

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

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, 61 *Saint Louis University Law Journal* 437 (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 Ingle, 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

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

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

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

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

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

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

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

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

Medicaid Matters Workgroup at University of Kentucky Law School (March 2013) & St. Louis University Law School (Feb. 2012) (Roundtable discussion of legal scholarship touching upon Medicaid)

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 on titled “Can Health Care Reform Ensure Equity in Health Care Access and Quality?”*

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).

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) (Presenting paper considering the link between Medicaid access and the law regulating provider reimbursement).

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 titled “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)

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)

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 public law failures)

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)

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) (Presenting paper titled “The Immigrant Health Care Narrative & What it Tells us About the U.S. Healthcare System”)

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)

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”)

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 challenges of using civil rights laws to fight health disparities)

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 examining insurance exclusions of reproductive health care as gender discrimination under Title VII of the Civil Rights Act)

American Society of Law, Medicine & Ethics and Saint Louis University Center for Health Law Studies - Health Law Scholars Workshop (October 2002) (Presented paper exploring various frameworks for analyzing 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 the legal implications of religious hospital mergers that impede access to reproductive health)