Micah L. Berman, J.D.

The Ohio State University

College of Public Health & Moritz College of Law

342 Cunz Hall, 1841 Neil Avenue

Columbus, Ohio 43210

(614) 688-1438 • berman.31@osu.edu

**Overview/Highlights**

* Nationally recognized expert in tobacco law and policy.
* Scholar of law and public health, committed to developing public health law into a robust, interdisciplinary field of academic scholarship.
* Engaged in collaborative research that seeks to better inform tobacco regulation by bridging the divide between public health research and legal scholarship.
* One of the only attorneys to ever receive a Research Career Development Award (K Award) from the NIH. Played a significant role in Ohio State receiving an $18.7 million research grant from the FDA and NIH to establish the OSU Center of Excellence in Regulatory Tobacco Science.
* Extensive practical experience in local, state, and federal policymaking. Founded two academic centers that provided policy support to state and local tobacco control programs, and served as a senior advisor to the FDA Center for Tobacco Products.
* Innovative and dedicated teacher with exemplary classroom reviews. Awarded a public health law teaching fellowship from the Robert Wood Johnson Foundation.

**Academic Positions**

**The Ohio State University, Columbus, OH**

Associate Professor (with tenure), College of Public Health & Moritz College of Law, 2017-present

Assistant Professor, College of Public Health & Moritz College of Law, 2013-2017

Member, OSU-James Comprehensive Cancer Center, Cancer Control Research Program, 2013-present

**New England Law | Boston, Boston, MA**

Associate Professor, 2011-2013

Assistant Professor, 2008-2011

Director, Center for Public Health and Tobacco Policy, 2010-2013

**Capital University Law School, Columbus, OH**

Visiting Assistant Professor, 2007-2008

Adjunct Professor, 2006-2007

Executive Director, Tobacco Public Policy Center, 2005-2008

**Education**

**Stanford Law School**, **Stanford, CA**

Juris Doctor with Distinction, 2001 (Order of the Coif)

Managing Editor, *Stanford Law Review*

Articles Editor, *Stanford Law & Policy Review*

Hilmer Oehlmann Jr. Prize for Legal Research and Writing

**Brandeis University, Waltham, MA**

Bachelor of Arts with Highest Honors in Public Policy, *Summa Cum Laude*, 1998 (Phi Beta Kappa)

Major in Public Policy; Minors in Economics and Near Eastern and Judaic Studies

Doris Brewer Cohen Award for Best Senior Thesis in the Social Sciences

**The Ohio State University, Columbus, OH**

Non-degree graduate coursework in Public Health

**Additional Experience**

**U.S. Food and Drug Administration, Rockville, MD**

Senior Advisor to the Director, Office of Policy, Center for Tobacco Products, 2011-2012

 (on leave of absence from New England Law | Boston)

**Stinson Morrison Hecker LLP, St. Louis, MO** (now Stinson Leonard Street LLP)

Associate, Commercial Litigation and Antitrust Law Practice Groups, 2003-2004

**U.S. Department of Justice, Washington, DC**

Trial Attorney, National Criminal Enforcement Section, Antitrust Division, 2001-2003

Attorney General’s Honor Program

**Research and Publications**

1. Ferketich AK; Liber A; Pennell M; Nealy D; Hammer J; **Berman M**. Clean indoor air ordinance coverage in the Appalachian region of the United States.*American Journal of Public Health* 2010;100(7):1313-1318.
2. Klein EG; Liber AC; Kauffman RM; **Berman M**; Ferketich AK. Local smoke-free policy experiences in Appalachian communities. *Journal of Community Health* 2014;39(1):11-16.
3. Klein EG; Kennedy RD; **Berman M**. Tobacco control policies in outdoor areas of high volume American transit systems. *Journal of Community Health* 2014;39(4):660-667.
4. **Berman M**; Crane R; Seiber E; Munur M. Estimating the cost of a smoking employee. *Tobacco Control* 2014;23(5):428-433.
5. **Berman ML**; Connolly G; Cummings MK; Djordjevic MV; Hatsukami DK; Henningfield JE; Myers M; O’Connor RJ; Parascandola M; Rees V; Rice JM; Shields PG. Providing a science base for the evaluation of tobacco products. *Tobacco Regulatory Science* 2015;1(1):76-93.
6. Yates K; Friedman K; Slater MD; **Berman M**; Paskett E; Ferketich AK. A content analysis of electronic cigarette portrayal in newspapers. *Tobacco Regulatory Science* 2015;1(1):94-102.
7. Klein EG; Shoben AB; Krygowski S; Ferketich AK; **Berman M**; Peters E; Unnava R; Wewers ME. Does size impact attention and recall of graphic health warnings? *Tobacco Regulatory Science* 2015;1(2):175-185.
8. Roberts ME; **Berman ML**; Slater MD; Hinton A; Ferketich AK. Point-of-sale tobacco marketing in rural and urban Ohio: Could the new landscape of tobacco products widen inequalities? *Preventive Medicine* 2015;81:232-235.
9. **Berman ML**. Raising the tobacco sales age to 21: Surveying the legal landscape. *Public Health Reports* 2016;131:378-381.
10. Jin Y; Lu B; Klein EG; **Berman M**; Foraker RE; Ferketich AK. Tobacco-free pharmacy laws and trends in tobacco retailer density in California and Massachusetts. *American Journal of Public Health* 2016;106(4):679-685.
11. Jenson D; Lester J; **Berman ML**. FDA’s misplaced priorities: premarket review under the Family Smoking Prevention and Tobacco Control Act. *Tobacco Control* 2016;25(3):246-253.
12. Klein EG; **Berman M**; Hemmerich N; Htut S; Carlson C; Slater M. Online e-cigarette marketing claims: a systematic content and legal analysis. *Tobacco Regulatory Science* 2016;2(3):252-262.
13. Peters E; Evans AT; Hemmerich N; **Berman M**. Emotion in the law and the lab: the case of graphic cigarette warnings. *Tobacco Regulatory Science* 2016;2(4):404-413.
14. Wang L; Jin Y; **Berman M**; Ferketich AK. Would a cigarette by any other name taste as good in China? *Tobacco Control* 2016;25(6):638-639 (research letter).
15. **Berman ML**; Yang YT. E-cigarettes, youth, and FDA’s “deeming” regulation. *JAMA Pediatrics* 2016;170(11):1039-1040.
16. Jin Y; Lu B; **Berman M**; Klein EG; Foraker RE; Ferketich AK. The impact of tobacco-free pharmacy policies on smoking prevalence. *Journal of the American Pharmacists Association* 2016;56(6): 627–632.
17. **Berman M.** Regulatory oversight of ENDS product defects. *Tobacco Control* 2017;26(1):2-3.
18. Wipfli H; **Berman M**; Hanson K; Kelder S; Solis A; Villanti AC; Ribeiro CMP; Meissner H; Anderson R. Defining tobacco regulatory science competencies. *Nicotine & Tobacco Research* 2017;19(2):222-230.
19. Seiber EE; **Berman ML**. Medicaid expansion and ACA repeal: Evidence from Ohio. *American Journal of Public Health* 2017;107(6):889-892.
20. Kistler CE; Crutchfield TM; Sutfin EL; Ranney LM; **Berman ML**; Zarkin GA, Goldstein AO Consumers’ preferences for electronic nicotine delivery system product features: A structured content analysis. *International Journal of Environmental Research and Public Health* 2017;14(6):613.
21. Klein EG; Quisenberry AJ; Shoben AB; Cooper S; Ferketich AK; **Berman M**; Peters E; Wewers ME. Health warning labels for smokeless tobacco: The impact of graphic images on attention, recall, and craving. *Nicotine & Tobacco Research* 2017;19(10):1172-1177.
22. Roberts, ME; Klein EG; **Berman ML**; Bilen B; Ferketich AK. Young adult perceptions surrounding hookah use. *Health Behavior Policy and Review* 2017;4(6):593-600.
23. Doogan NJ; Wewers ME; **Berman M**. The impact of a federal cigarette minimum pack price policy on cigarette use in the USA. *Tobacco Control* 2017;doi:10.1136/tobaccocontrol-2016-053457 (online first).
24. Hemmerich N; Klein EG; **Berman M.** Evidentiary support in public comments to the FDA's Center for Tobacco Products. *Journal of Health Politics, Policy and Law* 2017; doi:10.1215/03616878-3856121 (online first).
25. Song M; Benowitz NL; **Berman M**; Brasky TM; Cummings KM; Hatsumaki D; Marian C; O’Connor R; Rees V; Woroszylo C; Shields PG. Cigarette filter ventilation and its relationship to increasing rates of lung adenocarcinoma. *Journal of the National Cancer Institute* 2017; doi:10.1093/jnci/djx075 (online first).
26. **Berman M**; Hatsukami D. Reducing tobacco-related harms: FDA’s proposed product standard for smokeless tobacco. *Tobacco Control* 2017;doi:10.1136/tobaccocontrol-2016-053612 (online first).
27. Shields PG; **Berman M**; Brasky TM; Freudenheim JL; Mathe EA; McElroy J; Song M; Wewers MD. A review of pulmonary toxicology of electronic cigarettes in the context of smoking: A focus on inflammation. *Cancer Epidemiology, Biomarkers & Prevention* 2017;doi:10.1158/1055-9965.EPI-17-0358 (online first).
28. Jin Y; Lu B; **Berman M**; Foraker RE; Ferketich AK. Ending tobacco sales in pharmacies: A qualitative study. *Journal of the American Pharmacists Association* 2017;doi: 10.1016/j.japh.2017.07.004 (online first).
29. **Berman ML**; Bickel WK; Harris AC; LeSage MG; O’Connor RJ; Stepanov I; Shields PG; Hatsukami DK. Consortium on Methods for Evaluating Tobacco: Research tools to inform FDA regulation of snus. *Nicotine & Tobacco Research* 2017;doi:10.1093/ntr/ntx228(online first).

***Law Review and Law Journal Articles***

1. Micah Berman, *The “Quality Health Care Coalition Act”: Can Antitrust Law Improve Patient Care?*, 53 Stan. L. Rev. 695 (2000) (student note).
2. Micah Berman & Robert Crane, *Mandating a Tobacco-Free Workforce: A Convergence of Business and Public Health Interests*, 35 Wm. Mitchell L. Rev. 1651 (2008).
3. Micah L. Berman, *Tobacco Litigation Without the Smoke? Cigarette Companies in the Smokeless Tobacco Industry*, 11 J. Health Care L. & Pol’y 7 (2008).
4. Micah L. Berman, *Smoking Out the Impact of Tobacco-Related Decisions on Public Health Law*, 75 Brook. L. Rev. 1 (2009).
5. Micah L. Berman, *From Health Care Reform to Public Health Reform*, 39 J. L. Med. & Ethics 328 (2011).
6. Micah L. Berman, *A Public Health Perspective on Health Care Reform*, 21 Health Matrix 353 (2011).
7. Micah L. Berman, *Improving Patient Safety and Providing Fair Compensation*, 46 New Eng. L. Rev. 409 (2012) (symposium introduction).
8. Micah L. Berman, Michael Freiberg & Julie Ralston Aoki, *From Fenway Park to the Mall of America: A Multi-Collaborative Approach to Teaching and Learning*, 38 Dayton L. Rev. 157 (2012).
9. Lindsay F. Wiley, Micah L. Berman & Doug Blanke, *Who’s Your Nanny? Choice, Paternalism and Public Health in the Age of Personal Responsibility*, 41 J. L. Med. & Ethics S88 (2013).
10. Micah L. Berman, *Commercial Speech and Tobacco Marketing: A Comparative Discussion of the U.S. and Canada*, 39 Am. J. Law & Med. 218 (2013).
11. Micah L. Berman, *Defining the Field of Public Health Law*, 15 DePaul J. Health Care L. 45 (2013).
12. Micah L. Berman, *Pursuing Global Health with Justice*, 1 J.L. & Biosciences 348 (2014) (book review).
13. Micah L. Berman, *Legal but Lethal: Corporations, Consumption, and Protecting Public Health*, 35 J. Legal Med. 601 (2014) (book review).
14. Micah L. Berman & Annice E. Kim, *Bridging the Gap Between Science and Law: The Example of Tobacco Regulatory Science*, 43 J.L. Med & Ethics S95 (2015).
15. Micah L. Berman, *Manipulative Marketing and the First Amendment*, 103 Geo. L.J. 497 (2015).
16. Micah L. Berman, *Combining Accreditation and Education: An Interdisciplinary Public Health Law Course*, 44 J. L. Med. & Ethics S18 (2016).
17. Micah L. Berman, *Clarifying Standards for Compelled Commercial Speech*, 40 Wash. U. J. L. & Pol’y 53 (2016).
18. Eric N. Lindblom, Micah L. Berman & James F. Thrasher, *FDA-Required Tobacco Product Inserts and Onserts – And the First Amendment*, 72 Food & Drug L.J. 1 (2017).
19. Micah L. Berman, M. Justin Byron, Natalie Hemmerich, Eric N. Lindblom, Allison J. Lazard, Ellen Peters & Noel T. Brewer, *Communicating Tobacco Product Information to the Public*, 72 Food & Drug L.J. 386 (2017).
20. Patricia J. Zettler, Natalie Hemmerich & Micah L. Berman, *Closing the Regulatory Gap for Synthetic Nicotine*, 59 B.C. L. Rev. \_\_ (forthcoming 2018).

***Book Chapter***

1. Micah L. Berman, *The Commercial Speech Doctrine in the United States: False Promises and Promising Approaches for Protecting Public Health*, *in* Tobacco Advertising: The Front and Back Side of Free Commercial Speech (Adalberto Pasqualotto ed., 2015) (published in Portuguese and English).

***Policy Reports and Technical Reports***

Micah Berman & Caris Post, Tobacco Control Legal Consortium, *Secondhand Smoke and Casinos* (2007).

Marlo Miura, Micah Berman & Whitney Dodds, Center for Public Health and Tobacco Policy, *Tobacco Retail* *Licensing: Local Regulation of the Number, Location, and Type of Tobacco Retail Establishments in New York* (2010).

Micah Berman, Marlo Miura & John Bergstresser, Center for Public Health and Tobacco Policy, *Tobacco Product Display Bans* (2010).

Micah Berman & Kerry Malloy Snyder, Center for Public Health and Tobacco Policy, *Tobacco Price Promotion: Policy Responses to Industry Price Manipulation* (2011).

Micah Berman & Marlo Miura, Center for Public Health and Tobacco Policy, *Cigarette Tax Evasion in New York* (2011).

Micah Berman & Kerry Malloy Snyder, Center for Public Health and Tobacco Policy, *Reducing Youth Exposure to Tobacco Marketing: Options for Local Governments in New York* (2012).

Micah Berman & Whitney Dodds, Center for Public Health and Tobacco Policy, *The Legal Landscape: Vermont’s Tobacco Control Laws* (2012).

Micah Berman & Whitney Dodds, Center for Public Health and Tobacco Policy, *Addressing the Point of Sale: Options for Reducing Youth Tobacco Use in Vermont* (2012).

Micah Berman & Kerry Malloy Snyder, Center for Public Health and Tobacco Policy, *Cause and Effect: Tobacco Marketing Increases Youth Tobacco Use – Findings of the 2012 Surgeon General’s Report* (2012).

Micah Berman, Rob Crane & Natalie Hemmerich, OSU College of Public Health, *Running the Numbers: Raising the Minimum Tobacco Sales Age to 21* (2015; revised and expanded in 2016).

Eric Lindblom, Micah Berman & James Thrasher, O’Neill Institute for National and Global Health Law at Georgetown University, *The Legal Framework for Using Tobacco Product Inserts and Onserts to Help Consumers* *Make More Informed Choices and to Reduce Tobacco Use Harms* (2016).

Ohio Department of Medicaid, *Ohio Medicaid Group VIII Assessment: A Report to the General Assembly* (2016) (led report writing team).

***Op-Ed Columns and Selected Letters to the Editor***

Matthew Youngner & Micah Berman, *Don’t Divert Ohio’s Tobacco Funds*, Cleveland Plain Dealer, June 28, 2005 (letter to the editor).

Micah Berman, *Hookah Bars Should Comply with Ban*, Columbus Dispatch, Sept. 20, 2005 (letter to the editor).

Micah Berman, *Hiring Only Nonsmokers is Legal and Beneficial*, Columbus Dispatch, July 12, 2007.

Micah Berman, Good *and the Legal Future of “Light” Cigarettes*, JURIST, Dec. 22, 2008.

Berman M, Ferketich AK. Local smoke-free ordinances are passing in tobacco-growing states. *American Journal of Public Health* 2010;100(11):2014 (response to letter to the editor).

Berman M, Ferketich AK, Liber A, Pennell M, Nealy D, Hammer J. Smoke-free legislation in Appalachian counties. *American Journal of Public Health* 2010;100(11):2013 (response to letter to the editor).

Micah Berman, Kathleen Dachille & Julie Ralston Aoki, Sorrell *and the Future of Commercial Speech Regulations*, JURIST, Oct. 4, 2011.

Micah Berman, *What Makes it Hard to Kick the Habit*, N.Y. Times, Aug. 4, 2013 (letter to the editor).

Micah Berman, *Raising Tobacco Sales Age to 21 Would Cut Smoking, Save Lives*, Columbus Dispatch, Nov. 13, 2013.

Micah Berman, *Time to Increase Ohio’s Tobacco Tax to Save Lives*, Cleveland Plain Dealer, May 16, 2014.

Micah Berman & Kathleen Hoke, *The $23 Billion Resentment Against America’s Tobacco Industry*, National Law Journal, Aug. 4, 2014.

Berman M, Crane R. Tobacco-free hiring policies and academic health centers*. Academic Medicine* 2015;90(2):126 (letter to the editor).

Micah Berman, *Raising Tax on Cigarettes will be Win-Win*, Columbus Dispatch, Feb. 16, 2015 (letter to the editor).

Micah Berman, *Raising the Minimum Buying Age for Tobacco Could Mean Fewer People Start to Smoke*, The Conversation, April 2, 2015.

Micah Berman, *Calls for Stronger Regulation of E-Cigarettes*, N.Y. Times, Sept. 8, 2015 (letter to the editor).

Micah Berman, *How to Dramatically Reduce Smoking Without Banning Tobacco Sales*, The Conversation, Sept. 8, 2015.

Micah Berman, *The Continuing Investigation into the World of E-Cigarettes*, The Hill, Dec. 12, 2016.

***Works in Progress***

The New Public Health Law: A Transdisciplinary Approach to Practice and Advocacy (textbook to be co-published by Oxford University Press and the American Public Health Association; co-authored with Scott Burris, Matthew Penn, and Tara Ramanathan)

Natalie Hemmerich, Micah Berman, et al., *Flavor Mixing in Hookah Establishments*

Katherine Friedman, Micah Berman, et al., *Attitudes towards Tobacco, Alcohol, and Non-Alcoholic Beverage Themes among Adolescent Boys*

Micah Berman, Peter Shields, et al., *Risk Assessment for Tobacco Regulation*

***Amicus Curiae Briefs***

Brief for *amici curiae* National Association of County and City Health Officials, et al., *New York Statewide Coalition of Hispanic Chambers of Commerce v. New York City Dep’t of Health and Mental Hygiene* (N.Y. 2014) (co-author).

Brief for *amici curiae* National Association of Local Boards of Health et al., *New York Statewide Coalition of Hispanic Chambers of Commerce v. New York City Dep’t of Health and Mental Hygiene* (N.Y. App. Div. 2013) (co-author).

Brief for *amici curiae* Tobacco Control Legal Consortium et al., *23-34 94th St. Grocery Corp. v. New York City Bd. of Health* (2d Cir. 2011).

Brief for *amicus curiae* Tobacco Public Policy Center, *Arbino v. Johnson & Johnson* (Ohio 2006).

***Regulatory Comments***

Comments of the American Public Health Association, *Deeming Tobacco Products to be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act,* Docket No. FDA-2014-N-0189, August 7, 2014 (co-author).

**Research Support**

***Current Research Support***

*Designing a Comprehensive Framework for the Evaluation of Tobacco Product Risks*, 2016-2021

 (75% effort)

National Cancer Institute

K07-CA-197221 (PI: Berman)

Principal Investigator

* The overall objective of this K07 research is to develop a comprehensive framework for the assessment of tobacco products that fuses scientific and legal considerations and includes novel risk assessment methodologies.

*Ohio Medicaid Group VIII Study*, 2017-2018 (10% effort)

Ohio Department of Medicaid (PI: Sahr)

Co-Investigator; Lead Report Author; Technical Assistance Lead

* Lead writer of report to that will examine enrollment and dis-enrollment patterns among Medicaid expansion (Group VIII) enrollees, factors associated with these enrollment patterns, and the extent to which Group VIII Medicaid enrollment has translated into improvements in health, economic stability, and workforce participation.

*Tobacco Use During the Transition to Adulthood*, 2016-2021

National Cancer Institute

R01-CA-141643 (PI: Sutfin)

Consultant

***Past Research Support***

*Assessment of Ohio Medicaid Expansion*, 2016-2017 (15% effort)

Ohio Department of Medicaid (Co-PIs: Sahr and Seiber)

Co-Investigator; Chair of Report Writing Subgroup; Steering Committee Member

* Lead writer of a statutorily-required report examining the impact of Ohio’s Medicaid expansion on the physical and mental health, health care access, and financial wellbeing of new Medicaid enrollees.

*Thirdhand Smoke Tobacco Exposure and Health Risk Assessment*

California Tobacco-Related Disease Research Program

20PT-0184H (University of Southern California Site PI: Samet)

Consultant

*Important Characteristics of Electronic Cigarette Use among Adult Smokers*, 2015-2016

University of North Carolina Translational & Clinical Sciences (TraCS) Pilot Project (PI: Kistler)

Consultant

*Assessment of Health Claims in Vape Shops: Exploring the Need for FDA Enforcement*, 2015-2016

University of North Carolina Center for Regulatory Research on Tobacco Communications (CRRTC) Pilot Project (PI: Wagoner)

Consultant

*Optimizing Public Display of Information on Tobacco Product Constituents*, 2015-2016 (10% effort)

National Cancer Institute/FDA Center for Tobacco Products

P50-CA-180907-03S1 (PI: Brewer/Site PI: Peters)

Co-Investigator

* Conducted a legal analysis to determine how the FDA can comply with its statutory mandate to present tobacco constituent information to the public in a manner that benefits public health and is not misleading.

*OSU Center of Excellence in Regulatory Tobacco Science*, 2013-2015 (20% effort)

National Cancer Institute/FDA Center for Tobacco Products

P50-CA-180908-01 (Co-PIs: Wewers and Shields)

Steering Committee Member

* Assisted in the administration and oversight of $18.7 million cross-campus P50 center.
* Ended role on project due to requirements of K07 award; remain affiliated with the project in an advisory role.

Co-Director of Research, Training and Education Core

* Developed curriculum and recorded video lectures for a Tobacco Regulation course. Universities and government agencies around the country use the lectures for training and educational purposes.
* Co-led weekly training meetings with postdoctoral fellows and co-directed a summer internship program for undergraduate students.
* Participated in a national workgroup that developed model competencies for Tobacco Regulatory Science.

Co-Investigator, Project 3 (*Diversity of Tobacco Products Used and Purchased*)

* Contributed to the design and implementation of a longitudinal study examining the product preferences and tobacco use trajectories of adult tobacco users in urban and rural Ohio.

*Content Analysis and Legal Review of Online E-Cigarette Advertising from Manufacturers, Retailers and Affiliates*, 2014-2015

OSU Center of Excellence in Regulatory Tobacco Science Pilot Project (Co-PIs: Berman and Klein)

Co-Principal Investigator

* Performed a systematic content analysis and legal review of health-related claims made on e-cigarette retailer and manufacturer websites.

*Center for Public Health and Tobacco Policy,* 2010-2013

New York State Department of Health

Center Director

* Obtained more than $2.4 million in funding to establish and direct a center that provided legal and policy support for tobacco control programs and other public health initiatives in New York State. Responsible for all aspects of center’s operations, including research, policy development, technical assistance, educational programming, and fiscal oversight.
* Developed model point-of-sale (POS) tobacco policies, including tobacco licensing requirements and limits on price discounting, that several New York jurisdictions incorporated into their laws. Assisted New York City and other jurisdictions in defending tobacco-related laws in court.

*Center for Public Health and Tobacco Policy,* 2011-2013

Vermont Department of Health

Center Director

* Secured additional funding to extend the center’s reach by providing legal and policy assistance to state and local tobacco control efforts in Vermont.

*Building on Public Health Law Successes*, 2010-2011

Consortium for Innovative Legal Education (Co-PIs: Berman, Ralston Aoki, Freiberg)

Co-Principal Investigator

* Designed and implemented a "multi-collaborative" Public Health Law course that engaged law students in Massachusetts and Minnesota in a shared effort to inform public health decision-makers about promising public health policies.

*Tobacco Public Policy Center*, 2005-2008

Ohio Tobacco Prevention Foundation

Center Director

* Established and directed a center funded by a $1.2 million grant that served as a legal and policy resource for advocates, public health officials, policymakers, and others working to reduce tobacco use in Ohio. Developed the center into a recognized state and national authority on tobacco control issues, including smoke-free workplace laws, tobacco-free schools, and smoke-free multi-unit housing.
* Responded to more than 420 requests for legal technical assistance from around Ohio, hosted eleven conferences and workshops, provided testimony before state and local governmental bodies, and developed dozens of fact sheets and model policies on a wide range of tobacco-related issues.

**Presentations and Public Communications**

***Selected Presentations*** (oral presentations only; since 2013)

**Invited National Presentations**

*Tear Down that Wall: Retail Tobacco Displays and the First Amendment*, Tobacco Control Legal Consortium Conference (St. Paul, MN, January 15-16, 2013) (conference facilitator)

*Federal Preemption in Tobacco Control: New World, New Challenges*, Tobacco Control Legal Consortium (national webinar) (August 13, 2013)

*Teaching Tobacco Regulatory Science*, NIH Tobacco Regulatory Science Conference (Bethesda, MD, April 29, 2014)

*The Tobacco Control Act and the Deeming Regulations*, University of North Carolina, Center for Regulatory Research on Tobacco Communication (Chapel Hill, NC, May 5, 2014)

*Eyes on the Prize: Acting Boldly to End Smoking*, Tobacco Control Legal Consortium Conference (St. Paul, MN, Sept. 3-4, 2014) (conference facilitator)

*The Tobacco Control Act and the Authority of the FDA: How Science Informs Policy*, Yale Tobacco Center of Regulatory Science (New Haven, CT, Sept. 22, 2014)

*Connecting Science to Law: Understanding the Policymaking Process*, AACR Science of Cancer Health Disparities Conference (San Antonio, TX, Nov. 9, 2014)

*The Tobacco Control Act and the FDA's Tobacco Regulation: How Science Informs Policy*, Georgia State University Tobacco Center of Regulatory Science (Atlanta, GA, Feb. 5, 2015)

*Manipulation, Autonomy, and the First Amendment*, Georgia State University College of Law, Center for Law, Health & Society (Atlanta, GA, Feb. 5, 2015)

*The First Amendment and the Regulation of E-Cigarette Advertising*, Centers for Disease Control and Prevention, Public Health Law Program (Atlanta, GA, Feb. 6, 2015)

*A View from the Intersection of Theory, Research, and Practice*, FDA Center for Tobacco Products (Silver Spring, MD, May 18, 2015)

*Eyes on the Prize: Acting Boldly to End Smoking*, Tobacco Control Legal Consortium Conference (St. Paul, MN, Sept. 29-30, 2015) (conference facilitator)

*Combining Accreditation and Education: An Interdisciplinary Public Health Law Course*, Indiana Health Law Review Symposium (Indianapolis, IN, Oct. 16, 2015)

*The Tobacco Control Act and the FDA’s Tobacco Regulation: How Science Informs Policy,* American Heart Association Tobacco Regulation and Addiction Center (multi-site webinar) (Oct. 23, 2015)

*Federal Tobacco Litigation*, Food & Drug Law Institute FDA Tobacco Regulation Conference (Washington, DC, Oct. 27, 2015)

*Participating in Regulatory Science: Submitting Public Comments to the FDA*, Tobacco Centers of Regulatory Science (national webinar) (Feb. 10, 2016)

*Tobacco 21 Enforcement*, Using Science and Law to Advance Tobacco Retail Policy(St. Louis, MO, May 24, 2016)

*Risk Assessment for Tobacco Regulation*, UCSF Center for Tobacco Control Research and Education (San Francisco, CA, Oct. 17, 2016)

*Risk Assessment for Tobacco Regulation*, Stanford University School of Medicine, Prevention Research Center/General Medicine Division Seminar Series(Stanford, CA, Oct. 20, 2016)

*Eyes on the Prize: Acting Boldly to End Smoking*, Tobacco Control Legal Consortium Conference (Austin, TX, March 21, 2017) (meeting facilitator)

*Policy Options for Addressing Thirdhand Smoke*, University of Southern California, Department of Preventive Medicine (May 31, 2017)

**Reviewed National Presentations**

*Commercial Speech & Tobacco Marketing: A Comparative Discussion*, The Future of Global Tobacco Control: 2013 Symposium of the American Journal of Law & Medicine (Boston, MA, January 25, 2013)

*Free Speech and Public Health: An International Perspective*, ASLME Health Law Professors Conference (Newark, NJ, June 7, 2013)

*Incorporating Collaborative Learning into Public Health Law Education*, American Public Health Association Annual Meeting (Boston, MA, Nov. 4, 2013)

*Manipulation, Autonomy, and the First Amendment*, ASLME Health Law Professors Conference (San Francisco, CA, June 7, 2014)

*Tobacco Regulatory Science: Bridging the Gap Between Science and Law*, 2014 Public Health Law Conference (Atlanta, GA, Oct. 16, 2014)

*Combining Accreditation & Education: An Interdisciplinary Public Health Law Course*, American Public Health Association Annual Meeting (New Orleans, LA, Nov. 18, 2014)

*All or Nothing? Compromise and Consistency in Public Health Law*, American Public Health Association Annual Meeting (New Orleans, LA, Nov. 19, 2014)

*Beyond Warning Labels: Clarifying Standards for Compelled Commercial Speech*, ASLME Health Law Professors Conference (St. Louis, MO, June 5, 2015)

*Challenges to State and Local Public Health Laws from International Trade Agreements*, American Public Health Association Annual Meeting (Chicago, IL, Nov. 2, 2015)

*Seeking a Pro-Equity Impact: The Intersection of Tobacco Control Policy and Health Disparities Research*, Society for Research on Nicotine and Tobacco 2016 Annual Meeting (Chicago, IL, March 4, 2016)

*Tobacco Regulatory Science: Integrating Science and Law*, ASLME Health Law Professors Conference (Boston, MA, June 4, 2016)

*FDA as Gatekeeper: Premarket Review of Tobacco Products*, American Public Health Association Annual Meeting (Denver, CO, Oct. 31, 2016)

**Other Local, State, and Regional Presentations**

*Commercial Speech and Public Health: A Comparative Law Analysis*, Ohio Legal Scholarship Workshop (Dayton, OH, June 21, 2013)

*Manipulative Advertising and the First Amendment*, Big Ten Junior Scholars Conference (Bloomington, IN, August 10, 2013)

*What is Advocacy and Am I Allowed to Do It?*, Health Policy Institute of Ohio & Alliance for Justice (Ohio webinar) (August 28, 2013)

*Creating Smoke-Free Public Housing*, Ohio Housing Authorities Conference (Columbus, OH, Sept. 20, 2013)

*Manipulative Marketing and the First Amendment*, University of Dayton School of Law (Dayton, OH, Nov. 13, 2013)

*Legal Issues with Smoke-Free Multi-Unit Housing*, Allen County Healthy Housing Conference (Lima, OH, Nov. 21, 2013)

*Update on FDA Tobacco Regulation*, Ohio State University Tobacco Control Seminar (Columbus, OH, Feb. 3, 2014)

*Tobacco Policy Issues: 2014 and Beyond*, Columbus Board of Public Health (Columbus, OH, July 15, 2014)

*Strengthening Smoke-Free Policies: Legality and Enforcement*, Ohio Department of Health (Ohio webinar) (Aug. 21, 2014)

*A Collaborative Response to Emerging Infections and Epidemics*, 2015 Health Professionals Conference, The Ohio State University (Columbus, OH, March 28, 2015) (panelist)

*Tobacco Policy Issues in Ohio*, Health Policy Institute of Ohio Tobacco Control Conference (Columbus, OH, June 1, 2015)

*Pulling at the Roots of Poverty: Justice for All*, Columbus Metropolitan Club (Columbus, OH, Sept. 9, 2015)

*Content Analysis and Legal Review of Health Claims from Online E-Cigarette Retailers and Manufacturers*, Ohio State University Tobacco Control Seminar (Columbus, OH, Oct. 12, 2015)

*Licensing and the Enforcement of Tobacco 21 Laws*, Ohio Society for Public Health Education (Columbus, OH, March 11, 2016)

*Marijuana and Public Health*, Ohio Public Health Combined Conference (Columbus, OH, May 10, 2016)

*Should the FDA Regulate E-Cigarettes?*, Federalist Society, Columbus Lawyers Chapter (Columbus, OH, Jan. 12, 2017) (debate with Prof. Jonathan Adler)

*An Assessment of Ohio’s Medicaid Expansion*, University of Toledo College of Law (Toledo, OH, Jan. 18, 2017)

*Is This the End? The Future of Tobacco Control*, Ohio State University, John Glenn College of Public Affairs (Columbus, OH, March 27, 2017)

*Tobacco: The Federal and State Policy Landscape*, Health Policy Institute of Ohio Addressing Addiction Forum (Columbus, OH, Sept. 26, 2017)

***Public Testimony*** (since 2013)

New York City Council, May 2, 2013 (restrictions on point-of-sale tobacco promotion)

Ohio House of Representatives, Ways and Means Committee, March 26, 2014 (tobacco taxes and prevention funding)

Ohio House of Representatives, Ways and Means Committee, March 4, 2015 (tobacco taxes and prevention funding)

Ohio Senate, Ways and Means Committee, May 20, 2015 (tobacco taxes and prevention funding)

Ohio 2020 Tax Policy Commission, March 30, 2016 (tobacco taxes)

Ohio House of Representatives, Ways and Means Committee, March 9, 2017 (tobacco taxes and prevention funding)

Ohio House of Representatives, Finance Committee, Health and Human Services Subcommittee, March 16, 2017 (tobacco taxes and prevention funding)

Additional public testimony to numerous city councils around Central Ohio regarding increasing the tobacco sales age to 21.

***Press Contacts***

Regularly quoted in international, national and local press on tobacco control and other public health issues. Since 2013, quoted in press outlets including the *Wall Street Journal*, *New York Times*, *Law360, L.A. Times*, *The Independent* (U.K.), *Der Spiegel* (Germany), *Agence France Press* (France), *Christian Science Monitor, Columbus Dispatch*, *Cleveland Plain Dealer*, and *Cincinnati Enquirer.* Conducted radio and television interviews with the Canadian Broadcasting Corporation, LBC (U.K.), RTL (France), and stations in San Francisco, Calgary, Columbus, Cleveland, Cincinnati, and elsewhere.

**Teaching**

Received exemplary teaching reviews, with average student reviews of 4.9/5. Committed to innovative teaching that prepares students for practice. For example, Public Health Law students in 2015 in 2016 worked closely with a local health department to design and conduct legal research projects that addressed current health department needs.

***Courses Taught***

Ohio State University:

* Public Health Law (LAW 8810 and PUBHHMP 7610)
* Spring 2014, Moritz College of Law
* Spring 2015, Moritz College of Law & College of Public Health (joint course)
* Spring 2016, Moritz College of Law
* Health Care Law for Managers (PUBHHMP 7611)
* Spring 2014, College of Public Health
* Spring 2015, College of Public Health
* Spring 2016, College of Public Health
* Tobacco Regulation and Policy (PUBHHMP 7613)
* Spring 2017, College of Public Health
* Taught as informal online course in 2014-2015 for postdoctoral fellows affiliated with OSU’s Center of Excellence in Regulatory Tobacco Science (OSU-CERTS); videos shared nationally with tobacco researchers and used for educational and training purposes at numerous universities, the FDA, and the CDC

New England Law | Boston:

* Torts (Fall 2008, Fall 2009, Fall 2010, Fall 2012)
* Criminal Law (Spring 2009, Spring 2010)
* Products Liability (Fall 2009, Fall 2010)
* Public Health Law (Spring 2010, Spring 2011); Spring 2010 course included collaboration by videoconference with students in Minnesota and presentation of final research products to staff of the Massachusetts Department of Public Health.
* Health Care Law (Spring 2009)

Capital University Law School:

* Torts I (Fall 2007)
* Torts II (Spring 2008)
* Public Health Law (Summer 2006, Spring 2007, Spring 2008)

**Awards and Recognition**

* Selected for the Robert Wood Johnson Foundation’s Future of Public Health Law Education Faculty Fellowship (2014)
* Selected as Health Law Scholar by the American Society of Law, Medicine & Ethics (2008)
* Appointed to NIH Director’s Council of Public Representatives (2008-2011)

**Committees and Service Activities**

***Associate Editor***

*Tobacco Regulatory Science*

***Invited Ad-Hoc Peer Reviewer***

*American Journal of Public Health*

*Health Policy*

*Journal of Health Politics, Policy and Law*

*Journal of Medical Ethics*

*Journal of Public Health Management and Practice*

*Nicotine & Tobacco Research*

*Preventing Chronic Disease*

*Public Health*

*Public Health Reports*

*Tobacco Control*

*Word Medical & Health Policy*

***Professional Memberships***

American Bar Association

American Public Health Association

American Society of Law, Medicine and Ethics

Ohio Public Health Association

Ohio State Bar Association

Society for Research on Nicotine and Tobacco

***College and University Committees*** (OSU only)

 College of Public Health, Student and Postdoctoral Support Committee (2016-present)

 College of Public Health, Faculty Open Search Committee (2015-present)

College of Public Health, Division of Health Services Management and Policy, MHA Admissions Committee (2013-present)

 Provost’s Ad-Hoc Committee on Faculty Rewards (2014) (university-wide)

***Community and Professional Service and Activities*** (since 2013)

Policy Action Committee, Society for Research on Nicotine and Tobacco (2017-present)

External Advisory Board Member, Center for the Evaluation of Nicotine in Cigarettes (CENIC) (NIDA U54 Center; Donny & Hatsukami, Co-PIs) (2016-present)

Co-Chair, Tobacco 21 Columbus (2015-present) (co-lead campaign to increase the tobacco sales age to 21 in Columbus and surrounding communities; ordinances successfully passed in Columbus and in five Columbus suburbs)

Volunteer Consultant, Preventing Tobacco Addiction Foundation (2015-present) (provide legal and policy support to communities around the country working to raise the tobacco sales age to 21)

Section Councilor & Communications Chair, American Public Health Association (APHA) Law Section (2014-present)

Blogger, *Notice & Comment*, Blog of the *Yale Journal of Regulation* and the American Bar Association Section on Administrative Law & Regulatory Practice (2014-present) (blog post cited in U.S. District Court opinion, *Berger v. Philip Morris*, May 5, 2016 (M.D. Fla.))

Expert Review Workgroup on Legal Epidemiology Competencies, Public Health Law Program, Centers for Disease Control and Prevention (2016-2017)

Workgroup on Training and Education (and Sub-Workgroup on Tobacco Regulatory Science Competencies), Tobacco Centers of Regulatory Science (2014-2016)

Planning Committee, 2014 Public Health Law Conference (2014)

Consultant, ChangeLab Solutions (2014)

Health Measurement Advisory Group, Health Policy Institute of Ohio (2014-2016)

Regional Leadership Council, American Lung Association of the Midland States (2013-2017)

Prevention and Public Health Policy Advisory Group, Health Policy Institute of Ohio (2013-2017)

George Consortium (2013-present) (national collaboration of public health academics working to promote the use of law to improve public health)

External Advisory Board Member, Advancing Science and Policy in the Retail Environment (ASPiRE) (NCI U01 Center; Ribisl, Henriksen & Luke, co-PIs) (2012-2016)

Consultant, Tobacco Control Legal Consortium/Public Health Law Center (2007-present)