Interdisciplinary Education Conference

In increasing numbers, law schools are forming interdisciplinary partnerships with health-related professional schools, such as medicine, social work, public health, nursing, and mental health, and with health professionals in their communities. This fall the Center for Law, Health & Society and the Health Law Partnership hosted a successful conference, entitled “Interdisciplinary Collaborative Education: Partnerships Between Law Schools and the Health Professions,” to explore the opportunities and challenges inherent in these collaborations. These educational partnerships are located in various settings, Continued on page 8

NSF Funds Experimental Course on Ethics in Biotechnology

During the fall 2009 semester, two GSU law students participated in an experimental course as part of a research study on ethically difficult issues in biotechnology law and policy. The National Science Foundation (NSF) has funded the research study for three years. The study involves four Center faculty and is entitled “Ethically Contentious Research and Innovation: An Interdisciplinary and Interinstitutional Experiment in Ethics Education and Assessment.”

The NSF study tests a new interdisciplinary approach to researching and developing policy resolutions for ethics problems in biotechnology law and policy. The problems studied in the course included the Continued on page 2

PROFESSOR BERRY IS THE PRINCIPAL INVESTIGATOR FOR THE NSF-FUNDED STUDY.
prospect of bringing a Neanderthal to life, using neuroimaging technology to predict dangerousness among K-12 and college students, restricting the patenting of human genes, and expanding the use of DNA databases for forensic identification purposes.

Students worked on the problems in two interinstitutional teams. Law students Megan Daugherty and J. Aaron Brown teamed up with students from Georgia Institute of Technology (bioengineering and chemical and biomolecular engineering Ph.D. students and public policy M.S. students), Morehouse School of Medicine (biomedical science Ph.D. and Ph.D./M.D. students), and Emory University (bioscience Ph.D. students). Throughout the course, the student teams defined and investigated the problems and then developed proposed policy resolutions for the problems.

The teams concluded their study of the problems with presentations of proposed policy resolutions to policymakers, practitioners, and faculty. Students have also been invited to present their results on the Inside the Black Box radio show to undergraduate science and engineering ethics classes at Georgia Institute of Technology and to the Intellectual Property Law Society at GSU Law (podcast available at http://smartech.gatech.edu/handle/1853/31358).

They were invited to attend the ABA Intellectual Property Roundtable on patenting genes as guests of the host law firm in Atlanta.

The study also tests a new assessment instrument developed by the study’s researchers to evaluate how effective this approach is in fostering problem-solving skills among future professionals.

The principal investigator for the study is Roberta M. Berry, a faculty fellow with the Center and a full-time faculty member at Georgia Institute of Technology. Center faculty member Leslie Wolf is co-principal investigator for the study, and Center Director Charity Scott and faculty member Paul Lombardo are members of the study’s Advisory Council. The study’s research team spans Georgia Institute of Technology, GSU College of Law, Morehouse School of Medicine, Emory University, Agnes Scott College, and UCLA.

Focus Areas in Health Law

- International Health & Human Rights
- Public Health & the Environment
- Law, Medicine & Bioethics
- Health Sciences & Technology
- Regulation of Health Care Business
- Health & Social Justice
- Law, Medicine & Social Business

Director’s Message

What emerges as a common theme in this issue of our newsletter is the genuinely interdisciplinary nature of health law research and education. Last fall, for example, we hosted a conference on interdisciplinary education that brought nearly 100 legal and health-related faculty together to compare notes on teaching collaboratively to students from different professional backgrounds. Roberta Berry and Leslie Wolf are teaching a new, NSF-funded course on ethics in emerging biotechnologies which enrolled graduate students from four different professional schools in Atlanta. Paul Lombardo traveled to Rome to speak at a Vatican conference on new frontiers in genetics and the dangers of eugenics. A medical student from Morehouse School of Medicine joined the HeLP Legal Services Clinic for his fourth-year elective rotation. And I just earned a master’s degree in the social sciences field of conflict management.

Health law is a rich field of interdisciplinary opportunities. In the 21st century, we owe it to our students to prepare them to work collaboratively with colleagues from other professional backgrounds to address society’s critical health challenges. And in the process, it is a lot of fun to get out of our legal silos and learn from those with different disciplinary points of view.

Best wishes,

Charity Scott
Director, Center for Law, Health & Society
In the fall the Center hosted a Point-Counterpoint debate on health care reform prior to Congress passing reform legislation this spring. The debate was co-sponsored by *The Docket*, the law student newspaper, and moderated by the Center’s associate director, Jerri Nims Rooker.

Ms. Nims Rooker kicked off the program by stating that much of the current debate over reforming America’s health care system focuses on how to reduce the cost of health care, increase patient access to needed care, and maintain or improve the quality of care patients receive. After discussing examples of proposed reforms to meet these needs, she explained that “balancing the interdependent goals of access to high-quality, affordable care is a primary challenge currently facing policy makers.”

Second-year law student and *Docket* Editor-in-Chief Robert Bexley summed up the current state of health care in the U.S. by quoting the Led Zeppelin lyric, “If it keep on rainin’, the levee gonna break.” He discussed whether Americans are entitled to health care and who should pay for care, concluding with thoughts on current reform proposals. He compared the right to health care to the right to call firemen to extinguish a threatening fire.

Regarding proposed reforms, Mr. Bexley suggested that a combination of public health insurance offered by the federal government to compete with private insurers, tighter regulation of the health insurance industry, and competition encouraged by a health insurance marketplace exchange would contribute towards mending the ailing health care system.

Kevin Bradberry, a third-year law student, pointed out the need to tailor reform solutions to fix specific problems. He stated, “Operating on one’s foot won’t remedy a failing heart.” He reiterated the goals of reform to lower costs, increase access, and raise quality.

Mr. Bradberry discussed using comprehensive tort reform, sound financing, and tax equity to lower costs. He stressed the need to reduce defensive medicine, restructure health care financing, and implement a tax break for individuals purchasing health insurance. He concluded that allowing the purchase of insurance across state lines could increase access through competition and that a “one size fits all solution” does not meet the needs of a diverse population.

A lively question-and-answer session followed the program.

**Professor Scott Heads Back to School**

“Conflict management is a natural field to pair with law studies,” says Scott. “Law schools historically have tended to emphasize litigation as a tool to resolve people’s problems. I think we should focus more of our teaching efforts on the art and science of coming to agreement.”

After over 20 years as a faculty member, Professor Charity Scott returned to the classroom as a student to earn a master of science degree in conflict management. In recent years, she has become increasingly interested in alternative dispute resolution in health care settings.

She also has been motivated to learn more about how the social sciences field of conflict resolution might be adapted for law school education. In December 2009, Professor Scott received her master’s degree from Kennesaw State University. She has put her education to immediate use by offering a new course on negotiation at the law school.
Professor Paul Lombardo in February 2009 traveled to Rome, where he was invited to speak at a conference at the Vatican on “New Frontiers of Genetics and the Danger of Eugenics,” sponsored by the Pontifical Academy for Life.

Professor Lombardo spoke about the history of eugenics – a belief in the possibility of improving the human race by weeding out those with what are considered undesirable traits and encouraging procreation by those with desirable traits – and the origins of the eugenics movement in England and the U.S.

He is the author of the critically praised book, Three Generations, No Imbeciles: Eugenics, The Supreme Court, and Buck v. Bell (2008, Johns Hopkins University Press). This book is the only fully documented account ever written of Buck v. Bell, a notorious U.S. Supreme Court decision that led to more than sixty thousand involuntary sterilizations of people described as “feebleminded and socially inadequate.”

Speaking to conference participants, Pope Benedict XVI condemned genetic discrimination and also said there were worrying signs of a new type of eugenics based on perfection and physical beauty. Reuters reported the pope’s explanation, “Certainly, the eugenistic and racial ideologies that in the past humiliated man and provoked immense suffering are not being proposed again, but a new mentality is creeping in that tends to justify a different consideration of life and personal dignity...So it tends to privilege the capacity to operate, efficiency, perfection and physical beauty at the expense of other types of existence considered unworthy.”

Following the conference, Professor Lombardo met and shook hands with the pope and toured parts of the Vatican a normal tourist would never see. From a personal standpoint, the trip was an opportunity to see Rome again, a city he had first visited 40 years ago as a student.

“Vatican City is tiny, but it’s still a sovereign nation. And you’re meeting a man who is not only the spiritual leader of a billion people, but also a head of state.”

“Professor Lombardo speaks on eugenics at Vatican conference.”

Audio recordings of past Center events are available at www.lawandhealth.org. Click on “News & Events” and “Calendar of Events.”

Professor Todres explained, “As we said in our testimony, there is great value in the reporting process under human rights treaties. It is a collaborative process that helps identify what is working well and what else we need to do in order to stop human rights abuses, such as the commercial sexual exploitation of children.” The testimony included recommendations on ways the U.S. government can more effectively engage non-governmental organizations and the general public to ensure that all individuals reap the benefits of human rights law.

The testimony was submitted on behalf of ECPAT-USA (which stands for End Child Prostitution and Trafficking), a leading non-governmental organization (NGO) working to combat child trafficking and commercial sexual exploitation, and co-authored by its Executive Director. Professor Todres first started volunteering with ECPAT-USA as a law student. He currently serves as the organization’s Child Rights Advisor and works on various legislative and policy initiatives for the NGO.

Congressional Testimony on Trafficking and Exploitation

“There is great value in the reporting process under human rights treaties. It is a collaborative process that helps identify what is working well and what else we need to do in order to stop human rights abuses.”

Professor Todres co-authored written testimony on human trafficking and exploitation for the U.S. Senate Judiciary Committee’s Subcommittee on Human Rights and the Law.

Atlanta’s Best Health Care Lawyer in 2010

Faculty Fellow and Adjunct Faculty member Randall Hughes, J.D., was named “Atlanta Health Care Lawyer of the Year” for 2010 in the publication, The Best Lawyers in America. This prestigious honor is given to one outstanding lawyer in each practice specialty who is chosen through peer-reviewed surveys by professional peers. Mr. Hughes received high ratings for his leadership, integrity, abilities, and professionalism from his peers in the Atlanta health care law community.

Mr. Hughes is Of Counsel with Bryan Cave Powell Goldstein LLP. He served as the head of Powell Goldstein’s Atlanta health care law department for many years until his retirement. His areas of expertise are wide-ranging, and include health care law and litigation involving not-for-profit hospitals, hospital authorities, certificates of need, medical staff disputes, health care reimbursement, regulatory compliance investigations, reviews and claim defense, medical malpractice, personal injury, insurance and general business litigation.

Mr. Hughes participates in both the Health Law Partnership (HeLP) and the HeLP Legal Services Clinic at the law school, assisting in case acceptance. He also teaches a course on Health Law: Regulation. GSU Law, the Center, HeLP, and the Clinic benefit greatly from his expertise and student mentoring.
The Health Law Partnership (HeLP) is an interdisciplinary community collaboration between health care providers and lawyers to address the multiple social and economic conditions that affect low-income children’s health. HeLP is also an educational partnership that includes the HeLP Legal Services Clinic at the College of Law.

The television talk show Law & Society featured Professor Caley, Director of HeLP and Co-Associate Director of the HeLP Legal Services Clinic, in a 30-minute interview in January. Law & Society focuses on legal issues that affect viewers in all communities. Attorney Angie Wright-Rheaves hosts the show, which airs on the Atlanta Interfaith Broadcasters station.

Professor Caley spoke about the focus and purpose of the partnership, saying that the driving idea behind HeLP is to improve low-income children’s health and well-being by providing legal assistance that can broadly be defined as poverty law. Ms. Wright-Rheaves pointed out, “That really is an underserved part of the community – the working poor.”

Professor Caley agreed and explained, “We’ve developed a lot of community resources because of the types of questions that families have come to us with over the years. We’re always looking for new resources and print a resource guide that we give to families that they may find helpful at the time or even down the road.”

Regarding the advocacy component of the partnership, Professor Caley explained that while legal issues can be handled individually, certain issues benefit from a more systemic approach. She said that one goal of a class she teaches called Health Legislation and Advocacy “is exposing law and other graduate students to the fact that most of our law now comes through the legislative process and we need to pay attention to and understand that process.”

The host recalled recently speaking with a legislator who said that a small number of the current state legislators are lawyers. This can result in laws being made, as Ms. Wright-Rheaves expressed, “by people who intend to do the right thing” but perhaps do not know the legal mechanism. Professor Caley and Ms. Wright-Rheaves agreed that “it’s good to have lawyers to help with the process and understand what the actual implications are.”

Visit HeLP’s Web site at www.healthlawpartnership.org
This year HeLP legal offices began serving as sites for a new elective rotation for fourth-year medical students from Morehouse School of Medicine in Atlanta.

The partnership welcomed fourth-year medical student Omari Hodge in February for a four-week rotation as part of the new elective, “Law and Medicine: The Health Law Partnership, Medical-Legal Partnerships and Interdisciplinary Learning to Assist Under-served Families.” Mr. Hodge spent his time working with HeLP’s low-income clients at HeLP’s hospital-based offices and at the Clinic on the law school campus. He worked with law students enrolled in the Clinic and in Professor Caley’s legislative advocacy course.

“Working with HeLP showed me that the health care team goes way beyond the four walls of a hospital,” says Hodge. “I learned to use tools that you can’t find in any medical bag. I believe that integrating law and medicine will help bring about positive changes to our health care system.”

Dr. David Levine, Associate Professor of Clinical Pediatrics at Morehouse School of Medicine developed the elective collaboratively with Professors Lisa Bliss and Sylvia Caley at the HeLP Legal Services Clinic.

The new alliance will allow fourth-year medical students to interact with second- and third-year law students on joint coursework. The medical students contribute valuable medical information to law students, while at the same time learning about the legal issues that can affect patient care.

“The law students have learned so much by having Omari at the Clinic. They worked together with Omari to help prepare a child’s SSI case for hearing later in the semester,” said Professor Bliss. “This interdisciplinary teamwork benefits the students as well as the Clinic clients.”

“Health care professionals alone cannot solve the problem of health disparities,” says Sullivan. “Lawyers can and should play a major role in addressing this societal challenge.”

Katharine Sullivan, J.D., joined the Center for Law, Health & Society as a Research Fellow for the fall semester. Ms. Sullivan is a recent graduate of Columbia Law School. She earned her undergraduate degree in English and politics from the University of Virginia. Ms. Sullivan worked with Professor Charity Scott on a research project involving health equity. Poorer health, as well as less access to health care, is well documented among Americans from lower socioeconomic and racial minority backgrounds, according to Professor Scott. Their research surveyed legal measures that states have adopted to remedy these health disparities.

“Katie was a wonderful addition to our research team,” said Professor Scott. Ms. Sullivan also worked with Meredith Carr, a third-year GSU law student who is Professor Scott’s graduate research assistant. One focus of the research was disparities in obesity rates among children from different racial and ethnic backgrounds.

In January, Ms. Sullivan joined Kilpatrick Stockton LLP in Atlanta as an associate in their intellectual property group.
including in-house clinics, externship programs, and interdisciplinary classrooms. They all share a common interest in creating experiential learning opportunities. In clinical education settings, these partnerships often show students how combining the expertise of lawyers in a cooperative environment with health care providers can improve the health and well-being of clients.

Colleagues from innovative programs across the country and as far away as Israel gathered to share their perspectives on creating collaborative learning environments. The audience included professionals who engage or plan to engage in interdisciplinary collaborative education, including law school faculty, both clinical and non-clinical; faculty from health-related disciplines; and professionals working in law or health-related fields.

Three plenary sessions focused on experiential learning in interdisciplinary settings, designing curricula, and addressing issues in ethics and professionalism. Each plenary session was followed by small group breakout sessions for participants to discuss issues raised in the plenary presentation.

Professor Lisa Bliss, a conference organizer, stated, “The small breakout sessions were a wonderful opportunity for participants to engage in focused conversation about their experiences. They were enriched by the diversity of the professions represented, including individuals from law, health care, public health, and social work.”

Colleagues thinking of creating an interdisciplinary program found it very valuable to hear about “lessons learned” by early adopters.

In addition to the plenary session and small group experiences, three concurrent sessions offered in-depth discussions on teaching advocacy, research and scholarship, and educating health professionals about the law.

Professor Sylvia Caley, a conference organizer, summed up the feedback received on conference evaluations when she said, “Gathering with like-minded professionals committed to nurturing the development of interdisciplinary problem-solving was a motivating experience – one worthy of repeating.”
Two student teams from GSU Law competed in the 2009 National Health Law Moot Court competition hosted by Southern Illinois University School of Law in Carbondale, Illinois. One team was sponsored by the Student Health Law Association (SHLA), and the other team was sponsored by the law school’s Moot Court program. The competition included 28 teams from 23 universities.

Teams argued a hypothetical case before the U.S. Supreme Court involving a hospital’s attempt to “repatriate” an injured, undocumented patient to her home country, over the objections of her guardian, due to the hospital’s financial concern. EMTALA, also known as the Patient Anti-Dumping Act, is a federal law requiring hospitals to treat all patients suffering from medical emergencies, regardless of their ability to pay. There is a jurisdictional split regarding the scope of a hospital’s EMTALA obligations.

The SHLA team, comprised of Olga Dashevskaya, Megan Daugherty, and Shari Gunnin and coached by Latisha Johnson, represented the Petitioner in their brief, a woman severely injured in an automobile accident who is taken to a hospital and is seeking continued treatment under EMTALA. Due to their extensive research and collaborative work, they excelled at the written portion of the competition by receiving high scores on their brief.

The Moot Court team consisted of Morgan Leigh, Courtney Brooks Noce, and Courtney Spicer and was coached by David Purvis. Courtney Brooks Noce finished twelfth out of over seventy participants in the oral arguments, and the team advanced to the second round of 16 teams in the competition. The team performed well in oral arguments due to their intense practice schedule. In each practice round, they recorded questions from the bench and then applied the feedback they received at the next practice.

Both teams are grateful to the many fellow law students, law professors, and alumni who took time out of their busy schedules to bench the practice rounds and provide feedback. The teams gained valuable experience and honed skills in both brief writing and public speaking. The competitors and coaches agree that the memories and the strong friendships that developed were among the best parts of the experience.

“The Health Law Moot Court Competition was an invaluable learning experience. The most important lesson that I learned was the necessity to formulate an argument tailored to my client’s story because, as lawyers, our main function is to give a voice to our clients.”

– Olga Dashevskaya (3L)
Robert Berry
Professor Berry’s chapter, “The Posthumanist Challenge to a Partly Naturalized Virtue Ethics,” was published in *The Normativity of the Natural: Human Goods, Human Virtues, and Human Flourishing* (Springer, 2009). In fall 2009, she conducted the first experimental, interdisciplinary and interinstitutional problem-based course under a three-year NSF grant for which she serves as principal investigator. The course enrolled graduate and professional students in science, engineering, medicine, law, and public policy from four Atlanta-area institutions.

Lisa Bliss
Professor Bliss was elected to the Board of Directors of the Clinical Legal Education Association. She served as moderator for a plenary session on “The Challenges of Crafting an Educational Curriculum in Interdisciplinary Settings,” and as moderator and presenter for a concurrent session on “Educating and Training Partnering Health Professionals,” at the Interdisciplinary Collaborative Education Conference hosted by GSU Law. She also co-presented “Collaborative Learning Across Disciplines Through Clinics” at the AALS Annual Conference on Clinical Legal Education in Cleveland, Ohio.

Sylvia Caley
Professor Caley taught International and Comparative Public Health Law at the law school’s study abroad program in Rio de Janeiro, Brazil. While there, she presented the HeLP model to members of the federal judiciary. Professor Caley helped design, organize, and facilitate the Interdisciplinary Collaborative Education conference hosted by GSU Law, the Center, and HeLP. She also made presentations at annual meetings sponsored by the AALS Clinical Education, the National Center for Medical-Legal Partnership, and the National Legal Aid and Defender Association.

Paul Lombardo
Professor Lombardo was honored at the Library of Virginia Literary Awards for his book *Three Generations, No Imbeciles* and won the Patricia Morgan Faculty Scholarship Award at Georgia State. He spoke at the University of Minnesota, Hamline University, the University of Maryland, William Mitchell Law School, Washington and Lee University and Oglethorpe University. He traveled to Munich, Germany for the 2009 Benzene Symposium where he completed his service on the ethics panel of the Shanghai Health Study.

Jerri Nims Rooker
Jerri Nims Rooker was elected to the Board of Directors of the Georgia Asylum and Immigration Network, which provides free legal services to individuals seeking political asylum or similar legal status. She moderated a discussion on human trafficking at a screening of “We Were Free” sponsored by law student groups. She provided research during the Georgia legislature’s 2009 session on how a proposed Senate bill providing a means to adopt human embryos would relate to Georgia adoption law.
Rebecca Propst
Ms. Propst completed her work as the Health Disparities Fellow with the Health Law Partnership (HeLP) under the Georgia Health Equity Initiative. During the one-year fellowship, Ms. Propst handled 100 civil law cases for low-income patients and families receiving care at Hughes Spalding Children’s Hospital. The outcomes of Ms. Propst’s work include improved housing conditions, maintenance of public benefits and subsidies, improved access to educational services, and increased family stability. Ms. Propst represented HeLP at the Atlanta Bar Association’s Celebrating Service Pro Bono Fair.

Charity Scott
Professor Scott earned a master of science in conflict management (MSCM) from Kennesaw State University. She hopes to use the degree to improve dispute resolution in health care settings as well as increase opportunities for experiential learning for law students. She helped organize the Interdisciplinary Collaborative Education conference hosted by GSU Law and moderated two panels. She gave a series of talks on health-care decision-making in fall 2009, and published “Baby Doe at Twenty Five” in the GSU Law Review.

Jonathan Todres
Professor Todres authored several articles including “Taking Prevention Seriously: Developing a Comprehensive Response to Child Trafficking and Sexual Exploitation” in the Vanderbilt Journal of Transnational Law (Vol. 43, No. 1, 2010), “Beyond the Case Method: Teaching Transactional Law Skills in the Classroom” in the Journal of Law Medicine & Ethics (Vol. 37, No. 2, 2009), and “Inextricably Linked: An International Human Rights Perspective on Child Health and Education” in Childhood Education (Vol. 85, No. 5, 2009). He also presented papers on children’s rights at Georgetown University Law Center, the University of Iowa, and University of Connecticut.

Leslie Wolf

Join GHLN
Any College of Law graduate may join the Graduate Health Law Network (GHLN). Our graduates participate in social and professional networks, CLE programs, and the Center’s Mentor Program for law students. Go to www.lawandhealth.org and click on “Students and Alumni” and then “Graduate Network.”

Become a Friend of the Center
Anyone may become a Friend of the Center. Go to www.lawandhealth.org and click on “Contact Us” and then “Join Our Network.” It is free to receive our newsletter and updates about our events and activities.
Events

“The Interplay Between Race and Health: Racial Disparities in Infant Health”
Noontime speaker series with a special screening of the PBS documentary “Unnatural Causes: Is Inequality Making Us Sick?”
March 25, 2010
Race, Stress, and Social Support: Addressing the Crisis in Black Infant Mortality
April 6, 2010
What Causes Racial Disparities in Very Pre-term Birth? Personal and Biosocial Perspectives
April 14, 2010
Social Determinants of Health and Equity: Addressing the Root Causes of Health Disparities

Location and time for each program:
11:45 am – 1:00 pm
Georgia State University College of Law, Room 170
140 Decatur Street, Atlanta, Georgia 30303


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