

Sage, William M.

*James R. Dougherty Chair for Faculty Excellence
Vice Provost for Health Affairs, The University of Texas at Austin*

Edited Books

Medical Malpractice and the U.S. Health Care System (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006.

Uncertain Times: Kenneth Arrow and the Changing Economics of Health Care (Peter J. Hammer, Deborah Haas-Wilson, Mark A. Peterson, and William M. Sage, eds.). Durham, NC: Duke University Press 2003.

Law Review Articles

Sage WM, Zivin JG, and Chase NB, Bridging the Relational-Regulatory Gap: A Pragmatic Information Policy for Patient Safety and Medical Malpractice, *Vanderbilt Law Review* 2006; 59(4): 1263-1308.

Sage WM. Some Principles Require Principals: Relational Duties, Regulatory Duties, and “Conflicts of Interest” in Biomedical Research (work in progress).

Sage WM. The Role of Medicare in Medical Malpractice Reform. *Journal of Health Care Law & Policy* 2006 (forthcoming) (symposium on medical liability reform).

Sage WM, Zivin JG, and Chase NB. Bridging the Private-Public Divide: A Pragmatic Information Policy for Medical Malpractice and Patient Safety. *Vanderbilt Law Review* 2006 (forthcoming).

Sage WM. McDonald-Merrill-Ketcham Lecture: Pay for Performance: Will It Work In Theory? *Indiana Health Law Review* 2006; 3(2): 305-324 (symposium on pay for performance).

Kinney ED and Sage WM. Resolving Medical Malpractice Claims in the Medicare Program: Can It Be Done? *Connecticut Insurance Law Journal* 2005-06; 12(1): 77-136 (symposium on health care).

Sage WM. Malpractice Reform as a Health Policy Problem. *Widener Law Review* 2005; 12: 109-121 (symposium on medical malpractice) (published in 2006).

Sage WM. Malpractice Insurance and the Emperor’s Clothes. *DePaul Law Review* 2005; 54(2): 463-484 (Clifford Symposium on tort law).

Sloan FA, Mathews CA, Conover CJ, and Sage WM. Public Medical Malpractice Insurance: An Analysis of State-Operated Patient Compensation Funds. *DePaul Law Review* 2005; 54(2): 247-276 (Clifford Symposium on tort law).

Sage WM. Managed Care's Crime: Medical Necessity, Therapeutic Benefit, and the Goals of Administrative Process in Health Insurance. *Duke Law Journal* 2003; 53(2): 597-651 (symposium on administrative law) (published in 2004).

Sage WM and Hammer PJ. A Copernican View of Health Care Antitrust. *Law & Contemporary Problems* 2002; 65(4): 241-290 (symposium on managed care).

Hammer PJ and Sage WM. Antitrust, Health Care Quality, and the Courts. *Columbia Law Review* 2002; 102(3): 545-649.

Sage WM and Hammer PJ. Competing on Quality of Care: The Need to Develop a Competition Policy for Health Care Markets. *Michigan Journal of Law Reform* 1999; 32(4): 1069-1118 (symposium on managed care regulation).

Sage WM. Regulating Through Information: Disclosure Laws and American Health Care. *Columbia Law Review* 1999; 99(7): 1701-1829.

Sage WM. Physicians as Advocates. *Houston Law Review* 1999; 73(5): 1529-1630 (invited health law annual issue).

Sage WM. Judicial Opinions Involving Health Insurance Coverage: Trompe L'oeil or Window on the World? *Indiana Law Review* 1998; 31(1): 49-73 (symposium on empirical research in health law).

Sage WM. Enterprise Liability and the Emerging Managed Health Care System. *Law & Contemporary Problems* 1997; 60(2): 159-210 (symposium on medical malpractice law) (published in 1998).

Sage WM. Funding Fairness: Public Investment, Proprietary Rights and Access to Health Care Technology. *Virginia Law Review* 1996; 82(8): 1737-1752 (symposium on regulating medical innovation).

Sage WM and Jorling JM. A World That Won't Stand Still: Enterprise Liability by Private Contract. *DePaul Law Review* 1994; 43(4): 1007-1043 (symposium on health reform).

Sage WM, Hastings KE, and Berenson RA. Enterprise Liability for Medical Malpractice and Health Care Quality Improvement. *American Journal of Law and Medicine* 1994; 20(1&2): 1-28 (symposium on quality of care).

Aiken LH and Sage WM. Staffing National Health Care Reform: A Role for Advanced Practice Nurses. *Akron Law Review* Fall 1992; 26(2): 187-211 (symposium on health reform) (published in 1993).

Sage WM. Drug Product Liability and Health Care Delivery Systems. *Stanford Law Review* 1988; 40(4): 989-1026 (student note).

Articles in Peer Review (Refereed) Journal

Sage WM, Paik M, Black BS, Silver CS, and Kinney ED. Medicare Beneficiaries and Malpractice Litigation: Data from Texas (working paper).

Hyman DA, Black B, Silver C, Sage WM, and Zeiler K. Do Defendants Pay What Juries Award? Post-Verdict Haircuts in Texas Medical Malpractice Cases, 1988-2003 (working paper).

Mello MM, Studdert DM, Schumi J, Brennan TA, and Sage WM. Changes in Physician Supply and Scope of Practice During a Malpractice Crisis: Evidence from Pennsylvania (submitted manuscript).

Pauly MV, Thompson C, Abbott T, Margolis J, and Sage WM. The Incidence of High Malpractice Premiums (submitted manuscript).

Conover CJ, Sloan FA, Eesley CE, Mathews CA, and Sage WM. Public Provision of Medical Malpractice Insurance: Pennsylvania's Experience (submitted manuscript).

Silver C, Zeiler K, Black B, Hyman DA, and Sage WM. Physicians' Insurance Limits and Malpractice Reform: Evidence from Texas Closed Claims 1990-2003. *Journal of Legal Studies* 2007 (forthcoming).

Sage WM. Malpractice, Patient Safety, and the Personification of Medical Injury: Opportunities for Academic Medicine. *Academic Medicine* 2006; 81(9): 823-826.

Hyman DA and Sage WM. Subsidizing Health Care Providers Through the Tax Code: Status or Conduct? *Health Affairs*; 25: W312-W315 (Web Exclusive, June 20, 2006).

Sage WM and Kalyan DN. Horses or Unicorns: Can Paying For Performance Make Quality Competition Routine? *Journal of Health Politics, Policy, and Law* 2006; 31(3): 531-556.

Mello MM, Studdert DM, DesRoches CM, Peugh J, Zapert K, Brennan TA, and Sage WM. Effects of a Malpractice Crisis on Specialist Supply and Patient Access to Care. *Annals of Surgery* 2005; 242(5): 621-628.

Kessler DP, Sage WM, and Becker DJ. The Impact of Malpractice Reforms on the Supply of Physician Services. *JAMA* 2005; 293(21): 2618-2625.

Studdert DM, Mello MM, Sage WM, DesRoches CM, Peugh J, Zapert K, and Brennan TA.

Defensive Medicine Among High-Risk Specialist Physicians During a Malpractice Crisis. *JAMA* 2005; 293(21): 2609-2617.

Black B, Silver C, Hyman DA, and Sage WM. Stability, Not Crisis: Medical Malpractice Claim Outcomes in Texas, 1988-2002. *Journal of Empirical Legal Studies* 2005; 2(2):207-259.

Sage WM. The Forgotten Third: Liability Insurance and the Medical Malpractice Crisis. *Health Affairs* 2004; 23(4): 10-21 (lead article).

Mello MM, Studdert DM, DesRoches CM, Peugh J, Zapert K, Brennan TA, and Sage WM. Caring for Patients in a Malpractice Crisis: Physician Satisfaction, the Physician-Patient Relationship, and Quality of Care. *Health Affairs* 2004; 23(4):42-53.

Hammer PJ and Sage WM. Monopsony as an Agency and Regulatory Problem in Health Care. *Antitrust Law Journal* 2004; 71(3): 949-988 (symposium on health care antitrust).

Hammer PJ and Sage WM. Critical Issues in Hospital Antitrust Law. *Health Affairs* 2003; 22(6): 88-100.

Sage WM. Protecting Competition and Consumers: A Conversation with Timothy J. Muris. *Health Affairs* 2003; 22(6): 101-110.

Mello MM, Kelly CN, Studdert DM, Brennan TA, and Sage WM. Hospital Behavior in a Tort Crisis: Observations from Pennsylvania. *Health Affairs* 2003; 22(6): 225-233.

Sage WM. Medical Liability and Patient Safety. *Health Affairs* 2003; 22(4): 26-36.

Sage WM. Unfinished Business: How Litigation Relates to Health Care Regulation. *Journal of Health Politics, Policy, and Law* 2003; 28(2&3): 387-419 (special conference issue, Who Shall Lead?).

Sage WM. Overdue Process (book review of *Protecting American Health Care Consumers* by Eleanor DeArman Kinney). *Health Affairs* 2003; 22(3): 241-242.

Sage WM, Hyman DA, and Greenberg W. Why Competition Law Matters to Health Care Quality. *Health Affairs* 2003; 22(2): 31-44.

Sage WM. Putting the Patient in Patient Safety. *JAMA* 2002; 287(22): 3003-3005 (invited editorial).

Sage WM. Insurance and the Moral Plurality (book review of *Embracing Risk: The Changing Culture of Insurance and Responsibility* edited by Tom Baker and Jonathan Simon). *Health Affairs* 2002; 21(2): 294-295.

Sage WM. The Lawyerization of Medicine. *Journal of Health Politics, Policy, and Law* 2001; 26(5): 1179-1195 (Special Issue, Kenneth Arrow and the Changing Economics of Medical Care, Peter J. Hammer, Deborah Haas-Wilson, and William M. Sage, eds.).

Hammer PJ, Haas-Wilson D, and Sage WM. Introduction: Why Arrow? Why Now? *Journal of Health Politics, Policy, and Law* 2001; 26(5): 835-849 (Special Issue, Kenneth Arrow and the Changing Economics of Medical Care, Peter J. Hammer, Deborah Haas-Wilson, and William M. Sage, eds.).

Sage WM. Principles, Pragmatism, and Medical Injury. *JAMA* 2001; 286(2): 226-228 (invited editorial).

Sage WM. UR Here: The Supreme Court=s Guide for Managed Care. *Health Affairs* 2000; 19(5): 219-223.

Studdert DM, Sage WM, Gresenz CR, and Hensler DR. Expanded Managed Care Liability: What Impact on Employer Coverage? *Health Affairs* 1999; 18(6): 7-27 (lead article).

Sage WM. Fraud and Abuse Law. *JAMA* 1999; 281(12): 1179-1181 (invited editorial).

Miller T and Sage WM. Disclosing Physician Financial Incentives. *JAMA* 1999; 281(15): 1424-1430.

Sage WM. Judge Posner's RFP: Antitrust Law and Managed Care. *Health Affairs* 1997; 16(6): 44-61.

Sage WM. Lessons from Breast Implant Litigation (book review of *Science on Trial: The Clash of Medical Evidence and the Law in the Breast Implant Case* by Marcia Angell). *Health Affairs* 1996; 15(4): 205-209.

Sage WM. "Health Law 2000": The Legal System and the Changing Health Care Market. *Health Affairs* 1996; 15(3): 9-27 (lead article).

Bolin JH and Sage WM. Payment Issues in Medi-Cal Managed Care. *California Health Law News* 1995; 15(3): 92-113.

Stern SJ and Sage WM. The California Health Facility Construction Loan Insurance Program. *Municipal Finance Journal* Spring 1992; 13(1): 30-50.

Sage WM, Kessler R, Sommers LS and Silverman JF. Physician-generated Cost Containment in Transurethral Prostatectomy. *Journal of Urology* 1988; 140(Aug.): 311-315.

Sage WM, Hurst CR, Silverman JF and Bortz WM. Intensive Care for the Elderly: Outcome of Elective and Non-elective Admissions. *Journal of the American Geriatrics Society* 1987; 35(4): 312-318.

Sage WM, Rosenthal MH and Silverman JF. Is Intensive Care Worth It? -- An Assessment of Input and Outcome for the Critically Ill. *Critical Care Medicine* 1986; 14(9): 777-782.

Book Chapters, Monographs, and Miscellaneous

Sage WM and Kinney ED. Medicare-Led Malpractice Reform: A New Idea That Just Might Work (Preliminary Report to the Commonwealth Fund) (forthcoming 2006)

Sage WM and Kinney ED. Medicare-Led Malpractice Reform, in *Medical Malpractice and the U.S. Health Care System* (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006: 318-349.

Sage WM. Malpractice Reform as a Health Policy Problem, in *Medical Malpractice and the U.S. Health Care System* (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006: 30-42.

Sage WM and Kersh RT. Introduction, in *Medical Malpractice and the U.S. Health Care System* (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006: 1-8.

Sage WM and Copland JR. Featured Discussion: Condition Critical?: Trial Lawyers and Health Care, Nov. 2005 (online discussion available at Pointoflaw.com).

Sage WM. New Directions in Medical Liability Reform, in *Malpractice and Medical Practice Handbook* (Richard Anderson, ed.). Totowa, New Jersey: Humana Press 2005: 247-278.

Sage WM. Reputation, Malpractice Liability, and Medical Error, in *Accountability: Patient Safety and Policy Reform* (Virginia A. Sharpe, ed.). Washington, DC: Georgetown University Press 2004: 159-183.

Sage WM. Panel Presentation on Education in Professional Values and Rules, in Record of Proceedings, Convocation on the Face of the Profession II: The First Seven Years of Practice. *Journal of the New York State Judicial Institute on Professionalism in the Law* 2003; 3(1): 38-44.

Sage WM. Understanding the First Malpractice Crisis of the 21st Century, in *2003 Health Law Handbook* (Alice G. Gosfield, ed.). St. Paul, Minnesota: West Group: 2003; 1-32.

Institute of Medicine. Fostering Rapid Advances in Health Care: Learning from System Demonstrations (Janet M. Corrigan, Ann Greiner, and Shari M. Erickson, eds.). Washington, DC: National Academies Press: 2002 (committee member).

Hammer PJ and Sage WM. Health Care Quality and Antitrust Law: Lessons from the Cases, in *2002 Health Law Handbook* (Alice G. Gosfield, ed.). St. Paul, Minnesota: West Group: 2002; 549-608.

Sage WM. *Accountability Through Information: What the Health Care Industry Can Learn from Securities Regulation*. New York: Milbank Memorial Fund; 2000.

Warren SH and Sage WM. Feasting in a Flak Jacket: Bankruptcy Risks and Opportunities for Solvent Health Care Organizations, in *1998 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1998; 443-468.

Sage WM and Aiken LH. Regulating Interdisciplinary Practice, in *Regulation of the Healthcare Professions* (Timothy S. Jost, ed.). Chicago: Health Administration Press; 1997; 71-101.

Sage WM. Mandatory Consumer Disclosure in Managed Care: Lessons from the Securities Industry, in *Achieving Quality in Managed Care: The Role of Law* (ABA Health Law Section Monograph 5, June 1997). Chicago: American Bar Association; 1997; 99-121.

Sage WM and Anderson D. Health Care Disclosure Requirements, in *1997 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1997; 185-205.

Sage WM and Scott CD. Community Health Information Networks, in *1996 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1996; 403-436.

Sage WM. Courts, Coverage and Managed Care: Do We Really Want an Adversarial Health Care System?, in *Medical Necessity: A Symposium on Policy Issues, Implementation Challenges and Tough Choices*. Washington, D.C.: Agency For Health Care Policy Research/National Institute For Health Care Management; 1995: 63-73.

Warren SH and Sage WM. With Friends like These...: Protecting Participants in Integrated Systems from Bankruptcy and Insolvency Risks, in *1995 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1995; 115-151.

Bergthold LA and Sage WM. Medical Necessity, Experimental Treatment and Coverage Determinations: Lessons from National Health Care Reform. *National Institute For Health Care Management White Paper on Reform Issues*, October 1994.

Recent Presentations: Invited Lectures, Testimony, and Conference Presentations

“Medical Liability: New Ideas for Making the System Work Better for Patients” (Testimony before the Committee on Health, Education, Labor, and Pensions of the United States Senate: Washington, DC; June 2006)

“Paying Research Subjects: The U.S. Example” (Congress of the Institute on Law and Health of the University of Paris 5-Rene Descartes: Paris, France; June 2006)

“Medicare-Led Malpractice Reform” (University of Chicago Law School conference on current research in medical malpractice liability: Chicago, IL; May 2006)

“Implications of Research for Policy Solutions” (Invitational meeting on malpractice research sponsored by the Robert Wood Johnson Foundation: Washington, DC; May 2006)

“Recent Efforts at Malpractice Reform: The Right Track” (Sanbar Lecture, American College of Legal Medicine: Las Vegas, NV; March 2006)

“Pay For Performance: Will It Work in Theory?” (McDonald-Merrill-Ketchum Memorial Lecture, University of Indiana-Indianapolis School of Law: Indianapolis, IN; February 2006)

“The Role of Medicare in Medical Malpractice Reform” (Stuart Rome Lecture, University of Maryland School of Law: Baltimore, MD; October 2005)

“A Pragmatic Information Policy for Medical Liability and Patient Safety” (Vanderbilt Law School/Roscoe Pound Institute Conference on Medical Malpractice: Nashville, TN; October 2005)

“The Work of the Project on Medical Liability in Pennsylvania” (Pennsylvania State Capitol: Harrisburg, PA; October 2005)

“‘All Bleeding Stops’: After the Malpractice Crisis” (Raynes McCarty Distinguished Lecture in Health Law, Widener Law School: Wilmington, DE; October 2005)

“Malpractice Reform and Judicial Independence” (Illinois Advanced Judicial Academy: Champaign, IL; June 2005)

“The Situation in the United States: Lessons for Europe” (Office National D’Indemnisation des Accidents Medicaux (ONIAM) conference on compensation of medical accidents: Paris, France; April 2005)

“Medicare Modernization, Pay for Quality, and Medical Injuries” (University of Connecticut Insurance Law Center conference on the role of insurance in preventing medical injury: Hartford, CT; April 2005)

“Medical Liability and Patient Safety” (Academy of Medicine of Cleveland conference on new directives for medical liability: Cleveland, OH; March 2005)

“Medical Malpractice Reform: Where to Go and How to Get There” (Post & Schell malpractice law seminar: Philadelphia, PA; February 2005)

“Medical Malpractice Reform: Vehicles for Meaningful Change” (AcademyHealth National Health Policy Conference: Washington, DC; February 2005)

“Bridging Medical Liability and Patient Safety” (JCAHO Conference, A Prescription for Patient Safety and Medical Liability: Alexandria, VA; November 2004)

“Keynote: Patient Safety and Public Policy” (Ohio State University Graduate Program in Health Services Management & Policy Annual Institute: Columbus, OH; October 2004)

“Keynote: Malpractice Reform as a Health Policy Problem” (Widener Law School conference, Regulating for Patient Safety: The Law’s Response to Medical Errors: Wilmington, DE; October 2004)

“No-Fault Medical Liability Reform” (Presentation to the Joint State Government Commission Advisory Committee on Medical Professional Liability, Commonwealth of Pennsylvania: Harrisburg, PA; August 2004)

“Moderator: Medical Malpractice as a Health Policy Problem” (AcademyHealth Annual Research Meeting: San Diego, CA; June 2004)

“Beyond Tort Liability” (Physician Insurers Association of America Annual Meeting: Boston, MA; May 2004)

“Educating Ethical Lawyers” (Columbia Law School Alumni Weekend: New York, NY; May 2004)

“Medical Malpractice in Pennsylvania: Separating Fact from Fiction” (Stanley P. Mayers Lecture, Pennsylvania State University: State College, PA; April 2004)

“Medical Malpractice Insurance and the Emperor’s Clothes” (Clifford Symposium, DePaul College of Law: Chicago, IL; April 2004)

“Medical Liability and Medical Ethics” (Geisinger Health System Annual Conference on Bioethics: Selinsgrove, PA; March 2004)

“The Forgotten Third: Liability Insurance and the Medical Malpractice Crisis” (Association of American Law Schools Annual Meeting: Atlanta, GA; January 2004)

“Overview of the Medical Malpractice Crisis” (ABA-TIPS Task Force on the Contingent Fee Education Program: New York, NY; December 2003)

“Medical Malpractice and Health System Change” (Langfitt Symposium, University of Pennsylvania School of Medicine: Philadelphia, PA; December 2003)

“The Medical Malpractice Crisis” (New York Hospital-Cornell Medical School Department of Pediatrics Grand Rounds: New York, NY; November 2003)

“Conflicts of Interest in Law: Lessons for Biomedical Research” (The Hastings Center Project on Ethical Issues in the Management of Financial Conflicts of Interest in Research: Garrison, NY; November 2003)

“Therapeutic Coverage: A New Approach to Medical Necessity?” (Brooklyn Law School Center for Health Law and Policy; Brooklyn, NY; November 2003)

“New Directions in Medical Liability Reform” (Distinguished Speakers Series, St. Louis University School of Law: St. Louis, MO; November 2003)

“The Medical Malpractice Crisis” (Philadelphia Urologic Society, Philadelphia, PA; September 2003)

“Medical Liability in the 21st Century: A Health Policy Approach to the Malpractice Crisis (23rd Annual Dorsey Hughes Symposium, Beaver Creek, CO; July 2003)

Liability and Reform: The Phoenix Rises Again (27th Annual Health Law Teachers Conference, Wilmington, DE; June 2003)

Why Competition Law Matters to Health Care Quality (Testimony to the Federal Trade Commission and U.S. Department of Justice Hearings on Health Care and Competition Law and Policy, Washington, DC; May 2003)

Moderator: The Colliding Realities of the Medical Malpractice Liability Insurance Crisis (National Law Journal/Columbia Law School Roundtable Debate, New York, NY; May 2003)

The Medical Malpractice Crisis (Columbia University College of Physicians and Surgeons, Department of Medicine Grand Rounds, New York, NY; May 2003)

Agencies and the Delivery of Health Care (Duke Law School-Institute for Law and Economic Policy conference, San Diego, CA; April 2003)

Understanding the First Malpractice Crisis of the 21st Century (Keynote Address, Pennsylvania Bar Institute Annual Health Law Institute, Philadelphia, PA; March 2003)

Medical Malpractice and Our Evolving Health System: Crisis and Change (Council on Health Care Economics and Policy meeting on Medical Malpractice in Crisis, Washington, DC; March 2003)

Understanding the First Malpractice Crisis of the 21st Century (Pediatric Anesthesiology 2003, Fort Myers, FL; February 2003)

The Lawyerization of Medicine (University of Pittsburgh Center for Bioethics and Health Law, Pittsburgh, PA; January 2003)

Medical Liability in Pennsylvania (University of Pittsburgh Health Policy Institute, Pittsburgh, PA; January 2003)

Fostering Rapid Advances in Health Care (Co-presenter, Richard and Hinda Rosenthal Lecture,

Institute of Medicine, Washington, DC; November 2002)

Education in Professional Values and Rules: Lessons from Medicine (New York State Judicial Institute on Professionalism in the Law Convocation on the Face of the Profession II, New York, NY; November 2002)

Medical Malpractice and the Changing Health Care System (Testimony to the Governor=s Select Task Force on Healthcare Professional Liability Insurance, Miami, FL; November 2002)

Keynote Address: The Malpractice Crisis (American Health Lawyers Association Physicians and Physician Organizations Law Institute, New Orleans, LA; October 2002)

Medical Decision Making: Do We Need a New Paradigm? (AAHP Medical Management Forum, Chicago, IL; October 2002)

The Medical Malpractice Crisis (Schering-Plough Fourteenth Annual Executive Strategic Leadership Conference, Barcelona, Spain; October 2002)

New Policy Making: Leveraging the Law and Courts (Journal of Health Politics, Policy & Law Conference: Who Shall Lead? Continuity and Change in the Future of Health Care, Los Angeles, CA; April 2002)

Managed Care: Will It Survive the Assault? (American Bar Association Health Law Section Annual Conference on Emerging Issues in Healthcare Law, Phoenix, AZ; March 2002)

Enterprise Liability (The Hastings Center conference on Promoting Patient Safety: An Ethical Basis for Policy Deliberation, Garrison, NY; January 2002)

Conflicts of Interest in Medicine (Columbia Alliance for Healthcare Management Conference Celebrating Eli Ginzberg's 75 Years at Columbia University, New York, NY; October 2001)

Legal Perspectives on Coverage Research (Stanford University/Integrated Healthcare Association Conference on Medical Necessity Decision Making in Managed Care, Annapolis, MD; October 2001)

Quality Competition and Health Care Antitrust (22nd Annual Health Law Teachers Conference, Boston, MA; June 2001)

The Lawyerization of Medicine (Becker Lecture in Health Policy, Medical College of Wisconsin, Milwaukee, WI; April 2001)

Antitrust, Quality and the Courts (Sixth Annual Health Care Antitrust Forum, Chicago, IL; November 2000)

Medical Privacy: Striking the Right Balance (Seton Hall Law School Conference on Protecting Privacy: Implementing HIPAA, Newark, NJ; October 2000)

Prospects for Organizational Professionalism (20th Annual Dorsey Hughes Symposium, Beaver Creek, CO; July 2000)

Redefining Accountability for Error B Point and Counterpoint (Partnership for Patient Safety Conference on Building Systems That Do No Harm, Dallas, TX; June 2000)

The Supreme Court and Managed Care: Perspectives on *Pegram* (Association for Health Services Research Annual Meeting, Los Angeles, CA; June 2000)

Therapeutic Coverage: Embedding Professionalism in Health Insurance Contracts (21st Annual Health Law Teachers Conference, Cleveland, OH; June 2000)

The Future of Managed Care in the United States (University of Neuchatel, Neuchatel, Switzerland; April 2000)

Mandatory Disclosure Laws in Health Care (Association for Public Policy Analysis and Management Annual Research Conference, Washington, DC; November 1999)

Liability, Quality of Care, and Patients' Rights (20th Annual Health Law Teachers Conference, St. Louis, MO; June 1999)

Policy Issues in Employment-based Health Insurance (University of Connecticut Insurance Law Center Conference on Insurance, Risk & Responsibility, Hartford, CT; April 1999)

Procedural Approaches to Coverage Determinations (AALS Annual Meeting, Joint Program of Insurance and Torts and Compensation Sections, New Orleans, LA; January 1999)

Panel Discussion: Conference Summary and Future Directions (Enhancing Patient Safety and Reducing Errors in Health Care, Rancho Mirage, CA; November 1998)

Information as Health Care Regulation (University of Michigan Journal of Law Reform Symposium, Ann Arbor, MI; October 1998)

Theoretical Implications of External Appeal Rights (American Society of Law, Medicine & Ethics Annual Meeting, Boston, MA; October 1998)

Rules and Incentives in Managed Care (American Society of Law, Medicine & Ethics Annual Meeting, Boston, MA; October 1998)

The Future of Clinical Research: Panel Discussion of Funding, Coverage and Evaluation Issues (InCHOIR conference on Investigational Treatments in a Changing Health Care Environment, New

York, NY; June 1998)

HIPAA and How it Changes Everything (19th Annual Health Law Teachers Conference, Houston, TX; June 1998)

The Changing Environment for Health and Welfare Plans (International Foundation of Employee Benefit Plans Legislative Update, Washington, DC; May 1998)

Enterprise Liability= and Managed Care Malpractice (Special meeting of the President=s Advisory Commission on Consumer Protection and Quality in the Health Care Industry; Washington, DC; February 1998)

Promoting Accountability in Managed Care: Medical malpractice law (New York State Bar Association Annual Meeting, Health Law Section, New York, NY; January 1998)

Managed Care Paradigms and Medical Liability (IMPACS/Duke Medical Malpractice Conference, Durham, NC; September 1997)

Health Care Coverage: How Much Can We Learn from Judicial Decisions? (Indiana Law Review/Indiana University-Indianapolis Center for Law and Health: How Empirical Research Shapes Health Law and Policy, Indianapolis, IN; April 1997)

Research to Inform the Ground Rules for Competition (Agency for Health Care Policy and Research/Health Affairs: Health Care Markets and Managed Care -- New Evidence and Emerging Issues, Washington, DC; February 1997)

Managed Care Disclosure Requirements -- Lessons from the Securities Industry (Loyola Institute for Health Law: Achieving Quality in Managed Care -- The Role of Law, Chicago, IL; November 1996)

Legal Issues: An Introduction (Examining Errors in Health Care: Developing a Prevention, Education and Research Agenda, Rancho Mirage, CA; October 1996)

Enterprise Liability and the Changing Politics of Tort Reform (17th Annual Health Law Teachers Conference, Wilmington, DE; June 1996)

"Patents, Public Investment and Access to Health Care Technology" (John M. Olin Program/Virginia Law Review Conference on Regulating Medical Innovation: Charlottesville, VA; March 1996)

"Health Law 2000: Future Trends in Health Care Regulation and Litigation" (Robert Wood Johnson IMPACS Program -- Emerging Liability Issues in Managed Care: Park City, UT; October 1995)

Seminars and Workshops

“Reconciling Relational and Regulatory Duties” (Wake Forest Law School workshop on Rethinking Health Law: Winston-Salem, NC; December 2005)

“Medicare and Malpractice Reform” (University of Southern California Law, Economics & Organization Workshop: Los Angeles, CA; November 2005)

“Medical Malpractice Policy Research” (University of San Diego School of Law faculty seminar: San Diego, CA; November 2005)

“No-Trial Malpractice Reform” (Pennsylvania Medical Society board of trustees meeting: Harrisburg, PA; May 2005)

“Medical Malpractice Reform” (Wharton Health Care Management Club seminar series: Philadelphia, PA; April 2005)

“Malpractice Reform: Where to Go and, More Importantly, How to Get There” (Seton Hall University School of Law Faculty Forum: Newark, NJ; March 2005)

“The Medical Malpractice Crisis” (University of Texas Law School Faculty Colloquium: Austin, TX; May 2004)

“Malpractice Liability and Patient Safety” (JCAHO Roundtable on Medical Liability and Injury Reduction: Oakbrook Terrace, IL; February 2004)

“Some Principles Require Principals: Why Analyzing Conflicts of Interest Won’t Solve Incentive Problems in Biomedical Research” (Columbia Law School Faculty Lunch Series: New York, NY; November 2003)

“The Medical Malpractice Crisis” (University of Minnesota School of Public Health Seminar Series: Minneapolis, MN; October 2003)

Medical Necessity, Therapeutic Coverage, and the Goals of Administrative Process in Health Insurance (University of Minnesota Law School, Faculty Works in Progress Series: Minneapolis, MN; October 2003)

Medical Liability and Health System Change (University of Toronto Faculty of Law, Contemporary Issues in Health Law and Policy Seminar Series: Toronto, Canada; February 2003)

Antitrust and Health Care Quality (University of Pittsburgh School of Public Health: Pittsburgh, PA; January 2003)

Teaching Ethics Across the Professions (Columbia University Center for Bioethics: New York, NY; November 2002)

The Antitrust Challenge to the Medical Student `Match=: Lessons for Competition and Health Care (Columbia Health Law Society: New York, NY; October 2002)

Professions and the Public Interest: The Supreme Court Decides *Rust v. Velazquez* (Washington & Lee University School of Law Workshop on Professional Ethics: Lexington, VA; April 2002)

Legal Services Corporation v. Velazquez (Columbia Health Management Alliance Conference on Innovation: New York, NY; November 2001)

Regulatory Vacuums and the GATT: Preferring Bridges to Trumps (Seminar in WTO Dispute Resolution, Columbia Law School: New York, NY; October 2001)

Competition in Public Services: The Case of Health Care and Antitrust Law in the United States (World Trade Organization staff seminar: Geneva, Switzerland; May 2001)

Antitrust Law, Health Care Quality, and the Courts (Mount Sinai School of Medicine, Department of Health Policy Grand Rounds: New York, NY; December 2000)

How Antitrust Courts Have Addressed Quality and Non-Price Concerns in Health Care Cases (U.S. Department of Justice Health Care Task Force - Federal Trade Commission Brown Bag Lunch: Washington, DC; November 2000)

Antitrust, Quality and the Courts (Columbia School of Public Health, Innovative Approaches to the Study of Health Care Conference, New York, NY; October 2000)

Panel Discussion: Kenneth Arrow and the Changing Economics of Health Care (Robert Wood Johnson Foundation Investigator Awards Annual Meeting, Annapolis, MD; October 2000)

Therapeutic Coverage: Embedding Professionalism in Health Insurance Contracts (Columbia Law School Faculty Lunch Series, New York, NY; September 2000)

Progress on Therapeutic Coverage (Columbia School of Public Health, Innovative Approaches to the Study of Health Care Conference, New York, NY; May 2000)

The Rise of Class Action Suits Against Health Care Providers (American Enterprise Institute, Washington, DC; March 2000)

Competing on Quality of Care (Robert Wood Johnson Foundation Investigator Awards Annual Meeting, Meredith, NH; October 1999)

Medical Necessity (California Medicine Roundtable Discussion, Oakland, CA; October 1999) (moderator and facilitator)

Therapeutic Coverage: A New Approach to Medical Necessity (Columbia School of Public Health, Innovative Approaches to the Study of Health Care Conference, New York, NY; September 1999)

Disclosure Laws and American Health Care (Yale University, Health Policy Scholars Program Workshop, New Haven, CT; April 1999)

Public Oversight of Managed Care (The New Jersey Policy Forums on Health and Medical Care, Trenton, NJ; April 1999)

Malpractice and Managed Care (David Rogers Health Policy Colloquium, Cornell University Medical College, New York, NY; December 1998)

Information Market Failure and Health Care Regulation (University of Michigan Law School, Law & Economics Workshop; Ann Arbor, MI; April 1998)

Mandatory Disclosure Laws in Health Care (InCHOIR weekly staff seminar; New York, NY; March 1998)

Panel Discussion: Critical Issues in Health Policy (Columbia Public Policy Seminar Series, New York, NY; November 1997)

Current Issues in Health Law and Policy (RAND Corporation brown bag seminar, Santa Monica, CA; August 1997)

The Future of Managed Care Regulation (Montefiore Medical Center Department of Social Medicine lunch seminar, New York, NY; May 1997)

Why and How to Regulate the Availability of Information in Managed Care (Columbia Law School public law lunch, New York, NY; April 1997)

Litigating and Legislating Coverage of Experimental Treatment (American Cancer Society: 39th Science Writers Seminar, Reston, VA; March 1997)

The *Marshfield Clinic* Case (Federal Trade Commission, Bureau of Competition, health care brown-bag seminar, Washington, DC; March 1997)

Panel Discussion on Health Care Antitrust Law and Policy (Agency for Health Care Policy and Research staff seminar, Washington, DC; December 1996)

The Boundaries of the Firm in Health Care (Columbia University Center for Law and Economic Studies Workshop, New York, NY; September 1996)

"Beyond Confidentiality: Health Care Information and the Law" (Columbia University Department of Medical Informatics Seminar: New York, NY; April 1996)

"The Future of Health Care Law" (Society for Medical Jurisprudence: New York, NY; October 1995)