real-world experiences.

HLPI Faculty publish

more than two dozen publications annually in leading legal, bioethical, and peer-reviewed journals.

HLPI Faculty appear


HLPI received

a grade A from preLaw Magazine.
FOR OVER FOUR DECADES, THE HEALTH LAW & POLICY INSTITUTE (HLPI) AT THE UNIVERSITY OF HOUSTON LAW CENTER (UHLC) HAS BEEN AT THE FOREFRONT OF LEGAL EDUCATION, SCHOLARSHIP, AND POLICY ANALYSIS RELATED TO HEALTH CARE AND BIOTECHNOLOGY. Formed in 1978 to advise the Texas Legislature on health law and policy issues, HLPI has built a diverse portfolio of research on a variety of topics, including health finance systems, disability law, health information exchange, genetic data, health care quality and access improvement, integrated provider organizations and questions of individual rights in health care, and biomedical research. In October 2009, the University became a member institution of the famed Texas Medical Center, solidifying HLPI’s link to the world’s largest medical complex. Our mission is threefold:

• **Education:** to provide one of the nation’s most rigorous, comprehensive, and cutting-edge programs in health law at the basic (J.D.) and advanced (LL.M.) levels with the goal of preparing students for careers in health law practice or academic or policy-oriented positions

• **Research:** to facilitate independent and grant-funded research and to cultivate the next generation of health law scholars by providing mentoring and support to our students

• **Service:** to share our knowledge through public commentary and engagement and to advise the Texas Legislature and state regulatory agencies on matters involving health care and public health
The Health Law & Policy Institute (HLPI) at the University of Houston Law Center

TURN ON THE TELEVISION; PICK UP YOUR PHONE; SEARCH THE WEB. All will confirm the importance of health law and policy issues in the world around us. As the debates continue, leaders in government and private industry must rely on legal scholars to inform and refine their perspectives. HLPI has advanced the understanding of health law issues and provided guidance for significant policy decisions affecting health care for four decades.

On the campus of the University of Houston Law Center, HLPI engages in teaching, research, and service related to health law and policy. Beyond the University, HLPI maintains connections with academic and health institutions locally, nationally, and around the world.

HLPI’s concentrations are as varied as the topics in health care, one of the fastest growing areas of the economy. They include biotechnology, public health, electronic medical records, health care reform, genetics, biobanks, disability rights, health care finance, health insurance, end-of-life issues, corporate transactions, health care fraud and abuse, children’s health, hospital law and ethics, health legislation, regulation of health care, Medicaid, and Medicare.

The University of Houston is a Carnegie-designated Tier One University. The UH Law Center has been cited as one of the best values in legal education today. We are the leading law school in the nation’s fourth-largest city, and our health law curriculum is among the broadest offered in the Southwest.

The UH Law Center’s Health Law program is tied for #3 in the 2020 U.S. News & World Report. HLPI has been ranked consistently among the top 10 programs in the country for the last 26 years. Source: U.S. News & World Report

Houston’s dramatic skyline is a showcase of post-modern architecture. The nearby Johnson Space Center is NASA’s Mission Control. The Hobby Center is a jewel for Houston’s vibrant performing arts scene. The Kemah Boardwalk beckons tourists on the way to Galveston Island. Bicycle riding and racing are year-round pursuits in Houston. NRG Stadium, home to the Houston Texans of the NFL, dwarfs the legendary Astrodome. Nightclubs and outstanding restaurants add energy to downtown Houston. Houston is one of a handful of cities with resident troupes in the major performing arts. A Hermann Park sculpture honors the city’s namesake: General Sam Houston.

There’s a good reason why a large percentage of the UH Law Center’s alumni live in the greater Houston area. Along with its friendly, laid-back sensibility, Houston still offers a low cost of living compared to many larger American cities.

... a city on the move!
Jessica L. Roberts is the Director of the Health Law & Policy Institute and the Leonard H. Childs Professor of Law and a Professor of Medicine specializing in genetics and the law, health law, and disability law. Prior to UH, Professor Roberts was an Associate-in-Law at Columbia Law School and an Adjunct Professor of Disability Studies at the City University of New York. Immediately after law school, she clerked for the Honorable Dale Wainwright of the Texas Supreme Court and the Honorable Roger L. Gregory of the Fourth Circuit Court of Appeals. Professor Roberts’ research operates at the intersection of health law, ethics, and social justice. Her scholarship has appeared, or is forthcoming, in the Yale Law Journal, Columbia Law Review, Northwestern Law Review, Michigan Law Review, Notre Dame Law Review (twice); the Journal of Law, Medicine, and Ethics; Science; and Nature Biotechnology (twice); among others. Cambridge University Press published her book on “healthism,” co-authored with Elizabeth Weeks Leonard, in 2018.

Her recent scholarship focuses on people’s legal interests in their genetic data. Professor Roberts has received funding from the Greenwall Foundation and the National Institutes of Health for her work on the legal implications of genetic technology. A noted expert on diverse issues of health law, Professor Roberts has been interviewed by several leading media outlets, including U.S. News, the New York Times, the Washington Post, the Houston Chronicle, National Public Radio, and BBC World Service. Her work has been featured in several legal outlets, including the Yale Law Journal, Columbia Law Review, Northwestern Law Review, Michigan Law Review, Notre Dame Law Review (twice); the Journal of Law, Medicine, and Ethics; Science; and Nature Biotechnology (twice); among others. Cambridge University Press published her book on “healthism,” co-authored with Elizabeth Weeks Leonard, in 2018.

Professor Roberts teaches, or has taught, genetics & the law, disabilities & the law, contracts, and health law.

Jessica L. Mantel is a Co-Director of the Health Law & Policy Institute, Professor of Law, and George A. Butler Legal Research Professor. Her research interests include the impact of legislative and regulatory schemes on emerging trends in the health care delivery system, the implementation of the Affordable Care Act, and the allocation of limited health care resources. Her most recent work has focused on how payment reforms impact the physician-patient relationship and cross-sector collaborations to address the social determinants of health. Prior to joining the UH Law Center in 2010, Professor Mantel served as a senior attorney in the Office of the General Counsel at the U.S. Department of Health and Human Services. While in government, Professor Mantel worked on a range of Medicare matters, including advising the Centers for Medicare and Medicaid Services (CMS) on implementation of the new Medicare prescription drug benefit, hospital payment, and incentive payments for providers adopting electronic health records. Prior to this, she was a health analyst at the Government Accountability Office and was an associate in the health care practice at Ropes & Gray.

Valerie Gutmann Koch is a Co-Director of the Health Law & Policy Institute. She also serves as the Director of Law & Ethics at the University of Chicago MacLean Center for Clinical Medical Ethics. Previously, she was the Jaharis Faculty Fellow at DePaul University College of Law and a Visiting Assistant Professor at IIT Chicago-Kent College of Law. Professor Koch received her J.D. from Harvard Law School and was an A.B. from Princeton University with an A.B. from the Princeton School of Public and International Affairs, with a focus in bioethics. Professor Koch is committed to public service, including serving as the Chair of the ABA’s Special Committee on Bioethics and the Law and Co-Chair of the Law Anxiety Group for the American Society for Bioethics and the Humanities.

As a scholar of bioethics, public policy, and health law, Professor Koch concentrates on how medical and technological advances influence what is and sometimes transform various areas of law, identifying ways in which law and policy are – or are not – equipped to address changes in technology and practice. She earned her J.D. from Harvard Law School, where she was the co-editor of the recent developments section of the Journal of Law, Medicine, and Ethics. She graduated magna cum laude from Princeton University with an A.B. from the Princeton School of Public and International Affairs, with a focus in bioethics. Professor Koch is committed to public service, including serving as the Chair of the ABA’s Special Committee on Bioethics and the Law and Co-Chair of the Law Anxiety Group for the American Society for Bioethics and the Humanities.
Dr. Michael S. Ewer is a Professor of Medicine and an administrator at MD Anderson Cancer Center, where he has served for the last 42 years. He is also a faculty member at the University of Bern in Switzerland. Dr. Ewer holds a doctorate degree from The University of Texas and received his J.D. and LL.M. degrees from the University of Houston Law Center. He has broad experience in medical ethics, conflicts of interest, and uncompensated (charity) medical care. Dr. Ewer has published extensively in the fields of oncology, medical ethics, and philosophy of medical care; has authored four medical texts; and is a sought-after international speaker. He teaches public health law, hospital law & ethics, HIPAA, advanced health law, and constitutional law.

LEAH R. FOWLER
Research Director, Health Law & Policy Institute
Research Assistant Professor
B.S., Georgetown University
J.D., University of Houston Law Center

Leah R. Fowler is a Research Assistant Professor and Research Director in the Health Law & Policy Institute. She conducts multidisciplinary, collaborative research on the ethical, legal, and social implications of health care innovations, including consumer health technology, novel care delivery models, and public health interventions. Her recent work has been published in forthcoming in the Journal of Legal Medicine and the American Journal of Bioethics. Prior to joining the UH, Professor Fowler worked in the Health Policy Program Manager in the Center for Medical Ethics and Health Policy at Baylor College of Medicine, where she maintains a designation as a Health Policy Scholar.

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Seth J. Chandler is a Law Foundation Professor of Law, A.B., Princeton University, J.D., Harvard Law School.

Seth J. Chandler is a Law Foundation Professor of Law at the UH Law Center who specializes in insurance law and the application of mathematics and computer science to law. Professor Chandler won a prestigious university-wide teaching excellence award in 1995, was a first year winner of the Innovator Award from Wolfram Research, received the President’s Medal from Leeds University for extraordinary service in the aftermath of Hurricane Katrina, and has been called on twice to testify before Congress on the Affordable Care Act. Professor Chandler has a broad Internet presence, he is the author of over 100 interactive Demonstrations, over 20 Resource Functions, and several Data Repositories on the Wolfram Research website. He founded two blogs, acadethispilgrimage.org, which addressed the ACA, and catrisk.net, which addressed catastrophic insurance in Texas. Professor Chandler’s blog entries have over 400,000 views. He practiced with Munger, Tolles & Olson LLP in Los Angeles and Williams & Connolly LLP in Washington, D.C., before beginning his academic career in 1990 at the UH Law Center. Professor Chandler teaches contracts, health law, analytic methods, and constitutional law.

RESEARCH ACTIVITIES
HPILP is deeply committed to research and is actively engaged in the study of health issues affecting the state and the nation. Its studies on mental health, nonfinancial barriers to health care, eHealth, long-term care, universal health insurance, family violence, disease control, and the health care system have provided the foundation for legislative action. HPILP and its faculty receive research funding from external entities, including the Greenwall Foundation, the Texas Legislature, the Texas Department of State Health Services, the National Institutes of Health, the U.S. Department of Health and Human Services, and TIRR Memorial Hermann. Selected areas of faculty research interests include:

- Children’s Rights
- Disability Rights
- eHealth
- Genomic Data
- Health Care Modernization
- Health Disparities
- Health Insurance
- Regulation of Preuler Organizations
- Tobacco Regulation

SETH J. CHANDLER
Law Foundation Professor of Law
A.B., Princeton University
J.D., Harvard Law School

Seth J. Chandler is a Law Foundation Professor of Law at the UH Law Center who specializes in insurance law and the application of mathematics and computer science to law. Professor Chandler won a prestigious university-wide teaching excellence award in 1995, was a first year winner of the Innovator Award from Wolfram Research, received the President’s Medal from Leeds University for extraordinary service in the aftermath of Hurricane Katrina, and has been called on twice to testify before Congress on the Affordable Care Act. Professor Chandler has a broad Internet presence, he is the author of over 100 interactive Demonstrations, over 20 Resource Functions, and several Data Repositories on the Wolfram Research website. He founded two blogs, acadethispilgrimage.org, which addressed the ACA, and catrisk.net, which addressed catastrophic insurance in Texas. Professor Chandler’s blog entries have over 400,000 views. He practiced with Munger, Tolles & Olson LLP in Los Angeles and Williams & Connolly LLP in Washington, D.C., before beginning his academic career in 1990 at the UH Law Center. Professor Chandler teaches contracts, health law, analytic methods, and constitutional law.

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Research Assistant Professor
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J.D., University of Houston Law Center

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JIM HAWKINS
Professor of Law and Alumnae College Professor in Law
B.A., Baylor University
J.D., The University of Texas School of Law
Jim Hawkins earned his J.D. from The University of Texas, where he was the Grand Chancellor and served as the Chief Articles Editor of the Texas Law Review. He has published articles in the UCLA Law Review, the Minnesota Law Review, the Indiana Law Journal, the Washington and Lee Law Review, the Williams and Mary Law Review, and the Harvard Journal on Legislation, among other journals. His papers have been selected for the Yale/Stanford/Harvard Junior Faculty Forum and for the Petrie-Flom Center’s annual conference at Harvard Law School.

Professor Hawkins joined the University of Houston Law Center after clerking for the Honorable Jerry E. Smith of the U.S. Fifth Circuit Court of Appeals and working with the Houston office of Fulbright & Jaworski, LLP. His research and teaching interests include consumer borrowing, the fringe banking industry, and the fertility business. His research has been featured in the Wall Street Journal, the Washington Post, and other media outlets.

DAVID KWOK
Associate Professor of Law
B.S., Northwestern University
M.P.P., University of California, Berkeley
J.D., University of California, Berkeley
Ph.D., University of California, Berkeley
David Kwok graduated Northwestern University with a B.S. from the McCormick School of Engineering and received his law degree from the University of California, Berkeley School of Law, where he was elected to Order of the Coif. At Berkeley, he also received his Master’s Degree in Public Policy from the Goldman School of Public Policy and his Ph.D. in Jurisprudence and Social Policy.

After law school, Professor Kwok clerked for the Honorable John T. Noonan, Jr. of the United States Court of Appeals for the Ninth Circuit. Professor Kwok teaches and writes about white collar crime, public policy, and law and the social sciences.

ELLEN MARRUS
Royce Till Professor of Law
Director, Center for Children, Law & Policy
B.A., Kean College
J.D., University of San Francisco
LL.M., Georgetown University Law Center
Ellen Marrus teaches in the areas of juvenile law, professional responsibility, children and the law, and practice skills. She concentrates her scholarship in the areas of children’s rights, juvenile justice, and professionalism. Professor Marrus also directed and taught in the clinical programs at the UH Law Center for 10 years. She currently directs the Center for Children, Law & Policy at the UH Law Center. Professor Marrus serves on various local and national boards, including the National Juvenile Defender Center, the Southwest Regional Juvenile Defender Center, the Center for Urban Transformation, the Houston Association of Counsel for Children, and the Clinical Legal Education Association.

RONALD TURNER
A.A. White Professor of Law
B.A., Wilberforce University
J.D., University of Pennsylvania
Ronald Turner is the A.A. White Professor of Law and teaches and writes in the areas of labor and employment law, constitutional law, race and the law, and HIV/AIDS and the law. He has published over 90 articles, and is the author or co-author of three books, as well as an employment discrimination and torts casebook. He was the editor of the UPI Labor Yearbook and the UPI Workforce Yearbook.

Prior to joining the UH Law Center, he practiced labor and employment law in Chicago, Illinois and was a member of the faculty at the University of Alabama School of Law. He has also served as a Visiting Professor of Law at the William & Mary School of Law and as a Visiting Professor of history at Rice University. Professor Turner is a member of the American Law Institute and an American Bar Foundation Fellow.
Following is a representative sampling of recent faculty scholarship and activities:

JESSICA L. ROBERTS
Director, Health Law & Policy Institute
Professor of Law and Medicine
Leonard H. Childs Professor of Law
Genetic Duties (with Alexandra L. Foulkes), 62 Wm. & Mary L. Rev. --- (forthcoming 2020).
When Health-Tech Companies Change Their Terms of Service (with Jim Hawkins), Policy Forum, 367 Science 745 (February 2020).
How to be a Mentor in Three Scenes (Tribute to Karen Rothenberg), 22 J. of Health Care L. & Pol’y 159 (2020) (invited symposium contribution).
GINA, Big Data, and the Future of Employee Privacy (with Bradley A. Airola), 128 Yale L.J. 7:0 (2019).
Forest Genealogy and the Power of DNA (with Natasha Rani), Corruptandata, 17 Nature Biotech. 709 (2019).
JESSICA L. MANTEL
Co-Director, Health Law & Policy Institute
Professor of Law
George A. Butler Legal Research Professor of Law
A Qualitative Study of the Promises and Perils of Medical Legal Partnerships, 12 Northeastern L. Rev. 186 (2020) (co-authored with Leah Fowler) (selected from call for papers).
VALERIE GUTMANN KOCH
Co-Director, Health Law & Policy Institute
Assistant Professor of Law
Prostitution: Gender, Licit and Licit-Liability, and Incentive Structures (John Choi and Kate Watson, eds.) (University Press forthcoming 2020).
Disability Law Foundation Professor of Law
Selected Bioethics 35 (2019).
SATI CHANDLER
Law Foundation Professor of Law

MICHAIL S. EWER
Health Law L.E.O. Director & Distingished Visiting Professor
Old and New Directions of Cardio-Oncology (with Carver E.) 122 (10) Br. J. Cancer 1453-1460 (2020).
Thrombosis Cardiotoxicity After Anthracycline Exposure Constitutes a Complex and Clinically Important Entity 7 (9) JACC Heart Fail. 805-807 (2019).
A Qualitative Study of the Present and Perils of Medical-Legal Partnership with Justice Mantell 12 Newcomen L. Rev. 1:2020 (selected from call for papers).

LEAH R. FOWLER
Research Director, Health Law & Policy Institute
(Planning Outside the Silo: Information Sharing in Medical-Legal Partnerships (with Jusica Mantell) J. Legal Med. (forthcoming).
(Forthcoming).
Tom Use of Smartphone Applications for Mobile Trucking Tracking (with Stephanie Morán and Charlotte-Gillard) 4 (7) Parameters 5 (2020).
The Whistleblower as Corporate Frenemy: Employee Reporting and the Limits of Corporate Integrity (with Jessica Mantel) 12 Northeastern L. Rev. 1098 (2019).
Trustworthiness Cardiotoxicity After Anthracycline Exposure Constitutes a Complex and Clinically Important Entity 7 (9) JACC Heart Fail. 805-807 (2019).
(With Kristin Kostick and Stephanie Morain) J. Legal Prof. (forthcoming).
A Nudge Toward Meaningful Choice (with Jane L. Roberts).
(With Stephanie Morain and Charlotte Gillard) 21 Health Promotion Prac. 5:64-67 (2019).

ELLEN MAURUS
Keppell Toll Professor of Law
Director, Center for Children, Law & Policy

ROBERT RONALD
A.A. White Professor of Law
Title VII and the Crowdsourced Case: An Anti-LGBTQ Discrimination Unfair Use Discrimination, 93 Ind. L. Rev. 227 (2020).
The FAA, the NLRA, and Epic Systems’ Epic Fail 227 (2020).
The Whistleblower as Corporate Frenemy: Employee Reporting and the Limits of Corporate Integrity (with Jessica Mantel) 12 Northeastern L. Rev. 1098 (2019).
(With Barbara) Evans & Harlan M. Kremnitz.

DAVID KWOK
Associate Professor of Law
Understanding Fraud, 100 Ky. L.J. __ (forthcoming 2021).
As COVID-19 began to spread abroad, experts in law, infectious diseases, medicine, and public health gathered to discuss potential outcomes and methods to confront the pandemic in a webinar in February hosted by the University of Houston Law Center’s Health Law & Policy Institute.

The webinar was intended for the general public and media but was of particular interest to law enforcement, the judiciary, public health, business, and education. The then-novel webinar format allowed us to reach a broad audience of 140 attendees, including viewers in Canada, Peru, Puerto Rico, and the U.K.

Speakers discussed laws pertaining to isolation and quarantine, while local health officials analyzed our early understanding of the epidemiology of the outbreak and efforts to prevent and respond to a potential emergency. There were also discussions of legal and practical issues for employers and educational institutions.

Law Foundation Professor of Law Seth J. Chandler, an economics and health law scholar, moderated the webinar. At the time, health officials and policymakers knew little about the spread of the disease and the direction the pandemic would take in the United States. In discussing the uncertainty, Professor Chandler encouraged a balanced perspective in our planning and approaches. “We’re in the gray zone between unwarranted optimism and induced panic, and both are mistakes,” Chandler said. “Too little preparation, and we could find ourselves overwhelmed. People do not always make good decisions under pressure when confronting new woes. Too much worry is also dangerous. Fear has costs.”

In addition to promoting rational, evidence-based decision-making as a general matter, Professor Chandler focused on Houston specifically. Houston is a major hub for industry and immigration, and he noted that those qualities created the potential to become an epicenter for COVID-19. In anticipation of this possibility, he pointed to federal and state quarantine laws and their applicability to citizens and non-citizens alike. Chandler noted that “being a U.S. citizen does not immunize you from the potential for being quarantined.”

Dr. Luis Ostrosky-Zeichner, Vice-Chair in Healthcare Quality and a professor in infectious diseases at the UTHealth McGovern Medical School, served as the second speaker and addressed the current understanding of coronavirus epidemiology. “Coronaviruses are a large family of viruses that are very common in many different species of animals,” Ostrosky-Zeichner said, speaking generally. “It is one of the most common causes of the ‘common cold’ in humans.”

But beyond that basic understanding, the coronavirus family, much of what we now understand about SARS-CoV-2 was still a mystery at the time of the webinar. Ostrosky-Zeichner instead focused on the early facts, which are now widely known. “This iteration of the virus was first detected in Wuhan, China in December,” he said. “Initial cases had a link to a large ‘wet market’ that suggested an animal-to-person spread. Subsequent cases indicated person-to-person spread, and cases are now being reported in several countries.”

While the webinar drew an international audience and discussed global concerns, Houston remained central to the discussion. Dr. Umair Shah, Executive Director and Local Health Authority for Harris County Public Health, discussed the early local state of affairs pertaining to COVID-19. “This is an emerging, rapidly evolving situation, and Harris County Public Health is monitoring the situation along with local, state, federal, and global partners,” Shah said in February.

Dr. Shah was quick to note that we were battling two pandemics—one of disease and one of misinformation—an observation that has proven especially prescient in the months following the webinar. “Certain parts of our community have had a lot of rumors and information that’s incorrect. The second part of any outbreak that we usually have to fight is misinformation.”
HLPI WELCOMES VALERIE GUTMANN KOCH WHO APPLIES HER EXPERTISE TO THE PANDEMIC

HLPI welcomed our new faculty member, Valerie Gutmann Koch. Professor Koch has written extensively regarding the pandemic, given her unique expertise on the bioethical issues related to crisis standards of care, scarce resource allocation, and liability shields. She published an op-ed in STATnews, calling for evidence-based policy in allocating scarce resources, and she called for the utilization of triage committees on the Health Affairs Blog. She argued against inclusion of do-not-resuscitate orders in allocation plan exclusion criteria for the Hastings Center Bioethics Forum, and she was published twice on Harvard Law School’s Pierre Buisson Bill of Health blog, first on the subject of malpractice rules and again about legal liabilities concerning for health care providers.

Koch spoke with Bloomberg Law, the Chicago Reader, and twice with ModernHealthcare about legal liability for health care providers during the pandemic. She has also discussed the implementation of crisis standards of care with STAT, the British Medical Journal, and Factcheck.org. Professor Koch was interviewed on WBEZ Reset about the role of medical ethics during the pandemic and CBS Tampa Bay about the role of do-not-resuscitate orders in deciding whether to transfer a patient to a hospital. Chicago Reader published a profile of her work.

UHLC’S HEALTH LAW & POLICY INSTITUTE ORGANIZES COVID-19 LEGAL RESOURCES TOOLKIT

HLPI launched a COVID-19 Pandemic Legal Resources for Texas page on the University of Houston Law Center website in March.

The Health Law & Policy Institute continues to work closely with the judiciary and the Office of Court Administration to advise on Chapter 81 of the Texas Health & Safety Code, which covers the role of Texas courts during public health emergencies. Updates and new content can be found at www.law.uh.edu/healthlaw/covid-19/.

The initiative was arranged by Research Assistant Professor Leah Fowler. “We are in challenging times, and each state is working hard to flatten the curve,” Fowler said. “In Texas, key control measures are found in Chapter 81 of the Texas Health & Safety Code. We are proud to develop resources that help practitioners navigate what is likely an unfamiliar statute.”

The page houses several resources developed for judges and attorneys handling court-ordered management of persons with communicable diseases, including memoranda, training videos, and forms. Importantly, the website also includes the 2020 edition of “Control Measures and Public Health Emergencies: A Texas Bench Book.”

Other features include links to important emergency orders from the Supreme Court of Texas and Court of Criminal Appeals of Texas, as well as important declarations from Gov. Greg Abbott and Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt. HLPI’s videos, memos, bench book, and links provided useful information to the public, attorneys, and the judiciary.

HLPI’s COVID-19 Pandemic Legal Resources page was launched in March 2020.

From Left to Right: HLPI’s Website on COVID-19 Resources and HLPI’s Texas Bench Book.
The UH Law Center offers a Master of Laws (LL.M.) in Health Law, which according to the LL.M. Guide, is one of the top 10 programs in the world. The program has graduated over 200 attorneys since beginning in 1992. Students must complete 24 credit hours, including a minimum of 18 hours in health law courses. Students also have the option of writing a 50-page thesis. Many LL.M. students combine classes with research projects, externships, or other practice or policy experiences. They frequently publish their research.

PLEASE SEND INQUIRIES TO:  
University of Houston Law Center  
LL.M. Program  
4604 Calhoun Road  
Houston, Texas 77204-6060  
713.743.2081  
llm@uh.edu

The J.D./M.P.H. Program offers students the ability to pursue a concurrent J.D. degree from the UH Law Center and a Masters of Public Health from The University of Texas School of Public Health (UTSPH), Health Science Center at Houston. By receiving joint credit for courses approved by both institutions, a student may earn both degrees in a shorter time. The joint degree allows students to concentrate their studies on such areas as health services delivery, occupational and environmental health, access to insurance, patient safety issues, and other public health concerns.

The J.D./LL.M. Program allows students to earn both degrees in 3.5 years (105 credit hours). University of Houston law students are eligible to apply for the joint J.D./LL.M. program after the completion of 30 credit hours. Joint degree students must meet all J.D. and LL.M. degree requirements to complete the program.

PLEASE SEND INQUIRIES TO:  
Office of Admissions  
Baylor College of Medicine  
One Baylor Plaza, Room N104  
Houston, Texas 77030  
713.798.4842  
admissions@bcm.edu  
www.bcm.edu

Students in the program have “visiting” status and receive their law degree from their home institutions. Students can also take any specialty courses at the UH Law Center and transfer those credits to the J.D./LL.M. program.

HEALTH LAW EXTERNSHIPS

Students may earn academic credit by serving in externship positions in nonprofit or public entities. Numerous placements are available in the Houston area, including hospital general counsel offices, hospital risk management departments, government and compliance agencies, the Texas Legislature, and nonprofit advocacy groups.

“The dual J.D./M.D. program helped me to have a successful career in health policy. Health policy is a difficult field to break into, but having both degrees gives me a unique perspective and understanding of the complexities of health care and health policy, which has set me apart from others working in the field.”

QUANTA MOORE, M.D., J.D. ’09  
Fellow in Child Health Policy  
Rice University

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WITH 29 COURSES, THE UH LAW CENTER OFFERS ONE OF THE LARGEST AND MOST COMPREHENSIVE HEALTH LAW CURRICULA IN THE COUNTRY. The UH Law Center also has recognized strengths in the complementary fields of intellectual property, environmental law, international law, business/transactional law, trial advocacy, and other areas. Health law classes are taught by full-time HLPI faculty members with national and international reputations and by successful practicing attorneys who serve as adjunct professors. The following is a list of recent health law offerings.

Advanced Health Law  
Bioethics  
Comparative Health Law  
 Disabilities and the Law  
E-Health Law Writing Course  
 Elder Law  
 Employee Benefits Plans & Compensation  
Employment Discrimination  
 Food and Drug Law  
 Foundational Issues in Health Law: Patient, Provider, Society, and Law  
 Fraud and Abuse  
 Genetics and the Law  
 Health Care Compliance  
 Health Care Transactions  
 Health Industry Basics: Providers-Innovators-Regulators  
 Health Law Externship  
 Health Law Research  
 Health Legislation and Advocacy  
 HIPAA  
 Hot Topics in Health Policy  
 Insurance Law  
 Life and Health Insurance  
 Long-Term Care Law  
 Mental Health Law  
 Public Health Law  
 Reproductive Rights  
 Scientific Evidence  
 Taxation of Exempt Organizations  
 The U.S. Health System: An Introduction to Managed Care, Transactions and Policy  

* Not all classes are offered every year, and offerings are subject to change. Please visit law.uh.edu/healthlaw for current information and course descriptions.

THE HEALTH LAW ORGANIZATION

The Health Law Organization (HLO) provides opportunities for students to discuss health law issues and to work with faculty on projects that promote learning in health law and policy. HLO also sponsors speakers, initiates charity fundraisers, provides information and networking for students on career opportunities in health law, and organizes social activities for health law students.

THE HOUSTON JOURNAL OF HEALTH LAW & POLICY

The Houston Journal of Health Law & Policy (HJHLP) provides a scholarly forum to explore interdisciplinary issues in health law and policy. It publishes one issue of professional and student-authored pieces each year focusing on an emerging issue in health care. Symposium topics have included health access and health justice (2016), telemedicine (2017), climate change and public health (2018), health law and policy challenges posed by human space flight (2019), and Medicare for all (2020). Stafied by law students who are committed to health law, editors may earn academic credit while gaining valuable research, writing, and editing experience.

MOOT COURT

HLPI supports two health law moot court competitions in collaboration with the Law Center’s Blakely Advocacy Institute: the L. Edward Bryant, Jr. National Health Law Transactional Moot Court Competition and the SIU National Health Law Competition. Students hone their advocacy skills by analyzing and arguing a health law legal issue.

HEALTH LAW FELLOWSHIPS

HLPI offers state legislative fellowships for students to work with lawmakers in Austin, Texas every biennium. The fellowships provide students with a unique opportunity to participate in health policymaking at the state level and to forge strong networks with policy leaders. Fellowships provide students with a unique opportunity to participate in health policymaking at the state level and to forge strong networks with policy leaders. Fellowships provide students with a unique opportunity to participate in health policymaking at the state level and to forge strong networks with policy leaders. Fellowship program includes an introduction to Mansfield, Texas, a community with a rich health care history.

THE HEALTH LAW PROGRAM AT UHLC exposes students to both academic and practical aspects of health law, allowing the individual to gain an appreciation for the many specific areas of law that are encompassed within the general term ‘health law.’ The program provided a pathway to confidence and poise, allowing me to constructively manage the various issues encountered while serving as in-house counsel for a hospital.

NATHAN ANDERSEN, LL.M. ‘08  
Associate Vice President of Legal Affairs and Public Information Officer  
The University of Texas Medical Branch
The Health Law Section sponsored four Health Law students to attend the State Bar of Texas Health Law Conference in Austin.

Four exceptional UHLC students were selected to attend the annual Texas Health Law Conference hosted by the Health Law Section of the State Bar of Texas last October. The three-day event held in Austin is one of the preeminent health law conferences in Texas. Topics ranged from insurance and health care reform to privacy and ethical issues.

HLPI was pleased to nominate Cynthia Adjain, Emily Becher, Michael Nolan, and Jennifer Pier for the scholarships from the Health Law Section of the Texas Bar Association.

Health Law Students Place in Health Law Moot Court Tournament

Last November, moot court teams from around the country descended again upon Carbondale, Illinois for the SIU National Health Law Moot Court Competition. UHLC team members were as follows: Cody Miller, Brian Pounds, Lakshmi Achari, and Taylor Hood. LLM alum Julia Peebles and Jay Zhang coached the teams.

Brian Pounds and Cody Miller made it to the semi-finals.

Health Law Writing Award

HLPI awarded two deserving students with the 13th Annual Ewer-Oren Health Law Writing Award. Rachel Arco received the award in recognition for her paper entitled When Conditions of Confinement Lead to Violence: Eighth Amendment Implications of Inter-Prisoner Violence. Emily Haywood’s paper, Procedural Due Process Under State Guardianship over the Mentally Ill, shared the award.

This J.D. writing award was established by Professor Laura Oren, Ph.D., J.D., in honor of Dr. Michael Ewer and her mother, Grace Oren, to be given to the best health law paper written by a J.D. student.

We always look forward to reviewing our students’ outstanding scholarship, and this year was no exception. It is a joy to watch our students develop as attorneys and health law scholars during their time at the University of Houston Law Center, and a privilege to recognize their hard work with these writing awards.

Health Law Scholarships

Our students are always our proudest accomplishments. This year, five students received major health law awards. Cody Miller received the Scott Chase Scholarship, Taylor Hood and Benson Hill both received the Prudential Scholarship, and Simone DeLacey received the Health Law & Policy Institute Scholarship. Finally, Amanda Rhodes received the second annual Lex Frieden Endowed Scholarship for Health Law.
ANNUAL HJHLP HEALTH LAW SYMPOSIUM ON MEDICARE FOR ALL

On October 25, 2019, we hosted our 7th annual writing symposium workshop. This year, we tackled the timely topic of Medicare for All. Each of our authors approached the issue from a different perspective, creating exciting diversity in the paper topics that will appear in Volume 20 of the Houston Journal of Health Law & Policy.

Professor Zack Buck from the University of Tennessee provided a look at the potential and often unexplored benefits of expanding Medicare’s regulatory schemes, including various fraud and abuse laws. Professor Nicole Huberfeld of Boston University School of Public Health and School of Law applied her keen eye for detail to explore the nuances between the current proposed Medicare for All legislation. Professor David Hyman (in collaboration with Charles Silver) added a contrasting view, examining the common misunderstandings in the debate about Medicare for All that built on their prior work in their book “Overspent.” Professor Jaqueline Fox of the University of South Carolina School of Law contributed to the discussion, urging authors to consider prices and payment structures and to look beyond insurance to the role of the reinsurance market.

Access to health care is a hot topic in the lead up to the 2020 election. As we planned our symposium in 2019, we knew that critical exploration of the benefits and drawbacks of transformative policy approaches like Medicare for All would contribute meaningfully to the political discussion. However, we did not fully appreciate how vital this issue would become until February 2020, when news of the COVID-19 pandemic shed additional light on the far-reaching consequences of a fractured health care system.

It was with this perspective that Seth J. Chandler penned the Introduction to the volume. In it, he contrasts Professor Buck, Professor Huberfeld, and Professor Hyman’s contributions, which include a public option and fortifying the Affordable Care Act, and places them in the context of our new realities. He concludes that while the pandemic has given needed clarity to national priorities and approaches to health care, it has also created potential economic roadblocks that—for better or worse—may slow-track any major policy overhauls.
DISTINGUISHED SPEAKERS VISIT UHLC

Nationally Recognized Attorney Addresses Price Transparency

Susan Feigin Harris (UHLC ’88), a Houston attorney with a national reputation, joined us on November 7, 2019. In her well-attended talk, she covered price transparency, surprise medical bills, and the affordability conundrum in the U.S. health care system. Susan’s deep experience practicing health law and work in legislative advocacy enhanced her talk, which provided attendees with an hour of expert insights and CLE.

Nationally Recognized Attorney Addresses Price Transparency

Susan Feigin Harris presented “The Healthcare Bill: Why are there surprises and what are the solutions to achieve price transparency?” as part of the HLPI Health Law Speaker Series.

Deputy General Counsel of DHHS Gives Guidance on Health Care Fraud

In December, we co-hosted an event with the Houston Bar Association and Seyfarth Shaw, LLP. This event, featuring William Chang, Deputy General Counsel of the Department of Health and Human Services, and attorneys from Memorial Hermann Health System, Houston Methodist, and Seyfarth Shaw, took place at the Parador, one of Houston’s premier event venues. It drew an impressive crowd of about 50 local attorneys and health law professionals.

Deputy General Counsel of DHHS Gives Guidance on Health Care Fraud

From Left to Right: Jesse Coleman, Seyfarth; William Chang, U.S. Department of Health and Human Services; Chris DeMeo, Seyfarth; Rob McStay UHLC ’03, Memorial Hermann; Mark Easterly, Houston Methodist.

Craig Konnoth

On February 24, Professor Craig Konnoth of the University of Colorado Law School joined the law center to present his work Preemption Through Privatization. In his presentation, Professor Konnoth used constitutional and administrative law as a lens through which to consider the role of private actors in scholarly conversations about preemption. In the end, he introduced a model that triangulates the interests of federal, state, and private entities.

Craig Konnoth

Craig Konnoth, an Associate Professor of Law at the University of Colorado Law School, addressed UHLC faculty and students.

Mark Weber

On February 27, Professor Mark Weber of DePaul College of Law presented his essay Of Immigration, Public Charges, Disability Discrimination, and, of All Things, Hobby Lobby. Professor Weber addressed one of the most pressing issues in immigration law – the public charge rule. He analyzed this rule through its impact on people with disabilities. He proposed that the same legal reasoning in Burwell v. Hobby Lobby proved that the public charge rule was unworkable.

Mark Weber

Mark Weber, a Professor of Law at DePaul College of Law, spoke as part of the HLPI Health Law Speaker Series.
THE HEALTH LAW & POLICY INSTITUTE ADVISORY BOARD MEETS TO DISCUSS THE GOALS AND ACHIEVEMENTS OF HLPI AND ADVISES HLPI ON OPERATIONAL, ACADEMIC, AND POLICY MATTERS. Members include legal, medical, and public health practitioners, as well as business leaders.