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March 7, 2008
Additional Information
To order the Symposium Issue of the Journal
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Location of Symposium 2008
• Room 1335 at the Health Sciences Learning Center (Medical School)
• Public parking is available at the University Hospital (UWHC) Patient/Visitor Lot, just South of the HSLC

Thank you to our sponsors:
• University of Wisconsin Law School
• Global Legal Studies Center
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• Health Law Section - Wisconsin State Bar
• International Law Section - Wisconsin State Bar
• Center for World Affairs & the Global Economy (WAGE)
• Academy Health - Student Chapter
Proposed Topics for Presentations:

International Accreditation and Efforts to Improve International Health Care
(Harold J. Bressler, General Legal Counsel, Joint Commission International)

International Health Care Convergence: The Benefits and Burdens of Market Driven Standardization
(Nathan Cortez, Assistant Professor of Law, SMU Dedman School of Law)

The Creation of EU Biological citizens or Euro-Biocitizens through Medical Tourism Within the EU
(Dr. Mark L. Flear, Lecturer in Law and Library Officer, Queen's University Belfast)

How Will We Know When We Have an EU health policy?
(Scott L. Greer, PhD, Assistant Professor, University of Michigan School of Public Health)

Financing National Health care in a Trans-national Environment - the Impact of the EC Internal Market
(Vassilis Hatzopoulos, Assistant Professor at the Democritus University of Thrace (Greece), Visiting Professor at the College of Europe, Bruges (Belgium), Attorney-at-Law, Member of the Athens Bar)

A Comparison Between Public Health Insurance Programs and the Regulation of Private Health Insurance in the US, Mexico and Canada: Could the European Union Serve as a Model for Integration?
(Eleanor D. Kinney, JD, MPH, Hall Render Professor of Law and Co-Director, William S. and Christine S. Hall Center for Law and Health at Indiana University School of Law – Indianapolis)

The Global Market for Health Care Economics and Regulation
(Thomas R. McLean, MD, MS, JD, FACS, Clinical Associate Professor of Surgery, the UMKC School of Medicine; Clinical Assistant Professor of Surgery University of Kansas; Attending Surgeon at the Truman Medical Center, Kansas City Mo.; and Eisenhower VAMC, Leavenworth, Kansas; Regional Medical Consultant, Social Security Administration, Kansas City, Mo. Analyst, Third Millennium Consultants, LLC.)

Cross-border Health Care Rights, The European Court of Justice and Social Citizenship - The Accidental Death of a Concept?
(Christopher Newdick, Professor of Health Law, University of Reading (England))

(Diane J. Romza-Kutz, member of Epstein, Becker & Green, P.C.)

The Construction of Healthier Europe: Lessons and Questions for EU Governance from the Fight Against Cancer
(Louise G. Trubek, Clinical Professor of Law and Senior Fellow, Center for World Affairs & the Global Economy (WAGE) Co-Contributors: Mark Nance, Ph.D. Candidate, Political Science, University of Wisconsin-Madison; Tamara Hervey, University of Sheffield School of Law (England)

The Impact of Recent Developments in EU law on the National Health Care Systems of the Member States of the EU
(Johan Van de Gronden, Professor of European Law at Radboud University Nijmegen (The Netherlands))

Speakers

Harold J. Bressler:
Mr. Bressler serves as the General Legal Counsel at the Joint Commission. In this role, he is responsible for all legal matters. Prior to joining The Joint Commission in 1985, he was an associate and partner in the Chicago law firm of
McDermott, Will & Emery. There, he worked in the litigation and antitrust department. Before joining the Chicago-based firm, he was a trial attorney in Washington, D.C., with the antitrust division of the Department of Justice.

In addition to his duties as general counsel, Mr. Bressler has served as an adjunct professor of law at DePaul and Loyola Schools of Law, Chicago. At both universities, he teaches antitrust law in the health care field.

Mr. Bressler earned his bachelor’s degree from the University of Illinois, Champaign, Illinois, and his juris doctorate from Northwestern University School of Law, Chicago.

Nathan Cortez:
Mr. Cortez serves as an Assistant Professor of Law at SMU Dedman School of Law. Professor Cortez teaches and writes in the areas of health law, FDA law, administrative law, and the legislative process. His scholarship focuses on international and comparative health law and regulation, particularly the regulation of emerging international markets in health care and biotechnology. He has published in the peer-reviewed *Food and Drug Law Journal*, and has a forthcoming article in the *Indiana Law Journal*. Professor Cortez has also written articles for the *Computer & Internet Lawyer*, the *Journal of Payment Systems Law*, and the ABA’s National Institute on White Collar Crime, and contributed a chapter for a forthcoming book, *Preclinical Safety Evaluation of Biopharmaceuticals*.

Before joining the SMU law faculty, Professor Cortez practiced with the Washington, D.C., law firm Arnold & Porter, where he represented medical technology clients in administrative, legislative, litigation, and corporate matters, with a special emphasis on health care fraud and abuse, FDA enforcement, and health privacy. While at Arnold & Porter, Professor Cortez litigated pro bono cases with the Mexican American Legal Defense and Educational Fund (MALDEF), and was a Board Member of the D.C. Hispanic Bar Foundation. In 2006, he was a Visiting Assistant Professor at Rutgers-Camden Law School. He teaches courses in administrative law, health law, FDA law, and the legislative process.

Dr. Mark L. Flear:
Dr. Flear is a Lecturer in Law and Library Officer at Queen's University Belfast. Mark completed his undergraduate studies in law and politics with First Class Honours at the University of Lincoln, England, United Kingdom in 2000. After a year of work and travel, Mark returned to education and completed an LLM (Joint Masters) in European Law at the University of Nottingham and the University of Maastricht in 2002, with funding being awarded by the Arts and Humanities Research Council (AHRC). In the summer of 2002, Mark studied European Union law at the Academy of European Law, European University Institute, Florence. In 2002 Mark began his PhD at the University of Nottingham, with funding again being awarded by the AHRC. The thesis uses a constructivist or sociological institutionalist perspective to determine whether the free movement of persons (especially the freedom of movement for patients) in European Community law causes change in health care systems. The thesis was completed and awarded in 2006. During his time at Nottingham, Mark taught EU Constitutional Law and EC Trade Law. Mark is a member of the Society of Legal Scholars (http://www.legalscholars.ac.uk/text/index.cfm) and the University Association for Contemporary European Studies (http://www.uaces.org/)

Mark joined the School of Law at Queen’s University Belfast, Northern Ireland, UK in 2005. Mark represents the School of Law on the Northern Ireland Ethics Forum (http://www.qub.ac.uk/methics/index.html), and is on the School’s Ethics Committee. Mark is the lead organiser and iniator for the Annual School of Law Workshop 2008 ‘Biotechnology, European Law and Citizens’. The British Academy has awarded Mark funding for his project ‘EU Governance in AIDS, Cancer and Obesity: Governmentality, Citizenship and Polity’. During the summer of 2008 Mark will be a visiting academic at the Faculty of Law, University of Cambridge.

Scott Greer, Ph.D.:
Mr. Greer is an Assistant Professor in the Department of Health Management and Policy at the University of Michigan's School of Public Health. Professor Greer does research on the consequences for health policy and the welfare state of federalism, decentralization, and European integration. His work focuses especially on the United Kingdom and the development of health policy in England, Northern Ireland, Scotland and Wales. He has also done research on health politics and federalism in the United States, Canada, and Spain. Before coming to Michigan, he taught at the University of London. He currently directs a two-year project on the consequences for health services and citizenship rights of trends towards both decentralization and the development of European Union powers in health.

Johan van de Grondon:
Mr. van de Grondon was appointed as Professor of European Law at the Faculty of Law of the Radboud University Nijmegen in The Netherlands. In 1998, he got his PH.D. Degree. His PH.D. research was about the implementation of EC environmental law by decentralised authorities. From 1998 until September 2007 Johan van de Grondon worked at the Europa Institute of the University Utrecht (the Netherlands). From June 2003 until September 2007 he was a senior lecturer/researcher at this institute. Since 1st of September 2007 he is a professor of European law in Nijmegen. His research focuses on EU internal market law, competition law and the relationship between these law areas and (national)
policies regarding issues of general interest (like health care). Since October 2003 he is also a deputy judge at the District court of Rotterdam (additional function). As a judge he mainly handles competition law cases.

Vassilis Hatzopoulos:
Mr. Hatzopoulos is an Assistant Professor at the Democritus University of Thrace (Greece), a Visiting Professor at the College of Europe, Bruges (Belgium) and a Member of the Athens Bar. Vassilis Hatzopoulos studied commercial law in the University of Strasbourg (Maîtrise), EC law in the College of Europe in Bruges (DEEA) and International Law in the University of Cambridge (LL.M). His Ph.D Thesis, “Le principe communautaire d’équivalence et de reconnaissance mutuelle dans la libre prestation de services” (EC Principle of Mutual Recognition and Equivalence in the Field of Free Provision of Services), presented at the University of Strasbourg, was published by Bruylant/Sakkoulas (1999). In 2006 he spent six months as a Jean Monnet Fellow at the University of Michigan.

He started his academic career as an assistant at the Legal Department of the College of Europe, Bruges, during 1993-1995 and has taught as a visiting Professor at the University of Athens, the National School of Public Administration (Athens) and the Summer Academy of the EUI/Florence. Currently, he is a full-time Assistant Professor at the Democritus University of Thrace. He also teaches a 25-hour seminar on the “Area of Freedom, Security and Justice” (in French) at the College of Europe, Bruges. He is member of the board of editors in several Greek law journals and a regular contributor to the Common Market Law Review.

He works as an Attorney-in-Law in Athens since 1995, specializing in Internal Market, public procurement and internet law. He has been advising the Secretary General of Commerce (2000-2002) on issues of simplification of the business environment and regulatory reform and the Greek Rail Organisation (OSE, 2002-2004) on issues of market deregulation and competition. He has also participated as a member of the Greek delegation at the OECD regulatory reform assessment and at several EC benchmarking exercises, under the auspices of the Lisbon strategy.

Eleanor D. Kinney, JD, MPH:
Ms. Kinney is a Hall Render Professor of Law and Co-Director, William S. and Christine S. Hall Center for Law and Health at Indiana University School of Law - Indianapolis. She is the founding director of the school’s internationally recognized William S. and Christine S. Hall Center for Law and Health, which is one of the nation’s leading experts on health law. After graduating from law school, she practiced law for four years, then worked as an estate planning officer for Duke University Medical Center for two years. After earning her master’s degree in public health, she served as program analyst for the U.S. Department of Health and Human Services in Washington, D.C. Immediately prior to joining the faculty in 1984, she was assistant general counsel of the American Hospital Association.

A widely published author and respected lecturer on the subjects of America’s health care system, medical malpractice, health coverage for the poor, and issues in administrative law, Professor Kinney is author or co-author of numerous law review articles, book chapters and book reviews. She recently published Protecting American Health Care Consumers (Duke University Press 2002) and edited the Guide to Medicare Coverage Decision-Making and Appeals (ABA Publishing 2002).

Professor Kinney has served as a consultant to the Administrative Conference of the United States, President Clinton’s Task Force for Health Care Reform, and the Indiana Commission on Health Care for the Working Poor. She has been appointed by the governor of Indiana to the Executive Board of the Indiana State Department of Health and to other task forces and advisory boards. She currently serves as chair of the Patient Safety Subcommittee of the Indiana Commission on Excellence in Health Care.

During 1999-2000, Professor Kinney taught and conducted research as a Fulbright Fellow at the National University of La Plata in La Plata, Argentina. She founded the school’s Latin American Law Summer Program and served as its executive director until 2007. She also serves as an adjunct professor at the IU School of Public and Environmental Affairs and at the IU School of Medicine.

Thomas R. McLean, MD, MS, JD, FACS:
Dr. McLean's titles include Clinical Associate Professor of Surgery, the UMKC School of Medicine; Clinical Assistant Professor of Surgery University of Kansas; Attending Surgeon at the Truman Medical Center, Kansas City Mo.; and Eisenhower VAMC, Leavenworth, Kansas; Regional Medical Consultant, Social Security Administration, Kansas City, Mo. Analyst, Third Millennium Consultants, LLC., Shawnee, Ks.

Christopher Newdick:
Mr. Newdick is a Professor of Health Law at the University of Reading's School of Law (United Kingdom). He currently teaches courses on medical law and contract law. He has retained his interests in that area, in particular in the field of National Health Service law and the rights and duties of doctors patients and health service managers. He is a member of the Berkshire Priorities Committee and honorary consultant to Reading PCT. He served on the Department of Health's Medicine's Commission until 2000.
Diane Romza-Kutz:
Ms. Romza-Kutz is a member of the firm of Epstein, Becker & Green, P.C. in Chicago, Illinois. Ms. Romza-Kutz also is a member of EBG's National Health Care Steering Committee and Strategic Planning Committee.

Louise G. Trubek:
Louise G. Trubek is a Clinical Professor at the University of Wisconsin Law School. Louise is a graduate of the University of Wisconsin and the Yale Law School. She teaches Health Law and Regulatory Governance. Louise directs the Health Law Project. Current information on the Health Law courses, related externships, and the Health Law Project can be located at the Health Law Project website. Louise is an active scholar in the field of Health Law. Her article with Maya Das, "Achieving Equality: Healthcare Governance in Transition" won an award for excellence from the Wisconsin Public Health and Policy Institute at the UW Medical School. She is the author of papers on health care, new governance, and soft law. She is an editor of the March 2008 special issue of the journal Regulation&Governance. Louise is on the board of directors of the Wisconsin United for Health Foundation.

In fall 2007, Louise co-taught a course entitled "Problems in Administrative Law: Regulatory Reform" with Prof. David. M. Trubek. This seminar includes readings and research on U.S and European Union healthcare and environmental governance. David and Louise Trubek are researching and writing on regulatory reform topics in the United States and the European Union. Click here to see the WISGAR website.

Louise continues to write and teach on public interest lawyering, particularly linking domestic and international lawyering. In 2005, she lectured on new developments in clinical legal education at law schools in Colombia, South America. Her article "Crossing Boundaries: Legal Education and the New Public Interest Law" is published in the 2005 Wisconsin Law Review. She is the co-facilitator of a working group entitled "After Public Interest Law: Global Perspectives on Social Transformation," This group is publishing a special issue of the UCLA International Law Journal in 2008.


Mark Nance
Mark Nance is a Ph.D. candidate in Political Science at the University of Wisconsin-Madison. He specializes in International Relations, with an emphasis on the political economy of international organizations. His dissertation examines the factors that determine the impact that non-binding governance networks can have within the framework of global governance, drawing evidence from social policy and anti-money laundering networks. He expects to complete the dissertation in 2008. In the past he has worked on the use of “new governance” in diverse policy areas, including fiscal and environmental policy. He also is working currently on the use of new governance in counter-terrorism cooperation.

Co-Contributor to Ms. Trubek and Mr. Nance's article is:

Tamara Hervey
Tamara Hervey's main research interests are in the field of European Union social and constitutional law, in particular its application in health fields, social security and welfare, and non-discrimination. She is interested in the phenomenon of 'new governance' in the EU, in particular as an alternative or supplement to 'command and control' means of regulation in social fields. She has published on the European Union’s competence in social fields, especially health law; on the regulation of tobacco in the EU context; on European public health law and policy; on the governance of stem cell research in the EU; on EU non-discrimination law and minority rights; and on the 'right to health' in European contexts. She is interested in socio-legal theory and method, in particular as applied to the law of the European Union.

Moderators

Nils Ringe (Ph.D. University of Pittsburgh, 2006) is an assistant professor of European Politics in the Department of Political Science at the University of Wisconsin, Madison. His research and teaching interests are European Union politics (in particular the institutions of the European Union), political parties, legislatures, and elections. He is currently working on a book manuscript on the role of political parties and legislative committees in the decision-making processes of the European Parliament. Additional research projects include an examination of voting patterns in local elections in Central and Eastern Europe and comparative social network analyses of Congress and the European Parliament.

Kai P. Purnhagen is a researcher at the European University Institute in Florence and Managing Editor of the European Journal of Legal Studies. Before joining the European University Institute, he was a Giessen Fellow at the University of Wisconsin-Madison Law School and a legal assistant at the international law firm FreshfieldsBruckhausDeringer. Kai holds a German State Exam in law (J.D. equivalent) and a Master of Laws from the University of Wisconsin-Madison.
Adam J. Tutaj is a shareholder with the Milwaukee law firm of Meissner Tierney Fisher & Nichols S.C., where he practices in the areas of corporate, tax and health law. Mr. Tutaj has extensive experience representing physicians and physician organizations, and is a frequent speaker and author on a variety of tax matters. He received his law degree, magna cum laude, from Marquette University Law School. Mr. Tutaj is the current chair of the Health Law Section of the State Bar of Wisconsin and is a former co-chair of the Tax Section of the Milwaukee Bar Association.

Louise G. Trubek - please see her bio above.

Schedule for March 7, 2008

8:00 - 8:35 Registration

8:35 - 8:50 Opening Address

8:50 - 10:35

Panel One

- International Accreditation and Efforts to Improve International Health Care
  - Harold J. Bressler, General Legal Counsel, Joint Commission International
- International Health Care Convergence: The Benefits & Burdens of Market-Driven Standardization
  - Nathan Cortez, Assistant Professor of Law, SMU Dedman School of Law
- The Global Market for Health Care Economics and Regulation
  - Thomas R. McLean, MD, MS, JD, FACS, Clinical Associate Professor of Surgery, Clinical Assistant Professor of Surgery University of Kansas

10:35 - 10:50
Questions for Panel One

10:50 - 11:05
Morning Break

11:05 - 12:15

Panel Two

- A Comparison Between Public Health Insurance Programs and the Regulation of Private Health Insurance in the US, Mexico, and Canada: Could the EU Serve as a Model for Integration?
  - Eleanor D. Kinney, JD, MPH, Co-Director, William S. & Christine S. Hall Center for Law and Health at Indiana University School of Law
- Pandemic Planning: The Impact on Business and the Impact on the Delivery of Health Care
  - Diane J. Romza-Kutz, Member of Epstein, Becker & Green, P.C.

12:15 - 12:30 Questions for Panel Two

12:30 - 1:45
Lunch Break

1:45 - 3:15

Panel Three

- The Impact of Recent Developments in EU law on National Health Care Systems of the Member States of the EU
  - Johan Van de Gronden, Faculty of Law at Radboud University Nijmegen (the Netherlands)
- How Will We Know when We Have an EU Health Policy?
Scott L. Greer, PhD, Assistant Professor, University of Michigan School of Public Health
- Cross-border Health Care Rights, the European Court of Justice and Social Citizenship - The Accidental Death of a Concept?
  - Christopher Newdick, Professor of Health Law, University of Reading (England)

3:15 - 3:30 Questions for Panel Three
3:30 - 3:45 Afternoon Break
3:45 - 5:15

Panel Four
- The Creation of EU Biological Citizens or Euro-Biocitizens through Medical Tourism Within the EU
  - Dr. Mark L. Flear, Lecturer in Law and Library Officer, Queen's University Belfast
- Financing National Health Care in a Trans-national Environment - the Impact of the EC Internal Market
  - Vassilis Hatzopoulos, Assistant Professor at the Democritus University of Thrace (Greece), Visiting Professor at the College of Europe, Bruges (Belgium)
- The construction of Healthier Europe: Lessons and Questions for EU Governance from the Fight Against Cancer
  - Louise G. Trubek, Clinical Professor of Law, University of Wisconsin Law School
  - Mark Nance, Ph.D. candidate in Political Science at the University of Wisconsin-Madison

5:15 - 5:30 Questions for Panel Four
5:30 - 5:45 Closing Remarks

Related Events
'The School of Law at Queen's University Belfast's Annual Workshop 2008 is entitled 'Biotechnology, European Law and Citizens', and will be held on Tuesday 9 September 2008. The organisers for the event are Dr Mark L. Flear and Dr Sara Ramshaw. The workshop seeks to provide descriptive and critical accounts of the relationships between EU law and the Council of Europe (Council) and biotechnology with a focus on their relevance and impacts for citizens. The workshop is timely given the growing and increasingly active role of the EU and, to a lesser extent, the Council in the governance of health, bioscience and biotechnology. These matters are often highlighted in the media, but the European dimension is usually missing from those accounts or is inaccurately portrayed, and so citizens might lack an awareness of this aspect of the way in which they are governed. The contributions to the workshop look at issues ranging from the Internal Market and biotechnology, particularly governance and constitutionalism, to case studies on EU regulation, and the cultural impacts of biotechnology. A flyer for the event is at:
http://www.qub.ac.uk/schools/SchoolofLaw/NewsandEvents/Events/

Related News
Here are some links to NPR stories done on the topic (one features one of our speakers, Nathan Cortez):

Here is a NY Times article on the topic:

For the main European Court of Justice cases in the field, please visit the links below: