



Friday, March 17, 2017

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## Upcoming Lecture with Former HHS General Counsel William B. Schultz



### **The Affordable Care Act: Past, Present and Future**

A lecture by [William B. Schultz](#), General Counsel of HHS, 2011-2016

**March 23, 2017 4:00 PM**

[Wasserstein Hall, Milstein East \(2036\)](#)

[Harvard Law School, 1585 Massachusetts Ave., Cambridge, MA](#)

Enacting universal healthcare was a 65 year project, which cost two Presidents control of Congress and jeopardized their chance for reelection. From the time the Affordable Care Act was enacted in 2010 to the end of President Obama's second term, its repeal has been the number one priority of the Republicans in Washington, and it was deeply unpopular across the nation. Now that the Republicans have control of all branches of government, the repeal agenda is complicated by the new support for the law by voters and some Republican governors. This lecture will discuss the complicated politics surrounding the Affordable Care Act and the policy options for the future.

This event is free and open to the public.

## Don't Miss Our Upcoming Conferences!



### **Harvard Medical School 2017 Bioethics Conference: The Ethics of "Making Babies"**

**April 6 - 7, 2017**

[Harvard Medical School, Boston, MA](#)

**The event is free and open to the public, but seating is limited and registration is required. [Register now!](#)**

The use of assisted reproductive technologies raises far-reaching ethical and legal implications, yet there is little regulatory oversight of these medical procedures in the United States. In a field marked by rapid technological innovation, policy makers, physician-scientists, and those seeking infertility treatment must navigate questions related to conception in a landscape of shifting cultural norms and ideological divisions.

The Harvard Medical School Center for Bioethics' Annual Bioethics Conference convenes experts from education, medicine, law, and other key stakeholders to frame and discuss the ethical implications of both current and developing reproductive technologies.

**Check out the full agenda and list of speakers on our [website!](#)**

*Cosponsored by the [Center for Bioethics](#) at Harvard Medical School and the [Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics](#) at Harvard Law School, with support from the Oswald DeN. Cammann Fund at Harvard University.*



## 2017 Petrie-Flom Center Annual Conference: Transparency in Health and Health Care: Legal and Ethical Possibilities and Limits

April 28, 2017

[Wasserstein Hall, Milstein East ABC.](#)

[Harvard Law School, 1585 Massachusetts Ave., Cambridge, MA](#)

The event is free and open to the public, but seating is limited and registration is required. [Register now!](#)

Transparency is a relatively new concept to the world of health and health care, considering that just a few short decades ago we were still in the throes of a "doctor-knows-best" model. Today, however, transparency is found on almost every short list of solutions to a variety of health policy problems, ranging from conflicts of interest to rising drug costs to promoting efficient use of health care resources, and more. Doctors are now expected to be transparent about patient diagnoses and treatment options, hospitals are expected to be transparent about error rates, insurers about policy limitations, companies about prices, researchers about data, and policymakers about priorities and rationales for health policy intervention. But a number of important legal and ethical questions remain. For example, what exactly does transparency mean in the context of health, who has a responsibility to be transparent and to whom, what legal mechanisms are there to promote transparency, and what legal protections are needed for things like privacy, intellectual property, and the like? More specifically, when can transparency improve health and health care, and when is it likely to be nothing more than platitude?

This conference, and anticipated edited volume, will aim to: (1) identify the various thematic roles transparency has been called on to play in American health policy, and why it has emerged in these spaces; (2) understand when, where, how, and why transparency may be a useful policy tool in relation to health and health care, what it can realistically be expected to achieve, and when it is unlikely to be successful, including limits on how patients and consumers utilize information even when we have transparency; (3) assess the legal and ethical issues raised by transparency in health and health care, including obstacles and opportunities; (4) learn from comparative examples of transparency, both in other sectors and outside the United States. In sum, we hope to reach better understandings of this health policy buzzword so that transparency can be utilized as a solution to pressing health policy issues where appropriate, while recognizing its true limitations.

Check out the full agenda and list of speakers on our [website!](#)

Sponsored by the [Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics](#) at Harvard Law School and the [Center for Bioethics](#) at Harvard Medical School, with support from the Oswald DeN. Cammann Fund.

### Scholarship from Petrie-Flom Affiliates



#### Time is Money: An Empirical Assessment of Non-Economic Damages Arguments

by [Christopher T. Robertson](#) (Academic Fellow Alumnus)

*Washington University Law Review, Forthcoming; U Denver Legal Studies Research Paper No. 16-21; Arizona Legal Studies Discussion Paper No. 16-12, March 2, 2017*

For further discussion of the health law implications, see Chris' post on the *Bill of Health* blog [here!](#)

### News from Petrie-Flom Affiliates

#### Salon 19 Modern Death

By [Frances Kamm](#) (Senior Fellow Alumna)

*MoMA R&D, January 23, 2017*





### **Podcast: NFL Player Health with Chris Deubert**

By Peter Ott, interviewing Christopher R. Deubert (Senior Law & Ethics Associate)

*Sports Law Biz Blog, March 6, 2017*

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### **NFL's medical structure puts profits before players' health. That must change.**

By Sally Jenkins, citing Football Players Health Study  
*Washington Post, March 9, 2017*



### **NFL doctors are on the wrong team**

By Washington Post Editorial Board, citing Football Players Health Study  
*Washington Post, March 11, 2017*



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### **Teen Behind Landmark Juvenile Decision Back Before Judge to Be Resentenced**

By Matt Smith, quoting Robert Kinscherff (Senior Fellow in Law and Neuroscience)

*Juvenile Justice Information Exchange, March 13, 2017*

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### **Harvard Law School Ranked #5 for Health Care Law**

*U.S. News & World Report, March 2017*



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### **The ethics of recruiting study participants on social media**

By Heather Ziegler, quoting Luke Gelin (Fellow in Clinical Research Ethics)

*Medical Xpress, March 16, 2017*

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## **VIDEO NOW AVAILABLE! Workshop on Pretrial Justice**



### **Workshop on Pretrial Justice: What Works and Why?**

Workshop held on September 26-28, 2016

[Tosteson Medical Education Center Harvard Medical School, 260 Longwood Ave., Boston, MA](#)

In September 2016, the Federal Judicial Center hosted a workshop at Harvard Law School for federal judges and law enforcement officials on issues relating to pretrial diversionary courts, exploring the question of "What Works and Why?" with a focus on our increasing understanding of the neuroscience behind trauma, mental health, and addiction, as well as evidence-based models of care for people in the criminal justice system who qualify for pretrial diversion.

Check out the full agenda and watch now on our [website!](#)

Cosponsored by the [Federal Judicial Center](#) and the [Project for Law and Applied Neuroscience](#), a collaboration between the Center for Law, Brain and Behavior at Massachusetts General Hospital and the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School, with support from the [Criminal Justice Policy Program](#) at Harvard Law School.

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## **Recent Blog Posts**



### General health law/policy:

- ["Should Government Officials Be Held Responsible For Failing To Protect Health?,"](#) by Wendy Parmet
- ["Fantastic New Resource on Regulation,"](#) by Scott Burris
- ["Making a Moral Case for Regulation,"](#) by Scott Burris
- ["Housing Equity Week in Review,"](#) by Center for Public Health Law Research
- ["The Balancing Act Between Mental Illness and Gun Rights,"](#) by Mariam Ahmed
- ["The National Health Service \(NHS\) in England is standing on a burning platform?,"](#) by John Tingle
- ["Housing Equity Week in Review,"](#) by Center for Public Health Law Research

### Bioethics:

- ["Patient-Driven Medical Innovations: Building a Precision Medicine Supply Chain for All,"](#) by Kingshuk K. Sinha
- ["The Wearables Revolution: Personal Health Information as the Key to Precision Medicine,"](#) by Ernesto Ramirez
- ["Participant Power,"](#) by Jason Babe
- ["Citizen-Led Bioethics for the Age of Citizen Science: CRexit, BioEXIT, and Popular Bioethics Uprisings,"](#) by Barbara J. Evans
- ["Bill of Health Blog Symposium: How Patients Are Creating the Future of Medicine,"](#) by Susan M. Wolf
- ["Epistemic Injustice, Procedural Fairness, and the Real Weight of Medical Evidence,"](#) by Wendy Slain
- ["Undocumented Organ Transplants,"](#) by Brad Segal

### Pharmaceuticals:

- ["Monthly Round-Up of What to Read on Pharma Law and Policy,"](#) by Ameet Sarpatwari and Aaron S. Kesselheim
- ["Manufacturers Of Biosimilar Drugs Sit Out The 'Patent Dance',"](#) by Claire Laporte

### Reproductive health:

- ["Reproductive Health Under Assault,"](#) by Aziza Ahmed

### Health care reform/finance:

- ["NHS patient care and treatment errors: developing a learning culture,"](#) by John Tingle
- ["Drained Swamps and Quackery: Some Thoughts on Efficacy,"](#) by Séan Finan
- ["All-Payer Claims Databases After Gobeille,"](#) by Gregory Curfman
- ["Genetic counselors, genetic interpreters, and conflicting interests,"](#) by Katie Stoll, Amanda Mackison, Megan Allyse, and Marsha Michie
- ["Another Way to Cut Medical Malpractice Damages?,"](#) by Christopher Robertson
- ["Medicare Advantage Might Have Potential - If Companies Play Fair,"](#) by Shailin Thomas
- ["Repeal, Replace and Leave Out Immigrants: The American Health Care Act's Impact on Immigrants,"](#) by Wendy Parmet
- ["Will the Recent Workplace Wellness Bill Really Undermine Employee Health Privacy?,"](#) by Jessica L. Roberts

### 'The Week in Health Law' podcasts:

- ["Joanna Sax and Diana Winters on 'The Week in Health Law' Podcast,"](#) by Nicolas Terry and Frank Pasquale
- ["Lydia Nicholas on 'The Week in Health Law' Podcast,"](#) by Nicolas Terry and Frank Pasquale
- ["Ann Marie Marciarille on 'The Week in Health Law' Podcast,"](#) by Nicolas Terry and Frank Pasquale

Check out our [website](#) for a more complete listing of events as well as full co-sponsorship information about our collaborators. Remember, you can find materials from many of our events, including slide presentations and full event videos, online in our [events archive](#).



**NEW EVENT! The Affordable Care Act: Past, Present and Future: A lecture by William B. Schultz, General Counsel of HHS, 2011-2016**

**March 23, 2017 4:00 PM**

[Wasserstein Hall, Milstein East,](#)

[Harvard Law School, 1585 Massachusetts Ave., Cambridge, MA](#)



**Opiate Regulation Policies: Balancing Pain and Addiction**

**April 3, 2017 12:00 PM**

[Austin Hall, West Classroom \(111\),](#)

[Harvard Law School, 1515 Massachusetts Ave., Cambridge, MA](#)



**REGISTER NOW! Crowdfunding Medical Care: Identifying Ethical Implications**

**April 5, 2017 12:30 PM**

[Tosteson Medical Education Center, Room 227,](#)

[Harvard Medical School, 260 Longwood Ave., Boston, MA](#)



**REGISTER NOW! Healing in the Wake of Community Violence: Lessons from Newtown and Beyond**

**Panel discussion and screening of the documentary *Newtown* (2016)**

**April 18, 2017 4:00 PM screening, 5:30 PM panel discussion**

[Wasserstein Hall, Milstein East ABC](#)

[Harvard Law School, 1585 Massachusetts Ave., Cambridge, MA](#)



**AGENDA AVAILABLE! 2017 Petrie-Flom Center Annual Conference: Transparency in Health and Health Care: Legal and Ethical Possibilities and Limits**

**April 28, 2017**

[Wasserstein Hall, Milstein East ABC \(2036\), Harvard Law School,](#)

[1585 Massachusetts Ave., Cambridge, MA](#)

**Health Policy and Bioethics Consortia**



**Promoting Accurate and Useful Public Reporting on Physicians**

**March 29, 2017 12:30 PM**

[Gordon Hall, Waterhouse Room \(106\) Harvard Medical School, 25](#)

[Shattuck St., Boston, MA](#)

**Other Harvard Events**



**Protect Our Care: Rapid Response & Advocacy in a Shifting Political Landscape**

**March 20, 2017, 12:00 - 1:00 PM**

[Wasserstein Hall, Milstein East, 1563 Massachusetts Avenue,](#)

[Cambridge, MA 02138](#)

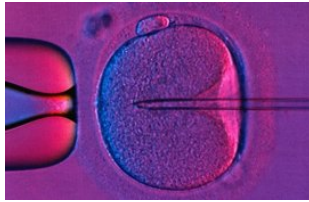


**How many patients does it - and should it - take to develop a new cancer drug? A lecture by Dr.**

**Jonathan Kimmelman**

**March 30, 2017, 4:30 - 6:00 PM**

[Harvard Medical School, Boston, MA](#)



**REGISTER NOW! Harvard Medical School 2017 Bioethics Conference: The Ethics of "Making Babies"**

**April 6 - 7, 2017**

[Harvard Medical School, Boston, MA](#)

## Other Events



**Annual Health Law Conference: Between Complacency & Panic - Legal, Ethical and Policy Responses to Emerging Infectious Diseases**

***Featuring Panelist Holly Fernandez Lynch (Executive Director)***  
**April 14, 2017**

[Northeastern University School of Law](#)

Learn more about the event and register [here!](#)



**New Monthly Policy Surveillance Webinars**

**April 4, 11, and 25, 2017**

Attend the webinars online [here!](#)

## Health Law Policy & Bioethics Workshops

The 2016-2017 [Health Law Policy, Biotechnology, and Bioethics Workshops](#) provide a forum for discussion of new scholarship in these fields from the world's leading experts. Harvard graduate students may register to take the workshop for course credit, but it is also open to the public.

This year, the workshop is led by Professor [I. Glenn Cohen](#), and meets on selected Monday evenings from 5-7 PM on the Harvard Law School [campus](#). The invited presenter generally speaks for about 30 minutes, after which the floor is opened for Q&A. It is recommended to read the papers in advance. Papers will usually be posted on the [website](#) one week before they are scheduled for presentation, but occasionally are available by request only.

Questions about the workshop should be directed to Jennifer Minnich ([jminnich@law.harvard.edu](mailto:jminnich@law.harvard.edu)).

Upcoming workshops include:

**March 27, PAPER AVAILABLE! [Kathryn Zeiler](#), Boston University School of Law**

**April 10: [Leo Beletsky](#), Northeastern University School of Law**

**April 17: [Judith Daar](#), Whittier Law School**

## Harvard Opportunities

**Farmed Animal Law & Policy Fellowship 2017-2018**

Harvard Law School

**Application Due: March 25, 2017**

**Fellowship in Bioethics, 2017-2018**

Harvard Medical School Center for Bioethics

**Application Due: March 27, 2017**

**edX Course: The Opioid Crisis in America**

Harvard University

**Class begins: March 27, 2017**

**Postdoctoral Research Scholars Program in Bioethics**

Harvard Medical School Center for Bioethics

**Application Due: March 31, 2017**

**Health Care Initiative Happenings Reception and Panel with Health Care Faculty**

HBS Health Care Initiative

**Application Due: April 3, 2017**

**Summer Internship**

Multi-Regional Clinical Trials Center of Brigham and Women's Hospital and Harvard

**Application Due: Open until filled.**

**Project Manager - SMART IRB**

The Harvard Clinical and Translational Science Center, Harvard Medical School

**Application Due: Open until filled.**

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## Other Opportunities

All opportunities are posted once in our newsletter. For the full posting and for other available positions, please visit our [website](#).

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**Ethicist**

Trillium Health Partners

**Application Due: March 17, 2017**

**Research Scholar Positions in Public Health Law & Policy**

Sandra Day O'Connor College of Law at Arizona State University

**Application Due: March 31, 2017, 5 PM MST**

**Research Associate, Health Technology Assessment**

Institute for Clinical and Economic Review (ICER)

**Application Due: Open until filled.**

**Postdoctoral Research Position in Behavioral Science of Ethics and Decision-Making**

Geisinger Health System

**Application Due: Open until filled.**

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