61st Virtual Annual Meeting
Diversity, Equity, and Stewardship in New Millennium Legal Medicine
Fri, Feb 26, 2021 8:00 AM - Fri, Mar 5, 2021 6:00 PM PST

http://theaclm.org
NEEDS & OBJECTIVES

Physicians, dentists, attorneys and educators who practice in the health care industry and its related fields recognize that the practice of medicine is complicated by abundant legislative requirements, administrative rules and regulations and Federal/State court decisions interpreting those laws.

It is difficult to maintain a working knowledge of these developments. This meeting will provide details of new legislation, rules and court decisions, societal changes and shifts in the marketplace that will impact the practice of medicine, special and vulnerable populations in particular. Key changes impacting the practice of medicine and law during the past one to two years include: fraud investigations against health professionals, the ethical and legal issues of individuals with traumatic brain injury, the delivery of care models that emphasize quality and safety within multidisciplinary teams, challenges to the Affordable Care Act, issues with vaccinations and personal exemptions, and individuals with mental health problems in front of civil and criminal courts.
OBJECTIVES

The 61st Annual Conference of the American College of Legal Medicine will focus on topics related to Diversity, Equity, and Stewardship in New Millennium Legal Medicine. By the conclusion of the meeting, participants should be able to:

- Describe recent legislative and court opinions affecting medical and dental practice.
- Integrate medical and legal ethics into their daily practice.
- Explain legal and ethical challenges of dealing with vulnerable and special populations and techniques to prevent obstacles to diagnosis and treatment of these populations.
- Describe the impact of the COVID-19 pandemic on public health, including an understanding of different international approaches to disease prevention and treatment, and lessons learned for future pandemics.
- Describe the prevalence of forced sterilization and integrate the identification, prevention, and/or representation of individuals who are potentially affected by this procedure.
- Explain the implications of substance abuse among health care providers including balancing the need for effective treatment and privacy with protection of the public health.
- Describe techniques for using artificial intelligence within the health care system to prevent patient harm, to assist, educate and provide legal services to patients and their families, and to avoid professional liability.
- Explain the legal implications of the expansion of Corporate Practice of medicine as well as Independent nurse practitioners and methods for negotiating more favorable contracts with their employees/employers.
- Describe dental and legal issues involved in today’s health care.
BOARD OF GOVERNORS
2020-2021

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Acting President-Elect
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Interim Secretary
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Tony S. Quang, MD, JD, FCLM (2023)
Robert Harrison, JD, FCLM (2023)

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Robert W. Buckman, PhD, FCLM
Sarah Diekman, MD, JD, MS
Jackson Snyder, MD, JD, MPH, PhD, FCLM
Michael Vinluan, MD, JD, FCLM
2021 ACLM SESSIONS
PRESENTERS AND MODERATORS

PRESENTERS

Stephen Andrews, JD, MSN, ACNP
Rebekah Bernard, MD
Gabriel Carillo, MD, JD
Glen Cheng, MD, JD, MPH
Mark Crowthers, MD, MSc, FRCPC, FRSC
Sarah Diekman, MD, JD, MS
Kate Diesfeld, JD
Jonathan H. Ferry, JD
Robert Harrison, MHA, JD, LLM, FCLM
Andreas T. Kaltsounis, JD, CISSP, CIPP
Dan Laird, MD, Esq, FCLM
Albert Lee, MBBS, LLB, FCLM
Sarah Lippek, JD
Mikk O. Lukk, JD
Maya Manian, JD, PhD

Kameron Matthews, MD, JD, FAAFP
Cody Miller Pyke, MD, JD, MS, LLM
Amirala Pasha, DO, JD, FACP
Joseph D. Piorkowski, Jr., DO, JD, MPH, FCLM
Santos Ruiz-Cordero, MD, JD, FCLM
Eric Shore, DO, JD, MBA, FCLM
Michael Sinha, MD, JD, MPH
Michelle Taft, JD
Amy Townsend, MD
Kathryn Tucker, JD
Michael Vinluan, MD, JD, FCLM
Mary Wall, MD, JD, FCLM
Victor Waters, MD, JD, FCLM
June Zhao, MBBS, PhD, PhD, MPH

MODERATORS

Robert W. Buckman, PhD, FCLM
Sarah Diekman, MD, JD, MS
Robert Harrison, MHA, JD, LLM, FCLM
Chandler May, MD, JD, FCLM
Jackson Snyder, MD, JD, MPH, PhD, FCLM

Tony S. Quang, MD, JD, FCLM
Joseph D. Piorkowski, Jr., DO, JD, MPH, FCLM
Santos Ruiz-Cordero, MD, JD, FCLM
Michael Vinluan, MD, JD, FCLM
ACLM PAST PRESIDENTS

1989 Harold L. Hirsh, MD, JD, FCLM
1988 Lee S. Goldsmith, MD, LLB, FCLM
1987 Sal Fiscina, MD, JD, FCLM
1986 Dorothy Rasinski-Gregory, MD, JD, FCLM
1985 Francis I. Kittredge, Jr., MD, JD, FCLM
1984 Arthur H. Coleman, MD, JD, FCLM*
1983 Jerry Zaslow, MD, JD, FCLM*
1982 Edgar A. Reed, MD, JD, FCLM
1981 James G. Zimmerly, MD, JD, MPH, LLB, FCLM*
1980 William H. L. Dornette, MD, JD, FCLM*
1979 Richard F. Gibbs, MD, LLB, JD, FCLM*
1978 John S. Boyd, MD, JD, FCLM
1977 John S. Boyd, MD, JD, FCLM
1976 Don Harper Mills, MD, JD, FCLM
1975 Don Harper Mills, MD, JD, FCLM
1974 Monroe E. Trout, MD, JD, LLB, FCLM
1973 Monroe E. Trout, MD, JD, LLB, FCLM
1972 Cyril H. Wecht, MD, JD, FCLM
1971 Cyril H. Wecht, MD, JD, FCLM
1970 Cyril H. Wecht, MD, JD, FCLM
1969 Carl E. Wasmuth, MD, LLB, FCLM*
1968 Carl E. Wasmuth, MD, LLB, FCLM*
1967 Carl E. Wasmuth, MD, LLB, FCLM*
1966 Charles U. Letourneau, MD, LLB, FCLM*
1965 Charles U. Letourneau, MD, LLB, FCLM*
1964 Charles U. Letourneau, MD, LLB, FCLM*
1963 Louis J. Gelber, MD, LLB, FCLM*
1962 Maurice B. Shure, MD, FCLM*
1961 Rueben M. Dicker, MD, LLM, FCLM*

1989 Veling Tsai, MD, JD, FCLM
1988 David Donnersberger, MD, JD, MA, FCLM
1987 C. William Hinnant, Jr., MD, JD, FCLM
1986 Daniel L. Orr II, DDS, PhD, JD, MD
1985 Thomas R. McLean, MD, MS, JD, FCLM
1984 Thomas R. McLean, MD, MS, JD, FCLM
1983 Victoria L. Green, MD, JD, MBA, MHSA, FCLM
1982 Kent E. Harshbarger, MD, JD, MBA, FCLM
1981 Dale H. Cowan, MD, JD, FCLM
1980 Melvin A. Shiffman, MD, JD, FCLM
1979 Michael M. Raskin, MD, JD, MS, MPH, MA, MBA, FCLM
1978 Bruce H. Seidberg, DDS, MScD, JD, FCLM
1977 Richard S. Wilbur, MD, JD, FCLM
1976 Philip A. Shelton, MD, JD, FCLM
1975 Theodore R. LeBlang, JD, FCLM
1974 Philip S. Cifarelli, MD, JD, FCLM, FACG*
1973 Miles J. Zaremski, JD, FCLM
1972 Fillmore Buckner, MD, JD, FCLM
1971 Jackson Snyder, MD, JD, MPH, PhD, FCLM
1970 Edward David, MD, JD, FCLM
1969 John Alexander Anderson, MD, JD, FCLM
1968 Martin B. Flamm, MD, JD, FCLM
1967 Stewart R. Reuter, MD, JD, FCLM*
1966 Arthur J. Cohen, MD, JD, FCLM
1965 Allan Gibofsky, MD, JD, FCLM
1964 Marvin H. Firestone, MD, JD, FCLM
1963 Daniel B. Cullan, MD, JD, FCLM*
1962 Charles R. Hollen, MD, JD, FCLM
1961 John R. Carlisle, MD, LLB, FCLM
1960 S. Sandy Sanbar, MD, PhD, JD, FCLM

*Deceased
<table>
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<tr>
<th>Year</th>
<th>Recipients</th>
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<tr>
<td>2020</td>
<td>Bill Hinnant, Jr., MD, JD, FCLM</td>
</tr>
<tr>
<td>2019</td>
<td>Karin W. Zucker, JD, LLM, FCLM</td>
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<td>2018</td>
<td>Thomas Noguchi, MD, FCLM</td>
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</table>
| 2017 | Victoria Green, MD, MHSA, JD, MBA  
Weldon Havins, MD, JD, LLM |
| 2016 | Matthias I. Okoye, MD, JD, FCLM  
Philip A. Shelton, MD, JD, FCLM |
| 2015 | Robert W. Buckman, PhD, FCLM |
| 2014 | Dale H. Cowan, MD, JD, FCLM |
| 2013 | Bruce H. Seidberg, DDS, MScD, JD, FCLM |
| 2012 | Stewart Reuter, MD, JD, FCLM |
| 2010 | Richard S. Wilbur, MD, JD, FCLM |
| 2009 | Marshall B. Kapp, JD, MPH, FCLM |
| 2008 | Philip S. Cifarelli, MD, JD, FCLM, FACP, FACG  
Marvin H. Firestone, MD, JD, FCLM |
| 2006 | Eugene Basanta, JD, LLM |
| 2005 | Fillmore Buckner, MD, JD, FCLM |
| 2004 | Arnold “Skip” Rosoff, JD, FCLM  
Sal Fiscina, MD, JD, FCLM |
| 2003 | Peter Rheinstein, MD, JD, MS, FCLM, FAAFP, FAPCR |
| 2002 | Richard Gibbs (posthumous) |
| 2001 | Edward Hollowell  
Richard Tyler, MD, JD, FCLM |
| 2000 | S. Sandy Sanbar, MD, PhD, JD, FCLM  
Lee Goldsmith, MD, LLB, FCLM |
| 1998 | Donald Mills Monroe Trout, MD, JD, LLB, FCLM |
| 1997 | James G. Zimmerly, MD, JD, MPH, LLD, FCLM  
Harold L. Hirsh, MD, JD, FCLM  
Dorothy Rasinski-Gregory, MD, JD, FCLM |
| 1996 | Cyril Wecht, MD, JD, FCLM |
REGISTRATION

Early Bird Entire Session Package (Friday-Friday) $325.00
Select quantity: Early Bird Entire Session Package (Friday-Friday)
Sales end on Feb 12, 2021
This package includes all add-ons.

Early Bird Package for Past Presidents $100.00
Sales end on Feb 12, 2021
This package includes all add-ons.

Early Bird Friday-Sunday Main Sessions $195.00
Sales end on Feb 12, 2021
This package does not include all sessions, choose add-ons as appropriate.

Early Bird Student/Resident/Fellow/Postdoctorate Package $35.00
Sales end on Feb 12, 2021
This package includes all conference sessions

Entire Session Package (Friday-Friday) $425.00
Sales start on Feb 13, 2021
This package includes all add-ons.

Package for Past Presidents $250.00
Sales start on Feb 13, 2021
This package includes all add-ons.

Friday-Sunday Main Sessions $245.00
Sales start on Feb 13, 2021
This package does not include all sessions, choose add-ons as appropriate.

Student/Resident/Fellow/Postdoctorate Package $50.00
Sales start on Feb 13, 2021
This package includes all conference sessions
### ADD-ONS

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<td>Early Bird Tuesday A La Carte Session</td>
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<td>CLE processing fee</td>
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CME ACCREDITATION & DISCLOSURE STATEMENT

The American College of Legal Medicine is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medicine education for physicians.

The American College of Legal Medicine designates this live activity for a maximum of 22.75 AMA PRA Category I Credits™, which includes a maximum of 1.5 of Medical Ethics hours credits. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

The following speakers have disclosed that they do not have any relevant financial relationships with commercial interests: Rebekah Bernard, MD; Gabriel Carillo, MD, JD; Glen Cheng, MD, JD, MPH; Mark Crowthers, MD, MSc, FRCPC, FRSC; Sarah Diekman, MD, JD; Kate Diesfeld, JD; Jonathan H. Ferry, JD; Robert Harrison, MHA, JD, LLM, FCLM; Andreas T. Kaltounis, JD, CISSP, CIPP; Dan Laird, MD, Esq, FCLM; Albert Lee, MBBS, LLB, FCLM; Sarah Lippek, JD; Mikk O. Lukk, JD; Maya Manian, JD, PhD; Kameron Matthews, MD, JD, FAAFP; Cody Miller Pyke, MD, JD, MS, LLM; Amirala Pasha, DO, JD; Joseph D. Piorkowski, Jr., DO, JD, MPH, FCLM; Santos Ruiz-Cordero, MD, JD, FCLM; Eric Shore, DO, JD, MBA, FCLM; Michael Sinha, MD, JD, MPH; Michelle Taft, JD; Amy Townsend, MD; Kathryn Tucker, JD; Michael Vinluan, MD, JD, FCLM; Mary Wall, MD, JD, FCLM; Victor Waters, MD, JD, FCLM; June Zhao, MBBS, PhD, PhD, MPH

CLE ACCREDITATION STATEMENT

The American College of Legal Medicine will seek 22.75 hours of CLE credit in 60-minute states, including 1.5 hours of ethics, and 27.5 hours of CLE credit for this program in 50-minute states, including 1.8 hours of ethics. Credit hours are estimated and are subject to each state’s approval and credit rounding rules.
GENERAL DISCLAIMER

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# MEETING PROGRAM AND SCHEDULE

*Times are Pacific Standard Time*

<table>
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<tr>
<th>TIME</th>
<th>FUNCTION/SESSION TITLE</th>
<th>PRESENTER(S)</th>
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<tr>
<td><strong>Thursday, February 25, 2021</strong></td>
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<tr>
<td>6:00 AM - 6:00 PM</td>
<td>Virtual Office</td>
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<td>Virtual Registration/Information Desk</td>
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<td>TBD</td>
<td>Virtual Board of Governors Meeting</td>
<td>Natalee Enyart</td>
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<td>Virtual Committee Meetings</td>
<td>Natalee Enyart</td>
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<td><strong>Friday, February 26, 2021</strong></td>
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<tr>
<td>6:00 AM - 6:50 AM</td>
<td>Registration/Information Desk</td>
<td>Monique A. Anawis, MD, JD, FCLM</td>
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<td>7:00 AM - 7:50 AM</td>
<td>ACLM Past Presidents' Virtual Brunch</td>
<td>Tony S. Quang, MD, JD, FCLM</td>
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<td>7:50 AM - 8:00 AM</td>
<td>President's Welcome/Announcements</td>
<td>Santos Ruiz-Cordero, MD, JD, FCLM</td>
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<td><strong>ACLM Annual Meeting Program Chairs</strong></td>
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<tr>
<td>8:00 AM - 10:00 AM</td>
<td>General Session I: Update on Recent Developments in Legal Medicine</td>
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<td><strong>MODERATOR: Tony S. Quang, MD, JD, FCLM</strong></td>
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<td>8:00 AM - 8:30 AM</td>
<td>Federal and State Legislative Update</td>
<td>Santos Ruiz-Cordero, MD, JD, FCLM</td>
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<td>8:30 AM - 9:00 AM</td>
<td>Federal and State Case Law Update</td>
<td>Mary Wall, MD, JD, FCLM</td>
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<td>9:00 AM - 9:30 AM</td>
<td>Federal and State Regulatory Update</td>
<td>Robert Harrison, MHA, JD, LLM, FCLM</td>
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<tr>
<td>9:30 AM - 9:45 AM</td>
<td>Q &amp; A</td>
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<tr>
<td>9:45 AM - 10:00 AM</td>
<td>BREAK</td>
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</table>
10:00 AM - 12:00 PM General Session II: COVID-19 Pandemic

MODERATOR: Joseph D. Piorkowski Jr., DO, JD, MPH, FCLM

10:00 AM - 10:30 AM Public Health Law, Science Communication, and COVID-19
Michael Sinha, MD, JD, MPH

10:30 AM - 11:00 AM Lessons Learned from FDA’s Response to COVID-19
Amirala Pasha, DO, JD, FACP

11:00 AM - 11:30 AM Malpractice During COVID-19: Risks and Protections
Michael Vinluan, MD, JD, FCLM

11:30 AM - 12:00 PM Veterans Health Administration: Prioritizing Integration and Care Coordination for our Nation’s Veterans
Kameron Matthews, MD, JD, FAAFP

12:00 PM - 12:15 PM Q & A

12:15 PM - 12:30 PM BREAK

12:30 PM - 1:15 PM General Session III: Annual Stewart Reuter Lecture
Professor Kate Diesfeld, JD

MODERATOR: Robert W. Buckman, PhD, FCLM

Visualizing Legal Medicine: Microscope, Periscope, and Crystal Balls

1:15 PM - 1:30 PM Q & A

1:30 PM - 3:00 PM Keynote Presentation: The Importance of Physician-Led Care
Rebekah Bernard, MD
Amy Townsend, MD

MODERATOR: Tony S. Quang, MD, JD, FCLM

Saturday, February 27, 2021

6:00 AM - 6:50 AM Registration/Information Desk

7:00 AM - 7:50 AM Dr. Dorothy Rasinski-Gregory Women’s Leadership Lecture
Maya Manian, JD, PhD
MODERATOR: Santos Ruiz-Cordero, MD, JD, FCLM

America’s Legacy of Forced Sterilization and Sterilization Abuse in ICE Detention
*This session is not available for CME and CLE credit*

7:50 AM - 8:00 AM  Announcements  Tony S. Quang, MD, JD, FCLM
Santos Ruiz-Cordero, MD, JD, FCLM

8:00 AM - 10:00 AM  General Session IV: Rising Stars Young Leaders

MODERATOR: Santos Ruiz-Cordero, MD, JD, FCLM

8:00 AM - 8:30 AM  The Corporate Practice of Medicine: A Forward Look at Patient Safety and Healthcare Worker Turnover  Sarah Diekman, MD, JD, MS

8:30 AM - 9:00 AM  Queering Legal Medicine – Review of Best Practices  Cody Miller Pyke, MD, JD, MS, LLM

9:00 AM - 9:40 AM  Liability and Regulation of Artificial Intelligence in Medicine  June Zhao, MBBS, PhD, PhD
Glen Cheng, MD, JD, MPH

9:40 AM - 9:50 AM  Q & A

9:50 AM - 10:00 AM  Break

10:00 AM - 12:00 PM  General Session V: The Other Side

MODERATOR: Michael Vinluan, MD, JD, FCLM

10:00 AM - 11:00 AM  You Should CARE: Will the Government Dismiss Unreasonable CARES Act Whistleblower Lawsuits  Jonathan Ferry, JD

11:00 AM - 11:30 AM  The Other Side of the Opioid Epidemic  Dan Laird, MD, Esq, FCLM

11:30 AM - 12:15 PM  Canadian and Covid-19 Experience  Mark Crowthers, MD, MSc, FRCPC, FRSC

12:15 PM - 12:45 PM  Q & A

12:45 PM - 1:00 PM  Break

1:00 PM - 2:00 PM  Annual Meeting of the Fellows
Sunday, February 28, 2021

6:45 AM - 7:35 AM  Registration/Information Desk  Ted Kanellakes

7:45 AM - 8:00 AM  Announcements  Tony S. Quang, MD, JD, FCLM  Santos Ruiz-Cordero, MD, JD, FCLM

8:00 AM - 11:00 AM  General Session VI: Ethics

MODERATOR: Robert Harrison, MHA, JD, LLM, FCLM
This session does not qualify for legal ethics credits, only general legal credits

8:00 AM - 9:00 AM  Right to Try Psilocybin  Kathryn Tucker, JD

9:00 AM - 9:30 AM  The Essentialness of Gender-Affirming Surgery During Covid-19  Cody Miller Pyke, MD, JD, MS, LLM

9:30 AM - 10:00 AM  COVID-19 Vaccine Distribution – Calling on State Militias to Hold the Frontline?  Gabriel Carrillo, MD, JD

10:00 AM - 10:30 AM  Ethical Issues in Corporate Attorney Client Privilege and Defense of Hospitals  Michelle Taft, JD

10:30 AM - 10:45 AM  Q & A

10:45 AM - 11:00 AM  Break

11:00 AM - 12:00 PM  General Session VII: Student Writing Awards

MODERATOR: Robert W. Buckman, PhD, FCLM

11:00 AM - 11:15 AM  General Session VII: Student Writing Awards

11:15 AM - 11:30 AM  General Session VII: Student Writing Awards

11:30 AM - 11:45 AM  General Session VII: Student Writing Awards

11:45 AM - 12:00 PM  Q & A

12:00 PM - 12:50 PM  General Session VIII: Andreas Kaltsounis, JD, CISSP, CIPP
Annual Sandy Sanbar, MD PhD JD FCLM Lecture

MODERATOR: Jackson Snyder, MD, JD, MPH, PhD, FCLM
Cybersecurity – Ransomware Extortion and Patient Harm
12:50 PM - 1:00 PM Q & A
1:00 PM - 1:30 PM Presentation of Honorary Fellowships and Gold Medal Award

**PRESENTER: Robert W. Buckman, PhD, FCLM**

### Monday, March 1st and Friday, March 5th, 2021

12:00 PM - 3:00 PM Registration/Information Desk
Ted Kanellakes

3:00 PM - 5:30 PM General Session IX: Poster Sessions

**MODERATOR: Sarah Diekman, MD, JD, MS**

Monday Medical Students Section

**MODERATOR: Santos Ruiz-Cordero, MD, JD, FCLM**

Friday Postgraduates/Residents & Young Leaders Section

5:30 PM - 6:00 PM Announcement of Abstract/Poster Awards

### Tuesday, March 2, 2021

12:00 PM - 3:00 PM Registration/Information Desk
Ted Kanellakes

3:00 PM - 6:00 PM General Session X: The Vulnerables

**MODERATOR: Chandler May, MD, JD, FCLM**

3:00 PM - 4:00 PM Independent Practice of Nurse Practitioners
Eric Shore, DO, JD, MBA, FCLM

4:00 PM - 5:00 PM Substance Impaired Clinicians
Joseph D. Piorkowski Jr., DO, JD, MPH, FCLM

5:00 PM - 5:45 PM How Community Care Can Prevent Incarceration
Mikk Lukk, JD

5:45 PM - 6:00 PM Q & A
Wednesday, March 3, 2021

12:00 PM - 3:00 PM  Registration/Information Desk  Ted Kanellakes
3:00 PM - 6:00 PM  General Session XI: Potpourri

**MODERATOR: Tony S. Quang, MD, JD, FCLM**

3:00 PM - 4:00 PM  MD/JD and Joint Career Panel Discussion
*This session is not available for CME and CLE credit*

4:00 PM - 5:00 PM  Covid Liability  Victor Waters, MD, JD, FCLM
5:00 PM - 6:00 PM  Prosecuting Errors in Clinical Judgment: Is it Appropriate to Charge Physicians Criminally for Medical Mistakes?  Stephen Andrews, JD, MSN, ACNP

Thursday, March 4, 2021

12:00 PM - 3:00 PM  Registration/Information Desk  Ted Kanellakes
3:00 PM - 6:00 PM  General Session XI: Ethics II

**MODERATOR: Tony S. Quang, MD, JD, FCLM**
*This session does not qualify for legal ethics credits, only general legal credits*

3:00 PM - 4:00 PM  Professional Ethics in Health Care Law  Robert Harrison, MHA, JD, LLM, FCLM
4:00 PM - 5:00 PM  Rights to Health Under COVID-19: Striking the Balance Between Public Interest and Individual Rights  Albert Lee, MBBS, LLB, FCLM
5:00 PM - 5:45 PM  Ethics of “Less Lethal”: Police Weapons and Lasting Injuries  Sarah Lippek, JD
5:45 PM - 6:00 PM  Q & A
6:00 PM - 6:15 PM  Closing Comments
6:15 PM  Adjournment
Friday, February 26, 2021

7:50 AM - 8:00 AM
President’s Welcome/Announcements
ACLM Annual Meeting Program Chairs

SPEAKER(S): Monique A. Anawis, MD, JD, FCLM
Tony S. Quang, MD, JD, FCLM
Santos Ruiz-Cordero, MD, JD, FCLM

8:00 AM - 10:00 AM
General Session I: Update on Recent Developments In Legal Medicine

MODERATOR: Tony S. Quang, MD, JD, FCLM

8:00 AM - 8:30 AM
Federal and State Legislative Update
State and Federal Legislative Legal Medicine Update for year 2020. Updates in Legislation enacted affecting Legal Medicine

SPEAKER(S): Santos Ruiz-Cordero, MD, JD, FCLM

8:30 AM - 9:00 AM
Federal and State Case Law Update
Annual review of important legal proceedings involving healthcare during 2020

SPEAKER(S): Mary Wall, MD, JD, FCLM

9:00 AM - 9:30 AM
Federal and State Regulatory Update
This is an annual update on regulatory developments in health care law. This year’s presentation focuses on COVID-19 regulatory relief, new health care information blocking enforcement regulations, and the newly revised Stark and Anti-Kickback statutes.

SPEAKER(S): Robert Harrison, MHA, JD, LLM, FCLM
9:30 AM - 9:45 AM

Q & A

10:00 AM - 12:00 PM

General Session II: COVID-19 Pandemic

MODERATOR: Joseph D. Piorkowski Jr., DO, JD, MPH, FCLM

10:00 AM - 10:30 AM

Public Health Law, Science Communication, and COVID-19
Addressing the role of quarantine, isolation, and the evolving law of social distancing in state responses to the COVID-19 pandemic.

SPEAKER(S): Michael Sinha, MD, JD, MPH

10:30 AM - 11:00 AM

Lessons Learned from FDA’s Response to COVID-19
The COVID-19 pandemic brought about tremendous change to all aspects of life including the regulatory landscape. Many agencies including the FDA had to rapidly implement new approaches to respond to the pandemic appropriately and in a timely fashion. In this lecture we review FDA’s response to COVID-19 and seek to learn from its innovations and shortcomings.

SPEAKER(S): Amirala Pasha, DO, JD, FACP

11:00 AM - 11:30 AM

Malpractice During COVID-19: Risks and Protections
The lecture will provide an overview of: (1) Medical malpractice risks during the current pandemic (inadequate staffing/resources, telehealth risks, providing care outside scope of practice, delayed medical care, nursing home transmission, and delayed COVID-19 diagnosis/treatment) and (2) Medical malpractice liability protections from federal statutes (CARES Act, PREP Act, etc.) and various state statutes and legislations.

SPEAKER(S): Michael Vinluan, MD, JD, FCLM

11:30 AM - 12:00 PM

Veterans Health Administration: Prioritizing Integration and Care Coordination for our Nation’s Veterans
Introduction to Veterans Health Administration, its mission, priorities, and strategies with regard to integrated health care for Veterans that emphasizes positive experience, whole health, and care coordination.

**SPEAKER(S):** Kameron Matthews, MD, JD, FAAFP

**12:00 PM - 12:15 PM**

**Q & A**

**12:30 PM - 1:15 PM**

**General Session III: Annual Stewart Reuter Lecture**

**Visualizing Legal Medicine: Microscope, Periscope, and Crystal Balls**

How do we protect the interests of our most vulnerable communities during times of crises? We can look within our borders, and beyond, for sources of ethical and legal guidance. Reflecting upon the protections for elders within aged care in New Zealand, we consider the human rights tools we can invoke for a spectrum of people within coercive settings. They contain enduring ethical principles that safeguard for people within detention centres and long term disability residence, from dementia units to prison cells. Have we used their full potential?

**MODERATOR:** Robert W. Buckman, PhD, FCLM

**SPEAKER(S):** Professor Kate Diesfeld, JD

**1:15 PM - 1:30 PM**

**Q & A**

**1:30 PM - 3:00 PM**

**Key Note Presentation: The Importance of Physician-Led Care**

With the rate of nurse practitioner and physician assistant graduates exceeding that of physician graduates, if your patients and clients are not already being treated by a non-physician, chances are, they soon will be. While advocates for these professions insist that research shows that they can provide the same care as physicians, patients do not know the whole truth: that there are no credible scientific studies to support the safety and efficacy of non-physicians practicing without physician supervision - and in fact, patients may face an increased risk of harm.

**MODERATOR:** Tony S. Quang, MD, JD, FCLM

**SPEAKER(S):** Rebekah Bernard, MD

Amy Townsend, MD
Saturday, February 27, 2021

7:00 AM - 7:50 AM  
**Dr. Dorothy Rasinkski-Gregory Women’s Leadership Lecture**  
America's Legacy of Forced Sterilization and Sterilization Abuse in ICE Detention  
The 2020 allegations of sterilization abuse in ICE detention centers and the speaker will situating those allegations within the long history of coerced sterilization in the U.S.  
*This session is not available for CME and CLE credit*  
**MODERATOR:** Santos Ruiz-Cordero, MD, JD, FCLM  
**SPEAKER(S):** Maya Manian, JD, PhD

7:50 AM - 8:00 AM  
**Announcements**

8:00 AM - 10:00 AM  
**General Session IV: Rising Stars Young Leaders**  
**MODERATOR:** Santos Ruiz-Cordero, MD, JD, FCLM

8:00 AM - 8:30 AM  
**The Corporate Practice of Medicine: A Forward Look at Patient Safety and Healthcare Worker Turnover**  
“The corporate practice of medicine.” In the current setting of the US healthcare system, this phrase is often used, but the meaning of the phrase varies. To explore the topic of the corporate practice of medicine, it must first be defined. The basic “divided loyalty and impaired confidence between the interests of a corporation and the needs of a patient” is the basis of the public policy that supports the corporate practice of medicine laws. Some states specifically legislate a prohibition against the corporate practice of medicine. In general, this legislation prohibits non-professionals from the formation of business corporations in the field. In other words, corporations for professional services are only permitted if the corporation is controlled by members of the profession. These usually exclude non-profit corporations. This talk will explore the meaning of the term and its effect on the stakeholders.  
**SPEAKER(S):** Sarah Diekman, MD, JD, MS

8:30 AM - 9:00 AM  
**Queering Legal Medicine – Review of Best Practices**
This lecture presents an overview of best practices for LGBTQ+ inclusivity and competency in providing medical and legal services, as published by major professional organizations. The session also aims to provide attendees with a working framework with which to queer their own practice.

**SPEAKER(S):** Cody Miller Pyke, MD, JD, MS, LLM

9:00 AM - 9:40 AM

**Liability and Regulation of Artificial Intelligence in Medicine**

This talk will provide medicolegal perspectives on physician liability when using AI-driven diagnostic and therapeutic tools.

**SPEAKER(S):** June Zhao, MBBS, PhD, PhD

Glen Cheng, MD, JD, MPH

9:40 AM - 9:50 AM

**Q & A**

10:00 AM - 12:00 PM

**General Session V: The Other Side**

**MODERATOR:** Michael Vinluan, MD, JD, FCLM

10:00 AM - 11:00 AM

**You Should CARE: Will the Government Dismiss Unreasonable CARES Act Whistleblower Lawsuits**

This lecture will broadly describe the CARES Act Provider Relief Fund and associated terms and conditions. It will then provide an overview of the False Claims Act and potential liability under the FCA. It will then describe the DOJ's power to police such lawsuits through dismissal and how such suits brought under the CARES Act regulations should be dismissed.

**SPEAKER(S):** Jonathan Ferry, JD

11:00 AM - 11:30 AM

**The Other Side of the Opioid Epidemic**

Since CDC issues it opioid prescribing Guidelines in 2016, some patients with cancer, Sickle Cell Disease, chronic pain, and disability have reported difficulty accessing appropriate and safely prescribed opioid medication. The unintended consequences of the fight against the opioid epidemic have resulted in new theories of liability for professional negligence, medical malpractice, and other claims.
PROGRAM AGENDA cont.

SPEAKER(S): Dan Laird, MD, Esq, FCLM

11:30 AM - 12:15 PM
Canadian and Covid-19 Experience
This lecture will provide some insight into the differences between COVID 19 in the United States, Canada and elsewhere. It will attempt to provide some background information on why these rates are so different.

SPEAKER(S): Mark Crowthers, MD, MSc, FRCPC

12:15 PM - 12:45 PM
Q & A

1:00 PM - 2:00 PM
Annual Meeting of the Fellows

Sunday, February 28, 2021

8:00 AM - 11:00 AM
General Session VI: Ethics
This session does not qualify for legal ethics credits, only general legal credits
MODERATOR: Robert Harrison, MHA, JD, LLM, FCLM

8:00 AM - 9:00 AM
Right to Try Psilocybin
Multiple recent clinical trials show that therapy with psilocybin relieves anxiety and depression in patients with advanced cancer. Modalities to address non-physical pain and suffering have not kept pace; a significant percentage of terminally ill patients suffer unrelieved anxiety and depression. Hence there is keen interest in the findings of these clinical trials. Psilocybin is listed on Schedule I of the Controlled Substances Act, deemed to have no currently accepted medical use. Therefore, clinicians cannot prescribe it and it is unlawful for them to manufacture, distribute, or possess it. Ongoing clinical trials are directed at the goal of rescheduling psilocybin under the CSA so that it can be prescribed and utilized for therapeutic purposes. However, those trials and the process of rescheduling can take many years. Dying patients do not have the luxury of time to wait. In recent years, recognition of this reality led to the enactment of so-called Right to Try (RTT) statutes. These laws are intended to allow patients with advanced life-threatening illness to access otherwise prohibited drugs. Psilocybin should be available to patients with life-threatening
illness, notwithstanding its designation on Schedule I. Emerge Law Group is taking this issue forward on behalf of an integrative oncology clinic seeking permission from state and federal drug agencies, to enable access to this medicine.

**SPEAKER(S):** Kathryn Tucker, JD

9:00 AM - 9:30 AM

**The Essentialness of Gender-Affirming Surgery During Covid-19**

This lecture presents evidence and normative ethical arguments relating to gender-affirming surgeries and procedures during the COVID-19 pandemic. Special attention is given to whether such procedures are “elective” or “essential,” in the parlance of state government orders, regulations and federal guidance.

**SPEAKER(S):** Cody Miller Pyke, MD, JD, MS, LLM

9:30 AM - 10:00 AM

**COVID-19 Vaccine Distribution – Calling on State Militias to Hold the Frontline?**

Discussion of the logistical, social, and ethical challenges of Covid-19 vaccine distribution and how to use existing legal frameworks (via the state and local) to activate a “militia” or state defense force to help distribute the vaccines to the community. Most importantly the model will include community leaders (clergy, retired medical personnel, military) who can help set the example for receiving the vaccine and thereby reduce vaccine hesitancy.

**SPEAKER(S):** Gabriel Carrillo, MD, JD

10:00 AM - 10:30 AM

**Ethical Issues in Corporate Attorney Client Privilege and Defense of Hospitals**

This lecture will discuss the practice of representing hospitals and healthcare institutions in medical malpractice cases, including legal developments in a corporate attorney’s ability to represent employed physicians, contracted physicians, non-physicians, and former employees/agents. This lecture will also discuss ethical considerations for attorneys relating to a provider’s right to independent counsel, collaborating with opposing counsel to avoid ex parte contact issues, and depositions of employed providers/agents with whom corporate counsel is not permitted to communicate ex parte.

**SPEAKER(S):** Michelle Taft, JD

10:30 AM - 10:45 AM

**Q & A**
11:00 AM - 12:00 PM
General Session VII: Student Writing Awards
MODERATOR: Robert W. Buckman, PhD, FCLM

11:00 AM - 11:15 AM
General Session VII: Student Writing Awards

11:15 AM - 11:30 AM
General Session VII: Student Writing Awards

11:30 AM - 11:45 AM
General Session VII: Student Writing Awards

11:45 AM - 12:00 PM
Q & A

12:00 PM - 12:50 PM
General Session VIII: Annual Sandy Sanbar, MD PhD JD FCLM Lecture
Cybersecurity – Ransomware Extortion and Patient Harm
This lectures explores the potential patient harm caused by ransomware extortion attacks on healthcare organizations. Part I describes what ransomware is and how the attackers operate. Part II explores the legal and ethical implications of ransomware attacks for healthcare providers. And Part III discusses possible solutions and recommendations to address the threat.
MODERATOR: Jackson Snyder, MD, JD, MPH, PhD, FCLM
SPEAKER(S): Andreas Kaltsounis, JD, CISSP, CIPP

12:50 PM - 1:00 PM
Q & A

1:00 PM - 1:30 PM
Presentation of Honorary Fellowships and Gold Medal Award
PRESENTER: Robert W. Buckman, PhD, FCLM
PROGRAM AGENDA cont.

Monday, March 1, 2021

3:00 PM - 5:30 PM
General Session IX: Poster Sessions
Medical Students Section
MODERATOR: Sarah Diekman, MD, JD, MS

Tuesday, March 2, 2021

3:00 PM - 6:00 PM
General Session X: The Vulnerables
MODERATOR: Chandler May, MD, JD, FCLM

3:00 PM - 4:00 PM
Independent Practice of Nurse Practitioners
An update on licensing and scope of practice for MLPs in the US.
SPEAKER(S): Eric Shore, DO, JD, MBA, FCLM

4:00 PM - 5:00 PM
Substance Impaired Clinicians
This session will consider several cutting-edge issues regarding impaired health care providers including striking the balance between rehabilitation of health care providers with substance use disorders with the need to protect patient safety, incentives and disincentives to obtaining treatment through Physician Health Programs, due process rights of health care providers suspected of substance abuse, protections afforded to impaired providers by the Americans with Disabilities Act, and the use of medication-assisted therapy in HCPs with opioid use disorder.
SPEAKER(S): Joseph D. Piorkowski Jr., DO, JD, MPH, FCLM

5:00 PM - 5:45 PM
How Community Care Can Prevent Incarceration
How to effectively use client mental health history and community resources to negotiate non-custodial resolutions to criminal cases, and the ethical considerations of working with mental health clients and their medical information.
SPEAKER(S): Mikk Lukk, JD
5:45 PM - 6:00 PM
Q & A

**Wednesday, March 3, 2021**

3:00 PM - 6:00 PM
**General Session XI: Potpourri**
MODERATOR: Tony S. Quang, MD, JD, FCLM

3:00 PM - 4:00 PM
**MD/JD and Joint Career Panel Discussion**
*This session is not available for CME and CLE credit*

4:00 PM - 5:00 PM
**Covid Liability**
Liability issues and risk factors for health care workers during the covid epidemic.
SPEAKER(S): Victor Waters, MD, JD, FCLM

5:00 PM - 6:00 PM
**Prosecuting Errors in Clinical Judgment: Is it Appropriate to Charge Physicians Criminally for Medical Mistakes?**
While it is rare for clinicians to be charged criminally for medical errors, it can occur. This presentation will explore the elements of negligence as they pertain to medical errors, the elements of reckless homicide, the importance of early disclosure and apology related to medical errors and a discussion of best practices in these events.
SPEAKER(S): Stephen Andrews, JD, MSN, ACNP

**Thursday, March 4, 2021**

3:00 PM - 6:00 PM
**General Session XI: Ethics II**
*This session does not qualify for legal ethics credits, only general legal credits*
MODERATOR: Tony S. Quang, MD, JD, FCLM

3:00 PM - 4:00 PM
Professional Ethics in Health Care Law
This presentation is designed to help participants appreciate the specific requirements of the Model Rules of Professional Conduct for attorneys working with health care clients. Emphasis will be placed on Model Rules 1.7 and 1.13, governing conflicts of interest in concurrent representation and representing organizational clients, and Model Rules 1.1 and 1.6, governing competence and confidentiality. Participants will develop a better understanding of avoiding the frequent conflicts of interest that arise in representing health care clients and will learn how recent revisions to the Model Rules place an enhanced emphasis on the connection between expanded duties of competence and confidentiality arising from electronic health information technology.
SPEAKER(S): Robert Harrison, MHA, JD, LLM, FCLM

4:00 PM - 5:00 PM
Rights to Health Under COVID-19: Striking the Balance Between Public Interest and Individual Rights
Rights to Health under COVID-19 needs to striking the balance between public interest and individual rights. The rights to health cover a very wide perspective, not limited to conventional health services during the pandemic. Public health measures should go beyond implementation of public health regulations and should build up community capacity and good local governance to put effective health interventions into practice, within the local context. Governing bodies need to serve the common good, balancing the benefits of public interest and limitation of individual freedom in compliance with the principle of proportionality and requirement of “absence of arbitrariness”. Public health law should also protect the rights entitled by the citizens from health protection and access to other essential services beyond health. Proactive public health actions should engage local municipalities to mobilise local resources and actions to support precautionary measures. The role of primary health care should be emphasised in the health system with greater use of remote assessment by virtual consultation and different tiers of health practitioners for managing different levels of health conditions. Greater reliance on self-management and carrying out health instruments by remote control will be needed.
SPEAKER(S): Albert Lee, MBBS, LLB, FCLM

5:00 PM - 5:45 PM
Ethics of “Less Lethal”: Police Weapons and Lasting Injuries
I will be discussing emerging research and current litigation on police use of ‘less-lethal’ weapons against protesters, including examining potential links beween tear gas exposure and menstrual disruption. I am
currently co-counsel in a large multi-plaintiff lawsuit against the Seattle Police for abuse of protesters.

SPEAKER(S): Sarah Lippek, JD

5:45 PM - 6:00 PM
Q & A

6:00 PM - 6:15 PM
Closing Comments

6:15 PM
Adjournment

Friday, March 5, 2021

3:00 PM - 5:30 PM
General Session IX: Poster Sessions
Postgraduates/Residents & Young Leaders Section
MODERATOR: Santos Ruiz-Cordero, MD, JD, FCLM

5:30 PM - 6:00 PM
Announcement of Abstract/Poster Awards