

BEAZLEY INSTITUTE

FOR HEALTH LAW AND POLICY

Twelfth Annual Symposium on Health Care and Policy
Presented in Conjunction with *Annals of Health Law & Life Sciences*
November 16, 2018

Serving the Needs of Medicaid Populations

Agenda

8:30-9:00am: Registration

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

- Michael Kaufman, Loyola University Chicago School of Law
- Nadia Sawicki, Loyola University Chicago School of Law

9:10-10:15am: Featured Address

“Protecting the Integrity of Medicaid in Bad (or Worse) Times”

- Leonardo Cuello, National Health Law Program

10:15-10:30am: Break

10:30-11:50pm: Session 1 Medicaid Waivers

- Tracy Douglas, University of Illinois College of Law
- Tara Sklar, University of Arizona James E. Rogers College of Law
- Sidney Watson, Saint Louis University School of Law
- Rachel Zuraw, University of California, Berkeley, School of Law

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

12:20-1:40pm: Session 2 Medicaid Reform: Financing and Budget

- John V. Jacobi, Seton Hall Law School
- Matthew J.B. Lawrence, Dickinson Law, Pennsylvania State University
- Charles Silver, University of Texas School of Law

1:40-1:55pm: Break

1:55-3:15pm: Session 3 Empirical Evidence on the Impact of Medicaid

- Shana Scott, Georgia State University
- Shivani Shah, Harvard Medical School
- Jackson Williams, Dialysis Patient Citizens

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

**Session 1-3 are broken down by time as follows: 5 minute introductions, 20 minutes per speaker and 15 minutes moderated Q & A*

Leonardo Cuello is the director of health policy for the National Health Law Program (NHeLP), based out of NHeLP's Washington, D.C. office. His current work focuses on Medicaid managed care and delivery system reform, Medicaid expansion, Medicaid benefits packages, and Medicaid and Marketplace demonstration authority. Prior to joining NHeLP, he worked at the Pennsylvania Health Law Project for over six years, focusing on a wide range of health care issues dealing with eligibility and access to services in Medicaid and Medicare, and serving as legal counsel to the Consumer Subcommittee of Pennsylvania's Medical Care Advisory Committee. He graduated with a BA from Swarthmore College and received his JD from the University of Pennsylvania Law School.

Tracy Douglas is the interim director of the Community Preservation Clinic at the University of Illinois College of Law. Previously, she was the program coordinator for the Twentieth Circuit Foreclosure Mediation Program and before that, she was counsel to Governor Quinn. She oversaw all appointments to the State's 366 boards and commissions, as well as public guardians and public administrators. She recruited and vetted candidates for the State's 366 boards and commissions and helped ensure open and honest government. She was chair of the ISBA Administrative Law Section Council in 2016 and a member and is the CLE Coordinator of the ISBA Standing Committee on Women. She was also the 2014 ISBA Young Lawyer of the Year Award (outside Cook County). She represents District 6 on the Champaign County board.

John V. Jacobi is the Dorothea Dix Professor of Health Law & Policy at Seton Hall Law School. He is faculty director of the Seton Hall Health & Pharmaceutical Law & Policy Program. He has served as principal investigator on a number of grant-funded projects on topics including behavioral health integration, mental health parity, and health insurance reform. He serves as board chair of the Greater Newark Healthcare Coalition, and the North Jersey Community Research Initiative, an HIV service organization. He is a member of the New Jersey Department of Health Integrated Care Advisory Panel, and he served as a member of Governor Phil Murphy's Healthcare Transition Team. He received BA, summa cum laude, from the State University College of New York at Buffalo and his JD, magna cum laude, from Harvard Law School.

Matthew J.B. Lawrence teaches at Dickinson Law, Pennsylvania State University, where he is an assistant professor of law and holds a secondary appointment at Penn State College of Medicine. He previously taught a course at Harvard Law School while an academic fellow at the Petrie-Flom Center for Health Law Policy, Bioethics and Biotechnology, and remains affiliate faculty of the Petrie-Flom Center. He also has deep federal government experience, having worked on healthcare regulatory issues during the Obama and Trump administrations as attorney advisor in the Executive Office of the President, Office of Management and Budget, Office of General Counsel and as a trial attorney in the Federal Programs Branch of the Civil Division of the United States Department of Justice. In 2016, he received an individual special commendation award for his defense of Affordable Care Act programs.

Shana Scott is the health systems team lead for the Chronic Disease Prevention Section at Georgia Department of Public Health. She also serves as adjunct faculty at Georgia State University and teaches Health Policy in the School of Public Health. Her work focuses on developing and maintaining relationships with physicians, health systems and post-acute providers in order to implement evidence-based interventions and health systems transformation efforts and she works closely with clinical operations teams and payors to assure alignment of care management practices. Prior to working for the Department of Public Health, she worked in policy at the CDC and has been in public health for over 10 years. She earned her JD from Loyola University School of Law and her MPH from Armstrong Atlantic State University in Savannah, Georgia.

Shivani Shah is medical student at Harvard Medical School. Graduating from Duke University in 2018 with majors in biology and public policy, she is interested in improving healthcare through both clinical research and institutional policy change. Her research portfolio at the Duke-Margolis Center for Health Policy focuses on North Carolina Medicaid. As a Bass Connections Fellow, she collaborated with an interdisciplinary research team to study Medicaid reform and present policy options to state legislators, co-authoring the report "NC Medicaid Reform: A Bipartisan Path Forward." Shah's clinical research has focused on lung cancer and thoracic surgery. Her work has been published by academic journals such as *Annals of Surgery*, *Lung Cancer*, and *Annals of Thoracic Surgery*.

Charles Silver holds the Roy W. and Eugenia C. McDonald Endowed Chair in Civil Procedure at the University of Texas School of Law, where he teaches about civil litigation, health care policy, legal ethics, and insurance. His

writings on class actions and other aggregate proceedings, litigation finance, medical malpractice, and legal and medical ethics have appeared in leading peer-reviewed journals and law reviews. In 2009, the Tort Trial & Insurance Practice Section of the American Bar Association awarded him the Robert B. McKay Law Professor Award for outstanding scholarship on tort and insurance law. In 2018, the Cato Institute published his book, *Overcharged: Why Americans Pay Too Much For Health Care*, coauthored with David A. Hyman of the Georgetown Law Center.

Tara Sklar is a professor of health law and director of the Graduate Health Sciences Programs at the University of Arizona James E. Rogers College of Law. She also holds an appointment as a Health Law Fellow in the Law and Public Health Group at the University of Melbourne, School of Population and Global Health. She currently serves as an Associate Editor for the *Global Biosecurity* journal and is a steering committee member for PricewaterhouseCoopers and Australian Unity's National Aging Advisory Group. She graduated magna cum laude from Tulane University and has a dual degree Juris Doctor/Master of Public Health from the University of Houston and the University of Texas.

Sidney Watson serves as policy and legal advisor for a statewide coalition of grassroots consumer health advocates. She is editor of the book, *Representing the Poor and Homeless: Innovations in Advocacy*. She also authored the book, *An Advocate's Guide to Missouri MC+/Medicaid for People with Disabilities* and three editions of the book, *A Georgia Advocate's Guide to Health Care*. She was named Jay Healey Health Law Professor of the year in 2012. She has also received the Equal Justice Award from Legal Services of Eastern Missouri. She was Co-Counsel for Amicus before the U.S. Supreme Court in *N.F.I.B v Sibelius*, co-drafting a brief in support of the constitutionality of the Affordable Care Act's Medicaid expansion. She was also co-counsel for plaintiffs in *Lankford, et al., v Sherman*, a successful challenge to the State of Missouri policy eliminating Medicaid coverage for medical equipment and supplies for adult Medicaid beneficiaries.

Jackson Williams is director of regulatory affairs at Dialysis Patient Citizens. From 2010 to 2013, he worked on health care quality and payment reform issues at the Centers for Medicare and Medicaid Services. Previously he was a health services researcher in the AARP Public Policy Institute and a lobbyist on health policy issues for three non-profit associations. He has taught courses in political science and law at the University of Illinois at Chicago, IIT-Kent College of Law, and Pennsylvania State University, Harrisburg. He is serving his sixth term as one of the National Association of Insurance Commissioners' Funded Consumer Representatives. From 2016 to 2018, he was a member of CMS' Technical Expert Panel on MACRA Physician Resource Use Measures, and was recently appointed to the Medicare Evidence Development and Coverage Advisory Committee.

Rachel Zuraw is a staff member and lecturer at the University of California, Berkeley, School of Law. She practiced law for several years at O'Melveny & Myers, LLP and Hanson Bridgett, LLP, focusing on healthcare and intellectual property litigation. Prior to her career in practice, she taught law and bioethics at Drexel University Thomas R. Kline School of Law and the University of Pennsylvania School of Arts and Sciences. Her current research area is the tension between state and federal regulations affecting the public health, though she is primarily focusing on elder care issues and on drug pricing. She holds a degree in Philosophy from Princeton University, a JD from the University of Pennsylvania Law School, and a Master's in Bioethics from the University of Pennsylvania Perelman School of Medicine.

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.

Registration Information

Loyola University Chicago School of Law is pleased to present this conference at no charge for Loyola Students and faculty and individuals not seeking CLE credit. For those who wish to obtain credit, registration fees are Registration is free. Fees may apply for attendees seeking Continuing Legal Education.

For those who wish to obtain credit, registration fees will apply as follows:

- \$50 for attendees seeking CLE credit
- \$40 for Loyola alumni seeking CLE credit
- As part of our wider financial hardship consideration, there is an immediate discount of 50% for attorneys working the areas of government or public interest.
- There is no charge for CLE credit for Loyola Law faculty, staff, or students.

CLE fees are payable at the door by cash or check made payable to Loyola University Chicago.

This program has been approved by the Illinois MCLE Board for 4.5 hours of General CLE Credit.

For more information, please visit our website: <https://reg.planetreg.com/E9411471630578>

About *ANNALS OF HEALTH LAW & LIFE SCIENCES*

Twice yearly (Winter and Summer) the Beazley Institute for Health Law and Policy publishes *Annals of Health Law & Life Sciences*, 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 & Life Sciences*, 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.