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: Quality, Cost and Access, Healthcare Organization and Finance, Government Provision of Healthcare, Bioethics, Public Health Law, Food & Drug Law and Torts. Member: Curriculum Committee. Drafter: Proposal For Certificate in Health Law for JD Candidates and Post-JDs; Proposal for Public Health Law and Science Center.

Adjunct Professor of Law: Northeast Ohio Medical University, 2013. Courses: Health Law.

Professor of Law: St. Thomas University School of Law**,** 2012; Associate Professor of Law, 2010-12. 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 national 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., *Regulating Uncertainty: Animating the Public Health Safety Net to Capture Consumer Products that Use Innovative Technologies*, 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., *Using Clinical Practice Guidelines and Knowledge Translation Theory to Cure the Negative Impact of the Hospital Peer Review Hearing System on Health Care Quality, Cost, and Access*, 40 PEPPERDINE L. REV. 911-975 (2013).

- Van Tassel, K., *Harmonizing the Affordable Care Act with the Three Main National Systems for Healthcare Quality Improvement: The Tort, Licensure and Hospital Peer Review Systems*, 78 BROOK. L. REV. 1-41 (2013).

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

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

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

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

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

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

BOOKS

- O'Reilly, J. T., Van Tassel, K., *Litigating the Nursing Home Case* (2d ed. forthcoming 2013) (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).

GRANT PROPOSAL

-Van Tassel, K. and O'Sullivan, T., *Public Health Disaster Law Preparedness Project Grant to be Submitted to the National Science Foundation* (2013)($300,000 grant proposal to evaluate and modernize the antiquated public health laws of the central mid-western states that govern isolation and quarantine used to deal with pandemic influenza (e.g., H5N1), totally drug-resistant tuberculosis, acts of bioterrorism, or accidental releases of bioengineered infectious or nano-bio agents to deal with concerns over accountability, personal liberty, due process, and privacy law, as well as the scope of inter-jurisdictional transfer authority. This project will also create training modules in Public Health Disaster Law and provide training to enhance the competency of those who will respond to such events, including local health officials and community or state leaders, in navigating the legal system to obtain judicial support in the enforcement of public health laws).

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: *HealthLawProf 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

- *First Amendment and FDA Regulation of Off-Label Promotion of Drugs by Manufacturers*, Section of Administrative Law and Regulatory Practice, 2013 ABA Annual Meeting (San Francisco, CA., 2013).

- *Regulating Uncertainty: Animating the Public Health Safety Net to Capture Consumer Products that Use Innovative Technologies and Biotechnologies including Nanotechnologies, Genetically Modified Food and Cloning to Create Lab Grown Meat*, Northeast Ohio Faculty Colloquium (Twinsburg, Ohio, April 19, 2013) (presentations given by senior faculty from the Case Western Reserve, Akron and Cleveland State Law Schools on works in progress).

- *Navigating the Practice of Law in the Wake of Ethics 20/20 - Globalization, New Technologies, and What it Means to be a Lawyer in These Uncertain Times*, The Joseph G. Miller and William C. Becker Center for Professional Responsibility (Akron, Ohio, April 5, 2013) (Moderator).

- *Regulating Uncertainty: Animating the Public Health Safety Net to Capture Consumer Products that Use Innovative Technologies and Biotechnologies*, The University of Chicago Legal Forum's 2013 Symposium *Frontiers of Consumer Protection* (The University of Chicago, 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

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

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).