

BEAZLEY INSTITUTE

FOR HEALTH LAW AND POLICY

Eleventh Annual Symposium on Health Care and Policy
Presented in Conjunction with *Annals of Health Law*
November 10, 2017

Privacy, Big Data, and the Demands of Providing Quality Patient Care

Agenda

8:30-9:00am: Registration

9:00-9:10am: Welcome and Introduction

- Michael Kaufman, Dean and Professor Of Law, Loyola University Chicago School of Law
- Lawrence Singer, Associate Dean of Online Learning; Director of the Beazley Institute for Health Law and Policy, Loyola University Chicago School of Law

9:10-10:15am: Featured Address Patient Privacy: Problems, Perspectives, and Opportunities

- Stacey Tovino, Founding Director of the UNLV Health Law Program and Lehman Professor of Law

10:15-10:30am: Break

10:30-11:50pm: Session 1 Data Sharing to Improve Care Quality

- Wendy Netter Epstein, Of Counsel at Kirkland & Ellis LLP and Faculty Director of the Mary and Michael Jaharis Health Law Institute at DePaul University College of Law
- Barry Furrow, Director of the Health Program at Drexel University School of Law
- Renee Knake, Professor of Law and Doherty Chair in Legal Ethics at the University of Houston Law Center
- Jessica Lind Mantel, Co-Director of the Health Law & Policy Institute at the University of Houston Law Center

11:50-12:20pm: Break for Lunch

12:20-1:40pm: Session 2 Surveillance, Stigma, & Marginalization

- Geneva Brown, Professor of Law at Valparaiso University Law School
- Andrea Freeman, Assistant Professor of Law at University of Hawai'i at Mānoa William S. Richardson School of Law
- Christian Sundquist, Director of Faculty Research and Scholarship and Professor of Law at Albany Law School

1:40-1:55pm: Break

1:55-3:15pm: Session 3 Compliance & Data Privacy

- Mary F.E. Ebeling, Director of Women's and Gender Studies and Associate Professor of Sociology at Drexel University College of Liberal Arts & Sciences
- Igor Vuletić, Assistant Professor and Chair of Criminal Law, Faculty of Law Osijek at Josip Juraj Strossmayer University of Osijek, Croatia

- Laurel Fleming, Director, Health System Compliance & Chief Privacy Executive at Northwestern Memorial HealthCare

3:15-3:30pm: Closing Remarks & Reflections

**Session 1-3 are broken down by time as follows: 5 minute introductions, 15 minutes per speaker and 30 minute moderated Q & A*

Biographies

Stacey Tovino is the Founding Director of the UNLV Health Law Program and Lehman Professor of Law at the University of Nevada Las Vegas William S. Boyd School of Law. Educated at Tulane University, University of Houston Law Center, and the University of Texas, Professor Tovino has become a leading expert in health law, bioethics, and the medical humanities. Professor Tovino has particular expertise in the civil, regulatory, operational, and financial aspects of health law, and she frequently researches issues lying at the intersection of health law and other fields, including but not limited to gaming, insurance, and immigration law. By virtue of her education as an attorney and medical humanist, Professor Tovino has published her interdisciplinary work in textbooks, casebooks, edited readers, law reviews, medical and scientific journals, and ethics and humanities journals.

Geneva Brown is a Professor of Law at Valparaiso University Law School. Professor Brown was educated at the University of Illinois-Chicago and received her J.D. from the University of Wisconsin Law School. Her research interests include criminal and juvenile law, and she currently serves as the Director of the Domestic Violence Clinic at Valparaiso University Law School. As the co-director of the former Post Conviction Clinic, Professor Brown represented four clients serving life sentences who had their sentences commuted by President Barack Obama. Prior to joining academia, Professor Brown worked at the Wisconsin Public Defender's Office, which inspired her scholarship focus on mass incarceration and the collateral consequences of being a drug offender. Professor Brown also writes on the impact of race and gender in the criminal justice system, felon disenfranchisement, feticide, battered mothers, and sex trafficking.

Mary F.E. Ebeling is the Director of Women's and Gender Studies and an Associate Professor of Sociology at the College of Liberal Arts & Sciences at Drexel University. Professor Ebeling received her B.F.A. at the School of the Art Institute of Chicago, her M.S.c.J. at Northwestern University, and her Ph.D. at the University of Surrey in Guildford, United Kingdom. Professor Ebeling is an ethnographic sociologist, researching the intersections of marketing, health, biomedical science, and digital life. Her recent book, *Healthcare and Big Data: Digital Specters and Phantom Objects*, focuses on data brokers, data mining, marketing surveillance, private health data, and algorithmic identities. Professor Ebeling has received support for her work from the National Science Foundation, the Economic and Social Research Council and the European Union 5th Framework Programme. In addition, she was awarded a Regional Faculty Fellowship at the Wolf Humanities Center at the University of Pennsylvania for the 2017-18 academic year.

Wendy Netter Epstein is Of Counsel at Kirkland & Ellis LLP and the Faculty Director of the Mary and Michael Jaharis Health Law Institute at DePaul University College of Law. Professor Epstein received her education from the University of Illinois and Harvard Law School. Prior to joining DePaul's faculty in 2013, Professor Epstein clerked for the Honorable Michael Daly Hawkins at the United States Court of Appeals for the 9th Circuit, practiced law as a partner at Kirkland & Ellis LLP, and served as a visiting assistant professor of law at Chicago-Kent College of Law. Professor Epstein's teaching and research interests include health care law and policy, contracts, and commercial law. Professor Epstein has won Excellence in Teaching Awards from DePaul University and DePaul University College of Law, and was included in the 2011 Illinois Super Lawyer's Magazine's Rising Stars Edition.

Laurel Fleming is the Director of Health System Compliance and the Chief Privacy Executive at Northwestern Memorial HealthCare in Chicago, Illinois. Ms. Fleming was educated at the University of Wisconsin-Eau Claire and received her J.D. from the University of Chicago Law School. Prior to joining Northwestern Memorial HealthCare, Ms. Fleming practiced health care law at Katten Muchin Rosenman LLP and served as the Assistant General Counsel and Director of Corporate Compliance at the Northwestern Medical Faculty Foundation focusing

on corporate, regulatory, and medical-legal issues in managed care, intellectual property, and general business contracting.

Barry R. Furrow is a professor of law and director of the Health Law Program at the Thomas R. Kline School of Law, Drexel University. He was educated at Harvard College and Harvard Law School. Professor Furrow's research includes patient safety, hospital liability, bioethics, legal issues of pain management, and health care regulation. He was the lead author of the first casebook to use "health law" to describe the growing field. Now in its 7th edition, the book has been used in more than 150 universities and has been cited more than 500 times in scholarly articles and court opinions. Furrow is also co-author of the treatise, *Health Law*, which has been cited by the U.S. Supreme Court three times.

Andrea Freeman is an Assistant Professor of Law at the University of Hawai'i at Mānoa William S. Richardson School of Law. Professor Freeman received her education at the University of Toronto and the University of California Berkeley School of Law. After receiving her J.D. from the University of California Berkeley School of Law, Professor Freeman clerked for the U.S. Court of Appeals for the Second Circuit and the U.S. District Court for the District of Puerto Rico. Professor Freeman's expertise and research interests lie at the intersection of critical race theory and food policy, and critical race theory and consumer credit. Professor Freeman currently serves as a member of the Litigation Committee of the Hawai'i chapter of the American Civil Liberties Union, and received the 2014 Community Faculty of the Year Award from the Advocates for Public Interest Law.

Renee Knake is a Professor of Law and the Doherty Chair in Legal Ethics at the University of Houston Law Center. Professor Knake received her J.D. from the University of Chicago, and prior to her academic career practiced law at Mayer Brown LLP and Hunton & Williams LLP. Her work has been cited in U.S. Supreme Court briefs, the Wall Street Journal, National Public Radio, the ABA Journal, and Bloomberg Law. Her research focuses primarily on the regulation of legal services, and her article "Democratizing the Delivery of Legal Services" won the 2012 Association of American Law Schools (AALS) Professional Responsibility Section paper competition. In addition, her article "Rethinking Gender Equality in the Legal Profession's Pipeline to Power: A Study on Media Coverage of Supreme Court Nominees," was selected as a winner of the 2012 AALS New Voices in Gender paper competition.

Jessica Lind Mantel is the Co-Director of the Health Law & Policy Institute at the University of Houston Law Center. Professor Mantel received her J.D. from the University of Michigan Law School and M.P.P. from the University of Michigan School of Public Policy. Professor Mantel joined the Health Law & Policy Institute after working as the senior attorney in the Office of the General Counsel for the U.S. Department of Health and Human Services, and as a health policy analyst in the Government Accountability Office. Prior to her service in the public sector, Professor Mantel was an associate Ropes & Gray in Boston and clerked for the U.S. Court of Appeals for the Sixth Circuit. Professor Mantel's research interests include the impact of legislative and regulatory schemes on emerging trends in the health care delivery system and the allocation of limited health care resources.

Christian Sundquist is the Director of Faculty Research and Scholarship and Professor of Law at Albany Law School. Professor Sundquist received his J.D. from Georgetown University, and is a nationally recognized scholar on issues of race and law. Prior to entering academia, Professor Sundquist practiced at Chadbourne & Parke LLP. His primary research focus is on the intersection of genetics, race, and law. Professor Sundquist has delivered lectures and presentations at the Facing Race annual conference on racial justice, the Kirwan Institute for the Study of Race and Ethnicity, the Society of American Law Teachers annual conference, the National People of Color legal conference, the LatCrit annual conference, the Research Council for the Sociology of Law annual conference, and the New York State legislature and the New York State Department of Health.

Igor Vuletić is an Assistant Professor and Chair of Criminal Law, Faculty of Law Osijek at Josip Juraj Strossmayer University of Osijek, Croatia. Professor Vuletić's professional orientation towards international and European criminal law derives from the Postgraduate Scientific Doctoral Study of Criminal Sciences at Faculty of Law Zagreb, and his main professional interests include the harmonization of criminal law within the European Union. In addition, he is a team member of the Jean Monnet Chair in EU procedural law, and serves as the Vice-dean for teaching and students at the University of Osijek.

About the Symposium

Loyola University Chicago School of Law's Eleventh Annual Symposium on Health Law and Policy will explore *Privacy, Big Data and the Demands of Providing Quality Patient Care*, and brings together scholars and practitioners exploring the sensitive balance of interests between privacy and health care quality. In an era of "big data," efforts to increase access, efficiency, and quality face challenges when they intersect with the security and privacy of patient information. The goal of this Symposium is to explore the multifaceted dimensions of this problem from an interdisciplinary perspective.

Conference location

The conference will be held in the Philip H. Corboy Law Center, Power Rogers & Smith Ceremonial Courtroom, on the 10th floor of 25 E. Pearson St. at Loyola University Chicago's Water Tower Campus.

About *Annals of Health Law*

Twice yearly (Winter and Summer) the Beazley Institute for Health Law and Policy publishes *Annals of Health Law*, The Health Policy and Law Review of Loyola University Chicago. *Annals* contains articles of general interest in health law, which are deemed by the editors to make a contribution to the teaching, practice, and/or public policy surrounding health law. Past volumes have focused on corporate, regulatory, bioethical, and pharmaceutical issues, as well as patient rights and advocacy. Through this publication, health law students are afforded the opportunity to edit a law review article.

Advance Directive is an online publication of *Annals of Health Law*, which is also published twice yearly (Fall and Spring). Similar to *Annals*, *Advance Directive* publishes articles that provide insight into the divergent areas of health law. *Advance Directive* allows health law students to write short articles regarding current health law topics, which are often at the crux of debate amongst legislators, practitioners, and academics.