

BRIETTA R. CLARK

Loyola Law School, 919 S. Albany St., Los Angeles, CA, 90015, brietta.clark@lls.edu

TEACHING / LEGAL EXPERIENCE

LOYOLA LAW SCHOOL, Los Angeles, CA

Associate Dean for Faculty, (June 2015 – present)

Professor of Law, July 2001 – present

Courses Taught: Health Care Access Seminar; Health Law Survey; Bioethics and the Law; Torts; Administrative Law.

HIV & AIDS LEGAL SERVICES ALLIANCE, Los Angeles, CA

Volunteer Attorney, May 2002 – 2003

Provided representation in appeal of social security benefits' denial.

SIDLEY, AUSTIN, BROWN, & WOOD, Los Angeles, CA

Associate, October 1999 – May 2001

Practiced primarily health care transactional law, including business planning for health care clients in light of fraud and abuse, reimbursement, and licensing issues, and fraud and abuse defense.

NATIONAL HEALTH LAW PROGRAM, Los Angeles, CA

Legal Intern, June – August 1997; September – December 1998

Advocacy for increased access to health services for Medi-Cal and uninsured consumers.

LEGAL ASSISTANCE FOUNDATION, Chicago, IL

Intake Specialist / Paralegal for the Children's SSI Project, July 1995 – May 1996

Represented children who were wards of the state in disability claims.

COMMUNITY SERVICE / PROFESSIONAL MEMBERSHIPS

LACMA-LACBA JOINT COMMITTEE ON BIOMEDICAL ETHICS, Member 2006 – 2013,
Co-Chair, 2012-2013

HIV/AIDS LEGAL SERVICES ALLIANCE

Board Member, 2007-2011

AMERICAN CIVIL LIBERTIES UNION, Board Member, 2006 –2011 (served on Medical Rights Committee)

CHILDRENS HOSPITAL Los Angeles - Committee on Clinical Investigations, 2007-2008

CALIFORNIA HOSPITAL MEDICAL CENTER – Institutional Review Board, 2001 – 2006

Reviewed proposals for research on human subjects to ensure ethical and legal compliance.

LOS ANGELES COUNTY BAR ASSOCIATION, 1999 – 2009

Health Law Section Executive Committee, Active Member since 2002, Chair, 2007-2008

LAW SCHOOL ADMISSIONS COUNCIL

Services and Programs Committee, Member, October 2003 – 2005

Gay, Lesbian, Bisexual, & Transgender Issues Subcommittee, Member since Oct 2005; Chair 2007-2009

CALIFORNIA STATE BAR, Member, 1999 – present

EDUCATION / FELLOWSHIP

UNIVERSITY OF SOUTHERN CALIFORNIA LAW SCHOOL, Los Angeles, CA

- **Juris Doctor**, Order of the Coif, May 1999
- **Research Fellow**, July – October 2000

UNIVERSITY OF CHICAGO, Chicago, IL

Bachelor of Arts – Political Science, June 1993

PUBLICATIONS

[Health Law: Cases, Materials, & Problems](#), Eighth Edition, with B.L. Furrow, T.L. Greaney, S.H. Johnson, T.S. Jost, R.L. Schwartz, E.C. Fuse Brown, R. Gatter, J.S. King, and E. Pendo (forthcoming 2018, West Publishing)

Medicaid Access & State Flexibility: Negotiating Federalism, forthcoming *Houston Journal of Health Law & Policy* (2017)

Teaching Health Law: A Journey Through the Health Care Safety Net, forthcoming *Saint Louis University Law Journal* (2017)

A Moral Mandate & the Meaning of Choice: Conceiving the Affordable Care Act After NFIB, *Saint Louis University Journal of Health Law & Policy* 2013-2014.

Safeguarding Federalism by Saving Health Reform: Implications of National Federation of Independent Business v. Sebelius, 46 *Loyola Los Angeles Law Review* 541 (2013).

Medicaid Access, Rate Setting and Payment Suits: How the Obama Administration Is Undermining Its Own Health Reform Goals, 55 *Howard Law Journal* 771 (2012).

Fighting the Silent Epidemic: Using Law to Promote Health Literacy, 20 *Annals of Health Law* 253 (2011).

The Immigrant Health Care Narrative & What it Tells us About the U.S. Health Care System, 17 *Annals of Health Law Journal* 229 (2008).

An Assessment of the Law School Climate for GLBT Students (authors: Kelly Strader, Brietta R. Clark, Robin Ingli, Elizabeth Kransberger, Lawrence Levine, & William Perez), 58 *Journal of Legal Education* 214 (June 2008).

Hospital Flight from Minority Communities: How Our Existing Civil Rights Framework Fosters Racial Inequality in Healthcare, 9 *DePaul Journal of Health Care Law* 1023 (2006).

Erickson v. Bartell Drug Co.: A Roadmap for Gender Equality in Reproductive Health Care or an Empty Promise? 23 *University of Minnesota Journal of Law and Inequality* 299 (2005).

The Continuing Battle for Gender Equality in Reproductive Health, *Loyola Lawyer* (Fall 2004).

When Free Exercise Exemptions Undermine Religious Liberty and the Liberty of Conscience: A Case Study of The Catholic Hospital Conflict, 82 Oregon Law Review 625 (2003).

Designated Health Services under Stark II, HCCA Region 9 Compliance News, Issue 5, Volume 1 (2001).

Making Sense of Managed Care Quality Information, National Health Law Program, Inc. & Center for Health Care Rights (November 1998) (contributing author).

SELECTED PRESENTATIONS

American University Washington College of Law, Next Steps in Health Reform 2017, Medicaid Cost Concerns Panel (October 2017)

International Congress on Law and Mental Health, Charles University, Prague, Presentations: The Evolving Science of Mental Health in Regulating Sexual and Reproductive Health, and The Concept of Choice in Regulating Sexual & Reproductive Health (July 2017)

American Society of Law, Medicine, & Ethics – Annual Health Law Teacher’s Conference at Georgia State University College of Law, Plenary Panel: Struggling for the Soul of Medicaid (June 2017)

Fordham University Law School, Fordham Urban Law Journal Symposium, Why The Poor Will Pay More for Health Care Without the ACA (April 2017)

American Association of Law Schools Annual Conference, Medicaid Access After the Affordable Care Act (January 2017)

University of Washington School of Law, Faculty Colloquium, Medicaid Access & State Flexibility: Negotiating Federalism (February 2016)

International Congress on Law and Mental Health, Sigmund Freud University, Vienna, Presentation: Therapeutic Justice Implications of Using Health Care Regulation as a Tool for Shaping Sexual Identity (July 2015)

American Society of Law, Medicine, & Ethics – Annual Health Law Teacher’s Conference at St. Louis University School of Law, Armstrong v. Exceptional Child Center: Implications for Medicaid Access & Beyond (June 2015)

American Society of Law, Medicine, & Ethics – Annual Health Law Teacher’s Conference at UC Hastings College of the Law, Health Literacy & Disparities (June 2014)

University of Kentucky Law School, Medicaid Matters Workgroup (March 2013) (discussing Medicaid access and payment issues).

University of Maryland’s Law & Health Care Program (March 2013) (Roundtable discussion on health reform implementation in the states)

Loyola Marymount University, Bellarmine Forum (October 2012) (Presentation titled “Can Health Care Reform Ensure Equity in Health Care Access and Quality?”)

St. Louis University School of Law, Center for Health Law Studies (October 2012)

Orange County Bar Association Health Law Section Inaugural Meeting (September 2012) (Panelist discussing health care reform implementation in California)

Westchester & Palos Verdes Democratic Clubs (July/November 2012) (Explaining the recent Supreme Court decision upholding the Affordable Care Act and providing updates on reform implementation in California)

American Society of Law, Medicine, & Ethics – Annual Health Law Teacher’s Conference at Arizona State University School of Law (June 2012) (Panelist discussing the implementation of health reform in California).

Medicaid Access Workshop, Hosted by St. Louis University Law School (Feb. 2012) (Roundtable discussion of legal scholarship touching upon Medicaid)

Health Care Reform and Vulnerable Communities: Can We Afford It? Can We Afford to Live Without It? The Eighth Annual Wiley A. Branton/Howard Law Journal Symposium (Nov 2011) (panelist presenting paper entitled “Medicaid Access & Payment Suits: How the Obama Administration is its own Undermining Health Reform Goals).

Health Journalism Fellowship Program of the California Endowment/USC Annenberg School of Journalism (Nov 2011 & July 2011) (served on panels discussing Medicaid access and payment suits in light of health reform and the constitutional challenges to health reform)

Southern California Association of Law Librarians, conference hosted by Loyola Law School (Nov 2011) (presented paper entitled “Fighting the Silent Epidemic: Using the Law to Promote Health Literacy”)

Journalist Law School at Loyola Law School, Los Angeles (June 2011) (Led plenary session titled Legal Regulation of Health Care and the Administrative State)

Annual Lawyer-Doctor Dinner, sponsored by the Women Lawyers Association of Los Angeles and the American Women’s Medical Association (May 2011) (panelist discussing Medical-Legal Partnerships and the historical role that HALSA (HIV/AIDS Legal Services Alliance) has played in the evolution of medical-legal collaborations)

Adjusting the Cost Curve, Sponsored by The Beazley Institute for Health Law and Policy at Loyola University Chicago School of Law (Nov 2010) (panelist discussing the relationship between health literacy and health care access, cost, and quality)

Loyola Marymount University’s Book Festival Panel - Do Our Bodies Belong to Us? (Oct 2010) (panelist discussing the book “The Immortal Life of Henrietta Lack” by Rebecca Skloot and exploring the ethical and health care access implications of medical research on human subjects)

Loyola Law School & Loyola Marymount University – Health Reform Events (Sep & Oct 2010; March 2011) (Panelist/moderator discussing the new health reform legislation, its impact, and constitutional challenges)

American Association of Law Schools Mid-Year Meeting, Workshop on “Post-Racial” Civil Rights Law, Politics and Legal Education, New York (June 2010) (Participant on panel titled “The Future of Race, Law and Civil Rights: Asking the Hard Questions”)

Justice Revis O. Ortique, Jr. Symposium - Addressing Louisiana’s Health Care Crisis, sponsored by Southern University Law Center, Baton Rouge, Louisiana (April 2010) (Panelist discussing the Medicaid access crisis and the role of law in addressing public law failures that threaten health care access)

Martin Luther King, Jr. Commemoration - Defining the Dream: Health Care as a Civil Right, Human Right, or Market Commodity? Sponsored by DePaul University College of Law, Chicago (Jan 2010) (Panelist discussing disparities in health care access that persist for the poor, racial minorities, women, people with certain kinds of disabilities, and the LGBT community despite civil rights and other access laws)

Journalist Law School at Loyola Law School, Los Angeles (June 2011, June 2010) (Led breakout sessions on the health care system and hot topics in health care law)

Law School Admissions Council Annual Conference (May 2009) (Organized and participated on panel titled “Best Practices for Creating an LGBT-Friendly Environment”)

Loyola Law School Inauguration Day Program, (Jan 2009) (Panelist discussing the prospects for health care reform under the new administration)

Annual Lavender Law Career Fair and Conference (Sep 2008) (Panelist presenting an article about how to make the law school environment more welcoming for LGBT students)

Immigration from the Mayflower to Border Patrols: Who Should Have Access to Health Care in the United States? Sponsored by The Beazley Institute for Health Law and Policy at Loyola University Chicago School of Law (Feb 2008) (Panelist discussing paper entitled “The Immigrant Health Care Narrative & What it Tells us About the U.S. Healthcare System”)

Association of American Law Schools (AALS) Annual Conference (Jan 2008) (Panelist discussing paper titled “An Assessment of the Law School “Climate for GLBT Students” and the importance of incorporating GLBT issues into bar course material and other non-GLBT specific subject matters)

American Society of Law, Medicine, & Ethics – Annual Health Law Teacher’s Conference at Boston University School of Law (May/June 2007) (Panelist discussing the role of community organizing and public-private partnerships in regulating health care entities and eliminating racial disparities)

Law School Admissions Council Annual Conference (May 2007) (Organized and moderated a student panel discussing the kind of information that law schools should give to GLBT applicants to enable more informed decision making)

University of Southern California/KECK School of Medicine - Humanities, Ethics, Art and Literature in Medicine Program (Feb 2007 & Jan 2006) (Presentations on “Racial & Socioeconomic Disparities in Health Care Access”)

UCLA Extension Course on End-of-Life Legal and Ethical Issues, Guest Lecturer (Nov. 28, 2006)

DRI 2006 Medical Liability Seminar, Sponsored by Defense Research Institute in Phoenix, Arizona (March 1-3, 2006) (Participated on panel titled “The End of Life Debate and Its Medical/Legal Ethical Implications”)

From Selma to Washington: Disentangling Fact From Fiction – The Realities of Unequal Health Treatment, Sponsored by DePaul University College of Law Center for Race & Bioethics and the Journal of Health Care Law and by Rainbow PUSH (March 2005) (Panelist discussing the failure of civil rights litigation to provide a meaningful tool for eliminating systemic discrimination in the U.S. health care delivery system)

Managed Health Care: Past, Present and Future, Sponsored by Los Angeles County Bar Health Law Section, Hosted by Loyola Law School (January 2005) (Organized and moderated CLE program which provided an overview of regulatory changes on the horizon and a discussion of future trends in managed care; speakers included Assemblyman Keith Richman, the Director of the California Department of Managed Health Care, and the Chief Medical Officer of the San Francisco Regional Office for the Centers for Medicare and Medicaid Services)

Loyola Law School – Community Meeting Designed to Provide Information about the Propositions on the November 2004 Ballot (Described the five health care related propositions)

The Stem Cell Research Debate – Organized by Loyola Law School Bioethics Student Organization (November 2004) (Moderated a discussion about how religious ethics inform the stem cell research debate; panelists included Dr. Dell Oro, Assistant Professor of Theological Studies at Loyola Marymount University and Associate Director of the Bioethics Institute, and Rabbi Haim Ovadia, Chief Rabbi at Kahal Joseph in West Los Angeles and teacher at the Academy of Jewish Religion)

BioAgenda - San Diego Regional Roundtable (July 2004) (Panelist for roundtable discussion on the legal and ethical issues surrounding potential scientific advancements in the bioengineering of humans and agricultural products)

American Society of Law, Medicine, & Ethics – Annual Health Law Teacher’s Conference at Seton Hall University School of Law (June 2004) (Presented paper on the role of civil rights laws, such as Title VII and the ADA, in challenging exclusions of infertility benefits in health care insurance plans)

Northeast People of Color Legal Scholarship Conference at University of Connecticut Law School (April 2004) (Presented paper exploring whether exclusions of reproductive health care, such as prescription contraception and infertility treatment, from employment-based insurance plans are gender discrimination under Title VII of the Civil Rights Act)

Loyola Law School – Los Angeles - Workshop Series (January 2004) (Presented paper on the role of Title VII in challenging reproductive health care insurance exclusions)

California in Crisis: Healthcare Professionals’ Shortage, Sponsored by Los Angeles County Bar Health Law Section, Hosted by Loyola Law School (March 2003) (Organized and moderated CLE

program which addressed the legal issues facing health care facilities and professionals as a result of this shortage)

American Society of Law, Medicine & Ethics and Saint Louis University Center for Health Law Studies - Health Law Scholars Workshop (October 2002) (Presented work-in-progress exploring insurance exclusions of prescription contraception).

Urban Health & Race Law Weekend: A Global Dialogue, Sponsored by DePaul Health Law Institute & the Midwestern People of Color Legal Scholarship Conference (April 2002) (Panelist discussing religious hospital mergers and how to resolve the legal conflict between patients' demands for laws mandating access to reproductive health care and religious hospitals' resistance on free exercise grounds)