**KATHARINE A. VAN TASSEL**
Professor of Law
University of Akron School of Law
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## EDUCATION

Harvard School of Public Health**,** M.P.H., Law & Public Health (2010).

Case Western Reserve University School of Law, J.D., 1986 (with honors); Editor, Case Western Reserve Law Review, 1984-86; Editor, Health Matrix: Journal of Law-Medicine, 1984-86.

Case Western Reserve University, B.S.N., June, 1980.

## JUDICIAL CLERKSHIP

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

## LEGAL EMPLOYMENT

Professor of Law: University of Akron School of Law, 2012-present. Courses: Health Law, Bioethics, Food & Drug Law and Torts.

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

Professor of Law: Western New England College School of Law, 2006-2010. Courses: Medical Malpractice, Health Care Entities, Food & Drug Law, Bioethics, Torts, Products Liability, Business Torts. Associate Professor of Law, 2003-06. Assistant Professor of Law, 2001-03. Courses: Torts, Health Law, Evidence, Family Law, and Pretrial Practice.

> Member: Personnel Committee, 2002-04; Mentoring Committee, 2002-06; Retention Committee, 2002-04; Standards for Promotion and Tenure Committee, 2002-05; Faculty Handbook Committee, 2006-07; Honor Code, 2008-09. Advisor: Student Health Law Association, 2004-07; Faculty Advisor, Politics & Health Law Symposium Issue, Western New England Law Review, 2006. Honorary Faculty Member, Phi Alpha Delta Law Fraternity (by student nomination), 2006-present.

Expert Litigation Consultant, Elder Abuse and Neglect in Nursing Homes, 2007-present.

Commissioner, Cervical Cancer Special Commission, House of Representatives, Commonwealth of Massachusetts, 2005-1010.

Hearing Officer, Medical Staff Peer Review Proceedings, Baystate Medical Center, 2002-04.

Member: Baystate Medical Center Ethics Committee, 2004-06; Baystate Medical Center Clinical Ethics Review Team, 2004-06; Baystate Health System's Institutional Review Board for Experimental Drugs and Devices, 2005-06.

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

Managing Partner, Van Tassel & Associates, Cleveland, Ohio, 1992-97. Founded, managed and was sole owner of a twelve-attorney litigation law firm which represented Fortune 500 corporations in litigation in multiple states. National defense counsel in the Federal multi-district L-tryptophan litigation.

Associate, Squire, Sanders & Dempsey, Cleveland, Ohio, 1987-91. Litigation Associate.

## VISITORSHIPS

Visiting Professor of Law: University of Pittsburgh School of Law, Fall 2008 (courses: Civil Procedure and Food & Drug Law); University of Connecticut, Summer 2008 (course: Evidence). Visiting Assistant Professor of Law: University of Connecticut, Fall 2004 (course: Torts); Cleveland-Marshall School of Law, 2000-01(courses: Torts, Evidence and Civil Procedure); Case Western Reserve University School of Law, 1999-2000 (courses: Family Law and Civil Procedure).

## LAW REVIEW PUBLICATIONS

- Van Tassel, K., *Harmonizing the Accountable Care Act with the Three Main National Systems for Healthcare Quality Improvement: The Tort, Licensure and Hospital Peer Review Systems,* 78 BROOKLYN L. REV. ___ (forthcoming 2013).

- Van Tassel, K., *Product Recalls Involving Consumer Products Using Innovative Technologies and Biotechnologies,* 2013 U. CHI. LEGAL F. __ (2013) (invited article for the University of Chicago Legal Forum's 2013 Symposium *Frontiers of Consumer Protection*).

- Van Tassel, K., *Does the Hospital Peer Review Hearing Process Negatively Impact Healthcare Quality, Cost and Access?*, __ Stetson L. Rev. __ (2013) (invited article for Health Law Symposium, submitted, August 2012).

-Van Tassel, K., *Blacklisted: The Constitutionality of the Federal System for Publishing Reports of 'Bad Doctors' in the National Practitioner Data Bank,* 33 CARDOZO L. REV. 101-65 (Spring 2012).

-Van Tassel, K, Goldman, R., *The Growing Consumer Exposure to Nanotechnology in Everyday Products: Regulating Innovative Technologies in Light of Lessons from the Past*, 44 CONN. L. REV. 481-530 (2012).

-Van Tassel, K., *Slaying the Hydra: The History of Quack Medicine, the Obesity Epidemic and the FDA's Battle to Regulate Dietary Supplements,* 6 INDIANA HEALTH L. J. 204-50 (2009).

-Van Tassel, K., *Genetically Modified Food, Risk Assessment and Scientific Uncertainty Principles: Does the New Understanding of the Networked Gene Trigger The Need For Post-Market Surveillance to Protect Public Health?* 15 B.U. J. SCIENCE & TECH. LAW 220-251 (2009).

- Van Tassel, K., *Hospital Peer Review Standards and Due Process: Moving From Tort Theories To Contract Principles Based on Clinical Practice Guidelines*, 36 SETON HALL L. REV.1179-1256 (2006).

-Van Tassel, K., *The Introduction of Biotech Foods to the Tort System: Creating a New Duty To Identify,* 72 U. CINN. L. REV. 1645-1705 (2004).

**BOOKS**

- O'Reilly, J. T., Van Tassel, K., *Legal Almanac: How to Protect Elders From Harm* (2d ed. 2012) (West/Thomson).

- O'Reilly, J. T., Van Tassel, K., *Litigating the Nursing Home Case* (2d ed. 2012) (ABA Press).

**BOOK REVIEWS**

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

**NEWS ARTICLES**

-Van Tassel, K., *Adding Biotech Food to the Tort System*, W. MASS. L. TRIB. (2002).

-Van Tassel, K. *The Impact of the Proposed Patient Bill of Rights on Massachusetts Law*, W. MASS. L. TRIB. (2002).

**LEGISLATION**

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

## ONLINE ACTIVITIES

Editor: *Health Law Prof Blog* (a member of the Law Professor Blogs Network), http://lawprofessors.typepad.com/healthlawprof_blog/ (a national blog with, on average, 5,000 to 7,000 page views per month).

Regular Contributor: *Bill of Health*, Petrie Flom Center, Harvard School of Law.

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

## PRESENTATIONS

- *Product Recalls for Innovative Biotechnologies*, The University of Chicago Legal Forum's 2013 Symposium *Frontiers of Consumer Protection* (The University of Chicago, November 2, 2012).

- *Overriding the Experts: Executive Rejection of Administrative Agency Expertise*, Section of Administrative Law and Regulatory Practice, 2012 ABA Annual Meeting (Chicago, Ill., 2012).

- *Issues in Mental Health Law: Genes, Behavior and Litigation:Recent Developments in Law & Psychiatry; Reforming Mental Health Parity Law*, Southeastern Association of Law Schools (SEALS) 2011 Annual Conference (Hilton Head Island, July 29, 2011)(Moderator).

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

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

- Testimony, *Biotechnology Issues*, Massachusetts Legislators' Biotechnology Caucus (2007).

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

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

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

- *Current Legal Issues in Pre-implantation Embryonic Genetic Testing,* Annual Massachusetts Medical Association OB/GYN Seminar (Springfield, MA 2005).

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

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

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

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

**PROFESSIONAL MEMBERSHIPS**

Executive Board, Law, Medicine and Healthcare Section, American Association of Law Schools (2012 – present).

Executive Board, Law and Mental Disability Section, American Association of Law Schools (2012 – present).

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

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

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

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

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

**BAR ADMISSIONS**

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