

KATHARINE VAN TASSEL
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LEGAL EMPLOYMENT

Visiting Professor of Law: Case Western Reserve University School of Law (2019-present). Courses: Food, Drug, and Biotech Law; Elder Law; Sales.

Dean and Professor of Law: San Francisco School of Law, Alliant University (2018-19).

Associate Dean of Academics and Professor of Law: Concordia University School of Law (2017-2018). Courses: Health Law, Criminal Law. Law School Committees: Chair, Strategic Planning and Institutional Research Committee; Ex Officio Member, Adjunct Training Committee, Appointments Committee, and Curriculum Committee. University Committees: Member, University Analytics, Research, and Assessment Committee, University Academic Policies Committee, and Faculty Evaluation and Retention Committee.

Expert Food & Drug Law Consultant: Georgetown University (2017) (expert consultant on developing the curriculum for Georgetown's forthcoming M.S. in Regulatory Affairs hybrid, on-line and on-ground graduate program focusing on drug and device regulation).

Director and Founder of Health Law Programs and Professor of Law: Creighton University School of Law (2015-2016). Courses: Food & Drug Law, Health Law, Torts (2015-2016). Member: Curriculum Committee and Strategic Planning Committee.

Director and Founder, Health Law Programs and Professor of Law: University of Akron School of Law (2012-2015). Courses: Food & Drug Law; Health Law: Quality, Cost and Access; Health Law: Government Provision of Healthcare; Public Health Law (an on-line course developed with the Northern Ohio Medical University and the Consortium of Eastern Ohio Masters of Public Health); and, Torts. Member: Curriculum Committee (2012-13); Planning and Resource Committee (2012-2015); Diversity and Development of International Programs Committee (2013-2015); Hiring Committee (2014-2015).

Director and Founder: Public Health Law and Science Center, University of Akron (2013-2015).

Honors: 2013 Faculty Scholar of the Year Award.

Honors: Selected as a member of the inaugural class of The University of Akron's UniverCity Community Leadership Institute (UCLI), a specially-designed leadership development program to create a community of leaders to help fulfill the University's Vision 2020 Strategic Plan (2014).

Adjunct Professor of Law: Northeast Ohio Medical University (2013-2015).
Course: Law for Healthcare Practitioners - Medical Malpractice, Licensure, and Hospital Peer Review.

Research Fellow, Center for Emergency Management and Homeland Security, University of Akron (2013-2015).

Professor of Law: St. Thomas University School of Law (2010-2012). Associate Professor of Law (2010-12); Professor of Law (2012). Courses: Food & Drug Law, Civil Procedure, and Health Law. Member: Hiring Committee (2011-12); Technology Committee (2010-12). Faculty Advisor: Association of Public Health Law Students (2010-12).

Professor of Law: Western New England College School of Law (2001-2010). Professor of Law (2006-10), Associate Professor of Law (2003-06), Assistant Professor of Law (2001-03). Courses: Food & Drug Law, Law & Biotechnology, Medical Malpractice, Healthcare Organization and Finance, Bioethics, Torts, Products Liability, Business Torts, Health Law Overview, Evidence, Family Law, and Pretrial Practice.

Member: Personnel Committee (2002-04); Mentoring Committee (2002-06); Retention Committee (2002-04); Standards for Promotion and Tenure Committee, (2002-05); Faculty Handbook Committee (2006-07); Honor Code Committee, (2008-09).

Advisor: Student Health Law Association (2004-07); Faculty Advisor, Politics & Health Law Symposium Issue, Western New England Law Review (2006).
Honorary Faculty Member, Phi Alpha Delta Law Fraternity (by student nomination) (2006-present).

Commissioner, Cervical Cancer Special Commission, House of Representatives, Commonwealth of Massachusetts (2005-2010).

Hearing Officer, Medical Staff Peer Review Proceedings, Baystate Medical Center (2002-04); Member: Baystate Medical Center Ethics Committee (2004-06); Baystate Medical Center Clinical Ethics Review Team (2004-06); Baystate Health System's Institutional Review Board for Experimental Drugs and Devices (2005-06).

Visiting Associate Professor of Law: Case Western Reserve University School of Law and Cleveland State University School of Law (1999-2001). Courses: Civil Procedure, Evidence, and Family Law.

Director of Clinical Programs & Externships and Assistant Professor of Law, Pettit College of Law, Ohio Northern University (1997-99). Courses: Professional Responsibility, Pretrial Practice, Externship Courses.

Managing Partner, Van Tassel & Associates, Cleveland, Ohio (1992-97). Founded, managed, and was sole owner of a national law firm made up of ten lawyers representing Fortune 500 businesses in litigation in multiple states. National defense counsel in the Federal multi-district L-tryptophan litigation.

Associate, Squire, Sanders & Dempsey (now Squire, Patton, Boggs), Cleveland, Ohio (1987-91).

JUDICIAL CLERKSHIP

Law Clerk, Judge William K. Thomas, United District Court, N.D. Ohio (1986-87).

EDUCATION

Johns Hopkins University, M.S. (degree expected 2020); Harvard School of Public Health, M.P.H., Law & Public Health Policy (2010); Case Western Reserve University School of Law, J.D., 1986 (with honors); Editor, Case Western Reserve Law Review, 1984-86; Editor, Health Matrix: Journal of Law-Medicine, 1984-86; Case Western Reserve University, B.S.N., June, 1980.

BOOKS

- Van Tassel, K, INTERNATIONAL ENCYCLOPAEDIA OF LAWS: MEDICAL LAW, UNITED STATES OF AMERICA (Wolters Kluwer - Kluwer Law International, forthcoming 2020) (part of a series of books written by an international group of experts who provide comparative information on the national laws of 32 countries in 25 separate subject areas since 1977).

- O'Reilly, J. T., Van Tassel, K., FOOD AND DRUG ADMINISTRATION (4th ed., 2014) (Thomson Reuters) (three-volume treatise which is cited as an authoritative FDA source by the U.S. Supreme Court and numerous federal circuit and district courts) (bi-annual supplements, 2015, 2016, 2017, 2018, 2019).

- O'Reilly, J. T., Van Tassel, K., LITIGATING THE NURSING HOME CASE (2d ed. 2014) (ABA Press).

LAW REVIEW PUBLICATIONS

- Van Tassel, K., *Modernizing the Emergency Medical Treatment & Labor Act to Harmonize with the Affordable Care Act to Improve Equality, Quality, and Cost of Emergency Care*, 15 HOUS. J. L. & HEALTH POL'Y 133-39 (2015) (invited article for the University of Houston Law Center's 2014 Symposium, *America's Future Health Care System: Implications for Health Law, Policy, and Ethics*).

- Van Tassel, K., *Intellectual Property and Public Health—A White Paper*, 7 Akron J. Intell. Prop. 1 (2014) (workshop paper with Ryan Vacca, James Ming Chen, Jay Dratler, Thomas Folsom, Timothy S. Hall, Yaniv Heled, Frank A. Pasquale, Elizabeth Reilly, Jeffrey Samuels, Katherine Strandburg, Kara W. Swanson and Andrew W. Torrance).
- Van Tassel, K., *Regulating in Uncertainty: Animating the Public Health Product Safety Net to Capture Consumer Products Regulated by the FDA that Use Innovative Technologies, Including Nanotechnologies, Genetic Modification, Cloning, and Lab Grown Meat*, 2013 U. CHI. LEGAL F. 101-156 (2013) (invited article for the University of Chicago Legal Forum's 2013 Symposium *Frontiers of Consumer Protection*).
- Van Tassel, K., *Using Clinical Practice Guidelines and Knowledge Translation Theory to Cure the Negative Impact of the Hospital Peer Review Hearing System on Health Care Quality, Cost, and Access*, 40 PEPPERDINE L. REV. 911-975 (2013).
- Van Tassel, K., *Harmonizing the Affordable Care Act with the Three Main National Systems for Healthcare Quality Improvement: The Tort, Licensure, and Hospital Peer Review Systems*, 78 BROOK. L. REV. 1-41 (2013).
- Van Tassel, K., *Blacklisted: The Constitutionality of the Federal System for Publishing Reports of 'Bad Doctors' in the National Practitioner Data Bank*, 33 CARDOZO L. REV. 101-65 (2012).
- Van Tassel, K., Goldman, R., *The Growing Consumer Exposure to Nanotechnology in Everyday Products: Regulating Innovative Technologies in Light of Lessons from the Past*, 44 CONN. L. REV. 481-530 (2012).
- Van Tassel, K., *Slaying the Hydra: The History of Quack Medicine, the Obesity Epidemic, and the FDA's Battle to Regulate Dietary Supplements*, 6 INDIANA HEALTH L. J. 204-50 (2009).
- Van Tassel, K., *Genetically Modified Food, Risk Assessment, and Scientific Uncertainty Principles: Does the New Understanding of the Networked Gene Trigger the Need for Post-Market Surveillance to Protect Public Health?* 15 B.U. J. SCIENCE & TECH. LAW 220-251 (2009).
- Van Tassel, K., *Hospital Peer Review Standards and Due Process: Moving from Tort Theories to Contract Principles Based on Clinical Practice Guidelines*, 36 SETON HALL L. REV. 1179-1256 (2006).
- Van Tassel, K., *The Introduction of Biotech Foods to the Tort System: Creating a New Duty to Identify*, 72 U. CINN. L. REV. 1645-1705 (2004).

BOOK CHAPTERS

- Van Tassel, K., et al., *Food and Drug Law*, in DEVELOPMENTS IN ADMINISTRATIVE LAW & REGULATORY PRACTICE 2016, 344-381 (Michael Tien ed., 2017).

ARTICLES

- Van Tassel, K., *King v. Burwell: Averting the Affordable Care Act's Demise*, Creighton Lawyer 10 (Fall, 2015).

REPORTS

Ohio Advisory Committee to the United States Commission on Civil Rights, Report: Human Trafficking in Ohio (2015): Researched and drafted a 90-page report for the Ohio Advisory Committee investigating the causes and responses to the rise of human trafficking in Ohio, one of the five states with the largest number of human trafficking incidents.

TESTIMONY

U.S. Commission on Civil Rights: Oral and written testimony before the U.S. Commission on Civil Rights on how to improve the enforcement of the Emergency Medical Treatment and Labor Act ("EMTALA") to better ensure hospitals, localities, or states are not "dumping" patients disabled by a psychiatric medical condition and in need of emergency care (Washington, D.C, 2014).

Massachusetts Legislators' Biotechnology Caucus: Testified on several pending legislative initiatives impacting the biotechnology industry in Massachusetts (Springfield, MA, 2007).

BOOK REVIEWS

- Van Tassel, K., *Legal and Ethical Aspects of Healthcare*, 16 THE LAW AND COURTS SECTION, THE AMERICAN POLITICAL SCIENCE FOUNDATION 306-08 (May, 2006).

LEGISLATION

Drafted Proposed House Bill, Section 47G, Chapter 175 of the General Laws of the Commonwealth of Massachusetts, *Coverage for Cytologic Screening and Mammographic Examination: Minimum Requirements* (2004).

ONLINE ACTIVITIES

Editor: *HealthLawProf Blog* (a member of the Law Professor Blogs Network), http://lawprofessors.typepad.com/healthlawprof_blog/.

Contributor: *Bill of Health*, blog of the Petrie-Flom Center, Harvard School of Law.

Contributor: *BioLaw: Law and the Life Sciences* (a member of the Jurisdynamics Network), <http://biolaw.blogspot.com>. For selected contributions, *see* <http://biolaw.blogspot.com/search/label/KVT>.

WORKSHOPS

- *Leadership Issues in Hospital Quality Improvement*, Physician Leadership Experience Accelerator Program (Physician LEAP), Creighton Business Institute (Creighton University, 2017) (conducted one-half day workshop for hospital-physician leadership teams).
- *Leadership Issues in Healthcare Business Ethics and Law*, Physician Leadership Experience Accelerator Program (Physician LEAP), Creighton Business Institute (Creighton University, 2015) (conducted one-half day workshop for hospital-physician leadership teams).
- *Joint Workshop on Legal, Ethical, and Public Health Issues Arising from an Ebola Outbreak*, Ethical Issues, Akron University School of Law, Northern Ohio Medical University and the Consortium of Eastern Ohio Masters of Public Health, University of Akron (2014).

PRESENTATIONS

- *Top Ten Issues Facing the FDA in 2018*, Section of Administrative Law and Regulatory Practice, 2017 Administrative Law Conference (Washington, D.C., 2017).
- *Top Ten on the New Administration's FDA Agenda*, Section of Administrative Law and Regulatory Practice, 2016 Administrative Law Conference (Washington, D.C., 2016).
- *The Growing Use of Nanotechnology in Consumer Products: Is Nanotech the New Asbestos?*, University of Maryland School of Law (2016).
- *The Growing Consumer Exposure to Nanotechnology in Everyday Products: Regulating Innovative Technologies in Light of Lessons from the Past by Creating a "Public Health Product Safety Net,"* Center for Health Policy and Ethics, Creighton University (2016).
- *The Growing Consumer Exposure to Nanotechnology in Everyday Products: Regulating Innovative Technologies in Light of Lessons from the Past by Creating a "Public Health Product Safety Net,"* Health Law Section, Nebraska Bar Association (Omaha, NE, 2015).
- *Ebola and the Law*, Annual Meeting, American Association of Law Schools, Section on Biolaw (Panelist) (Washington, D.C., 2015).
- *Evaluating the U.S. Commission on Civil Rights' 2014 Report on the Equal Access to Emergency Treatment Enforcement Under the Emergency Treatment and Labor Act*, Annual Meeting, American Association of Law Schools, Section on Law & Mental Disability (Panelist and Organizer) (Washington, D.C., 2015) (guest speakers included the Chair of the U.S. Commission on Civil Rights).

- *The Ebola Crisis: Preparation, Response, and Ethics in Summit County and Beyond*, Akron Press Club (Akron, OH, 2014).
- *Ebola: Facts, Myths, and Implications*, Public Health Law & Science Center, the International Association of Emergency Managers (IAEM), the Center for Emergency Management and Homeland Security Policy Research Program, University of Akron (Akron, OH, 2014).
- *The Affordable Care Act and the Modernization of EMTALA—Opening the Door to Innovations in Artificial Intelligence Including Diagnostic Software Using Genetics, Epigenetics, Proteomics and the Microbiome*, the University of Houston Law Center's 2014 Symposium, *America's Future Health Care System: Implications for Health Law, Policy, and Ethics*, Houston University School of Law (2014).
- *Harmonizing the Affordable Care Act with the Three Main National Systems for Healthcare Quality Improvement: The Tort, Licensure and Hospital Peer Review Systems*, Annual Hadassah Lecture (Akron, OH, 2013).
- *Supreme Court Review: Updates on the Legal Decision of the 2013 Term*, Constitution Week, University of Akron (Akron, OH, 2013).
- *First Amendment and FDA Regulation of Off-Label Promotion of Drugs by Manufacturers*, 2013 Administrative Law Conference (Georgetown, VA., 2013).
- *Regulating Uncertainty: Animating the Public Health Safety Net to Capture Consumer Products that Use Innovative Technologies and Biotechnologies including Nanotechnologies, Genetically Modified Food, and Cloning to Create Lab Grown Meat*, Northeast Ohio Faculty Colloquium (Twinsburg, OH, 2013) (presentations given by senior faculty from the Case Western Reserve, Akron and Cleveland State Law Schools on works-in-progress).
- *Navigating the Practice of Law in the Wake of Ethics 20/20 - Globalization, New Technologies, and What It Means to be a Lawyer in These Uncertain Times*, The Joseph G. Miller and William C. Becker Center for Professional Responsibility (Akron, OH, 2013) (Moderator).
- *Regulating Uncertainty: Animating the Public Health Safety Net to Capture Consumer Products that Use Innovative Technologies and Biotechnologies*, The University of Chicago Legal Forum's 2013 Symposium *Frontiers of Consumer Protection*, The University of Chicago (2012).
- *Overriding the Experts: Executive Rejection of Administrative Agency Expertise*, Section of Administrative Law and Regulatory Practice, 2012 ABA Annual Meeting (Chicago, IL, 2012).

- *Issues in Mental Health Law: Genes, Behavior, and Litigation: Recent Developments in Law & Psychiatry; Reforming Mental Health Parity Law*, Southeastern Association of Law Schools (SEALS) 2011 Annual Conference (Hilton Head Island, SC, 2011) (Moderator).

- *Evaluation of the Statutes and Regulations of the New England States for the Treatment of Tuberculosis in the Context of the Model TB Control Act of 2009*, Centers for Disease Control in conjunction with the Consortium of New England State Departments of Public Health and Departments of Epidemiology to Expand TB Control and Prevention (Boston, MA, 2009).

- *Debunking 'Junk DNA' - A Public Health Case for the Post-Market Surveillance of Biotech Foods*, Annual Conference on Law, Ethics & the Life Sciences, University of Louisville, Brandeis School of Law (2007).

- *Civil Jury Practice in the District Court: Massachusetts Tort Law for Trial Court Judges*, Annual Conference of the Massachusetts District Court and the Massachusetts Trial Court's Judicial Institute (Williams College, MA, 2006).

- *Ethical Issues in Genetic Testing*, Annual Massachusetts Medical Association OB/GYN Seminar (Springfield, MA, 2005).

- *Ethical and Legal Issues in Extraction of Sperm in Conjunction with Diagnosis of Brain Death*, Annual Ethics Service Conference, Franklin Medical Center (Springfield, MA, 2005).

- *Product Liability for Biotech Foods*, Product Liability for FDA Regulated Products, Food and Drug Law Institute (Washington, D.C, 2005).

- *The Uninsured and The Under Insured: Is A Single Payer System the Solution?*, Western Massachusetts Senior Action Council in conjunction with Western Massachusetts Jobs with Justice (Springfield, MA, 2004).

- *Ethical and Legal Issues in The Post Mortem Extraction of Sperm*, Ethics Grand Rounds, Bay State Medical Center, (Springfield, MA, 2004).

- *The Basics of Handling Medical Malpractice Cases*, Health Law Section, Massachusetts Bar Association (Springfield, MA, 2002).

PROFESSIONAL MEMBERSHIPS

Co-Chair, Food & Drug Law Committee, Administrative Law Section, American Bar Association (2011-present).

Chair, Law and Mental Disability Section, American Association of Law Schools (2015); Executive Committee (2012-2016).

Executive Committee, Bio Law Section of the American Association of Law Schools (2015-2017).

Executive Committee, Law, Medicine and Healthcare Section, American Association of Law Schools (2012-2015).

Member, Steering Committee of the Northeast Ohio Consortium of Schools for the creation of a Master of Bioethics Degree which includes the Northeast Ohio Medical School, the University of Akron, Hiram University, and Kent State University (2013-2015).

American Association of Health Care Lawyers (2000-present).

Executive Board, Litigation Section, American Association of Law Schools (1998-99; 2001-02).

Board of Directors, The Coalition of Food Industry Counsel (“COFIC”). Member of the steering committee which founded COFIC, a national organization of over 200 defense counsel and food manufacturers (1993-96).

Chair/Arbitrator, Cuyahoga County Court of Common Pleas Alternative Dispute Resolution Program (1994-96).

BAR ADMISSIONS

Admitted to Practice: Ohio (1986); U.S. Courts of Appeals: Sixth Circuit (1987) and Tenth Circuit (1992). U.S. District Courts for the Northern District of Ohio (1987), Colorado (1990), and the Northern and Middle Districts of Georgia (1996).