

## Mark A. Hall

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### **EDUCATION:**

University of Chicago Law School - J.D. 1981  
- Graduated with highest honors and Order of the Coif.  
- Associate Editor, University of Chicago Law Review.  
- Awarded Jerome N. Frank Prize for second student article.

Johns Hopkins School of Public Health, Robert Wood Johnson Health Finance Fellowship, 1990-1991.

### **EMPLOYMENT:**

Fred D. and Elizabeth L. Turnage Professor of Law and Public Health, Wake Forest University School of Law and School of Medicine, and Associate in Management, Babcock School of Management. I've been at Wake Forest since 1993. My primary research and teaching interests are in health care law and public policy, and health insurance regulation. I have also taught courses on contracts, torts, administrative, insurance, and nonprofit law. See the last two pages for more information.

Founding Director, Health Law and Policy Program, Wake Forest School of Law, 2015-present.

Founding Director, Center for Bioethics, Health & Society, 2010-2011; Co-director of the Masters degree program in Bioethics, Wake Forest University, 2009-present.

Scholar in Residence, Stanford Univ. Law School, Jan-Feb. 2018

Florence Rogatz Visiting Professor of Law, Yale University, Fall 2015.

Visiting Researcher, University of Melbourne, April 2011.

Visiting Scholar, Univ. British Columbia Faculty of Law, April 2009.

Visiting Research Scholar, Duke University Law School, Spring 2001.

Visiting Professor, University of Houston, January 1999.

Visiting Professor, University of Pennsylvania, Spring 1998.

Distinguished Health Law Scholar in Residence, Seton Hall Law School, Nov. 1995.

Visiting Professor, Univ. North Carolina, Chapel Hill, Summer 1990

Visiting Scholar, Vermont Law School, summers of 1987, 1988, 1989, 1992.

Professor of Law, Arizona State Univ., 1989 to 1993; Assoc. Prof., 1985 to 1989.

Research Fellow, Health Insurance Association of America, Jan. 1991 - Aug. 1991.

Associate, Bondurant Mixson & Elmore, Atlanta 1982-1985. I practiced hospital law and was active in pro bono work for the ACLU.

Law clerk, Hon. John C. Godbold, Chief Judge, 11th and 5th Circuits Court of Appeals, 1981-82.

### **PROFESSIONAL AWARDS, ACTIVITIES, and APPOINTMENTS:**

Associate Reporter for Medical Liability, American Law Institute, Restatement (Third) of Torts, 2019 – present.

Member, Institute of Medicine, National Academy of Sciences, 2014-present

Brookings Institution, Nonresident Senior Fellow in Economic Studies, 2016-2018.

Visiting Fellow, University of Pennsylvania, Leonard Davis Institute, 2018-2019

Ranked by HeinOnline as among the top 250 authors of law journal articles overall, based on citations by courts and by other articles.

Ranked #2 among most highly cited health law professors (based on data compiled by Gregory Sisk).

Member, Agency for Healthcare Research and Quality, Scientific Review “Study Section” on Healthcare Systems and Value Research (HSVR), 2015-present.

Established Investigator in Clinical Sciences Award, Wake Forest Univ., 2012.

Fellow and Council Member, Hastings Center, 2010 – present

Member, Advisory Board to Dept. Health & Human Services on Consumer-Owned Health Insurance Co-Ops, 2011-2012.

Distinguished Health Law Teacher’s Award, Am. Society of Law, Medicine and Ethics, 2009

Advisory Task Force on Implementing Health Insurance Exchanges, North Carolina, 2010-2013

Investigator in Health Policy Research, Robert Wood Johnson Foundation, 2005-2008

Member, American Law Institute, 2005 - present.

Board of Editors, *Journal of Health Politics Policy and Law*, 2005 - present.

Editorial Board, *Milbank Quarterly*, 2001-present

Editorial Board, *Oxford Journal of Law and the Biosciences*, 2015 – present

Editorial Advisory Board, *Health Care Law & Policy* (SSRN journal)

Co-Director and Founder, Master of Arts in Bioethics Program, Wake Forest University

President's Volunteer Service Award, 2013

President, Law & Medicine Section of the American Assoc. of Law Schools, 1993.

Editor-in-Chief, *Jurimetrics Journal of Law, Science and Technology*, 1989-1991.

Member: American Society of Law, Medicine and Ethics; AcademyHealth (formerly Association for Health Services Research); American Health Lawyers Association.

Member, Board of Visitors, Middle Tennessee State University (MTSU) Honors College, 2007-2010, and recipient of Distinguished Alumni Achievement in Education Award from MTSU, 2018.

Manuscript or Proposal Reviewer for: Aspen Publishers; Duke Univ. Press; Harvard Univ. Press; Oxford Univ. Press; Jossey-Bass Press; Am. J. Pub. Health; Health Affairs; Health Services Research; Inquiry; JAMA; J. Health & Social Behavior; Medical Care; Milbank Q.; New England Journal of Medicine, Journal of Health Politics, Policy and Law; Health Affairs; Jurimetrics; Am. J. Hum. Genetics; J. L. Med. & Ethics; Annals of Health Law; Institute of Medicine; National Institutes of Health; Robert Wood Johnson Foundation; AcademyHealth HSR Impacts Award; J. Health & Social Behavior; Social Science & Medicine.

## **RESEARCH INTERESTS:**

I work at the intersection of health law and public policy, with a focus on economic, regulatory, and institutional issues. At present, my major projects include:

Health Insurance Markets and Regulation. Since 1990, I have investigated the effects of a host of regulatory and public policy responses to structural changes occurring in the health insurance market. Recent studies include health insurance exchanges, public reinsurance, and risk adjustment.

Safety-Net Access for the Uninsured. Despite comprehensive insurance reforms, tens of millions will remain uninsured. This project explores the cost, adequacy and public policy of providing the uninsured direct access to care through safety-net programs and providers.

Consumer-Driven Health Care. I am reassessing the fundamentals of health care law and

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ethics from the perspective of patients paying for much or all of the costs of care out of pocket, rather than through insurance. Focal issues include informed consent, medical malpractice, insurance coverage denials, and medical ethics.

### PUBLICATIONS:

#### Books

HEALTH CARE LAW AND ETHICS (9th ed., 2018) (Aspen), with M. Bobinski, & D. Orentlicher, et al.. I am the lead author for this casebook, which is the oldest in the field.

THE LAW OF HEALTH CARE FINANCE AND ORGANIZATION (4th ed., Aspen 2018), with M. Bobinski, & D. Orentlicher, et al. (softbound edition based on *Health Care Law and Ethics*).

MEDICAL LIABILITY AND TREATMENT RELATIONSHIPS (4th ed., Aspen 2018), with M. Bobinski, & D. Orentlicher, et al. (softbound edition based on *Health Care Law and Ethics*).

BIOETHICS AND PUBLIC HEALTH LAW (4th ed., Aspen 2018), with D. Orentlicher & M. Bobinski, et al. (softbound edition based on *Health Care Law and Ethics*).

THE AFFORDABLE CARE ACT DECISION: PHILOSOPHICAL AND LEGAL IMPLICATIONS (Routledge Press, 2014), 2<sup>nd</sup> editor, with Fritz Allhoff.

HEALTH CARE LAW AND ETHICS (8th ed., 2013) (Aspen), with M. Bobinski, & D. Orentlicher. I am the lead author for this casebook, which is the oldest in the field.

THE LAW OF HEALTH CARE FINANCE AND ORGANIZATION (3rd ed., Aspen 2013), with M. Bobinski, & D. Orentlicher (softbound edition based on *Health Care Law and Ethics*).

MEDICAL LIABILITY AND TREATMENT RELATIONSHIPS (3rd ed., Aspen 2013), with M. Bobinski, & D. Orentlicher (softbound edition based on *Health Care Law and Ethics*).

BIOETHICS AND PUBLIC HEALTH LAW (3rd ed., Aspen 2013), with D. Orentlicher & M. Bobinski (softbound edition based on *Health Care Law and Ethics*).

THE HEALTH CARE SAFETY NET IN A POST-REFORM WORLD. first editor with Sara Rosenbaum (Rutgers Univ. Press, 2012).

HEALTH CARE LAW AND ETHICS IN A NUTSHELL, with I.M. Ellman & D. Orentlicher (3rd ed.) (West 2011).

HEALTH CARE LAW AND ETHICS (7th ed., 2007) (Aspen), with M. Bobinski, & D. Orentlicher.

MEDICAL LIABILITY AND TREATMENT RELATIONSHIPS (2nd ed., Aspen 2008), with M.

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Bobinski, & D. Orentlicher (softbound edition based on *Health Care Law and Ethics*).

BIOETHICS AND PUBLIC HEALTH LAW (2nd ed., Aspen 2008), with D. Orentlicher & M. Bobinski (softbound edition based on *Health Care Law and Ethics*).

THE LAW OF HEALTH CARE FINANCE AND ORGANIZATION (2nd ed., Aspen 2008), with M. Bobinski, & D. Orentlicher (softbound edition based on *Health Care Law and Ethics*).

MEDICAL LIABILITY AND TREATMENT RELATIONSHIPS (Aspen 2005), with M. Bobinski, & D. Orentlicher (softbound edition based on *Health Care Law and Ethics*).

BIOETHICS AND PUBLIC HEALTH LAW (Aspen 2005), with M. Bobinski, & D. Orentlicher (softbound edition based on *Health Care Law and Ethics*).

THE LAW OF HEALTH CARE FINANCE AND ORGANIZATION (Aspen 2005), with M. Bobinski, & D. Orentlicher (softbound edition based on *Health Care Law and Ethics*).

HEALTH CARE LAW AND ETHICS (6th ed., 2003) (Aspen), with M. Bobinski, & D. Orentlicher.

HEALTH CARE LAW AND ETHICS IN A NUTSHELL, with I.M. Ellman & D. Strouse (2nd ed.) (West 1999) (Japanese translation published by Prof. Kunihiro Yoshida, School of Law, Hokkaido University).

HEALTH CARE LAW AND ETHICS (5th ed., 1998) (Aspen), with Wm. Curran (deceased), M. Bobinski, & D. Orentlicher. Reviewed in *J. Leg. Med.*

MAKING MEDICAL SPENDING DECISIONS (Oxford Univ. Press, 1997). Reviewed in *U. Mich. Law Rev.* and *J. Health Politics, Policy & Law*.

HEALTH CARE CORPORATE LAW: MANAGED CARE (Aspen 1996) with Wm. Brewbaker.

HEALTH CARE CORPORATE LAW: FACILITIES AND TRANSACTIONS (Aspen 1996), with Wm. Brewbaker.

THE CHARITABLE TAX EXEMPTION (Westview Press 1995), with John C. Colombo. Reviewed in *Exempt Org. Rev.*

REFORMING PRIVATE HEALTH INSURANCE (American Enterprise Institute 1994), excerpted in K. Wing, et al. eds., *The Law and American Health Care* 1153-59 (1998) (Foundation Press casebook).

HEALTH CARE CORPORATE LAW: FINANCING AND LIABILITY (Aspen 1994).

HEALTH CARE CORPORATE LAW: FORMATION AND REGULATION (Aspen 1993).

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HEALTH CARE LAW, FORENSIC SCIENCE, AND PUBLIC POLICY, with Wm. J. Curran & D.H. Kaye (Little, Brown, 4th ed. 1991).

HEALTH CARE LAW AND ETHICS IN A NUTSHELL, with I.M. Ellman (West 1989).

Teachers' Manuals (fourteen in all) for HEALTH CARE LAW AND ETHICS casebook series (Aspen, 1991, 1998, 2003, 2005, 2008, 2013)

**Law and Public Policy Articles and Chapters** (first or sole authored unless noted otherwise)

Collaborative Construction of a New Legal Field, 68 *Duke L.J. Online* 72 (2018), 2<sup>nd</sup> author with Ron Wright.

A Study of Affordable Care Act Competitiveness in North Carolina, 20 *Risk Management & Ins. Rev.* 153-172 (2017).

Five-State Study of ACA Marketplace Competition, 20 *Risk Management & Ins. Rev.* 233-47 (2017), 4<sup>th</sup> author with Michael Morrissey, Alice Rivlin, et al.

The Role of Courts in Shaping Health Equity, 42 *J. Health Politics, Policy & L.* 749-770 (2017).

The Affordable Care Act's Day(s) in Court, 44 *J. Law, Med. & Ethics* 576 (2016).

Employment-Based Health Coverage, in *The Oxford Handbook of U.S. Healthcare Law*, Glenn Cohen, Allison K. Hoffman, and William M. Sage, eds. 2016.

Conscience, Courage, and "Consent", 46(2) *Hastings Center Rep.* 30 (2016), with Nancy King.

Justice Roberts Gets It, 45(5) *Hastings Center Rep.* 7-8 (Oct. 2015).

How Insurers Are Competing Under the Affordable Care Act, 15 *Hous. J. Health L. & Policy* 17-41 (2015).

Toward Relationship-Centered Health Law, 50 *Wake Forest L. Rev.* 233 (2015).

Irregular Migrant Access to Care: Mapping Public Policy Rationales, 8 *Pub. Health Ethics* 130-38 (2015), with Jacob Perrin.

Disingenuous: The Latest Legal Challenges to Health Insurance Reform, 44(5) *Hastings Center Rep.* 6 (Sept. 2014).

States' Decisions Not to Expand Medicaid, 92 *N.C. L. Rev.* 1459 (2014).

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Evaluating the Affordable Care Act: The Eye of the Beholder, 51 *Houston L. Rev.* 1029-1056 (2014), <http://www.houstonlawreview.org/wp-content/uploads/2014/03/2-Hall.pdf>

Self-Insurance for Small Employers Under the Affordable Care Act, 68 *NYU Ann. Survey Am. L.* 539-565 (2013), 2<sup>nd</sup> author, with Timothy Jost.

Coding Case Law for Public Health Law Evaluation, in *Public Health Law Research: Theory and Methods* (A. Wagenaar & S. Burris, eds. 2013)

Employers' Use of Health Insurance Exchanges: Lessons from Massachusetts, 6(2) *St. Louis U. L.J.* 355-388 (2013).

There Oughta Be a Law, 43(3) *Hastings Center Rep.* 1 (Aug. 2013).

Health Care Law Versus Constitutional Law, 38 (2) *J. Health Pol. Pol'y & L.* 267-72 (2013).

Can Consumers Control Health Care Costs? 15(3) *Forum Health Econ. & Policy* 23-52 (Sept. 2012), with Carl Schneider.

A Healthcare Case for the Ages, 6 *J. Health & Life Sci. L.* 1-15 (Oct. 2012).

The Affordable Care Act Survives, for Now, 42(5) *Hastings Center Rep.* 12 (Sept. 2012).

Constitutional Mortality: Precedential Effects of Striking the Individual Mandate, 75(3) *L. & Contemp. Prob.* 107 (2012).

Regulating Stop-Loss Coverage May be Needed to Deter Self-Insuring Small Employers from Undermining Market Reforms, 31 *Health Aff.* 316-323 (Feb. 2012).

Commerce Clause Challenges to Health Care Reform, 159 *U. Penn. L. Rev.* 1825-1872 (2011), <http://www.pennumbra.com/issues/pdfs/159-6/Hall.pdf> .

The Factual Bases for Constitutional Challenges to Federal Health Insurance Reform, 38 *No. Ky. L. Rev.* 457 (2011).

Getting to Universal Coverage with Better Safety-Net Programs for the Uninsured, 36 *J. Health Politics Pol'y & L.* 521-26 (2011).

Risk Adjustment Under the Affordable Care Act: Issues and Options, 20 *Kan. J. L. & Pub. Pol'y* 222-36 (2011).

Individual Versus State Constitutional Rights Under Health Care Reform, 42 *Ariz. St. L. J.* 1233-43 (2011).

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Approaching Universal Coverage with Better Safety Net Programs for the Uninsured, 11 Yale J. Health Policy, Law & Ethics 9-19 (2011).

Constitutional Challenges to Compulsory Insurance: A Guide through the Gauntlet. 41(2) Hastings Center Rep. 14-15 (March 2011).

The Sausage-making of Insurance Reform, 41(1) Hastings Center Rep. 9-10 (Jan. 2011).

Rethinking Safety-Net Access For The Uninsured, 364 New Eng. J. Med. 7 (2011).

Health Care Reform--What Went Wrong On The Way To The Courthouse, 364 New Eng. J. Med. 295 (2011).

Clearing Out the Underbrush in Constitutional Challenges to Health Insurance Reform. 364 New Eng. J. Med. 793 (2011),  
<http://www.nejm.org/doi/full/10.1056/NEJMp1101252> .

Paying for Individual Health Insurance Through Tax-Sheltered Cafeteria Plans. 47 Inquiry 252-61 (2010), first author with Amy B. Monahan.

Legal Methods, in J. Sugarman & D. Sulmasy, eds., Methods in Medical Ethics (2d ed. 2010), with Nancy King.

Government-Sponsored Reinsurance, 19 Ann. Health L. 465-78 (2010).

Lessons from Credit Bureaus for Improving the Market for Electronic Medical Records, 44(3) J. Consumer Aff. 546-556 (2010), second author with Craig Richardson & Zagros Madjd-Dadjadi.

Biobanking, Consent, and Commercialization in International Genetics Research: The Type 1 Diabetes Genetics Consortium (T1DGC), 7 Clinical Trials S33-S45 (2010), with Nancy M.P. King, Letitia H. Perdue, et al.

Quality Regulation in the Information Age: Challenges for Medical Professionalism, in *Medical Professionalism in the New Information Age* (2010), second author with Kristin Madison.

The Three Types of Reinsurance Created By Federal Health Reform. 29 (6) Health Aff. 1168-1172 (2010).

Property, Privacy, and the Pursuit of Integrated Electronic Medical Records, in *The Fragmentation of U.S. Health Care: Causes and Solutions*, E. Elhauge ed. (2010).

Property, Privacy, and the Pursuit of Integrated Electronic Medical Records, 95 Iowa L. Rev., 95 Iowa L. Rev. 631 (2010), [http://www.uiowa.edu/~ilr/issues/ILR\\_95-2\\_Hall.pdf](http://www.uiowa.edu/~ilr/issues/ILR_95-2_Hall.pdf)



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After Insurance Reform: An Adequate Safety Net Can Bring Us to Universal Coverage. 39 (6) *Hastings Center Rep.* 9-10 (Nov. 2009).

The Constitutionality of Mandates to Purchase Health Insurance, 37 *J. L. Med. Ethics* 38-50 (2009), available at <http://ssrn.com/abstract=1334955>.

When Patients Say No (To Save Money): An Essay on the Tectonics of Health Law. 41 *Conn. L. Rev.* 743-80 (2009), with Carl Schneider, [http://works.bepress.com/mark\\_hall/2/](http://works.bepress.com/mark_hall/2/)

The Patient Life: Can Consumers Direct Health Care? 35 *Am. J. L. & Med.* 7-65 (2009), 2<sup>nd</sup> author with Carl Schneider, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1099054](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1099054)

The Legal and Historical Foundations of Patients as Medical Consumers, 96 *Georgetown L. J.* 583-597 (2008). <http://www.georgetownlawjournal.org/issues/pdf/96-2/Hall.PDF> . Reprinted in Asifa Begum, *Medical Treatment and Law* (Icfa University Press, India) (2010).

Patients as Consumers: Courts, Contracts, and the New Medical Marketplace, 106 *Mich. L. Rev.* 643-690 (2008), with Carl E. Schneider. <http://www.michiganlawreview.org/archive/106/4/hallschneider.pdf> reprinted in Avraham, Hyman & Silver, *Economics of Health Law* (2015).

Systematic Content Analysis of Judicial Opinions, 96 *Cal. L. Rev.* 63-122 (2008), with Ronald F. Wright, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=913336](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=913336)

Paying For What You Get And Getting What You Pay For: Legal Responses To Consumer-Driven Health Care, 69(4) *Law & Contemp. Prob.* 159 (Autumn 2006).

Rethinking Professional Ethics In The Cost-Sharing Era, 6(4) *Am. J. Bioethics* W17-W22 (2006), second author with G. Caleb Alexander & John Lantos.

Researching medical trust in the United States, 20 *J. Health Organization Mgt.* 456-467 (2006).

Rethinking Health Law, 41 *Wake Forest L. Rev.* 341 (2006), with Carl Schneider and Lois Shepherd.

The History and Future of Health Care Law: An Essentialist View, 41 *Wake Forest L. Rev.* 347 (2006).

Insurance and Genetic Discrimination, in Neil F. Sharpe & Ronald F. Carter, eds. *Genetic Testing: Care, Consent, and Liability* 156-162 (Wiley-Liss, New York, 2005).

The Role of State Regulation in Consumer-Driven Health Care, 31 *Am. J. L. & Med.* 395-

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418 (2005), with Timothy S. Jost, *reprinted in* Furrow et al., *Health Law: Cases, Materials and Problems* (6<sup>th</sup> ed. 2008) .

Reviving Managed Care with Health Savings Accounts, 24(6) *Health Affairs* 1490-1500 (Nov/Dec 2005), with Clark C. Havighurst.

The "Death" of Managed Care: A Regulatory Autopsy, 30 *J. Health Politics Policy & Law* 427-452 (2005).

Can You Trust a Doctor You Can't Sue?, 54(2) *DePaul L. J.* 303-13 (2005).

The Importance of Trust for Ethics, Law, and Public Policy, 14 *Cambridge Q Healthcare Ethics* 156-167 (2005).

A Corporate Ethic of "Care" in Health Care, 3 *Seattle J. Soc. Justice* 417 (2004).

Where Is The "There" In Health Law? Can It Become A Coherent Field? 14 *Health Matrix* 101-5 (2004), with Carl Schneider.

Measuring Patients' Trust In Physicians When Assessing Quality Of Care, 23(4) *Health Affairs* 124-132 (July 2004), with David Thom and Gregory Pawlson.

Caring, Curing and Trust: A Response to Gatter, 39 *Wake Forest L. Rev.* 447 (2004).

State Regulation of Medical Necessity: The Case of Weight-Reduction Surgery, 53 *Duke L. J.* 653-672 (2003).

The Impact of Blue Cross Conversions on Accessibility, Affordability, and The Public Interest, 81 *Milbank Q.* 509-42 (2003), with Chris Conover.

The Scope and Limits of Public Health Law, 46 *Perspect. Biology Med.* S199-S209 (2003).

Ideology and Trust: A Reply to Bloche, 55 *Stanford L. Rev.* 955-967 (2003).

The Management of Conflict Over Health Insurance Coverage, with G.F. Anderson, in *The Privatization of Health Care Reform* (M. Gregg Bloche ed., Oxford University Press 2003).

What If You Could Sue Your HMO? Managed Care Liability Beyond the ERISA Shield, 47 *St. L. U. L. J.* 235-98 (2003), with Gail B. Agrawal.

Trust, Law & Medicine, 55 *Stanford L. Rev.* 463-527 (2002), *reprinted in* 9 *J. Nursing Law* 33 (2003).

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Discrimination in Insurance: Experience in the United States, in *Encyclopedia of the Human Genome* (2003).

The Ethics and Empirics of Trust, in Wm. Bondeson & James Jones, eds., *The Ethics of Managed Care: Professional Integrity and Patient Rights* (Kluwer, 2002).

Market Failures and the Evolution of State Regulation of Managed Care, 65 *L. & Contemp. Prob.* 169 (Autumn 2002), with Frank A. Sloan.

The Theory and Practice of Disclosing HMO Physician Incentives, 65 *L. & Contemp. Prob.* 207 (Autumn 2002).

Of Magic Wands and Kaleidoscopes: Fixing Problems in the Individual Market, 21(6) *Health Aff.* 12 (Nov. 2002).

Measuring Medical Practice Patterns, 37 *Wake Forest L. Rev.* 779 (2002), with R. Anderson, et al.

HIPAA's Small-Group Access Laws: Win, Loss or Draw? 22 *Cato J.* 71 (2002).

Genetic Enhancement, Distributive Justice, and the Goals of Medicine, 39 *San Diego L. Rev.* 669-682 (2002).

How Disclosing HMO Physician Incentives Affects Trust, 21(2) *Health Aff.* 197 (March 2002).

Two Cheers for Employment-Based Health Insurance, 2 *Yale J. Health Pol'y L. & Ethics* 23-57 (2002), with David A. Hyman.

Arrow on Trust, 26 *J. Health Politics Pol'y & L.* 1131 (2001).

Trust in Physicians and Medical Institutions: What is it, Can it be Measured, and Does it Matter?, 79 *Milbank Q.* 613 (2001), with Elizabeth Dugan, Beiyao Zheng, & Aneil Mishra.

Reinsurance Pools for Small-Group Health Insurance. *J. Ins. Reg.* Summer 2001 (with Janice Lawlor).

HIPCs, MEWAs, and Association Health Plans: A Guide for the Perplexed, 21(1) *Health Aff.* 142 (Jan. 2001) (with Elliot Wicks and Janice Lawlor).

The Structure and Enforcement of Health Insurance Rating Reform. 37 *Inquiry* 376-88 (2001).

Health Insurance Purchasing Cooperatives: Performance and Prospects. *Milbank Q.*, Dec. 2000 (with Elliot Wicks).

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Disclosure of Physician Incentives: Do Practices Meet Purposes? 19 *Health Aff.*, 156 (July 2000).

Agents' Behavior under Health Insurance Market Reforms. 18 *J. Ins. Reg.* 341 (2000), with Craig Richardson. Winner of the Spencer Kimball Jr. Prize for Best Article of the Year.

The Role of Independent Agents in the Success of Health Insurance Market Reforms. 78 *Milbank Q.* 23 (2000).

An Evaluation of New York's Health Insurance Reform Law. 25 *J. Health Politics Policy & Law* 71 (2000).

An Evaluation of Vermont's Health Insurance Reform Law. 25 *J. Health Politics Policy & Law* 101 (2000).

The Geography of Health Insurance Regulation: A Guide to Identifying, Exploiting, and Policing Market Boundaries. 19(2) *Health Affairs* 173 (2000).

Genetic Privacy Laws and Patients' Fear of Discrimination by Health Insurers: The View from Genetic Counselors, 28 *J.L. Med. & Ethics* 245, with Stephen Rich.

The Competitive Impact of Small Group Health Insurance Reform Laws. 32 *Univ. Michigan J. Law Reform* 685 (1999).

Legal Rules and Industry Norms: The Impact of Laws Restricting Health Insurers' Use of Genetic Information, 40 *Jurimetrics* 93 (1999), *reprinted* in Lori B. Andrews, et al., eds., *Genetics: Ethics, Law and Public Policy* (2002 and 2006) (West casebook).

State Strategies to Reduce the Growing Numbers of People without Health Insurance. 22(3) *Regulation* (1999), with Frank Sloan and Chris Conover.

Restricting Insurers' Use of Genetic Information: a Guide to Public Policy. 3 *No. Am. Actuarial J.* 34 (1999). Chosen for the James C.H. Anderson Memorial Award from the Actuarial Education and Research Fund.

Referral Practices under Capitation, in *Ethical Challenges in Managed Care: A Casebook* (K. Gervais, et al. eds. 1999).

Public Choice and Private Insurance, 1998 *Ill. L. Rev.* 501.

The Ethics of Managed Care, 28 *Cumb. L. Rev.* 287 (1998), with Rbt. A Berenson (lead article in a symposium, with four commentaries in response).

A Theory of Economic Informed Consent, 31 *Ga. L. Rev.* 511 (1997).

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Insurers' Use of Genetic Information, 37 *Jurimetrics J.* 13 (1996).

Insurance Regulation of Providers that Bear Risk, 22 *Am. J. L. & Med.* 361-87 (1996), with Allison Overbay, *reprinted in* John H. Robinson, et al., eds., *A Health Law Reader: An Interdisciplinary Approach* (1999).

Judicial Protection of Managed Care Consumers: An Empirical Study of Insurance Coverage Disputes, 26 *Seton Hall L. Rev.* 1055-68 (1996), with T.R. Smith, M. Naughton & A. Ebbers.

Physician Rationing and Agency Cost Theory, in R. Spece, et al. eds., *Conflicts of Interest in Clinical Practice and Research* 228-50 (1996).

Liberal and Communitarian Ethics of Insurance Selection, in R. Misbin, et al. eds., *Health Care Crisis: The Search for Answers?* 94-111 (1995).

Rationing Health Care at the Bedside, 69 *NYU L. Rev.* 693-780 (1994), *reprinted in* Lars Noah, *Law, Medicine & Medical Technology* 994 (2d ed. 2007) (Foundation Press casebook).

The Problems with Rule-Based Rationing, 19 *J. Med. & Philo.* 315-32 (1994), *reprinted in* 17 *Int'l Bioethics & Phil. Med.* 623-31 (1996).

The Ethics of Health Care Rationing, 8 *Pub. Aff. Q.* 33-50 (1994).

Managed Competition and Integrated Health Care Delivery Systems, 29 *Wake Forest L. Rev.* 1-14 (1994).

Is Community Rating Essential to Managed Competition? (1994) (AEI Press).

The Role of Insurance Purchasing Cooperatives in Health Care Reform, 3 *Kan. J. L. Pub. Pol'y* 95-105 (1994).

Redefining the Terms of Health Insurance to Accommodate Varying Consumer Risk Preferences, 20 *Am. J. L. & Med.* 187-201 (1994), with Ira M. Ellman.

Health Insurance: Community-Rating or Experience-Rating?, 2 *Responsive Comm'y* 79-82 (1994).

Informed Consent to Rationing Decisions. 71 *Milbank Q* 645-68 (1993).

Health Insurers' Assessment of Medical Necessity, with G.F. Anderson. 140 *U. Pa. L. Rev.* 1637-1712 (1992), *reprinted in* Rand E. Rosenblatt, et al., *Law and the American Health Care System* (1997) (Foundation Press casebook).

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The Political Economics of Health Insurance Market Reform. 11 *Health Aff.* 108-124 (summer 1992).

The Adequacy of Hospital Reimbursement Under Medicaid's Boren Amendment, 13 *J. Leg. Med.* 205 (1992).

The Donative Theory of the Charitable Tax Exemption, with J.D. Colombo. 52 *Ohio St. L. J.* 1379-1476 (1992), *reprinted in* J. Fishman & S. Schwarz, *Nonprofit Organizations* 344 (2<sup>nd</sup> ed. 2000) (Foundation Press casebook), and in N. Cafardi & J. Cherry, *Tax Exempt Organizations: Cases and Materials* 97 (2d ed. 2008) (LexisNexis casebook).

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The Charitable Status of Nonprofit Hospitals: Towards a Donative Theory of Tax Exemption, with J.D. Colombo. 66 *U. Wash. L. Rev.* 340-41 (1991), *reprinted in* J. Fishman & S. Schwarz, *Nonprofit Organizations* 367 (1995) (Foundation Press casebook).

The Defensive Effect of Medical Practice Policies in Malpractice Litigation, 54 *L. & Contemp. Prob.* 119-46 (Spring 1991).

Health Care Cost Containment and the Stratification of Malpractice Law, 30 *Jurimetrics J.* 501-08 (1990).

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**SELECTED TALKS AND CONFERENCES:**

Speaker, "Health care that matters: Real choices for real competition," American Enterprise Institute, Dec. 2018.

Speaker, "(De)stabilizing the Individual Insurance Market," Duke University, Nov. 2018.

Speaker, "(De)stabilizing the Individual Insurance Market, Brookings Institution, July 2018.

Speaker, "Stabilizing and Strengthening the Individual Insurance Market," Am. Soc'y Law Med. & Ethics, Cleveland, June 2018.

Speaker, "A Better Approach to Regulating Network Adequacy," Stanford Univ., Feb. 2018

Speaker, "The Status of the ACA," Stanford Univ., Jan. 2018

Panelist, "The Economics of U.S. Health Care," Am. Enterprise Institute, Jan. 2018

Speaker, "A Better Way to Regulate Network Adequacy," Texas A&M, Dec. 2017

Wrap-up Speaker, "Health Law and Poverty," Univ. Illinois, Nov. 2017

Commentator, "Health Law Junior Scholars Workshop," Am. Society L. Med. & Ethics, Oct. 2017

Speaker, "Unveiling Invisible Risk Sharing," Univ. of Pennsylvania, Sept. 2017.

Speaker, "Economic Impacts of Medicaid Expansion," Am. Soc'y Law Medicine and Ethics, Atlanta, June 2017.

Speaker, "Federal Solutions to Surprise Medical Billing," Congressional Briefing, Washington DC, Feb 2017.

Speaker, "Health Insurance and Access to Healthcare After the Affordable Care Act," Am. Assoc. Law Schools Annual Meeting, San Francisco, Jan. 2017.

Speaker, "Employers' Use of Narrow Provider Networks," Univ. of Tennessee, Nov. 2016.

Commentator, Conference on Empirical Legal Studies, Duke Univ., Nov. 2016.

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Speaker, "The Economic Impacts of Medicaid Expansion," Care4Carolina, Campbell Univ., Oct. 2016.

Speaker, "Relationship-Centered Health Law," Health and Humanities Exchange, UNC Chapel Hill, Nov. 2016.

Speaker, "How States Can Address Surprise Medical Billing," National Governor's Association, Nov. 2016.

Keynote Speaker, "Solving Surprise Medical Billing," Brookings Institute, Oct. 2016.

Speaker, "The Individual Insurance Market outside the ACA Marketplace Exchange," Univ. Penn. Law School, April 2016

Speaker, "Individual Choice in the Group Insurance Market," Northeastern Univ. Law School, Boston, April 2016.

Speaker, "Private Insurance Exchanges for Employer Groups: Regulatory and Public Policy Issues," AcademyHealth Webinar, Jan. 2016, and Univ. Alabama Law School, March 2016. Organizer, "Should Medicaid be Expanded in North Carolina," Wake Forest University, Jan. 2016.

Speaker, "How Health Law is Taught in Law Schools," Yale-New Haven Hospital and University legal departments, Nov. 2015.

Speaker, "Impact of Patient Cost-Sharing on Medical Decisions," Harvard Medical School, Nov. 2015.

Speaker, "Supreme Court Challenges to the Affordable Care Act," National Academy of Medicine Annual Meeting, Washington D.C., Oct. 2015.

Speaker, "Public Policy Issues Raised by Private Insurance Exchanges," Employee Benefits News conference, Chicago, July 2015.

Speaker, "King v. Burwell: Legal and Policy Implications," NC Health Care Attorneys, Raleigh, July 2015.

Speaker, "Affordable Care Act Scorecard," Health Law Teachers annual meeting, St. Louis, June 2015.

Speaker, "Private Health Insurance Exchanges," Health Insurance Exchange Summit, Washington D.C., May 2015.

Speaker, "Implementation of the Affordable Care Act," Univ. Conn., April 2015.

**Mark A. Hall**

Speaker, "Public Policy Issues Raised by Private Insurance Exchanges," Univ. of Pennsylvania, April 2015.

Speaker, "A Relational Theory of Health Law," Washington Univ. Law School, April 2015.

Speaker and Conference Organizer, "Implementation of the ACA," National Health Policy Conference, Washington D.C., Feb. 2015.

Speaker, "Medicaid Expansion: Truth and Consequences," Yale Law School, Nov. 2014.

Speaker, "How Health Insurance Reform is Shaping Market Competition," Univ. of Houston Law School, Oct. 2014.

Co-Organizer, Relationship-Centered Health Law and Ethics, Wake Forest University, Oct. 2014.

Distinguished Lecture, "Health Care Reform in the United States: What Obama Learned From the Netherlands," Univ. Amsterdam Medical School, July 2014.

Plenary Speaker, Implementation of Health Insurance Exchanges, Am. Society Law Med. & Ethics Health Law Teacher's Annual Meeting, San Francisco CA, June 2014.

Congressional Testimony, Delivering Better Health Care Value to Consumers: The First Three Years of the Medical Loss Ratio, May 2014.

Co-Organizer, Keeping it Fresh? Exploring the Relationship Between Food Laws and Their Impact on Public Health and Safety, Wake Forest Law School, April 2014.

Presenter, "The History and Purpose of Health Insurance Exchanges," Yale Health Law Society Conference, New Haven, Feb. 2014.

Presenter, "Employer-sponsored Health Insurance under the Affordable Care Act," Am. Assoc. Law Schools Annual Meeting, NY City, Jan. 2014.

Presenter, "The Role of Agents and Brokers under the Affordable Care Act: Lessons from Massachusetts," Health Insurance Exchange Congress, Los Angeles, Nov. 2013

Keynote Presenter, "Judging the Success of the Affordable Care Act: The Eye of the Beholder," University of Houston, Nov. 2013

Keynote Presenter, "Should the Young Subsidize the Old: Issues of Distributive Justice under the Affordable Care Act," Middle Tenn. State University, Oct. 2013

Presenter, "States' Decisions about Expanding Medicaid," University of North Carolina, Oct. 2013

Presenter, "The Role of the Safety Net Following Health Insurance Reform," NC Assoc. of Community Health Centers, Charlotte, June 2013.

**Mark A. Hall**

Presenter, "Regulation of Self-Insurance by Small Employers," Am. Society of Law, Med. & Ethics, Newark, June 2013.

Presenter, "Self-Funding by Small Employers," PHIA Group Annual Conference, Boston, June 2013.

Presenter, "Insurance Brokers' Role in Health Care Reform," Health Insurance Congress, Washington D.C., May 2013.

Presenter, "Monitoring Insurance Market Reforms," Univ. Pennsylvania, April 2013.

Presenter, "Should the Young Help Subsidize the Old: The Fairness of Community Rating," Univ. Montana, Mansfield Conference, March 2013.

Presenter, "What Health Care Reform Means for Elder Law," NC Bar Association, Elder Law Meeting, Feb. 2013

Presenter, "Small Employers' Use of Insurance Exchanges," AALS Annual Meeting, New Orleans, Jan. 2013.

Presenter, "Will Small Employers Use the New Insurance Exchanges," U.S. Government Accountability Office and Centers for Medicare & Medicaid Services, Jan. 2013.

Presenter, "Small Employers' Use of the Massachusetts Insurance Exchange," AcademyHealth Webinar, Jan. 2013.

Presenter, "Risk Adjustment under the Affordable Care Act," California Senate Hearing, Jan. 2013.

Presenter, "Risk Adjustment under the Affordable Care Act," National Governors' Conference, webinar, Dec. 2012.

Presenter, "Small Employers' Use of Insurance Exchanges," Health Insurance Exchange Congress, Chicago, Nov. 2012.

Presenter, "The History and Future of Health Care Law," Univ. Pittsburgh Law School, Oct. 2012.

Presenter, "The Ethics of Patient Cost-Sharing," UNC-Chapel Hill, Oct. 2012.

Presenter, "Implementing the Affordable Care Act," NC Association of Health Underwriters, Winston-Salem, Oct. 2012.

Presenter, "The Supreme Court on the Affordable Care Act: A Tale of Two World Views," Brooklyn Law School, Sept. 2012.

**Mark A. Hall**

Presenter, "The Logic and Ethics of Health Care Reform," UNC-Charlotte, Sept. 2012.

Organizer and Presenter, "The Health Care Safety Net Post Reform," Washington D.C., Wake Forest Univ. Health Law and Ethics Policy Forum, Sept. 2012.

Keynote Presenter, "Will Obamacare Survive?," Willis Conclave, Chicago, July 2012.

Presenter, "Small Employers' Use of Health Insurance Exchanges," Am. Society Law Med. & Ethics, Tempe AZ, June 2012.

Keynote Presenter, "Managing Medical Loss Ratios," Trizetta, webinar, April 2012.

Presenter, "How Will the Supreme Court Rule in the Constitutional Challenges to Health Care Reform," Am. Health Lawyers Assoc. webinar, April 2012.

Presenter, "Supreme Court Arguments in the Constitutional Challenges to Health Care Reform," U.S. Govt. Accountability Office, March 2012.

Speaker, "Achieving Universal Access without Universal Insurance: The Role of the Safety Net", Johns Hopkins Univ., May 2012.

Speaker, "Measuring Return on Investment in Safety Net Programs for the Uninsured," Center for Health Care Strategies, San Francisco, Feb. 2012

Keynote Speaker, "Predicting the Outcome of the Supreme Court Challenge to the ACA," N.C. Health Underwriters Assoc. Annual Meeting, April 2012, and Guilford County League of Women Voters, March 2012.

Debater, "The Constitutionality of Health Care Reform," Federalist Society, Winston-Salem NC, Feb. 2012

Debater, "The Constitutionality of the Affordable Care Act," Wake Forest Medical School and Law School, Winston-Salem NC, April 2012

Panel Organizer and Speaker, "Constitutional Challenges to Health Care Reform: What to Expect from the Supreme Court," AcademyHealth, National Health Policy Conference, D.C., Feb. 2012.

Speaker, "The Constitutionality of the Individual Mandate," NYU Law School, Feb. 2012.

Speaker, "Risk Adjustment under the Affordable Care Act," Tilburg University, The Netherlands, Dec. 2011.

Speaker, "Commerce Clause Challenges to Health Care Reform," Columbia Univ. Law School, Oct. 2011.

Speaker, "Commerce Clause Challenges to Health Care Reform," Petrie-Flom Center, Harvard Law School, Sept. 2011.

**Mark A. Hall**

Commentator, "Constitutionality of the Affordable Care Act," Duke Univ. Law School, Sept. 2011.

Speaker, "Constitutional Challenges to Health Care Reform," AcademyHealth annual meeting, Seattle, June 2011.

Speaker, "Constitutional Challenges to Health Care Reform," Am. Society Law Medicine and Ethics, Chicago, June 2011.

Speaker, "Consumer-driven health care: perspectives from a different hemisphere," University of Melbourne Medical School, Dean's Lecture, April 2011.

Speaker, "The Politics, Policy and Law of Obama's Health Care Reform," University of Melbourne Law School, Sir Kenneth Bailey Memorial Lecture, April 2011.

Speaker, "Challenges to U.S. Health Care Reform: Rhetoric vs. Reality," University of Tasmania Law School, March 2011.

Speaker, "Legal Issues in Health Care Reform," Univ. of Pennsylvania Law School, Philadelphia, Oct. 2010.

Speaker, "Constitutional Implications of the Patient Protection and Affordable Care Act," No. Kentucky Univ. College of Law, Oct. 2010.

Keynote Speaker, "Constitutional Challenges to Health Care Reform," Forsyth Memorial Hospital, Winston-Salem NC, Oct. 2010.

Speaker, Conflicts of Interest in Medical Research, Carilion Clinic, Roanoke VA, Sept. 2010.

Speaker, "Free Markets, Regulation and the Constitution," Hillsdale College Center for Constitutional Studies, Washington DC, Sept. 2010.

Lead Faculty, Workshop on Health Care Reform, WFU Translational Science Institute, Winston-Salem NC Aug. 2010.

Speaker, "Achieving Universal Coverage through Safety Net Expansion" ASLME Health Law Teacher's Conference, Austin TX, June 2010.

Keynote Speaker, "Implications for Employers of Health Insurance Exchanges," Greensboro NC, June 2010.

Lead Faculty, "Constitutional Challenges to Health Care Reform," N.C. Bar Association, May 2010.

Commentator, Empirical Health Law Conference, Univ. Michigan, May 2010.

**Mark A. Hall**

Keynote Speaker, "Debating the Constitutionality of Health Care Reform," Am. Health Lawyers Assoc., D.C., May 2010.

Organizer and Speaker, "Patient-Centered Law and Ethics," Wake Forest University, April 2010.

Speaker, "Can the 'Safety Net' Provide Adequate Access to Health Care for the Uninsured?," Loyola Law School, Chicago, Nov. 2009.

Speaker, "Regulatory and Corporate Law Update," ASLME Health Law Teacher's Conference, Cleveland, June 2009.

Speaker, "The Constitutionality of Mandates to Purchase Health Insurance," ASLME Health Law Teacher's Conference, Cleveland, June 2009.

Keynote Speaker, "The Constitutionality of Mandates to Purchase Health Insurance," O'Neill Institute for Health Law, Georgetown Univ., April 2009.

Speaker, "The Ethics and Practice of Consumer-Driven Health Care," Univ. British Columbia, Vancouver, April 2009.

Speaker, "An Essentialist View of Health Care Law," Univ. British Columbia, Vancouver, April 2009.

Speaker, "The Ethics and Practice of Consumer-Driven Health Care," Univ. of Montana, Missoula, March 2009.

Speaker, "Using Section 125 Cafeteria Plans to Shelter Employees' Premium Contributions," State Health Access Reform, Philadelphia, Feb. 2009.

Moderator, "Commercialization of Research in Regenerative Medicine," Wake Forest Univ., Feb. 2009.

Speaker, "Advice to the President on Health Care Reform," Wake Forest Univ., Jan. 2009.

Speaker, "An Essentialist Theory of Health Care Law," UNC Law School, Jan. 2009.

Organizer, "Conflict of Interest Notification Study," Wash. D.C., Dec. 2008

Speaker, "Legal and Ethical Issues in Responding to a Flu Pandemic," Forsyth County Medical Society, Nov. 2008

Speaker, "Government-Sponsored Reinsurance: Purposes and Prospects," Harvard Law School, Nov. 2008.



**Mark A. Hall**

Speaker, "Health Care: Public or Private Good?," Phi Kappa Phi Honor Society Annual Form, UNC-Greenville, Oct. 2008

Speaker, "Property Rights in Medical Information," WFU Translational Science Institute Annual Conference, Oct. 2008

Speaker, "Content Analysis of Judicial Opinions," Univ. of Chicago and Northwestern Univ. Law Schools, Oct. 2008

Speaker, "Insurance Discrimination and Huntington's Disease," Winston-Salem NC, Oct. 2008

Speaker, "Property Rights in Medical Information," Univ. of Texas Law School, Sept. 2008

Speaker, "Presidential Candidates' Health Care Reform Proposals," Wake Forest Univ., Sept. 2008

Speaker, "Managing Conflicts of Interest in Non-Academic Research Institutions," Am. Assoc. Medical Colleges FOCI Meeting, Rochester MN, Sept. 2008

Invited Congressional Testimony, "47 Million and Counting: Why the Health Care Marketplace is Broken," Senate Finance Committee, June 2008.

Speaker, "Legal Rights in Electronic Medical Records," Harvard Law School, Cambridge MA, June 2008

Speaker, "Ownership of Electronic Medical Records," Am. Soc'y Law Medicine & Ethics, Philadelphia, June 2008

Speaker, "Trust, Disclosures, and Conflicts of Interest," Institute of Medicine, Washington, D.C., May 2008

Speaker, "Can Consumers Control Health Care Costs?," Brookings Institute, March 2008.

Commentator, "Health Policy: A Constitution-Free Zone," Stanford Univ. Center for Advanced Study for the Behavioral Science, Palo Alto, Dec. 2007.

Speaker, "Patients as Consumers: The Law of Medical Billing," Harvard Univ. Law School, Cambridge, Mass., Nov. 2007.

Speaker, "An Essentialist View of Health Law," Canadian Health Law Assoc., Banff, Canada, Nov. 2007.

Speaker, "Community Hospitals' Oversight of Investigator's Financial Relationships," Health Care Compliance Assoc., Chicago, Nov. 2007.

**Mark A. Hall**

Speaker, "Systematic Content Analysis of Judicial Opinions," Law & Society Association, Berlin, July 2007.

Speaker, "Government-Sponsored Reinsurance," Health Law Teacher's Conference, Boston, June 2007

Speaker, "An Essentialist View of Health Care Law," University of Toronto Law School, March 2007.

Speaker, "Patients' Legal Obligations to Pay their Medical Bills," Georgetown Univ. Law School, Feb. 2007.

Commentator, "Supply and Demand of Organ Donations," Univ. North Carolina Law School, Feb. 2007.

Fallon-Friedlander Endowed Lectureship, "The Law, History and Ethics of Medical Fees," University of Chicago Law and Medical Schools, Feb. 2007.

Speaker, "The Risks of Genetic Discrimination," National Society of Genetic Counselors, Nashville, Nov. 2006.

Speaker, "Measuring Trust in Medical Researchers," Public Responsibility in Medicine and Research (PRIMR) Annual Meeting, Washington, D.C., Oct. 2006.

Panelist, "Managing Medical Resources," Am. Board Internal Med., Philadelphia, June 2006.

Speaker, "Consumer-Driven Health Care and Moral Hazard," Am. Institute for Econ. Research, Great Barrington MA, June 2006.

Speaker, "An Essentialist View of Health Law," Am. Soc'y Law Med. & Ethics annual Health Law Teacher's meeting, Baltimore, June 2006.

Speaker, "Disclosing Investigators' Conflicts of Interests to Research Participants," Assoc. Certified Research Professionals Annual Meeting, Phoenix, April 2006.

Organizer, "Rethinking Health Law," an invitation-only workshop of leading health law scholars, Wake Forest Univ., Dec. 2005.

Participant/Presenter, "American Health Care: Who Pays, Who Benefits?," Duke University, Nov. 2005.

Participant, "Budgetary Approaches to Health Care Spending," Urban Institute, Nov. 2005.

Speaker, "The Law and Ethics of Consumer-Driven Health Care," Robert Wood Johnson Foundation, Annual Meeting of Investigators in Health Policy Research, San Diego, Oct. 2005

**Mark A. Hall**

Speaker, "Measuring Patients' Trust in the U.S.," University of Bristol, England, workshop on trust in medical institutions, Sept. 2005.

Speaker, "Consumer Driven Health Care," Am. Society Law Medicine & Ethics Annual Health Law Teachers conference, Houston, June 2005.

Speaker, "Fundamentals of the Small Group Health Insurance Market," briefing for Congressional Staff organized by the National Health Policy Forum, May 2005.

Speaker, "Managed Care and Consumer-Driven Health Plans: The Potential for Unification," Kaiser Permanente Institute for Health Policy Roundtable, Washington DC, April 2005.

Speaker, "Trust in the Medical Setting: The Challenge of Corporate Interests," Boston Univ. Colloquium for Philosophy of Science, Sept. 2004.

Speaker, "Empirical Studies of Health Care Law and Policy," Chinese Health Law Scholars Program, Temple Univ., July 2004.

Speaker, "Patients' Trust in Physicians and Medical Institutions," Office of Minority Health Conference on Strengthening the Informed Consent Process to Address Racial and Ethnic Health Disparities, Tuskegee AL, July 2004.

Speaker, "The Impact of State Managed Care Regulation on Industry Evolution," Am. Society of Law Medicine and Ethics, Annual Health Law Teacher's Meeting, Newark, June 2004.

Speaker, "Redesigning the Medical Malpractice Liability System," Clifford Symposium on Tort Law and Policy, DePaul Univ., Chicago, April 2004.

Speaker, "Empirical Approaches to the Malpractice Standard of Care," Am. College of Legal Medicine, Annual Meeting, Las Vegas, March 2004.

Keynote Speaker, "Can Health Care Corporations be Caring?" Northwest Consortium of Health Law Programs, Inaugural Meeting, Seattle, Feb. 2004.

Speaker, "IRBs and You," Am. Assoc. Law Schools, Annual Meeting, Atlanta Jan. 2004

Speaker, "Health Policy Impacts of Blue Cross Conversions," Protecting Community Health Assets (Consumers Union), Chicago, Nov. 2003.

Speaker, "Genetic Discrimination: Risks and Realities," National Society of Genetic Counselors, Charlotte NC, Sept. 2003.

Speaker, "Health Policy Implications of Blue Cross Conversions to For-Profit Status," Am. Society Law, Med. & Ethics, Wilmington DE, June 2003.

**Mark A. Hall**

Speaker, "Genetic Discrimination and Screening for Liver Disease," Digestive Disease Week, Orlando, May 2003.

Speaker, Economic Analysis and Health Policy, Salem Univ. Economics Honor Society, Winston-Salem NC May 2003.

Speaker, "Medical Necessity and Surgery for Obesity," Law, Economics and Social Justice, Duke University, San Diego, April 2003.

Speaker, "Conflicts of Interest and Managed Care," Speas Symposium, Davidson Univ., March 2003.

Panelist, "Blue Cross Conversions to For-Profit Status," New York University, Nov. 2002.

Speaker, "The Scope and Limits of Public Health Law," McLean Symposium, Univ. of Chicago, Nov. 2002.

Speaker, "Fixing the Problems in the Individual Market," Center for Studying Health System Change Forum, Washington DC, Oct. 2002.

Speaker, "Managed Care Patient Protection Laws," Mich. Assoc. of Health Plans, July 2002.

Organizer, "Empirical Approaches to Defining the Malpractice Standard of Care," Wake Forest Univ., April 2002.

Speaker, "Legal and Public Policy Implications of Practice Guidelines," American Academy of Cardiology, Atlanta, March 2002.

Speaker, "Foundation Support for Insurance Market Reforms," Grantmakers in Health, New York, March 2002.

Speaker, "Trust in Physicians and Medical Institutions: What is it, Can it be Measured, and Does it Matter," RWJ Health Policy Scholars, Univ. of Michigan, March 2002.

Speaker, "Health Care Law and Regulation: A Primer," Law and Economics Institute for State Court Judges, Orange, CA, Oct. 2001.

Speaker, "HIPAA: Five Years Later," CATO Institute, Washington D.C., July 2001.

Speaker, "Tax Credits and Purchasing Cooperatives," Center for Studying Health Systems Change, Washington D.C., April 2001.

Speaker, "Individual Insurance Market Reforms," National Conference of State Legislatures, Charlotte, NC, Feb 2001.

**Mark A. Hall**

Speaker, "The Geography of Health Insurance Regulation," Am. Society of Law, Medicine, and Ethics, Cleveland, June 2000.

Speaker, "Disclosure of Financial Incentives," Medical Group Management Assoc., Winston-Salem NC, May 2000.

Panelist, "Factors Affecting Decisions to Seeking Genetic Testing," Arizona State Univ., Phoenix, April 2000.

Speaker, "Doctor-Patient Trust and Public Policy," U. Mich. Law School, Feb. 2000.

Speaker, "Genetic Enhancement, Distributive Justice and the Goals of Medicine," Univ. San Diego Law School, Jan. 2000.

Organizer and Moderator, "Genetic Enhancement and Public Policy," Wake Forest Univ., Nov. 1999.

Speaker, "Doctor-Patient Trust and Public Policy," Am. Society of Bioethics and Humanities, Philadelphia, Oct. 1999.

Plenary Speaker, "Laws Restricting Health Insurers' Use of Genetic Information," Am. Society of Human Genetics, San Francisco, Oct. 1999.

Speaker, "Health Insurance Market Reforms: A Qualitative Evaluation," National Association of Insurance Commissioners, Atlanta, Sept. 1999.

Panelist, "Health Insurance Reform," Am. Society of Law, Medicine and Ethics, St. Louis, June 1999.

Speaker and Organizer, Individual Insurance Market Reforms, Alpha Center, Washington D.C., Jan. 1999.

Speaker, Integrated Delivery Systems, NC Society of Health Care Attorneys, Raleigh, Oct. 1998.

Speaker, Managing Care in the Next Century, Univ. of Michigan Journal of Law Reform, Oct. 1998.

Speaker, Health Insurance Regulation Update, ASLME Health Law Teacher's Conference, Houston, June 1998.

Speaker, Insurance Market Reform and the Nature of Competition, Univ. Penn. Institute for Law and Economics, Philadelphia, April 1998.

Speaker, Insurers' Use of Genetic Information, Competitive Enterprise Institute, Washington, D.C., April 1998.

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Speaker, Insurers' Use of Genetic Information, American Actuarial Society, Atlanta, March 1998.

Speaker, Coverage of Experimental Therapies, Federal Judicial Center, Health Law for Federal Judges, Palm Springs CA, Nov. 1997.

Keynote Speaker, Managed Care Medical Ethics, Cumberland Law School, Birmingham, Nov. 1997.

Speaker, Recent Developments in Managed Care Liability, East Carolina Medical School, Sept. 1997.

Speaker, Disclosure of Financial Incentives, Robert Wood Johnson Foundation Malpractice Program, Duke Univ., Sept. 1997.

Invited panelist, Managed Care Ethics, Center for Biomedical Ethics, U. Penn., Jan. 1997.

Speaker, The Ethics of Patient Cost-Sharing, World Congress of Bioethics, San Francisco, Nov. 1996.

Invited panelist, Nonprofit Conversions, NYU Center for Law and Philanthropy, Oct. 1996.

Speaker, Health Care Law Seminar for Federal Judges, Federal Judicial Center, June 1996.

Speaker and Panel Chair, The ABCs of Integrated Delivery Systems, Annual Health Law Teacher's Meeting, Am. Society Law, Medicine & Ethics, June 1996.

Speaker, The Economics of Patient Cost-Sharing, Law and Economics Assoc. Annual Meeting, Chicago, May 1996.

Can the Courts Dictate Medical Judgment?, Univ. Alabama School of Public Health, Feb. 1996.

Consumer Protection of Managed Care Subscribers, Seton Hall Law School, Nov. 1995.

Judicial Review of Health Insurance Coverage Disputes, Blue Cross of California, Aug. 1995.

Speaker, The Employer's Responsibility in Managed Care, Am. Society of Law, Medicine & Ethics, Minneapolis, May 1995

Speaker, Judicial Determination of Medical Necessity, Georgetown Law School, Washington, D.C., April 1995

Speaker, The Communitarian Ethics of Insurance Selection, The Hastings Center, Washington, D.C., March 1995

Discussion Leader, The Legal Implications of Medical Futility, Duke University, March 1995

## Mark A. Hall

Speaker, "Judicial Resolution of Disputes over Health Insurance Coverage," Univ. of Alabama School of Law, Feb. 1995

Speaker, The Economics of Managed Care, John Locke Foundation seminar for state legislators, Durham NC, Nov. 1994.

Speaker, What Can Health Insurance Market Reforms Accomplish?, American Enterprise Institute, Washington D.C., August 1994.

### **PUBLIC SERVICE ACTIVITIES (recent):**

Consultation with various federal and state agencies and officials regarding health care regulation issues.

Interviews with local and national media, including New York Times, Wall Street Journal, Newsweek, ABC News, National Public Radio, BBC World News, and Christian Science Monitor.

Community Advisory Board, WFDD public radio station, Winston-Salem NC.

Big-Brothers, Big-Sisters volunteer

### **GRANTS:**

Principal Investigator of Subcontract, Evaluating the prevalence, drivers, and policy implications of surprise medical billing, Brookings Institution and Arnold Foundation, \$50,000, 2018-2020

Investigator, Assessing the Effects of State Alcohol Exclusion Laws on Alcohol-Related Behaviors and Outcomes, NIH, \$300,000, 2019-2022

Co-Principal Investigator, How State Pre-emption of "Sanctuary City" Laws and Policies Affect Immigrant Health, Robert Wood Johnson Foundation, \$150,000, 2019-2020

Principal Investigator, Evaluating Health Insurers' Financial Performance, Commonwealth Fund, \$500,000, 2016-2019.

Principal Investigator, States' Strategies to Stabilize Health Insurance Markets, Robert Wood Johnson Foundation, \$150,000, 2018.

Investigator, State and Local Laws Affecting Immigrant Health, Centers for Disease Control, \$120,000, 2015-2017.

Principal Investigator, Characteristics of Uninsured North Carolinians eligible for subsidized enrollment under the ACA, Kate B. Reynolds Charitable Trust, \$15,000, 2015.

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Principal Investigator, Medicaid Expansion and Reform in North Carolina, Blue Cross Blue Shield Research Fund, Wake Forest University, \$50,000, 2015, and \$50,000 2016.

Principal Investigator, Evaluating Health Insurers' Financial Performance, Round 4, Commonwealth Fund, \$180,000, 2014-2015.

Principal Investigator, Evaluating Health Insurers' Financial Performance, Commonwealth Fund, \$150,000, 2014-2015.

Principal Investigator, Private Health Insurance Exchanges, \$200,000, Robert Wood Johnson Foundation, 2014-2016.

Principal Investigator, The Safety Net in Forsyth County, \$35,000, Kate B. Reynolds Foundation, 2013-2014.

Principal Investigator, Evaluating Health Insurers' Rate Increases Using National Data, Commonwealth Fund, \$180,000, 2013-2014.

Principal Investigator, Employers' Use of Health Insurance Exchanges, Robert Wood Johnson Foundation, \$135,000, 2012 - 2013.

Principal Investigator, Using Medical Loss Ratio Data to Evaluate Insurance Reform, Commonwealth Fund, \$135,000, 2012 - 2013.

Co-Principal Investigator, and subcontractor: Evaluating Implementation of Health Insurance Exchanges, Commonwealth Fund, \$300,000 (\$100,000 subcontract from Washington & Lee), 2011-2013.

Principal Investigator, Developing and Evaluating an Adequate National Safety Net To Complement Expansions Of Public And Private Insurance, Robert Wood Johnson Foundation, \$400,000, 2009-2011.

Principal Investigator, Using "Section 125 Plans" to Shelter Employee's Individual Insurance Premiums from Tax, Robert Wood Johnson Foundation, \$225,000, 2007-2009.

Principal Investigator, Robert Wood Johnson Foundation, The Law and Ethics of Consumer-Driven Health Care, funded by the Investigator Awards in Health Policy Research program, \$275,000, 2005-2008.

Principal Investigator, Subcontract to Duke University, Disclosing Conflicts of Interest in Research, NIH, \$200,000, 2004-2008.

Principal Investigator, Subcontract to Duke University, The Costs of Health Services Regulation, \$100,000, AHRQ (HHS), 2004-2005.



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Principal Investigator, Evaluating the Impact of Managed Care Patient Protection Laws, Robert Wood Johnson Foundation, \$584,000, 2001-2004.

Investigator and Chair of Ethics Committee, Type-1 Diabetes Genetics Consortium, NIH, 2003-07 (10% salary support).

Investigator and Chair of Ethics Committee, Hereditary Hemochromatosis and Iron Overload, NIH, 2000-2005 (20% salary support).

Principal Investigator, Patient Trust in Managed Care: The Effect of Disclosing Financial Incentives, Robert Wood Johnson Foundation, \$400,000, 1998-2000.

Principal Investigator, Insurers' Use of Genetic Tests, NIH, \$175,000, 1997-99.

Principal Investigator, The Effects of Health Insurance Market Reforms, Robert Wood Johnson Foundation, \$500,000, 1996-99.

Principal Investigator, Legal Barriers to Insurers' Use of Practice Guidelines, AHCP, \$120,000, 1994-95.

Consultant, The Medical Malpractice Effects of Practice Guidelines, Robert Wood Johnson Foundation, 1993-94.

Principal Investigator, Coverage Determinations and Defensive Medicine, 1992-93, Office of Technology Assessment.

Principal Investigator, Health Insurance Market Reform, 1992-93, American Enterprise Institute.

Principal Investigator, The Ethics and Economics of Bedside Rationing, 1992, Robert Wood Johnson Foundation.

Principal Investigator, Faculty Fellowship in Health Care Finance, 1990-91, Robert Wood Johnson Foundation.

Principal Investigator, Symposium, Interdisciplinary Perspectives on Health Care Financing Reform, 1990, National Health Lawyers Association and Flinn Foundation.

**COURSES TAUGHT:**

Law Schools

- Health Care Law and Policy
- Law and Medicine (Including Medical Malpractice)
- Bioethics
- Health Care Rationing
- Comparative Health Care Law and Policy
- Administrative Law
- Contracts
- Insurance Law
- Nonprofit Organizations
- Torts
- Legal History
- Civil Law

Management (M.B.A.) School: Health Care Law

Masters in Bioethics: Bioethics Seminar

Medical School (Lectured or Discussion Leader)

- Medicine as a Profession and Bioethics
- Medical Malpractice and Informed Consent
- Health Care Reform and Health Policy
- Simulated Practice Assessment
- Qualitative Research Methods

Undergraduate: Freshman Seminar on Death and Dying

**University Service**

University-Wide

- Bioethics Task Force and Center Planning
- Health Benefits Committee
- Computer Advisory Committee
- Institutional Review Board
- Created Joint Degree for Law and Masters in Health Administration
- Ph.D. Dissertation Committee in Philosophy Department

Law Schools

- Vice-Chair, Dean Search Committee
- Chair, Appointments Committee
- Chair, Faculty Development Committee (Speaker Series)
- Student Admissions
- Chair-Search Committee
- Founder and Organizer of Faculty Reading Group
- Information Technology Committee
- Curriculum Committee
- Center for Law, Science and Technology

Management (M.B.A.) School: Joint Babcock/Law Committee

Medical School-Wide

- Hospital Ethics Committee
- Conflicts of Interest Committee

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Scientific Integrity and Research Ethics Committee  
Faculty Research Advisory Committee  
Health Policy Task Force  
Medical Center Strategic Planning  
Pre-implantation Genetic Diagnosis Ad Hoc Committee  
Medical School Departmental  
Executive Committee  
Chair, Faculty Recruitment Committee  
Chair, Retreat Planning Committee  
Chair, Faculty Appointments  
Chair, Distinguished Visitor Series  
Chair, Seminar Series  
Strategic Planning  
Professional Development  
Harassment Policy  
Health Services Research Center