

**Workshop on Regulation and Governance of Healthcare:
Alternative Practices, Theories and Visions
March 2, 2007
Fluno Center, Madison**

About the Speakers

Scott Burris has been a faculty member of the Beasley School of Law of the Temple University since 1991. Formerly an attorney at the American Civil Liberties Union of Pennsylvania, he has also served as law clerk to Judge (now Chief Judge) Dolores Sloviter of the Third Circuit United States Court of Appeals. He is a graduate of the Yale Law School. He received his B.A. from Washington University.

He has written extensively in the areas of HIV and public health law. He is the editor of *AIDS Law Today: A New Guide for the Public* (1993), and the author or co-author of articles including *The Law and the Public's Health: A Study of Infectious Disease Law in the United States*, 99 *Columbia L. Rev.* 59(1999), *Dental Discrimination Against the HIV-Infected: Empirical Data, Law and Public Policy*, 13 *Yale J. Reg.* 1 (1996) and *Legal Strategies for Syringe Exchange in the United States*, 86 *Am. J. Pub. Health* 1161 (1996). His work has been supported by grants from foundations including The Robert Wood Johnson Foundation and the Lindesmith Center. He serves on numerous advisory committees on matters relating to the intersection of public health and law.

Sydney Halpern, Professor of Sociology at University of Illinois at Chicago, coordinates the department's health and medicine graduate-training and research concentration. Her current scholarship addresses formal and informal rule making that affects the conduct of medical science. Her recent book, *Lesser Harms: The Morality of Risk in Medical Research* (University of Chicago Press, 2004) explores professional and institutional constraints on clinical experimentation. She is now undertaking a project, "Human Experimentation and Public Policy," funded by a Robert Wood Johnson Foundation Investigator Award in Health Policy Research, which examines federal human-subjects regulations inaugurated during second half of the twentieth century. She is author of *American Pediatrics: The Social Dynamics of Professionalism, 1880-1980* (University of California Press, 1988) and of articles appearing in a variety of journals including *American Journal of Sociology* and *Journal of Health and Social Behavior*. These publications have addressed the emergence of medical specialties, evolving relationships between health occupations, directions in the field of medical sociology, scientific and institutional processes fostering medicalization, and developments within academic medicine. Publications on these topics include "Constructing Moral Boundaries: Public Discourse on Human Experimentation in Twentieth-Century America," *Bioethics in Social Context* ed. Barry Hoffmaster (Philadelphia: Temple University Press, 2001) and "Medical Authority and the Culture of Rights" (*Journal of Health Politics, Policy and Law* 29, no. 4-5, Aug-Oct 2004).

Michelle Mello is the C. Boyden Gray Associate Professor of Health Policy and Law in the Department of Health Policy and Management at the Harvard School of Public

Health. She holds a J.D. from the Yale Law School, a Ph.D. in Health Policy and Administration from the University of North Carolina at Chapel Hill, an M.Phil. from Oxford University, where she was a Marshall Scholar, and a B.A. from Stanford University. She conducts empirical research into issues at the intersection of law, ethics, and health policy. She is the author of more than 60 articles and book chapters on the medical malpractice system, medical errors and patient safety, research ethics, mass tort litigation, the obesity epidemic, pharmaceuticals, bioethics, and other topics. Recent projects include an analysis of the efficacy and fairness of leading medical malpractice reforms; a study of legal relationships between academic investigators and industry sponsors of clinical trials; and an analysis of patient safety regulation. In 2006, Dr. Mello was the recipient of the Alice S. Hersh New Investigator Award from AcademyHealth for outstanding promise in the field of health services research.

Ruth Horowitz is Professor of Sociology, at New York University. She received her Ph.D. and M.A. from University of Chicago and her B.A. from the Temple University. Areas of Research/Interest include social control; deviance; juvenile delinquency; urban communities; field research methods. Some of her publications are: *Teen Mothers: Citizens or Dependents?* University of Chicago Press. 1995, *Street Kids, Street Drugs, Street Crime: An Examination of Drug Use and Serious Delinquency in Miami*, with J.A. Inciardi and A.E. Pottieger. Wadsworth. 1992, *Honor and the American Dream: Culture and Identity in a Chicano Community*. Rutgers University Press. 1983.

Carol Heimer is Professor of Sociology, Northwestern University and received her Ph.D. from University of Chicago in 1981. Areas of interest include organizations, sociology of law, medical sociology. Heimer is also a Research Fellow at the American Bar Foundation. She has taught at the University of Arizona and had research appointments at Australian National University (Law Program in the Institute for Advanced Study), the Institute for Industrial Economics in Norway, and Stanford University. Her research has focused on the intersection of normative systems, on organizations, and on risk and uncertainty. She (together with Lisa Staffen) has recently published *For the Sake of the Children* (University of Chicago Press, 1998), a book on the social organization of responsibility in infant intensive care units. Other publications include *Reactive Risk and Rational Action* (University of California Press, a study of how insurers think about and manage risks and how those strategies are represented in other areas of social life), *Organization Theory and Project Management* (Norwegian University Press, a collection of papers with Arthur Stinchcombe), and papers on medical social workers (with Mitchell Stevens), on the sociology of risk, on institutional competitions inside organizations, and on universalism and particularism. Heimer is currently working on a book extending the arguments of her work on the social organization of responsibility in infant intensive care to other settings.

John D. Blum is John J. Waldron Research Professor at Loyola University Chicago. Prior to coming to Loyola, Professor Blum held positions on the faculties of Penn State and Boston University, and was a teaching fellow at the Harvard School of Public Health. In the spring of 1993 he was a visiting professor at Osgoode Hall and the University of British Columbia Faculties of Law under the auspices of the U.S.-Canada Fulbright

program. He has served as a consultant to USAID in Indonesia where he worked on the development of a curriculum in public health law for use in schools of public health. He has many years of experience in health law and policy, and is very active in research in these areas, with a particular focus on legal issues in medical quality assurance. Professor Blum is also an adjunct professor of medical humanities in Loyola's Stritch School of Medicine, Department of Medicine.

Tamara Hervey is Professor of Law at the School of Law, University of Sheffield. She studied at the Universities of Glasgow and Sheffield, and held lectureships at the Universities of Durham and Manchester, and a Readership and subsequently Chair at the University of Nottingham. Professor Hervey's interests are in the law of the European Union, in particular its social and constitutional dimensions. She is author of *European Social Law and Policy* (1998) and co-author (with Jean McHale) of *Health Law and the European Union* (2004). She is co-editor (with Jeff Kenner) of *Economic and Social Rights under the EU Charter of Fundamental Rights* (2003) and (with Professor David O'Keeffe) of *Sex Equality Law in the European Union* (1996). She has written on the EU's contribution to sex and race equality in its Member States, on the EU's regulation of genetically modified organisms, and of human reproduction. In 2000-01, she held a Leverhulme Fellowship and in 2002-03 an Arts and Humanities Research Board Research Leave Scheme award, for research on the emerging health law and policy of the European Union. She is currently working on the implications of EU law for health law in a number of fields, including the 'constitutional' significance of governance of health care by EU institutions; the implications for health care regulation of the current broader European welfare debates, including those calling for the embedding of rights-based models; and application of EU law to stem cell research. She is also working on an Arts and Humanities Research Council funded project on theory and methodology in EU law.

Norman Fost is Professor of Pediatrics at UW Medical School and Director of the Program in Medical Ethics, which he founded in 1973. He is chair of the Health Sciences Human Subjects Committee, chair of the UW Hospital Ethics Committee, and director of the Child Protection Team. He was a member of Hillary Clinton's Health Care Task Force and numerous other federal and state committees. He received his AB from Princeton, his MD from Yale, and his MPH from Harvard. His writings include the first detailed proposal for hospital ethics committees. His current research interests include regulation of human subjects research and the use of so-called "enhancing" medical technologies such as growth hormone and anabolic steroids. Some of his publications include: *Ethical dilemmas in medical innovation and research: Distinguishing experimentation from practice*. *Seminars in Perinatology* 22(3):223-232, 1998 (June). *Infant care review committees in the aftermath of Baby Doe*, in Merrick J, Blank R, and Caplan A (editors). *Compelled Compassion: Public Policy and the Care of Handicapped Newborns*. Oxford Press, 1991 and *What can a hospital ethics committee do for you?* *Contemporary Pediatrics* Feb:119129,1986.

Louise Trubek is a Clinical Professor at the University of Wisconsin Law School. She is a graduate of the University of Wisconsin and the Yale Law School and teaches Health Law and Regulatory Governance. She directs the Health Law Project. Her article with Maya Das, *Achieving Equality: Healthcare Governance in Transition* won an award for

excellence from the Wisconsin Public Health and Policy Institute at the UW Medical School. She is the author of two forthcoming papers on health care, new governance, and soft law and is on the board of directors of the Wisconsin United for Health Foundation. Her article "*Crossing Boundaries: Legal Education and the New Public Interest Law*" is published in the 2005 Wisconsin Law Review. She is the co-facilitator of a working group entitled "After Public Interest Law: Global Perspectives on Social Transformation," presenting at the 2006-2007 Law and Society meetings. She is the co-author with Julie Nice of the casebook "Poverty Law: Theory and Practice," published by West Publishing in 1997, with a 1999 Supplement. Louise is currently working on a second edition of this casebook.

Marybeth A. Farquhar is a Senior Advisor, Quality Indicators Initiative Center for Delivery, Organizations and Markets (CDOM). Previously, she was a member of the Center for Quality Improvement and Patient Safety (CQuIPS) and served as a member of the CAHPS® instrument development and reports team on a variety of CAHPS® product lines. She is also a member of the patient safety team and provides input on various patient safety projects. Ms. Farquhar also represents the Agency for Healthcare Research and Quality (AHRQ) on various committees and work groups that focus on quality improvement, quality measurement and public reporting. Ms. Farquhar received an Associate degree in Nursing and a B.S. in Business Administration and Management from Gwynedd Mercy College, and a M.S. in Nursing from George Mason University. She is currently a Ph.D. candidate in Public Administration and Public Policy at the Virginia Polytechnic Institute and State University. Her dissertation focuses on performance measurement in health care, organizational systems, and networks.

Maureen Smith received M.D. and M.P.H. degrees from Yale University School of Medicine, and a Ph.D. from the University of Minnesota in Health Services Research, Policy and Administration. She is the Faculty Director of the Health Innovation Program, a new program of the University of Wisconsin Medical School designed to create, consolidate and rapidly apply knowledge that is used to improve healthcare delivery and outcomes for the citizens of Wisconsin. She is also co-Principal Investigator the new Aging and Cancer Program within the University of Wisconsin Comprehensive Cancer Center and is the leader of a five-year project on access to care and health outcomes in the near elderly in the Wisconsin Longitudinal Study.

Jeffrey Grossman, MD is the Senior Associate Dean for Clinical Affairs and President and CEO, UW Medical Foundation. He works closely with the vice chancellor for medical affairs/dean of the UW School of Medicine and Public Health and clinical department chairs to provide vision and leadership to the board of directors regarding trends and developments in academic and clinical health care. In addition to his UW Medical Foundation leadership role, he serves as senior associate dean for clinical affairs for UW School of Medicine and Public Health and is a member of the UW Health Liaison Leadership Council and the Executive Council of UW Health. Grossman earned his medical degree at State University of New York, Syracuse, and completed his residency and a fellowship at UW Hospital and Clinics. Board certified in internal

medicine, pulmonary disease and critical care medicine, Grossman maintains his practice in pulmonary and critical care medicine.

Christopher Queram is the Executive Director of the Wisconsin Collaborative for Healthcare Quality (WCHQ). WCHQ is a group of multi-specialty physician groups, hospitals, health plans, employers and labor organizations from geographically diverse areas of the state that have come together to develop and share best practices and quality outcomes. Previously, Chris served as Chief Executive Officer of the Employer Health Care Alliance Cooperative (The Alliance), in Madison, Wisconsin, since 1993. Prior to joining The Alliance, he was employed as a hospital executive in Madison and Milwaukee, Wisconsin. He graduated from the University of Wisconsin with a Bachelor's degree in Political Science and History and a Master of Arts degree in Health Management (hospital administration).

Edward A. Dauer is Dean Emeritus and Professor of Law at the University of Denver in Denver, Colorado, and is an active mediator and arbitrator with over 25 years experience in the field of conflict resolution. Prior to joining the law faculty at Denver he held a number of other academic appointments, including from 1974 to 1985, that of Associate Professor of Law and later Deputy Dean of the Yale Law School, which he left in 1985 to assume the Deanship at Denver. Dean Dauer was the co-founder and first President of the National Center for Preventive Law, is an Elected Member of the American Law Institute, and has served since 1996 as a Visiting Scholar at the Program on Health Care Negotiation and Conflict Resolution at the Harvard School of Public Health. In addition to his LL.B. he has undertaken postgraduate training in economics and in the social sciences, and holds the degree of MPH (concentration in Health Policy and management) from Harvard. From 1990 to 1993 Dauer chaired the Center for Public Resources working group in health care dispute resolution. His writings include two books in the special field of health care ADR and a two-volume treatise in Dispute Resolution. His honors include the W. Quinn Jordan Award from the National Blood Foundation, and the Sanbar Lectureship from the American College of Legal Medicine.

Joe Rees is the Associate Professor of Center for Public Administration & Policy, Virginia Tech. Prior to joining Virginia Tech, he was the Assistant Professor, Political Science at UNC-Chapel Hill (1988-94); and Assistant Professor, Political Science, Texas A&M University (1985-88). He received his Ph.D. in Jurisprudence and Social Policy from University of California at Berkeley, School of Law in 1986.

Greg Nycz is the director of health policy at Marshfield Clinic and the Director of the Family Health Center of Marshfield, Inc. In 2002 Wisconsin Governor Scott McCallum appointed him to the Governor's Council on Workforce Investment, which establishes a state workforce investment board with strong leadership and a commitment to the collaboration of business, labor, state and local government, educational institutions and workforce-related organizations.

In addition, the University of Wisconsin Board of Regents appointed him to the University of Wisconsin Medical School's Public and Community Health Oversight and

Advisory Committee for the Blue Cross/Blue Shield United of Wisconsin, Inc., Gift Program. The committee will plan for and oversee funds disbursed from proceeds from the sale of stock from Cobalt Corporation, the for-profit successor of Blue Cross & Blue Shield United of Wisconsin, to Wisconsin's two state medical schools.

Burt Wagner is an Attorney at Reinhart, Boerner, Van Deuren in Madison and is a shareholder in the firm's Health Care Department. Burt joined the firm in 1993 and helped to establish its Madison office where he served as managing shareholder from 1994-2004. Burt represents health care providers in resolving issues with governmental entities including licensing, discipline, compliance, fraud and abuse and program integrity audits. He represents senior housing providers, nursing facilities, hospitals and individual professionals throughout the State. Burt also provides general counsel, lobbying and strategic planning services on behalf of state-wide health care associations.

Prior to entering the private practice of law, Burt was an administrator in the Wisconsin Department of Health and Family Services where he was responsible for the development funding and regulation of community based programs and the State-owned health care institutions. Prior to serving at the Wisconsin Department of Health and Family Services, Burt was legal counsel for the University of Wisconsin Center for Health Sciences including University Hospitals and Clinics. Throughout his career, Burt has taught at the University of Wisconsin-Madison as an adjunct professor. He taught courses in health law and policy as an associate clinical professor in the Medical School and as a lecturer in the Law School and School of Nursing. Burt received all of his degrees from the University of Wisconsin at Madison. These include degrees in accounting, law, and health care administration.

George Quinn has served the Wisconsin Hospital Association (WHA) as Senior Vice President since 1999. He has over 30 years of experience in various aspects of healthcare management. George was also Vice President, Finance at WHA from 1978 through 1982. During the intervening 17 years, George served in senior financial management positions for several managed care companies, Director of Operations with Affiliated University Physicians, and Senior Manager for Ernst & Young, management consultants. George's professional background focuses on government payment, commercial insurance, healthcare quality, physician workforce, and rural hospital issues. He serves as chair of the Wisconsin Critical Access Hospital Coalition and is a member of the Board of the Wisconsin Patient Compensation Fund.

Nichelle Cobb is currently the Director of the Health Sciences Institutional Review Boards (IRB) Office. She has worked for the Health Sciences IRB Office for 7 years. As Director of the office, she is responsible for the oversight of the staff for 2 IRBs and was involved in the formation of the second IRB in 2003. She is the IRB administrator for the Health Sciences IRB. Current activities include the exploration of the formation of a regional IRB and preparations to undergo an accreditation of the UW-Madison Human Research Protection Program. She received her PhD in Biological Anthropology from the University of Wisconsin-Madison."

