

**JACQUELINE FOX**  
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## **EDUCATION**

**Georgetown University Law Center, Washington, DC**

J.D., cum laude, 1991

Activities: Member, The Tax Lawyer, 1989-1991

Research Assistant, Professor Roy Schotland, 1989

LL.M., Legal History and Philosophy, 1995

**Sarah Lawrence College**

B.A., Liberal Arts, 1988

## **POST-GRADUATE FELLOWSHIPS, GRANTS**

**National Institute on Minority Health & Health Disparities, National Institutes of Health Grant, 2011-2013**

Co-Principal Investigator. Grant funding provided seed money for researching the feasibility of creating a South Carolina Center for Bioethics Research, Training, and Translation, and funding for the development of an initial course curriculum to be taught in a School of Public Health for stakeholder training in utilizing bioethical social justice theory when seeking community resources and funding.

**Yale University, New Haven, CT**

*Donaghue Visiting Scholar in Research Ethics, Yale University's Interdisciplinary Bioethics Center, July 2004-June 2005*

**Center for Medicare and Medicaid Services Grant, 2003**

Recipient of a grant for the purposes of continuing research related to the legality of Medicare criteria for national coverage determinations, specifically the use of cost considerations when reviewing coverage of new medical technology.

**Johns Hopkins University, Baltimore, MD and Georgetown University, Washington, DC**

*Greenwall Postdoctoral Fellowship in Bioethics and Health Policy, Sep. 2001-Aug. 2003*

## **EXPERIENCE**

**University of South Carolina Law School, Columbia, South Carolina**

*Associate Professor, 2011-present*

*Assistant Professor, 2005-2011*

*Current Courses: Health Law and Policy, Bioethics, Public Health Law, Health Law Finance and Organization, and Torts*

*Other Courses Taught:* Torts I and Torts II, Administrative Law  
**Santa Anna University**, Pisa, Italy  
*Visiting Professor, December 2008-July 2009*

**Johns Hopkins School of Public Health**, Baltimore, Maryland  
*Faculty Associate, September 2003-June 2004*  
Course: Current Ethical Issues in Public Health

**Sole Practitioner, Health Law**  
*1994 to 2002*

Health insurance coverage and health access issues: national practice representing clients who needed access to complex or expensive medical procedures. Arranged for coverage of procedures by third party payers including ERISA plans, Medicaid, and private plans, negotiated placement on transplant lists and handled related issues.

**Hogan & Hartson**, Washington, DC  
*Associate, Corporate Securities section, 1991 to 1993*

## **RESEARCH INTERESTS**

Health care systems and cost, specifically related to the relationships among markets, regulatory structures, social justice, and medical ethics.

## **PUBLICATIONS**

### Law Review Articles and Book Reviews

*Zika and the Failure to Act Under the Police Power*, 49 CONN. L. REV. (2017).

*Healthism, Insurance, and Intersectionality*, Marquette Benefits and Social Welfare L. R. (Essay) (Pending).

*Reforming Healthcare Reform*, 50 U. RICHMOND L. REV. 557-609 (2016).

*Review of Jonathan Herring, Caring and the Law*, 35 J. LEGAL MED. 337-343 (2014).

*Death Panels: A Defense of the Independent Payment Advisory Board*, 66 ADMIN. L. REV. 131-171 (2014) (chosen as annual symposium presentation).

*The Epidemic of Children's Dental Diseases: Putting Teeth Into the Law*, 11 YALE J. HEALTH POL'Y L. & ETHICS 223-266 (2011) (peer reviewed journal).

*The Hidden Role of Trust: Medicare Decisions, Transparency, and Public Trust*, 79 U. CIN. L. REV. 1-51 (2010) (lead article).

*Reinvigorating the Concept of Benefit: The Failure of Drug Company-Sponsored Research on Human Subjects*, 38 SETON HALL L. REV. 605-665 (2008).

*Medicare Should, but Cannot, Consider Cost: Legal Impediments to Sound Policy*, 53 BUFF. L. REV. 577-633 (2005).

### Selected Other Publications

*What We Can Do to Protect South Carolina From Zika*, Op-Ed., THE STATE (Columbia, S.C.), May 15, 2016.

*The Public Health Lens and Health Care Reform*, O'Neill Institute Blog, November 20, 2013.

*A Sub Rosa World: Medicare and the Cost of New Technology*, 12 INT'L J. HEALTHCARE TECH. & MGMT. 321 (2011) (peer reviewed journal).

*Will Health Care Reform Increase Litigation over Denied Claims*, Health Care Cost Monitor, October 29, 2009.

*Comparative Effectiveness Research and Medicare*, Health Care Cost Monitor, June 30, 2009.

*Tough Questions Loom on HIV/AIDS*, Op-Ed., THE STATE (Columbia, S.C.), March 19, 2008.

*Fixing the Cost Problem*, Op-Ed., THE STATE (Columbia, S.C.), January 24, 2008.

### **SELECTED PRESENTATIONS**

*Health Insurance, Intersectionality, and Healthism*,  
Symposium celebrating the publication of *Health Status, Discrimination, and the Law*,  
University of Houston Law Center, November 4, 2016.

*Torts Law As Incentive For Drug Companies*,  
Public Health Law Conference, Network for Public Health Law, Panel Presentation and  
Panel Organizer, (Drug Industry Behavior: Setting and Enforcing Public Health  
Standards), Washington, DC, September 16, 2016.

*Current Issues in Health Law, SCPA Annual Meeting*  
Lecture, 2015 South Carolina Psychiatric Association Annual Meeting, Greenville, SC,  
February 1, 2015.

*Current Issues In Health Law and the Supreme Court, ABA Health Law Summit*  
Panel participant, 12<sup>th</sup> Annual Washington Health Law Summit, American Bar  
Association Health Law Section, Washington, DC, December 9, 2014.

*The Unintended Consequences of CMS Efforts to Reduce Unnecessary Hospital Admissions, ASLME Annual Conference*

Panel presentation and panel organizer (Current Issues in Government Financed Healthcare), ASLME Health Law Professors Annual Meeting, San Francisco, CA, June 6, 2014.

*Independent Payment Advisory Board and Medicare, Marquette University Law School*

Panel presentation, Third Annual ERISA, Employee Benefits, and Social Insurance National Conference, Marquette University Law School, Milwaukee, WI, March 28, 2014.

*Death Panels and IPAB, Washington College of Law ALR Symposium*

Administrative Law Review 2014 Symposium, “In the Process of Fixing” Health Care: Implementation of the Affordable Care Act, Washington College of Law, American University, Washington, DC, March 25, 2014.

*Employee Benefits and Disability Rights in a Post-Affordable Care Act (ACA) World, SEALS*

Discussion group participant, South Eastern Association of Law Schools 2013 Annual Conference, Palm Beach, FL, August 7, 2013.

*Entitlement Reform and Its Impact on the Elderly, SEALS*

Discussion group participant, South Eastern Association of Law Schools 2012 Annual Conference, Amelia Island, FL, August 3, 2012.

*The Independent Payment Advisory Board, ASLME Annual Conference*

Panel presentation, ASLME Health Law Professors Annual Meeting, Phoenix, AZ June 2012.

*The Independent Payment Advisory Board, Loyola University Chicago School of Law Symposium*

2010 Annals of Health Law, Access to Healthcare Symposium, Loyola University Chicago School of Law, November 12, 2010.

*What to Expect in United States Health Care Reform, St. Cross College, Oxford University*

St. Cross Special Ethics Seminar, St. Cross College, Oxford, June 10, 2010.

*Hidden Rationing of Healthcare: An Ethical Dilemma, Oxford University Seminar*

Oxford University Faculty of Philosophy, James Martin Advanced Research Seminar Series, October 21, 2009.

*The Moral and Political Cost of Hidden Rationing of Health Care, Johns Hopkins*

Greenwall Seminar, Johns Hopkins University School of Public Health, September 14, 2009.

*Hidden Rationing of Healthcare, ASLME Annual Conference*

Panel presentation, ASLME Health Law Professors Annual Meeting, June 2009.

*Lecture Series on Comparative Health Law, Santa Anna University, Pisa, Italy*  
Santa Anna University, Pisa, Italy, January-April, 2009.

*Medical Malpractice Reform, SEALS*  
Moderator, Torts Panel, SEALS Conference, August 2008.

*The Role of Benefit in Research Regulations, ASLME Annual Conference*  
Panel presentation, ASLME Health Law Professors Annual Meeting,  
Philadelphia, PA, June 2008.

*The Sub Rosa World of Medical Technology Rationing, Pisa, Italy*  
Competitive submission, 6th International Conference on the Management of  
Healthcare & Medical Technology, HCTM, Pisa, Italy, October 3-5, 2007  
(subsequent article to be published in the International Journal of Healthcare  
Technology and Management, 2011).

*History of Medicare's Treatment Coverage Policy, Yale University*  
Yale University Center for Bioethics Conference: Should Cost Considerations Be  
Allowed in Medicare Coverage Decisions, (conference organized by Daniel Callahan to  
discuss my article, *Medicare Should, but Cannot, Consider Cost: Legal Impediments to  
Sound Policy*) December 8, 2006.

*Reinvigorating the Concept of Benefit: The Failure of Drug Company-Sponsored Research on  
Human Subjects, University of Toronto Faculty of Law*  
Health Law and Policy Seminar Series at the Faculty of Law, University of Toronto,  
October 26, 2006.

*Health Information, ASLME Annual Meeting*  
Panel Moderator, ASLME Annual Health Law Teachers Meeting, Baltimore, MD, June  
3, 2006.

*Nanotechnology Regulatory Working Group, University of Maryland*  
Participant, University of Maryland School of Law, April 28, 2006.

*The Great Debate: Confidentiality in the Field of Pharmaceutical Development: Is it Justified  
Ethically?, PRIM&R Conference*  
PRIM&R (Public Responsibility in Medicine and Research) Annual Human Research  
Protection Programs Conference, Boston, MA, December 5, 2005.

*Hiding the Truth: What Is Wrong With Suppressing Data and What to Do About It*  
Greenwall Annual Meeting of Scholars, Fellows and Board, Baltimore, MD, November  
1, 2005.

*Third Party Payers and the American Health Care System*  
Yale Divinity School, April 14, 2005.

*Children's Antidepressants: A Discussion about the Suppression of Negative Data*  
Children Under Stress Working Group, Yale University, November 18, 2004.

*Confidentiality Agreements: Are Study Sponsors Controlling What IRBs See?*  
Connecticut Institutional Review Board (IRB) Educational and Networking Symposium,  
December 2004.

*Bioethical Issues To Consider Regarding AIDS Vaccine Testing on Terminal Patients*  
Clinical Research Ethics Working Group, Yale University, October 2004.

### **LAW SCHOOL AND UNIVERSITY COMMITTEES, AWARDS, AND SERVICE**

Curriculum Committee, 2016-present

Student Health Law Association, Faculty Advisor, 2006-present

Annual Lecturer on Law for Medical Students, USC School of Medicine, 2011-present

Ad Hoc Building Committee, 2012-2017

Faculty Selection Committee, 2015-2016

Faculty Advisory Committee, 2012-2015

Member, Dean Wilcox Review Committee, Office of the Provost, 2014-2015

Outstanding Faculty Member Award, April 2013

Admissions Committee, 2012-2013

Curriculum Committee, 2010-2012

Symposium organizer and presenter, *Health Care Rationing and Public Debate: Are American Citizens Capable of Making Hard Healthcare Resource Decisions and Should They Be Entrusted with This Weighty Task?*, USC School of Law, March 18, 2011

Core Faculty Member, University of South Carolina Center for Bioethics, 2007-present

University Faculty Senate, 2006-2008

Provost's Task Force on Ethics in the Professions and Public Life, Member, 2006

Library Committee, 2006-2009

Programs Committee, 2005-2008 (organized annual Johnson & Johnson lectures)