



The Petrie Flom Center for Health Law Policy, Biotechnology, and Bioethics

Annual Report of Activities 2006-2007

Executive Summary

We are enthusiastic to submit this report chronicling the Petrie-Flom Center's first operational year of activities. While we will not be at full staffing until the rest of our crew of fellows join in September, the many achievements the Center has experienced thus far are widespread, and excitement about our mission is palpable. The Center has attracted attention at Harvard and beyond, engaging leading intellectuals from all across the country in fields at the intersection of health and law. Through the Center's variety of programs and initiatives, we have demonstrated significant success toward our mission to foster the development of a new generation of promising scholars who will play a key role in defining the growth of the field of health law.

The most notable and exciting advances of the Center's first year have been those made in our research and fellowship programs. The Center has succeeded in developing, fostering, and establishing a home to a community of the finest scholars dedicated to research in the fields of health law. Without the support from the Center, many of its affiliated scholars would not have focused their work on issues of health law policy and bioethics as much as they have. These programs have thus been very successful in achieving its goal of getting top minds to focus on this field, where they otherwise might not have.

By definition, the nature of the Center's work is interdisciplinary and cuts across traditional academic disciplines, engaging the attention of scholars and practitioners to explore and define the complex challenges at the intersection of health and law. Driven by the Center's programmatic component and participation in activities undertaken in collaboration with a number of Harvard University programs and student groups, we have established strong links to programs and individuals throughout the university. The interdisciplinary nature of the fields addressed by the Center's core initiatives necessitates strong links and wide reaching collaboration with colleagues in various fields from within Harvard Law School and from across the University. The workshop, conferences and events program in this first year has helped to establish the Center as a local hub of intellectual debate and a source of information about critical issues concerning health law, policy, biotechnology and ethics. We expect that our future programming will continue to serve this role, and will expand to draw even wider national attention to the Center's leading role as a forum for non-partisan, intellectual debate about these issues.

2006-07 Report of Activities

Research and Scholarship

Faculty Summer Research Grants

The faculty summer research grants have proven to be an effective means to encourage law faculty to pursue research on important issues at the intersection of health and law. During the summer of 2006, the Center sponsored three research projects by Harvard Law School faculty members working on issues at the intersection of health and law.

- **Professor William Fisher** conducted research leading to a forthcoming book published by Stanford University Press, co-authored with Petrie-Flom Academic Fellow, Talha Syed, titled *Drugs, Law and the Health Crisis in the Developing World*;
- **Professor David Rosenberg** researched and co-authored an article, forthcoming in the Journal of Legal Studies, titled "Improving Medical Malpractice Liability by Allowing Insurers to Take Charge"; and
- **Professor Elizabeth Warren** continued research on an ongoing project concerning medical bankruptcy titled "Medical Bankruptcy: Get Sick and Go Broke. Prof. Warren's research, has received widespread attention in the New York Times and was recently the subject of her testimony in a House of Representatives Subcommittee on Commercial and Administrative Law, titled Hearing on Working Families in Financial Crisis: Medical Debt and Bankruptcy ,

Academic Fellows

In September 2007, we welcomed our inaugural group of four academic fellows for the 2006-2008 fellowship period. **Glenn Cohen, Holly Fernandez Lynch, Ben Roin, and Talha Syed** exemplify the Center's mission, and through their work have driven the many successes of our first year of operations. In this first year of their two year long fellowships, Glenn, Holly, Ben and Talha have made quick strides in their respective research projects:

- The first article by Glenn Cohen was accepted for publication by the Stanford Law Review. He is currently working on a companion article that moves beyond constitutional analysis to examine how the law's treatment of unwanted genetic parenthood should differ from its treatment of unwanted gestational and legal parenthood.
- Holly Fernandez Lynch has completed a manuscript currently under peer review by Johns Hopkins University Press and MIT Press. Her book is entitled *Conflicts of Conscience in Health Care: An Institutional Compromise* and analyzes conscience clauses used by physicians to deny medical care on moral grounds.
- Ben Roin has been working on a series of articles explaining how many patent doctrines are counterproductive for purposes of promoting pharmaceutical innovation because they focus on rewarding drug discovery rather than drug development. In particular, Ben is examining the patent system's failure to provide incentives for the production of clinical-trial data, and possible solutions to the problem.
- Talha Syed's article "Global Justice in Health Care: Developing Drugs for the Developing World" co-authored with Prof. Fisher, has recently been published in the UC Davis Law Review (vol. 40, no. 3). He is also largely done with his book for Stanford University Press

(also co-authored with Professor Fisher), titled *Drugs, Law, and the Health Crisis in the Developing World*. Talha is now working on his own book, which evaluates the current the domestic (U.S.) patent regime as it applies to both "upstream" research in the public-sector life sciences and "downstream" private-sector biopharmaceutical research and development.

This year's academic fellows also served many other important functions in developing an interdisciplinary intellectual community at the Center about these issues. They built strong connections to other programs around the University and played an active role in the programmatic activities of the Center, and advised current and prospective students interested in the Center and health law.

Contributions to HLS Teaching Program

For the 2006-07 academic year, Harvard Law School offered seven courses in health law, policy and bioethics. High enrollments, averaging about 30 students per course, demonstrated strong interest in the fields of inquiry addressed by the Center and its educational mission. Following is a list of the classes and final enrollment numbers for each course:

- | | |
|--|-------------------|
| • Health Care Law – Prof. Malani | 39 Students |
| • Health Law Policy Workshop – Prof. Elhauge | 59 Students |
| • Psychiatry and the Law – Prof. Stone | 22 Students |
| • Food and Drug Law – Prof. Hutt | 47 Students |
| • Political Economy of Health Care – Prof. Kessler | 11 Students |
| • Ethics and Health Policy – Prof. Daniels | 12 (HLS) Students |
| • Law and Public Health – Prof. Mello | 42 Students |

Health Law Policy Workshop

The intellectual centerpiece of the Center's curricular initiative, the first Health Law Policy and Bioethics workshop offered in the fall semester of 2006 was very successful. Eleven leading scholars from Harvard and around the country participated, presenting their research works-in-progress at the cutting edge of scholarship in health law, policy and bioethics. In addition to an extremely high enrollment of over 50 students from across Harvard University, the Workshop frequently attracted professors from Harvard and other schools in the Boston area, whose participation added significantly to the depth and richness of the issues debated.

Exposure to this high-level discussion resulted in great intellectual growth for students, evidenced in the increased sophistication of their arguments and critical reasoning about the complex issues addressed by the class. One professor who spoke toward the end of the semester remarked that the written comments he received from enrolled students about his paper were the best comments he had ever received for any workshop anywhere.

Participation of HLS Students in Program Activities

Academic Year Student Fellowships

Open to second and third-year Harvard Law School students and graduate students at other health policy and bioethics graduate programs at Harvard, student fellowships were awarded to 19 students pursuing part-time research during the school year. Representing a wide variety of interests, this first group of student fellows demonstrated numerous individual successes in their research projects. Following is a list of student fellows and brief descriptions of their research projects:

- **Sara Abiola** explored the connection between judicially fashioned standards of care in the medical context and health outcomes for patients. Specifically, she focused on whether broad or narrow constructions of EMTALA's required medical screening examination is associated with patient transfers and the amount of uncompensated care provided by hospitals.
- **Alexander Boni-Saenz** researched Long-term Care Insurance Regulation and how to ensure the market operates efficiently and with sufficient safeguards for consumers.
- **Laura Eichorn** explored models to improve access to health care and increase inter-agency coordination in the provision of services to children who face multiple disadvantages.
- **Hani Elias** analyzed whether those in developing countries are sufficiently protected through U.S. law against torts committed by US drug companies.
- **Matthew Gordon** researched the legal and ethical issues involved in the decision whether to return individual results to participants in genetics research.
- **Rebecca Hamilton** wrote a paper incorporating the perspective of anonymously donor-conceived adults into the debate over gamete donor anonymity.
- **Juliana Han** explored the question of who should regulate genetic engineering, and how, balancing an understanding of the unique characteristics of the technology and the role and authority of each potential regulatory body.
- **Eunice Kim** analyzed the internal organization of hospitals as a function of regulatory structures, examining in particular, the impact of regulations concerning reimbursement, corporate practice of medicine, and staff privileges on coordination and communication.
- **Brenda Lee** wrote a paper challenging Michael Sandel's theory of giftedness concerning when parents should be able to use pregenetic testing on embryos.
- **Rochelle Lee** did a project with two parts: first, a general assessment of how California's stem cell initiative (Prop. 71) has been implemented (what research has been done, what the successes and failures are, and how the bond money is being spent), and second, a comparative study of California's stem cell initiative with other states that have implemented similar measures (including Massachusetts, New Jersey, Wisconsin, and Illinois) to identify what has worked in each case and what hasn't.
- **Nike Opadiran** using Partners in Health as a case study, examined the ways in which the legal structures in Haiti have enabled and disabled the vitality of civil society in the context of the infectious diseases.
- **Christopher Robertson** finished and published an article analyzing philosophical and economic issues raised by efforts to solve the shortage of organs for transplants and offering a new solution, and also wrote an article that studied the relationship between consumer's medical crises and home ownership, by surveying consumers currently facing foreclosure on their homes.
- **Leah Satine** did a research project focusing on domestic violence and domestic homicide risk assessment, specifically as the issues relate to pregnancy. The goal of this project was to develop a feasible protocol for improving physician identification of pregnant women and postpartum mothers at risk of domestic violence or homicide.

- **David Sclar** researched a paper examining proposals for and the implementation of the mandatory, standardized registration of clinical trials in the United States.
- **Dan Vorhaus** evaluated the current informed consent protocols and regulation for human genetics research programs in light of increasingly substantial risks to participant privacy and confidentiality.
- **Christopher Walsh** studied the possibilities of neural augmentation through electronics or genetic engineering. His research investigated appropriate intellectual property policy regarding such devices and examined additional ethical and legal issues surrounding such enhancement.
- **Sarah Weston** studied the promise and challenges of state-based health care reform taking into account past and potential future health reforms in Oregon, and asked whether freeing states from federal regulation to allow for more radical experimentation would be possible and/or wise.
- **Heidi Williams** did an empirical study of whether the introduction of the prostate cancer (PSA) screening test had "dynamic effects" in terms of affecting incentives for pharmaceutical firms to develop new drugs for the treatment of prostate cancer.
- **Kathy Wong** researched the Dietary Supplement and Nonprescription Drug Act which became law in the waning hours of 2006. She argued that the Act does not accomplish its stated goal of improving consumer safety.

The fellowship program required enrollment in Prof. Elhauge's Health Law Policy Workshop, a part of the health law curriculum. The program also required participation in a Wednesday Lunchtime Speakers Series. This meeting featured informal presentations by other fellows and outside speakers.

In an effort to improve the student fellowship program and to foster a stronger academic community, the Center will revise the program for the 2007-08 academic year by curtailing the number of fellowships awarded, offering modest stipends, and requiring participation in the academic components of the program. We will change the Wednesday Lunchtime Speakers Series into a reading group that carries academic credit for participation. See the course description for the Health Law Reading Group under the report of the Center's curricular initiatives.

Summer Fellowships

Open to Harvard students interested in pursuing full-time research projects, summer fellowships provided a stipend, access to the Center's and Harvard Law School's research resources, and an office at the Petrie-Flom Center for two and a half months during the summer break.

In 2006, the center sponsored one fellow, **Dov Fox**, a graduate of Harvard College who is currently a Rhodes Scholar at Oxford University. In his summer research project "Genetic Engineering and the Egalitarian Ethos," Dov hypothesized ways in which the genetic design of children might impact egalitarian attitudes in society.

Other Student Support

This year, the Center awarded research funds to **Jasmin Sethi**, a joint JD and Economics PhD student conducting summer research paper examining the economic consequences of ERISA preemption in the area of health care. Funds were used to gain access to a data-set at the National

Bureau of Economics Research.

Student Lead Event Programming

In the spring of 2007, the Center partnered with a number of students from across the University, led by **Brendan Hickey** a 2L at HLS, to program a panel discussion on the impact of university/biotechnology licensing agreements on access to medicines in the developing world. This panel was conceived, planned and arranged in conjunction with leaders from the student groups *Universities Allied for Essential Medicines*, and *Ethics Law and Biotechnology*. Following is a description of the event.

From Discovery to Delivery: The Impact of University/Biotech Licensing Agreements on Access to Medicines in the Developing World

April 9, 2007

This panel discussion was convened to debate the role of university research and creative licensing in providing essential medical technology to the developing world. Universities, dedicated to the public good, research and patent many of the most needed medicines, but license their patent rights in exchange for royalties to pharmaceutical companies that develop drugs. Through this prevailing technology transfer process, access to low-cost medicines to respond to health needs in the developing world is frequently stalled. Attended by over 50 students and faculty from across the university, the panel discussed the means by which licensing agreements are contracted and the challenges to accommodating the competing challenges of global health needs versus the costs of discovery and development. Several panelists spoke from a variety of different perspectives on the pertinent issues.

Connections to the Profession

In 2006-2007, a number of invitations to various practitioners focusing on research and advocacy in fields at the intersection of health and law were invited to the Center to discuss their work. Following is a list of these guests and descriptions of the talks they presented to the HLS community.

Advocacy and Government Professionals

Follow-on Biologics: The Challenge of Market Protection

March 22, 2007

The Center welcomed **Gregory J. Glover**, JD, MD of Pharmaceutical Law Group PC of Washington, DC for a presentation on the policy issues and legal implications concerning the development of a generic market for biotechnological medicines. Of particular interest to his discussion were the challenges for innovator market protection posed by an abbreviated approval system for biologics. He discussed the complex regime that governs pioneer-generic competition for small molecule drugs and delineated the differences in legal, regulatory, and scientific issues for biologics that should be considered in the development of any abbreviated approval system for follow-on biologics, an issue soon to be debated in Congress.

Hospital Competition and Charity Care

April 4, 2007

As part of the Wednesday Speaker Series, **Christopher J. Garmon**, an economist in the Antitrust division of the Federal Trade Commission came to the Center to discuss his research on hospital competition and charity care. His presentation explored the relationship between competition and hospital charity care by analyzing changes in charity care associated with changes in a hospital's competitive environment (due to mergers and divestitures). He argued that despite the pervasive belief that competition impedes a hospital's ability to offer services to the uninsured and underinsured, no statistically significant evidence proved that increased competition leads to reductions in charity care. He also discussed some evidence suggesting that reduced competition leads to higher prices for uninsured patients.

Career Talks by Local Legal Practitioners

Responding to student interest in careers in health law practice, the Center collaborated with the Harvard Law School Office of Career Services and the Harvard Law School Alumni Center to organize and sponsor two career talks by notable local practitioners.

Michele Garvin, JD, Partner at Ropes & Gray LLP and head of the Health Law Practice, visited the Center on February 21 and informally discussed her career, her views on the status of the field, and advised students on what skill sets and practical experience from law school would contribute to their success in the pursuit of a career as a health law attorney.

Peter Wirth, JD, Executive Vice President of Legal and Corporate Development and Chief Legal Officer of Genzyme Corporation was invited by the Center, in collaboration with the Harvard Law School Alumni Center, to visit on March in order to talk with Law School students about his career and experience as corporate counsel to a leader in the biotech industry. Several Petrie-Flom fellows attended the lunchtime talk, and Professor Elhauge moderated the discussion.

Collaboration with Other Schools and Departments at Harvard

Integral to the nature of the Center's main fields of inquiry, cross-disciplinary collaboration with programs at Harvard Law School and across Harvard University is fundamental to almost every initiative that is part of our core set of activities. From academic fellows' participation in seminars at HMS and HSPH, to a student fellows program that comprises a students from more than five faculties, to the broad participation of affiliates from multiple faculties in almost every public event held by the Center, our collaboration with other schools and departments at the university and the cross-faculty engagement in the scholarly debates examined through the work of the Center is critical to our success and a key objective in nearly everything we set out to do. The most public and specific example of this type of collaboration this past year was the first major conference hosted by the Center: *Re-Engineering Human Biology: What should be the ethical and legal limits?* The program for this conference was developed, designed, and executed through coordinated effort from the Petrie-Flom Center, the Harvard Stem Cell Institute, and the Harvard University Program in Ethics and Health. A brief description follows.

Re-Engineering Human Biology: What should be the ethical and legal limits?

March 19-20, 2007

In its first major conference, the Center gathered leading figures in law, bioethics, science, and philosophy to explore the legal and ethical implications of new biotechnology. The two day conference assembled more than fifty academics, among whom were many of the world's leading scientists and legal and ethical scholars. Participants included **Ronald Dworkin, Einer Elhauge, Frances Kamm, Leon Kass, Douglas Melton, Steven Pinker, Richard Posner, Michael**

Sandel, Seana Shiffrin, and Cass Sunstein. The public panel was attended by more than 350 students and scholars from the area. The conference was coordinated in collaboration with the Harvard University Program in Ethics and Health, and the Harvard Stem Cell Institute, and was financially sponsored by the Cammann Endowment in Law and Medicine.

Other Activities

Global Health and Human Rights Initiative

Endowed by a generous gift from Joseph H. Flom '48, the Global Health and Human Rights Initiative at Harvard Law School is a program jointly driven by the Human Rights Program at Harvard Law School, and the Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics. The core mission of the initiative is carried out through a joint fellowship program, annual conferences, and research projects. This first year of the initiative saw the selection of our first set of candidates (elaborated on below in the plans 2007-08 section) and sponsorship of the following interdisciplinary conference at the School of Public Health.

Conference Sponsorship

Funds from the Global Health and Human Rights Initiative were used to support an interdisciplinary conference on human rights and health at Harvard. The Program on International Health and Human Rights at Harvard School of Public Health, in collaboration with The University of New South Wales' Initiative for Health and Human Rights, hosted an invitation-only meeting titled, "Health and Human Rights Education in Academic Settings" on November 3, 2006. This meeting was timed to coincide with the 2006 American Public Health Association annual conference, which was held in Boston and titled 'Public Health and Human Rights'. The meeting brought together a diverse group of academics and experts to help facilitate ongoing discussion among health and human rights educators, with the aims of improving the quality of teaching in this area, bringing it to a wider audience, and inspiring new initiatives.

Communications

In June of 2006, the Center launched a new website to communicate the Center's mission and initiatives to a worldwide audience. The site serves not only as a resource for local constituents to stay abreast of the Center's activities, but also provides opportunities for people outside of the Boston area to learn about and apply to our fellowship programs directly, and to partake in our programmatic initiatives through a complete library of webcasts of our events. It also has been designed to accommodate the future indexing of a bi-annual newsletter, which we plan to develop in the coming year.

2007-08 Plans for Activities

Research and Scholarship

Faculty Summer Research Grants

In the summer of 2007, the Center will support the following Harvard Law School faculty with research grants for health law related projects:

- **Professor Einer Elhauge** on the proper regulatory limits on re-engineering human biology
- **Professor Mark Ramseyer** on the regulation of the Japanese health care industry and their national health insurance system, and
- **Professor Elizabeth Warren** who will expand upon her research undertaken last year concerning medical bankruptcy, tentatively titled, “Get Sick, Go Broke”

Senior Fellow

In the fall of 2007, **Frances Kamm** will be the Center’s first senior fellow in residence for the academic year. Professor Kamm is a Professor of Philosophy in the Harvard Philosophy Department and Littauer Professor of Philosophy and Public Policy at the Kennedy School of Government. She is currently working on issues relevant to health policy, biotechnology and bioethics. During her fellowship she plans to work on a book on bioethics.

Academic Fellowships

In September 2007, we will welcome the addition of three new academic fellows to the Center: **Abigail Moncrieff**, **JP Sevilla**, and **Mark Stein**. They are a highly promising group of scholars, whose research backgrounds show insightful and innovative approaches to health law.

- Abigail Moncrieff graduated from the University of Chicago Law School in 2006. She won the Law School's award for best paper in the class, the topic of which was equal access provisions in Medicaid. She plans to focus her research on an important empirical study of the vital but ill-understood issue of how employers actually behave when shopping for health insurance on behalf of their employees.
- JP Sevilla comes to the Center from an appointment as Assistant Professor of International Health Economics at the Harvard School of Public Health. He has a PhD in economics from Harvard and is recognized as a prominent new scholar in medical philosophy. He plans to work on a novel idea about how egalitarian principles of justice that apply across different time-slices of any given person can justify and explain various features of how we allocate health care resources.
- Mark Stein is the author of a widely acclaimed book with Yale University Press on distributive justice and medical disabilities. He has a JD from the University of Michigan and a PhD in political science from Yale University. He plans to work on social welfare considerations in informed consent, the relationship between disability law and moral philosophy, and a critique of philosophical arguments for random allocations of scarce medical resources.

Contributions to HLS Teaching Program

We have lined up an impressive curriculum of course offerings for the 2007-08 academic year. During the fall semester of 2007 alone, Harvard Law School will offer an unparalleled selection of six courses in health law. Among these classes will be a survey class in health care law, three different seminars focusing, respectively, on health law policy, ethics and biotechnology, and stem cell research, a course on the ethics and practice of law and medicine, and an informal reading group on health care policy. We will welcome two visiting professors to the teaching team for this curriculum: **Russell Korobkin** of the University of California Los Angeles and **William Sage** of the University of Texas at Austin, both well known leaders in their respective specializations of healthcare law. The list of course offerings to date are:

- | | |
|---|-------------------------------------|
| • Ethics, Biotechnology & Law: Seminar | Sandel, 2 credits, Fall |
| • Health Care Law | Sage, 3 credits, Fall |
| • Health Care Policy: Reading Group | Elhauge, 1 credit, Fall |
| • Health Law Policy Workshop | Elhauge & Korobkin, 2 credits, Fall |
| • Comparing Ethics & Practice in Law & Medicine | Sage, 2 credits, Fall |
| • Stem Cell Research: Seminar | Korobkin, 2 credits, Fall |
| • Food & Drug Law | Hutt, 3 credits, Winter |
| • Psychiatry & the Law | Stone, 3 credits, Winter |
| • Ethics & Health Policy | Daniels, 3 credits, Spring |
| • Genetics & Reproductive Technology: Seminar | Cohen, 2 credits, Spring |
| • Law & Public Health | Mello, 3 credits, Spring |

Health Law Policy Workshop

The Fall 2007 semester session of the Health Law Policy and Bioethics Workshop will be co-taught by Professor Elhauge and Visiting Professor Russell Korobkin. The schedule includes an impressive lineup of twelve nationally leading scholars in the fields of health law and bioethics. Enrollment in the workshop will be limited in order to provide more opportunity for interaction and debate.

Health Law Reading Group

The Health Law Reading Group is designed to provide an opportunity for students and fellows to discover and discuss one another's work, as well as to debate informally the work of outside guests. Replacing the Wednesday Lunchtime Speakers Series, the reading group will continue to fulfill the objective of fostering a sense of community among the Center's fellows, students, and faculty, and will provide a forum where affiliates can informally share and develop ideas. Enrollment in the reading group will carry credit for student participation.

Participation of Students in Program Activities

Student Fellowship Program

Building on the successes and lessons of the first year of this important component of the Center's mission, the Student Fellowship program for the 2007-2008 academic year will feature nine fellows, chosen from a pool of over 20 applicants from nearly all the various schools at Harvard. Following is a list of the 2007-2008 Student Fellows and brief descriptions of their research interests:

- **Jordan Amadio** is a joint MD and MBA candidate at HMS and HBS. He will explore the neuro-ethical problem of free will by focusing on real-world technologies and situations posing

ethico-legal difficulties during his fellowship.

- **Daniel Chen** will be a second year JD student at Harvard Law School. Using a proprietary data-set, Daniel will examine how physicians make choices about their prescribing practices.
- **Greta Gao** will be a third year JD candidate at Harvard Law School. Her research will examine whether and to what degree individuals should be held morally responsible for their own health, and also how much, if at all, this responsibility should be reflected in the allocation of health resources.
- **Matthew Gordon** will be a third year JD student at Harvard Law School. His research for the 2007-08 academic year will explore the legal and ethical obligations of researchers to disclose potentially significant findings to subjects participating in clinical trials.
- **Adam Jed** will be a third year JD at Harvard Law School. During his fellowship, he will write about the idea of “fairness” in relation to the allocation of scarce medical resources and offer consequentialist analyses of the topic.
- **Eunice Kim** will be a third year JD candidate at Harvard Law School. She plans to analyze the effect of regulatory structures on hospitals’ internal organization.
- **Jonathan Kolstad** is working towards a PhD in the Economics track of the Health Policy graduate program at the Graduate School of Arts and Sciences. His fellowship project will investigate pharmaceutical companies’ beliefs about regulation by the Center for Medicare and Medicaid services.
- **Aaron Schohn** will be an exchange student for the 2007-08 academic year working towards a JD from Boalt Hall. His fellowship project will focus on the legal and economic analysis of Proposition 71, the California Stem Cell Research and Cures Act, and the role of the California Institute for Regenerative Medicine.
- **Neel Shah** is pursuing a joint MD and MPP from Brown Medical School and the Kennedy School of Government respectively. His research project will focus on the impact of legal challenges posed by health information technology on medical practice.

In addition to enrollment in the Health Law Policy Workshop and the Health Law Reading Group, student fellows will be awarded modest stipends and support for research costs and be eligible to participate in a competition for a writing award at the end of the academic year.

The Center expects to work again with students and student-run organizations to coordinate events in the fields of health law, policy and bioethics. Some student fellows have already expressed interest in helping to organize and plan the Center’s major conference, which is planned for the spring semester and elaborated on below.

Summer Student Fellow

For the summer of 2007, the Center has accepted one fellow, **Erica Hemphill**, a rising first-year graduate student in ethics track of the Health Policy PhD program at the Harvard Graduate School of Arts and Sciences. Erica will conduct a research project entitled "Olmstead v. L.C. and its Implications for Community-Based Care."

Collaborations with Other Schools and Departments at Harvard

We are currently in the early planning stages for two conferences for next year to be developed and held in collaboration with several programs across the University including the Program on Ethics and Health at the Harvard Medical School:

- A conference tentatively titled *What If Moral Intuitions Are Biologically Hardwired?: The Legal and Philosophical Implications*, for January 2008. It will be a collaborative effort with the Harvard Program in Ethics & Health and Harvard Medical School, and is designed to engage participation from faculty all across Harvard University. Our aim for this conference is to provide a substantive follow-up to the first Harvard Inter-faculty Retreat in Health Policy and Bioethics that was conducted in summer 2006, and was more introductory in nature.
- A conference tentatively titled *Healthcare Fragmentation: What Are the Causes and Possible Solutions?* This may be held in June 2008.

Other Activities

Global Health and Human Rights Initiative

Fellowships

We are pleased to report that this year we have extended offers to the first two fellows of the Joseph H. Flom Global Health and Human Rights Initiative. Out of 24 applicants, we have accepted two candidates with promising research proposals. They are:

- **Alicia Ely Yamin** will begin her fellowship in September 2007. She is an instructor in Law & Public Health at the Harvard School of Public Health and director of Research and Investigations at Physicians for Human Rights. Alicia's research interests have focused on the conceptualization of the right to health in both economic and social terms. She received both her JD and her MPH from Harvard University. During her fellowship Alicia will explore dimensions of the right to health and, in particular, possibilities for, and challenges to establishing accountability for violations and progress;
- **Aeyal Gross** will commence his fellowship in September 2008. He is a professor at Tel Aviv University Faculty of Law, and an SJD graduate of Harvard Law School. Aeyal is well-recognized in the field of international human rights and often cited for his landmark article on health in human rights in Israel entitled "Health in Israel: Between a Right and a Commodity." In addition to authoring more than a dozen publications, Aeyal has co-authored a forthcoming volume of cutting edge theory about the nature of social rights. During his fellowship, Aeyal will focus on examining the ability of the concept of "right to health" to untangle the resource dilemmas around the provision of health services.

Conferences

The Center plans to work in conjunction with the Human Rights Program at Harvard Law School and with the Initiative's inaugural fellow Alicia Yamin to coordinate a conference on health and human rights in the spring.