

**CARMEL SHACHAR**  
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## **EXPERIENCE**

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**Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics** **Cambridge, MA**

*Executive Director*

*2017-Present*

Responsible for oversight of the Center's sponsored research portfolio, event programming, fellowships, student engagement, development, and a range of other projects and collaborations. Co-Editor of the Center's collaborative health policy blog, [Bill of Health](#). Pursue high-impact sponsored research projects related to health law policy, biotechnology, and/or bioethics, and overseeing and contributing to work product with research staff. Develop short- and long-term fundraising strategy for the Center. Plan, execute, and substantively participate in Center conferences and public events, including topic selection, identification and invitation of speakers, and review of proposals. Co-author and co-edit publications stemming from Center events and activities.

**Center for Health Law and Policy Innovation at Harvard Law School**

**Jamaica Plain, MA**

*Clinical Instructor*

*2015-2017*

*Staff Attorney*

*2014-2015*

Analyzed developments in federal and state health care reform as they affect vulnerable populations for a variety of audiences and formulate advocacy responses. Co-chaired several national coalitions of health policy organizations, including the HIV Health Care Access Working Group and the Chronic Illness and Disability Partnership. Developed and will teach a seminar on health care civil rights and supervise students undertaking health policy projects. Coordinated a yearly multi-state analysis of health insurance offerings on the health insurance exchanges including producing community trainings, national reports, and administrative advocacy. Presented on a variety of health care topics, including health insurance market trends and recent Supreme Court cases. Consulted on questions relating to data privacy and security as well as information sharing for medical and social services providers. Counsel of record for Supreme Court *amicus curiae* briefs relating to health care. Developed funding sources for projects, including grant writing.

**Ropes & Gray, LLP**

**Boston, MA**

*Associate*

*2011-2014*

Provided regulatory and compliance advice to health care clients on HIPAA and the implementation of federal health care reform. Defended hospitals and other health care clients in Medicare and Medicaid audits and appeals related to coding and billing. Drafted data privacy and security policies for HIPAA-covered entities and Health Insurance Exchange entities. Advised on managed care network construction, regulation and strategy. Assisted in diligence and evaluation of health care related companies, such as health information software, quality care management and workers compensation service providers in private equity transactions. Seconded to a major medical device company and acted as temporary senior counsel in a business unit of the company. Was responsible for negotiating and revising sales, equipment rental and rebate contracts for the business unit as well as evaluating marketing materials from a legal risk standpoint. Developed and coordinated a monthly *pro bono* training program for the firm's Medical-Legal Partnership Project.

## CLERKSHIP EXPERIENCE

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**Honorable Jacques L. Wiener, Jr.**

**New Orleans, LA**

*Judicial Clerk, U.S. Court of Appeals for the Fifth Circuit*

*2010-2011*

Reviewed records from federal district courts in the U.S. Fifth Circuit Court of Appeals jurisdiction. Researched applicable law and drafted bench memorandum for Judge Wiener and other judges of the Fifth Circuit. Drafted opinions.

## SELECTED PUBLICATIONS

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Carmel Shachar, Aaron S. Kesselheim, Gregory Curfman, Ameet Sarpatwari, **“Potential Roadblocks in Health Care Big Data Collection: *Gobeille v. Liberty Mutual*, ERISA, and All-Payer Claims Databases”**

*Big Data, Health Law, and Bioethics, Cambridge University Press (forthcoming 2017)*

Analyzed the intersection of ERISA and health care data collection and discussed potential mechanisms for preserving access to complete health care payer datasets.

Barry Schlansky, Carmel Shachar, **“Implications of Expanded Medicaid Eligibility for Patient Outcomes After Liver Transplantation: Caveat Emptor”**

*Liver Transplantation (August 2016)*

Reviewed recent studies documenting the impact that expanded Medicaid eligibility has on post-liver transplantation outcomes.

Carmel Shachar, Gregory Curfman, **“Supreme Court Scrutinizes All-Payer Claims Databases”**

*Healthcare: Journal of Delivery Science and Innovation (June 2016)*

Discussed the potential impact that Supreme Court jurisprudence may have on the state development of key health care databases.

Gregory Curfman, Carmel Shachar, Amol Navathe, **“Beyond the Dartmouth Atlas—Regional Variation in Private Health Care Spending”**

*Healthcare: Journal of Delivery Science and Innovation (March 21, 2016)*

Analyzed trends in research of health care delivery and spending and discussed the use of health care big data on the field.

Deborah Gersh, Carmel Shachar, **“Similar But Not the Same: Data Privacy and Security Policies for Health Insurance Exchange Entities as Compared to HIPAA”**

*Bloomberg BNA’s Health IT Law & Industry Report (May 12, 2014)*

Compared the data privacy and security regulatory requirements for operating on the Health Insurance Exchanges to the requirements of the Health Insurance Portability and Accountability Act.

Carmel Shachar, **“Medicaid Premium Assistance Programs: Recent Developments and Compliance Concerns”**

*Bloomberg BNA’s Health Care Policy Report (April 7, 2014)*

Outlined recent developments in state Medicaid premium assistance programs and analyzed fraud and abuse compliance issues raised by these programs.

Deborah Gardner, Carmel Shachar, **“Laboratory Phlebotomists in Physician Offices? States Increasingly Saying No”**

*Bloomberg BNA’s G2 Intelligence (February 2014)*

Analyzed several states’ clinical laboratory regulations for fraud and abuse issues and provided compliance advice.

Carmel Shachar, John Chesley, **“A Primer on Premium Assistance Programs Used to Privatize Medicaid Expansion”**

*Bloomberg BNA’s Health Care Policy Report (September 23, 2013)*

Discussed federal criteria for state Medicaid premium assistance programs and analyzed recent developments.

**AMICUS CURIAE BRIEFS**

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***Zubik v. Burwell***

*136 S. Ct. 1557 (2016)*

*February 2016*

Counsel of Record representing the interests of organizations providing health care and services to chronic disease communities in the provision of preventive services, including contraceptive care, through employer-based health care.

***Gobeille v. Liberty Mutual Ins. Co.***

*136 St. Ct. 936 (2016)*

*September 2015*

Counsel of Record representing the interests of academicians relying on all payer claims databases to understand trends within the American health care system.

***King v. Burwell***

*135 S. Ct. 2480 (2015)*

*January 2015*

Represented the interests of organizations providing health care and services to vulnerable and low-income populations in the provision of federal subsidies to purchase health care insurance.

**SELECTED PROFESSIONAL PRESENTATIONS**

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**HIV Treatment and Prevention in the Trump Era: An Update**

*National LGBT Bar Association 29th Annual Lavender Law Conference*

*August 2017*

Presenting an overview of the challenges facing access to HIV care under the new Administration.

**Repeal with Replace: Protecting HIV, HCV, and LGBT Health Care (Plenary)**

*SYNChronicity National Conference for HIV, HCV, and LGBT Health*

*April 2017*

Reviewing the initial three months of the Trump Administration with an eye to access to care for people living with HIV and HCV.

**Post Trump, Post American Health Care Act: Where Next?**

*AIDS Watch 2017*

*March 2017*

Presented an overview of next steps for advocacy during the opening presentation of the HIV community’s largest federal lobbying event.

### **Next Steps in Religious Expression and Health Care Reform**

*Lawline Continued Legal Education*

*September 2016*

Discussed the conflict between the Religious Freedom Restoration Act and the Affordable Care Act.

### **Hepatitis C Treatment “Game Shifting”: A National Perspective**

*American Correctional Association 146th Congress of Correction*

*August 2016*

Provided an overview of major restrictions to HCV medications in Medicaid and among private insurers and discussed principles of access.

### **Potential Roadblocks in Health Care Big Data Collection**

*Big Data, Health Law, and Bioethics: The Petrie-Flom Center 2016 Annual Conference*

*May 2016*

Analyzed recent Supreme Court jurisprudence and its potential impact on the collection and use of health care data.

### **The State of the Marketplaces for People Living with HIV: What has Been Accomplished and Next Steps**

*Federal AIDS Policy Partnership*

*March 2016*

Presented on the barriers to access to HIV treatment for enrollees of Qualified Health Plans in sixteen states. Identified advocacy asks and policy changes that would address these issues.

### **HCV Treatment Access: A National Perspective and Case Studies**

*Women in Government Healthcare Summit*

*November 2015*

Discussed the challenges of accessing new hepatitis C treatments, including unnecessary prior authorizations and unjustified medical criteria restrictions placed by insurers.

### **Adapting to Local Challenges and Realities: Healthcare Policy Advocacy in the Southern States**

*United States Conference on AIDS*

*September 2015*

Co-presented on the challenges facing people living with HIV in the Southeast. Discussed the different components of a successful advocacy campaign, including regulatory and litigation advocacy.

### **2015 Healthcare Marketplace: A Review of Essential Health Benefits and Provider Networks: The Impact of the Affordable Care Act’s Marketplaces on the HIV/AIDS Community**

*Presidential Advisory Council on HIV/AIDS*

*February 2015*

Spoke on the effects that health insurance pricing and recent discrimination on the ability of individuals living with HIV to access affordable and meaningful health care coverage.

### **King v. Burwell: The Next Big Challenge to the Affordable Care Act**

*Association of Community Plans*

*February 2015*

Analyzed the potential impact of *King v. Burwell* on state insurance markets, medical providers, and consumers.

## EDUCATION

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**HARVARD LAW SCHOOL, JD** *cum laude, 2010*

Activities: Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, Student Fellow  
Ethics, Law and Biotechnology, Co-President  
*Journal of Law, Medicine and Ethics*, Co-Editor

**HARVARD T. H. CHAN SCHOOL OF PUBLIC HEALTH, MPH** *2010*

**WELLESLEY COLLEGE, BA in Bioethics and Religion** *magna cum laude, 2007*

Honors: Phi Beta Kappa  
Departmental Honors and Thesis in Religion

## BAR ADMISSIONS

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United States Supreme Court Bar *2015-Present*

Massachusetts State Bar *2011-Present*

New York State Bar *2011-Present*

## BOARD MEMBERSHIP

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Member of the Board of Directors of The Fishing Partnership Support Services *2014-Present*

Member of the Boston University Institutional Animal Care and Use Committee *2010-Present*