

CURRICULUM VITAE

MAXWELL J. MEHLMAN

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Present Position:

Distinguished University Professor

Arthur E. Petersilge Professor of Law, Case Western Reserve University, School of Law

Co-Director, The Law-Medicine Center, Case Western Reserve University, School of Law

Professor of Biomedical Ethics, Case Western Reserve University, School of Medicine

Past Employment:

Director, The Law-Medicine Center, Case Western Reserve University, School of Law, 1986-2020

Deputy Director for Legal and Regulatory Analysis, Center for Genetics Research Ethics and Law, Case Western Reserve University, 2008-2010

Professor of Law, CWRU, 1990-1996

Associate Professor of Law, CWRU, 1987-1990

Associate Director, The Law-Medicine Center, CWRU School of Law, 1985-1987

Assistant Professor of Law, CWRU, 1984-1987

Attorney, Arnold & Porter, Washington, D.C., 1975-1984

Education:

J.D., Yale Law School, 1975

B.A., Oxford University (Brasenose College), Philosophy, Politics and Economics, 1972

B.A., Reed College, Portland, Oregon, Political Science, 1970

Honors:

Sigma Xi, 2021

1L Teacher of the Year Award, 2020-2021.

Scholarship in Teaching Award, Case Western Reserve University School of Medicine, “Advocacy in Undergraduate Education: From Social Determinants and Structural Violence to System Change,” March 19, 2019 (with Maier, et al.)

McDonald Merrill Ketcham Award, Indiana University Robert H. McKinney School of Law, February 20, 2014.

Distinguished University Professor, Case Western Reserve University, 2013-.

Distinguished Teacher Award, CWRU School of Law Alumni Association, 2010

Stockdale Fellow, Stockdale Center for Ethical Leadership, U.S. Naval Academy, 2009-2010.

Fellow, The Hastings Center, 2003-.

Templeton Fellow, Center for Science and Religion, Arizona State University, 2008-2009.

Marjorie Guthrie Award, Huntington’s Disease Society of America, Northeast Ohio Chapter, 2005.

President’s Award, American College of Legal Medicine, 2003.

Jay Healey Distinguished Health Law Teacher Award, Health Law Teachers Section, American Society of Law, Medicine and Ethics, 2001.

Rhodes Scholarship, Oregon, 1970.

Phi Beta Kappa, 1970.

Publications:

Major Academic Publications

The Impact of Nurse Practitioner Full Practice Authority on Chronic Condition-related Readmissions and Emergency Department Visits in the United States. Medical Care (forthcoming) (with others).

The Impact of Nurse Practitioner Full Practice Authority on Pediatric Care Experiences: A National Secondary Data Analysis. Journal Of Pediatric Health Care (forthcoming) (with others).

Recruitment Techniques Used for Clinical Trials and the Potential Impact of Nudges: Qualitative Interview Study with Recruiters. J Empir Res Hum Res Ethics. 2025 Jul;20(3):87-96. doi: 10.1177/15562646251341655 (with others).

Usage and Perceived Effectiveness of Recruitment Techniques Among Clinical Trials Recruiters, Journal of Empirical Research on Human Research Ethics 9: e190, 1–12. doi: 10.1017/cts.2025.10117 (with Jessica Berg and others).

Defusing the Legal and Ethical Minefield of Epigenetic Applications in the Military, Defense, and Security Context, 10 Oxford Journal of Law and the Biosciences, July-December 2023 (with Dalpe and others).

<https://academic.oup.com/jlb/article/10/2/lsad034/7471840?searchresult=1>

Governing Nonconventional Genetic Experimentation, 10 Oxford Journal of Law and the Biosciences, January-June 2023 (with Conlon and Pearlman)

<https://doi.org/10.1093/jlb/lsad003>

Ethical and Legal Implications of Advances in Genetics, Oxford Handbook of Comparative Health Law (Orentlicher and Hervey eds. Oxford University Press 2022) 919-988 (with Suter and Hartlev).

Governing Nontraditional Gene Editing, Maxwell Mehlman, Ronald Conlon, in Consumer Genetic Technologies: Ethical and Legal Considerations (Cohen, G., Farahany, N., Greely, H., and Shachar, C. eds. Cambridge University Press 2021) Pages 145-156.

Predictive Genetic Testing by the U.S. Military: Legal and Ethical Issues

Maxwell J Mehlman, Efthimios Parasidis, Military Medicine, Volume 186, Issue 7-8, July-August 2021, Pages 726–732,

<https://doi.org/10.1093/milmed/usab011>

Compulsory Immunization Protects Against Infection: What Law and Society Can Do, 5 Pathogens and Immunity 1 (2020)(with Michael Lederman).

Bioethics of Military Performance Enhancement, 165 J. Royal Army Med. Corps, 226-231 (2019) (“Editor’s Choice”)(funded by NIH National Human Genome Research Institute 1R03HG006730-01).

Ethical Issues in the Use of Nudges to Obtain Informed Consent for Biomedical Research, 40 IRB 1-5 (2018) (feature article) (with Jessica Berg and Eric Kodish).

The Fragmenting of Humankind? in Michael Bess and Diana Walsh Pasulka, ed. Posthumanism: The Future of Homo Sapiens. Macmillan Interdisciplinary Handbooks. Farmington Hills, MI: Macmillan Reference USA, 2018, pp. 384-399.

Genomics and the Law in The Oxford Handbook of U.S. Health Law 1113-1133 (I. Glenn Cohen, Allison K. Hoffman, and William M. Sage, eds. New York: Oxford University Press 2017).

Who Do You Trust?, 44 Journal of Law, Medicine & Ethics 589-591 (2016).

Ethical, Legal, and Social Implications of Personalized Genomic Medicine Research: Current Literature and Suggestions for the Future, 30 Bioethics 698-704 (2016) (with Shawneequa L. Callier, Rachel Abudu, Mendel E. Singer, Duncan Neuhauser, Charlissee Caga-Anan and Georgia L. Wiesner).

Genomic Medicine in the Military, 1 npj Genomic Medicine art. 15008 (2016) (with De Castro, Biesecker, Turner, Brenner, Witkop, Bradburne, and Green).

Can Law Save Medicine? 36 Journal of Legal Medicine 121-157 (2016).

Compensating Persons Injured by Medical Malpractice and Other Tortious Behavior for Future Medical Expenses Under the Affordable Care Act, 25 Annals of Health Law 35 (2016) (with Angoff, Malone, Silver, and Weinberger).

Reproductive Information and Reproductive Decision-Making, 43 Journal of Law, Medicine & Ethics 241-244 (2015).

Captain American and Iron Man: Biological, Genetic, and Psychological Enhancement and the Warrior Ethos in Routledge Handbook of Military Ethics 406-420 (G. Lucas ed. Routledge, 2015).

Why Physicians Are Fiduciaries For Their Patients, 12 Indiana Health Law Review 1-63 (2015).

Military Neuroenhancement and Risk Assessment in Neurotechnology in National Security and Defense 227-238 (James Giordano ed. Boca Raton FL: CRC Press 2015) (with Abney and Lin).

A Framework for Military Bioethics, 13 Journal of Military Ethics 331 (2014) (with Corley).

Super Soldiers (Part 1): What is Military Human Enhancement? in Global Issues and Ethical Considerations in Human Enhancement Technologies (Stephen John Thompson ed. Hershey, PA, IGI Global 2014) (with Lin, Abney, and Galliot).

Super Soldiers (Part 2): The Ethical, Legal, and Operational Implications in Global issues and Ethical Considerations in Human Enhancement Technologies (Stephen John Thompson ed. Hershey, PA, IGI Global 2014) (with others).

Ethical, Legal, Social, and Policy Issues in the Use of Genomic Technology by the U.S. Military, Journal of Law and the Biosciences (doi:10.1093/jlb/Isu021 (2014) (with Tracy Yeheng Li) (reprinted in Case Western Reserve Journal of International Law, vol. 47, 2015).

Medical Malpractice in Encyclopedia of Bioethics 1899-1903 (Bruce Jennings ed., Farmington Hills, MI: Macmillan Reference USA 2014).

Soldier Enhancement in Encyclopedia of Bioethics 3176-3179 (Bruce Jennings ed., Farmington Hills, MI: Macmillan Reference USA 2014).

Enhanced Warfighters: A Policy Framework (with Patrick Lin and Keith Abney) in Military Medical Ethics for the 21st Century (M. Gross and D. Carrick eds. Surrey, UK; Ashgate Publishing Ltd. 2013).

Enhanced Warfighters: Risk, Ethics, and Policy (Greenwall Foundation 2013) (with Patrick Lin and Keith Abney).

Professional Power and the Standard of Care in Medicine, 44 Ariz. St. L. J. 1165 (2012).

Genetic Enhancement in Sport: Just Another Form of Doping? 6 Recent Patents on DNA & Gene Sequences 240-246 (2012).

Medical Malpractice Guidelines as Safe Harbors: Illusion or Deceit? 40 Journal of Law, Medicine & Ethics 286-300 (2012).

How Close Are We to Being Able to Achieve the Transhumanist Vision? in *The Posthuman Condition* 38-47 (Kasper Lippert-Rasmussen, Mads Rosenthal Thomsen, and Jacob Wamberg, eds., Aarhus, Denmark: Aarhus University Press 2012).

Ethical and Legal Issues in Enhancement Research in Human Subjects, 20 *Cambridge Quarterly of Healthcare Ethics* 30-45 (2011) (with Jessica Berg, Eric Juengst, and Eric Kodish).

Modern Eugenics and the Law in *A Century of Eugenics in America* 219-240 (Paul Lombardo ed. Indiana Univ. Press 2010).

Will Directed Evolution Destroy Humanity, and If So, What Can We Do About It? 3 St. Louis U. J. Law & Policy 93-122 (2009).

Genetic Enhancement in Sport: Ethical, Legal, and Policy Concerns, in *Performance-Enhancing Technologies in Sports: Ethical, Conceptual, and Scientific Issues* (T. Murray, K. Maschke, and A. Wasunna, eds. Baltimore: Johns Hopkins University Press 2009).

Making All Children Above Average: Ethical and Regulatory Concerns for Pediatricians in Pediatric Enhancement Research, 48 *Clin. Peds.* 472-480 (2009) (with Berg, Rubin, and Kodish).

A New Era of Biomedical Enhancements, in *Issues in Science and Technology* 59-69 (National Academy of Sciences; Spring 2009).

Moore v. Regents of the University of California, in *Property Stories* (G. Korngold and A. Morriss eds. 2d edition, New York: Foundation Press 2009).

Human Subjects Protections in Biomedical Enhancement Research: Assessing Risk and Benefit and Obtaining Informed Consent, in 36 *Journal of Law, Medicine & Ethics* 546 (2008) (with Jessica Berg).

The Ethical, Legal, and Social Implications of Antiaging Technologies in *Aging, Biotechnology, and the Future* (Catherine Y. Read, Robert C. Green, and Michael A. Smyer, eds. Baltimore: Johns Hopkins University Press 2008).

Behavioral Genetics: Can We Prevent Crimes Before They Are Committed? in *Biomedical Ethics: A Multidisciplinary Approach to Moral issues in Medicine and Biology* (David Steinberg ed. Hanover, NH: University Press of New England 2007).

Medical Injustice: The Case Against Health Courts (American Association for Justice 2007) (with Dale Nance).

"Medicover": A Proposal for National Health Insurance, 17 *Health Matrix* 1 (2007).

Dishonest Medical Mistakes, 59 Vanderbilt Law Review 1137-1173 (2006).

Promoting Fairness in the Medical Malpractice System, in *Medical Malpractice and the U.S. Health Care System* 137-153 (William M. Sage and Rogan Kersh, eds. Cambridge Univ. Press 2006).

Doping in Sports and the Use of State Power, 50 St. Louis University Law Review 15-73 (2006) (with Elizabeth Banger and Matthew Wright).

The Shame of Medical Malpractice, 27 Journal of Legal Medicine 17 (2006).

Quackery, 31 Am. J. of Law and Medicine 349-363 (2005).

Malpractice Reforms: Are They Fair? in *Clinics in Perinatology: Risk Management in Neonatal-Perinatal Medicine* (M. Hermansen, ed. Philadelphia: W.B. Saunders Co. 2005).

Hospital Liability for Physician Malpractice in Health Law and Compliance Update (2005 ed.) (J. Steiner ed. New York: Aspen Publishers).

Cognition-Enhancing Drugs, 82 Milbank Quarterly 483-506 (2004).

Antiaging Medicine: Can Consumers Be Better Protected?, 44 Gerontologist 304 (2004) (with Binstock, Juengst, Ponsaran, and Whitehouse).

Moore v. Regents of the University of California, in *Property Stories* (G. Korngold and A. Morriss eds. New York: Fountain Press 2004).

Predictive Genetic Testing in Urology: Ethical and Social Issues, 21 World J. Urology 433-437 (2004).

Malpractice, Medical, in *Encyclopedia of Bioethics* (3rd ed., S. Post ed., MacMillan Reference USA 2003).

Reforming the Medical Malpractice System: Fairness Considerations (Project on Medical Liability, Pew Charitable Trusts)(2003) (<http://medliabilitypa.org>).

Biogerontology, "Anti-Aging Medicine," and the Challenges of Human Enhancement, Hastings Center Report (July-August 2003) (with Juengst, Binstock, Post and Whitehouse).

Intrinsic Conflicts of Interest in Clinical Research: A Need for Disclosure, 13 Kennedy Institute of Ethics Journal 83-91 (2003) (with Sollitto, Hoffman, Lederman, Youngner and Lederman).

Anti-Aging Research and the Need for Public Dialogue, 299 Science 1323 (2003) (with Juengst, Binstock and Post).

Any DNA to Declare? Regulating Offshore Access to Genetic Enhancement, 28 American Journal of Law & Medicine 179 (2002) (with Kristen Rabe).

Should Physicians Withhold Highly Active Antiretroviral Therapies from HIV-AIDS Patients Who Are Thought To Be Poorly Adherent to Treatment? 15 AIDS 153 (2001) (with Sharmon Sollitto, Stuart Youngner, & Michael Lederman).

Liability for Prescribing Intravenous Injection Equipment to IV Drug Users, 11 Health Matrix 73 (2001).

Dying To Save Money: Economic Motives for Physician-Assisted Suicide, in *Alternatives to Physician-Assisted Suicide* (Poynter Center for the Study of Ethics and American Institutions, 2000).

Human Enhancement Uses of Biotechnology, Genetic Enhancement and the Regulation of Acquired Genetic Advantages, Encyclopedia of Ethical, Legal and Policy Issues in Biotechnology (Murray and Mehlman, eds. John Wiley & Sons 2000).

The Law of Above Averages: Leveling the New Genetic Enhancement Playing Field, 85 Iowa Law Review 517 (2000).

How Will We Regulate Genetic Enhancement? 34 Wake Forest Law Review 671 (1999).

Getting a Handle on Coverage Decisions: If Not Case Law, Then What? 31 Indiana Law Review 75 (1998).

Genetic Testing for Cancer Risk: How to Reconcile the Conflicts, 279 JAMA 179 (1998) (with E. Kodish, G. Weisner, and T. Murray).

When Do Health Care Decisions Discriminate Against Persons With Disabilities?, 22 Journal of Health Politics, Policy and Law 1385 (1997) (with M. Durchslag and D. Neuhauser).

Enhancing Cognition in the Intellectually Intact: Possibilities and Pitfalls, 27 Hastings Center Report 14 (1997) (with P. Whitehouse, T. Murray, and E. Juengst).

Access to the Genome and Federal Entitlement Programs in the Human Genome Project and the Future of Health Care (113-132) (1996, Indiana University Press, T. Murray, M. Rothstein and R. Murray, Jr., eds.).

Historical Trends in Malpractice Litigation, in *Physician Executives and the Law: Issues and Trends in Liability* (21-44) (1996, American College of Physician Executives, T. Sagin ed.).

Medical Advocates: A Call for a New Profession, 1 Widener L. Rev. 299 (1996).

The Need for Anonymous Counseling and Testing, 58 Am. J. Hum. Genet. 393-397 (1996) (with others).

The Patient-Physician Relationship and the Allocation of Scarce Resource—A Law and Economics Approach, 4 Kennedy Institute of Ethics J. 291 (1994) (with S. Massey)(reprinted in NWP Journal of Clinical Practice-Sept. 1995),

Bad "Bad Baby" Bills, 20 American J. of Law, Medicine and Ethics 129 (1994).

Informed Consent to Amnestics or What Sound Does A Tree Make In The Forest When It Falls On Your Head?, 5 J. Clinical Ethics 105 (1994) (with G. Kanoti and J. Orlowski).

Coverage of Genetic Technologies Under National Health Reform, 55 American J. of Human Genetics 1054 (1994) (with others).

Wrongful Birth: Medical, Legal, and Philosophical Issues, 22 J. of Law, Medicine and Ethics 21 (1994) (with J. Botkin).

The Patient-Physician Relationship in an Era of Scarce Resources: Is There a Duty to Treat?, 25 U. Conn. L. Rev. 349 (1993), (reprinted in Specialty Law Digest: Health Care Law, October 1993).

Medicare and Medicaid: Are They Just Health Care Programs? 29 Houston L. Rev. 835 (1992) (with K. Visocan).

The Oregon Medicaid Program: Is It Just?, 1 Health Matrix 175 (1991).

Presumed Consent to Organ Donation: A Reevaluation, 1 Health Matrix 31 (1991).

Assuring the Quality of Medical Care: The Impact of Outcome Assessment and Practice Standards, 18 Law, Medicine and Health Care 368 (1991).

Setting Limits: Age-Based Rationing and Technological Development, 33 St. Louis University Law Journal 671 (1989), (reprinted in 7 Specialty Law Digest: Health Care Sept. 1990).

Medicare Quality Assurance Mechanisms and the Law, background paper, Institute of Medicine, National Academy of Sciences (1989) (with A. Smith).

The Ethics of Teaching and Practicing Intubation Techniques on Newly-Expired Patients, 319 New England Journal of Medicine, 439-41 (1988) (with J. Orlowski and G. Kanoti).

Containing the Costs of Medical Technology: A Critique of Waste Theory, 36 Case Western Reserve Law Journal 778 (1986).

Rationing Expensive Lifesaving Medical Resources, 1985 Wisconsin Law Review 239 (1985), (reprinted in Specialty Law Digest: Health Care, Jan. 1987).

Books

Genetics: Ethics, Law and Policy (with Rothstein and Suter) (Thompson/West, 5th edition 2020).

Genetics: Ethics, Law and Policy (with Andrews and Rothstein) (Thompson/West, 4th edition 2015).

Transhumanist Dreams and Dystopian Nightmares: The Promise and Peril of Genetic Engineering (Johns Hopkins University Press 2012).

Genetics: Ethics, Law and Policy (with Andrews and Rothstein) (Thompson/West, 3d edition 2010).

The Price of Perfection: Individualism and Society in the Era of Biomedical Enhancement (Johns Hopkins University Press 2009).

Genetics: Ethics, Law and Policy (with Andrews and Rothstein) (Thompson/West, 2d edition 2006).

Wondergenes: Genetic Enhancement and the Future of Society (Indiana University Press 2003).

Genetics: Ethics, Law and Policy (casebook, with L. Andrews and M. Rothstein, (West Group 2002).

The Encyclopedia of Ethical, Legal, and Policy Issues in Biotechnology. (John Wiley & Sons 2000, T. Murray, co-editor).

Access to the Genome: The Challenge to Equality (Georgetown University Press 1998, with J. Botkin).

Delivering High Technology Home Care (1991, S. Younger, co-editor).

Justice and Health Care: Comparative Perspectives (John Wiley & Sons 1995, A. Grubb, co-editor).

Other Publications

“Defeat COVID-19 by requiring vaccination for all. It's not un-American, it's patriotic.” Op Ed, USA Today, August 6, 2020 (with Lederman and Youngner).

“History Shows No Good Way to Ration Lifesaving Care,” Op Ed, Columbus Dispatch, March 28, 2020.

“Doping soldiers so they fight better – is it ethical?” The Conversation, May 24, 2019.

Book Review: “The Haves, the Have-nots, and the Will-nots,” Hastings Center Report July-August 2019, pp. 42-43, reviewing “New Methuselahs: The Ethics of Life Extension” by John K. Davis, MIT Press, 2018).

“The Ohio Drug Price Relief Act: Making Prescription Drugs More Affordable,” August 23, 2017, commissioned by Ohio Taxpayers for Lower Drug Prices in support of Ohio Ballot Issue 2.

Introduction, Symposium: International Regulation of Emerging Military Technologies, 47 Case Western Reserve University Journal of International Law 1-4 (2015) (with D. Vallejo).

Response to Peer Commentaries, Journal of Law and the Biosciences, pp. 1-4, June 11, 2015 (doi:10.1093/jlb/lsv016) (with Tracy Li).

The Pros and Cons of Practice Guidelines, Trial, May 2013.

How to Build A Better Human: An Ethical Blueprint by Gregory E. Pence (book review), XXIX Issues in Sci. and Techn. 90-94 (2013).

Las Tecnologías Genéticas y El Desafío a la Igualdad in Los Desafíos Éticos de la Genética Humana (Filuna and E.R. Lopez eds. 2005).

Genetic Enhancement: Plan Now to Act Later, 15 Kennedy Institute of Ethics J. 77-82 (2005).

Review of George Annas, *The Rights of Patients*, 3d. ed., 26 J. Legal Med. 133-139 (2005).

"What's Wrong with Using Drugs in Sports? Nothing," USA Today, Aug. 12, 2004, at 13A.

"An Assist from Drugs," Philadelphia Inquirer, June 27, 2004.

Introduction: The Law-Medicine Center 50th Anniversary Symposium: The Field of Health Law: It's Past and Future, 14 Health Matrix 1-3 (2004).

Anti-Aging Medicine and Science: An Arena of Conflict and Profound Societal Implications, 6 Geriatrics and Aging 61 (2003) (with Binstock, Juengst and Post).

Behavioral Genetics: Can We Prevent Crimes Before They Are Committed? Medical Ethics 4 (Lahey Clinic, Spring 2002).

Ethics Forum: How Should Physicians Handle Patients' Requests that Sensitive Information Be Kept Out of the Medical Record, AMA News June 3, 2002 at 17.

The Human Genome Project and the Courts: Gene Therapy and Beyond 83 Judicature 124 (1999).

Mehlman and Neuhauser, *Alternative Definitions of Disability: Changes in a Dichotomous vs. Continuous System*, 21 Disability and Rehabilitation 385 (1999).

Review of Mark Hall, "Making Medical Spending Decisions," 4 The Journal of Ethics, Law and Aging 49 (Spring/Summer 1998).

"A Solution to Genetic Testing Worries," San Francisco Chronicle, July 16, 1997 at A19.

Reply to Clayton and Rothstein (letter), 59 American Journal of Human Genetics 1170 (1996, with others).

Drug Regulation: By Whom For Whom?, 10 Medical Humanities Review 13 (1996, book

review, *Ethical Issues in Drug Testing, Approval and Pricing: The Clot-Dissolving Drugs* by Baruch A. Brody).

Health Care Rationing: Legal Considerations, 2 Bioethics Network of Ohio (BENO) Newsletter 6 (Fall 1993).

Physicians Infected with HIV, 265 JAMA 2337 (1991, letter with M. Lederman).

The Case of Brotherton v. Cleveland: Transplant Organs, Property Rights and the Constitution, 2 Health Law Journal of Ohio 1 (1991).

Employer Liability to Employees in Selective Contracting, in 1990 Workshop Series Compendium 36 (Incentive Benefits Committee, Greater Cleveland Health Quality Choice Coalition, April 1991).

New Directions: Public Accountability and Program Evaluation, in Medicare: New Directions in Quality Assurance (Proceedings) 82 (National Academy Press, 1991).

Saying No to No-Fault: What the Harvard Malpractice Study Means For Medical Malpractice Reform (New York State Bar Association, 1991).

New Rules for Providers: The Rise of Fiduciary Law, 2 Health Law Journal of Ohio 83 (1991).

Fiduciary Contracting: Limitations on Bargaining Between Patients and Health Care Providers, 51 University of Pittsburgh Law Review 365 (1990).

The Harvard Medical Practice Study, 19 INCL J. 8 (Dec. 1990, testimony).

Book Review, *Office Of Technology Assessment, Life Sustaining Treatments and the Elderly* (1987) 28 Jurimetrics 95 (1988).

Encouraging Donation of Organs for Transplantation by Requiring Request, 5 Health Matrix 35 (1987).

First Interdisciplinary Grand Rounds: The Legal Implications of the Artificial Heart, 3 Health Matrix (1985).

New Legislation Would Curtail FDA Ban Authority, Legal Times 14 (1982, with S.Land).

FARA—Some Proposals for Reform, in the Registration of Foreign Agents in the United States: A Practical and Legal Guide 317 (J. Pattison and J. Taylor, eds. 1981).

The New California “Market Share” Theory in Drug Liability Cases, 36 Food, Drug, Cosm. L.J. 39 (1981, with S. Land).

United States Restrictions on Exports to South Africa, 73 American Journal of International Law 581 (1979, with T. Milch and M. Toumanoff).

Handbook of Legislative Drafting, (Yale Law School 1977, with E. Grossman).

Major Grants:

Co-Principal Investigator, NIH 1R01TR004245-01 (National Center for Advancing Translational Research), “Using Nudges to Recruit Human Subjects in Clinical and Translational Research,” August 2022-July 2026.

Principal Investigator, NIH 1R03HG010256-01A1 (National Human Genome Research Institute), “Governance of Non-Traditional Biology,” May 2019-April 2021.

Principal Investigator, NIH 1R03HG006730 – 01 (National Human Genome Research Institute), “ELSI Issues in Military Genomics,” April 2012-August 2013.

Principal Investigator, NIH 1R01HG006149-01 (National Human Genome Research Institute), “ELSI Issues in Comparative Effectiveness Research on Personalized Genomic Medicine,” December 1, 2011- November 30, 2013.

Co-Investigator, Enhanced Warfighters: Risk, Ethics & Policy, Greenwall Foundation, Jan.1, 2011-Sept. 30, 2011 (Patrick Lin, PI).

Co-Investigator, NIH 2R01-AG/HG20916 (National Institute of Aging, National Human Genome Research Institute), "Controlling Human Aging: Alternative Rationales and Implications" (2006-2009).

Principal Investigator, NIH 1 R01 HG003879-01 (National Human Genome Research Institute), “Protecting Human Subjects in Genetic Enhancement Research” (2006-2008).

Co-investigator and Associate Director for Public Policy, NIH Grant No. 1 P50 HG03390-01 (National Center for Human Genome Research) , Center for Genetic Research Ethics and Law (2004-2009).

Co-investigator, NIH No. 2 R01 HG01446-05 (National Human Genome Research Institute), “Enhancement Ethics and the Molecular Genetics of Aging: Issues for Families, Health Professionals, and Society” (2001-2004).

Co-investigator, NIH R01HG01446B2 (National Human Genome Research Institute),“Managing Enhancement: Professional, Ethical and Public Policy Issues” (1999-2001).

Co-investigator, NIH No. 1 RO1 HG01446-01A1 (National Human Genome Research Institute), “Anticipating Enhancement: Ethical, Legal and Social Issues” (1997-1999).

Principal investigator, NIH Grant No. HG00683-02 (National Center for Human Genome Research), “Access to the Genome: Justice on the Frontiers of Science” (1992-1994).

Other Professional Activities:

Member of the Legal, Ethical, Environmental, Dual-use, and Responsible Innovation (LEEDR) Panel for the Personalized Protective Biosystem (PPB), Defense Advanced Research Projects Agency (DARPA) (2021-)

Member, Task Force on the Ethical, Legal, and Social Implications of the ADvanced Acclimation and Protection Tool for Environmental Readiness (ADAPTER) program, Defense Advanced Research Projects Agency (DARPA) (2021-).

Panelist, Epigenetic Technologies in Defence [sic] and Security Contexts Workshop, Mobilizing Insights in Defence and Security (MINDS) program, Canadian Department of National Defence (2021).

Member, Health Law Committee, Ohio State Bar Association

Core Member, Special Emphasis Panel on Societal and Ethical Issues in Research (ZRG1 SEIR), National Institutes of Health (2017 -).

Member, Genetics and Society Working Group, National Human Genome Research Institute, NIH (2017-2021).

Consultant, MilSeq, U.S. Air Force project to study the implications of sequencing the genomes of active duty personnel (2017-).

Community Member, Care Delivery Board, Summa Health System (2015-2016).

Cleveland Advisory Board, Promoting Health Across Boundaries (2010-).

Member, Consortium for Emerging Technologies, Military Operations, and National Security, Thrust Group Leader, Bioenhanced Warfighters (2009-2015) (Director, 2013-2014).

Stockdale Seminar Participant, The Stockdale for Ethical Leadership, U.S. Naval Academy (project on ethical and legal issues raised by technologically-enhanced warriors of the future) (2009-2010).

Member, Special Emphasis Panel, Center for Scientific Review, National Institutes of Health (2012-).

Member, Ethical, Legal, and Social Implications of Human Genetics Study Section, Center for Scientific Review, National Institutes of Health (2008-2012).

Chair, President's Task Force on Conflict of Interest and Conflict of Commitment, Case Western Reserve University (2008-2009).

Research Group Member, Hastings Center Project on "Ethical, Conceptual, and Scientific Issues in the Use of Performance Enhancing Technologies in Sport," funded by US Anti-Doping Agency (2002-2004).

Associate Editor for Law, Encyclopedia of Bioethics (3rd Ed., MacMillan).

Chair, Amicus Committee, American College of Legal Medicine (2001-2009).

Editorial Board, Journal of Philosophy, Science and Law (2001)

Member, Ethics Working Group, Center for AIDS Research, Case School of Medicine.

Member, Ad Hoc Study Section, Ethical, Legal and Social Implications Branch, Office Of Human Genome Research, National Institutes of Health (July 1994).

Consultant, American Association of Retired Persons (1992, 2006, 2014, 2020).

Report: Medical Malpractice Reform: An Evaluation of Alternate Methods Assuring the Quality of Care and Compensating Victims (1992, with Michelle Hardman).

Participant, Joint Working Session on Security and Confidentiality of Patient Medical Information, JCAHO/NCQA (1997).

Participant, Surgeon General's Workshop on Increasing Organ Donation, 1991.

Special Counsel, National Kidney Foundation, amicus appearance, *Brotherton v. Cleveland*, No. 89-320 (Jan. 18, 1991).

Chairman, Section of Law, Medicine and Health Care, American Association of Law Schools (1990 term).

Special Counsel, Special Committee on Medical Malpractice, New York State Bar Association (1988-1994).

Professional Advisory Board, Center for Biomedical Ethics, CWRU School of Medicine (1988-Present).

Member, Legal Policy Review Panel, National Leadership Coalition on AIDS.

Cases Editor, Journal of Law, Medicine and Ethics, American Society of Law, Medicine And Ethics.

Editorial Advisory Board, Health Law Journal of Ohio.

Keck Research Fellow, Health Systems Management Center, Weatherhead School of Management, CWRU (1985-1986).

Senior Editor, Yale Legislative Services (1973-1975).

Associate, Health Management Center, Weatherhead School of Management, CWRU.

Member, Advisory Panel on the Oregon Medicaid Demonstration Project, Office of Technology Assessment, U.S. Congress (1991-92).

Member, Executive Committee, Institute for Urban Health, CWRU School of Medicine (1990-92).

Committee to Design a Strategy for Quality Review and Assurance in Medicare, Institute

of Medicine, National Academy of Sciences (1987-1990).

Consensus Panel on Magnetic Resonance Imaging, National Institutes of Health (1987).

Law & Economics Center, Law & Economics Institute for Law Professors, Emory University School of Law, 1986.

Memberships:

Member of the Bar, District of Columbia Court of Appeals (1976-); U.S. District Court for the District of Columbia (1975-); U.S. Court of Appeals for the D.C. Circuit (1976-); U.S. Court of Claims (1977-); Supreme Court of Ohio (1988-)

American Society of Law, Medicine and Ethics

American College of Legal Medicine

National Health Lawyers Association

American Bar Association

Ohio Selection Committee, Rhodes Scholarship trust (1985-1990, 1996-2005)

Board of Trustees, The Stockbridge School, Stockbridge, Massachusetts (1973-76)

Chairman, Education Committee, The Stockbridge School, Stockbridge, Massachusetts (1975-1976)

Board of Trustees, Huntington's Disease Society of America, Northeast Ohio Chapter (1997-2000)

National Ski Patrol (October 1995-2015)

Akron Symphony Orchestra Chorus (2002-2010)

Society of Benchers (2006 -)