

MARK A. ROTHSTEIN
Curriculum Vitae

167 Totem Road
Louisville, KY 40207
(502) 895-4688

Institute for Bioethics, Health Policy and Law
University of Louisville School of Medicine
501 East Broadway, Suite #310
Louisville, Kentucky 40292
(502) 852-4982, (502) 852-8319 (FAX)
mark.rothstein@louisville.edu

ACADEMIC APPOINTMENTS

- | | |
|----------------|--|
| 2001 - Present | Herbert F. Boehl Chair of Law and Medicine and Director, Institute for Bioethics, Health Policy and Law, University of Louisville School of Medicine |
| | Professor of Medicine, Division of General Internal Medicine, Palliative Medicine, and Medical Education, Department of Medicine; and Department of Family and Geriatric Medicine, University of Louisville School of Medicine |
| | Professor of Law, Louis D. Brandeis School of Law, University of Louisville |
| | Adjunct Professor of Public Health, University of Louisville School of Public Health and Information Sciences |
| | Adjunct Professor of Nursing, University of Louisville School of Nursing |
| 2003 – 2006 | Director, Center for Public Health Law Partnerships, a CDC Collaborating Center, University of Louisville School of Medicine |
| 1995 - 2000 | Hugh Roy and Lillie Cranz Cullen Distinguished Professor of Law, University of Houston |
| 1986 - 2000 | Director, Health Law and Policy Institute, University of Houston |
| 1988 - 2000 | Adjunct Professor of Public Health, The University of Texas School of Public Health |
| 1990 - 1995 | Law Foundation Professor of Law, University of Houston |
| 1986 - 1990 | Professor of Law, University of Houston |

1985 - 1986	Visiting Professor of Law, University of Houston
1984 - 1986	Adjunct Professor of Medicine, West Virginia University School of Medicine
1980 - 1986	Professor of Law, West Virginia University
1980 - 1986	Adjunct Professor of Public Health, Graduate School of Public Health, University of Pittsburgh
1979 - 1980	Visiting Associate Professor of Law, University of Pittsburgh
1975 - 1979	Assistant and Associate Professor of Law, Ohio Northern University
Fall 2007	Visiting Professor of Law, University of Maryland
Winter 2005	Sadie Lewis Webb Visiting Professor of Law, University of Virginia (short course)
Summer 1979	Visiting Associate Professor of Law, Georgetown University

PRACTICE EXPERIENCE

1975 - present	Consultant on biobanks, bioethics, employment law, genetics and the law, health information technology, health policy, health privacy, occupational safety and health law, and public health law
1973 - 1975	Attorney-advisor to Commissioner Timothy F. Cleary, Occupational Safety and Health Review Commission, Washington, DC

EDUCATION

J.D.	Georgetown University, 1973
B.A.	University of Pittsburgh, 1970

PROFESSIONAL ACTIVITIES

2011 – present	Department Editor, Health Policy and Ethics Forum, American Journal of Public Health
2011 – present	Member, Carrier Screening Workgroup, Secretary’s Advisory Committee on Heritable Disorders in Newborns and Children, Department of Health and Human Services
2011 – present	Member, Lincoln Biohistory Study Group Ethics Board, Chicago

	History Museum
2011 – present	Member, Research Oversight Committee, Jewish Hospital (Louisville, KY)
2009 – present	Member, National Advisory Committee, Robert Wood Johnson Foundation Community Health Leaders Award
2008 – present	Member, Public Stakeholders Task Force, National Board of Medical Examiners
2002 – present	Adviser, Restatement (Third) of Employment Law, American Law Institute
2002 – present	Member, Ethics Committee, Jewish Hospital (Louisville, Ky.)
2000 - present	Section Editor and Primary Author of “Currents in Contemporary Bioethics,” Journal of Law, Medicine & Ethics
2011	Member, Working Group on PCAST Report, HIT Policy Committee, Office of the National Coordinator of Health Information Technology, Department of Health and Human Services
2002 – 2010	At-Large Member, National Board of Medical Examiners
2006 – 2008	Member, Personalized Health Care Working Group, American Health Information Community, Department of Health and Human Services
2005 – 2008	Member, Physicians Depression and Suicide Prevention Project, Suicide Prevention International/Milbank Memorial Fund
2003 – 2008	Member, Board of Directors, American Society of Law, Medicine & Ethics
2001 – 2008	Chair, Subcommittee on Privacy and Confidentiality (and member, Executive Subcommittee), National Committee on Vital and Health Statistics
1999 - 2008	Member, National Committee on Vital and Health Statistics, Department of Health and Human Services (appointed by Secretary of Health and Human Services Donna Shalala, reappointed by Secretary Tommy G. Thompson)
2007	Member, Special Review Committee, Genome-Wide Studies in Biorepositories with Electronic Medical Records Data, National Human Genome Research Institute, National Institutes of Health

2002 – 2007 Member, Committee on Emerging Issues and Data on Environmental Contaminants (and Chair, Subcommittee on Ethical, Legal, and Social Implications), National Research Council, National Academy of Sciences

2006 President, American Society of Law, Medicine & Ethics

2005 – 2006 Member, Committee on Applications of Toxicogenomic Technologies to Predictive Toxicology, National Research Council, National Academy of Sciences

2003 – 2005 Chair, Government Affairs Committee, Health Enterprises Network, Louisville, Ky.

2001 – 2004 Member, Newborn Screening Expert Group, American College of Medical Genetics

2001 – 2004 Member, Genetics Advisory Committee, Partnership for Prevention

2003 Member, Expert Panel, Canadian Networks of Centers of Excellence

1997 – 2003 Member, Medical Advisory Panel for Nuclear Weapons Workers at the Nevada Test Site, United States Department of Energy

2002 Member, Special Emphasis Panel, Human Genetic Variation, National Human Genome Research Institute, National Institutes of Health

2002 Co-Chair, Working Group on Nonmedical Applications of Genomics, National Human Genome Research Institute, National Institutes of Health

2000 – 2002 Member, Steering Committee on Pharmacogenetic Research, National Institute of General Medical Sciences, National Institutes of Health

2000 – 2002 Member, Advisory Board for “Our Genes/Our Choices” PBS Television Series, Fred Friendly Seminars

2000 - 2001 Chair, Section on Post-Graduate Legal Education, Association of American Law Schools

2000 - 2001 Member, Genetics Working Group, Clinical Laboratory Improvement Advisory Committee, Centers for Disease Control and Prevention

1998 – 2001 Member, National Advisory Panel, National Conference of State Legislatures Legislative Task Force on Genetics

1997 - 2001	Member, Social Issues Committee, American Society of Human Genetics (Chair, 1998-2001)
2000	Member, Special Emphasis Panel, Public Health Practice Program Office, Centers for Disease Control and Prevention
1998 - 2000	Chair, Subcommittee on Adoption, Social Issues Committee, American Society of Human Genetics
1997 - 2000	Member, Committee for the Protection of Human Subjects, University of Houston (Chair, 1998)
1998	Member, Subcommittee on Genetic Testing, Clinical Laboratory Improvement Act Advisory Committee, Centers for Disease Control and Prevention
1997 - 1999	Member, Working Group on Hereditary Susceptibility, National Action Plan on Breast Cancer
1997 - 1998	Ethics Consultant, National Aeronautics and Space Administration
1996	Co-Chair, Special Committee to Evaluate the Ethical, Legal, and Social Implications (ELSI) Program, Human Genome Project, National Institutes of Health/U.S. Department of Energy
1996	Member, Working Group to Develop the National Occupational Research Agenda, National Institute for Occupational Safety and Health
1995	Consultant, Therapeutic Chelation Protocols for Nuclear Weapons Workers Exposed to Plutonium and Americium, United States Department of Energy
1994 - 1995	General Reporter, Third American Congress of Labor Law and Social Security, Montreal, Canada
1994 - 1995	Special Legislative Counsel on Genetic Discrimination in Employment, National Center for Human Genome Research, National Institutes of Health
1993, 1995	Reviewer, Ethical, Legal, and Social Issues Grants, Human Genome Program, United States Department of Energy
1994	Consultant, American Bar Association, Special Committee on the Drug Crisis
1993 - 1994	Member, Board of Advisers, Biological Sciences Curriculum Study Genetics Project

- 1991 - 1993 Member, Committee on Assessing Genetic Risks: Issues and Implications for Health and Social Policy, Institute of Medicine, National Academy of Sciences
- 1991 - 1993 Member, Committee on Genetics and the Insurance Industry, American Society of Human Genetics
- 1990 Member, Genome Study Section and Special Review Committee on Ethics Grants, National Center for Human Genome Research, National Institutes of Health
- 1989 - 1990 Member, Secretarial Panel for the Evaluation of Epidemiologic Research Activities, United States Department of Energy (appointed by Secretary of Energy James D. Watkins)
- 1988 - 1990 Member, Genetic Testing in the Workplace Advisory Panel, Office of Technology Assessment, United States Congress
- 1989 - 1990 Chair, Labor and Employment Section, Association of American Law Schools
- 1988 - 1990 Member, Study Group on Identifying Carriers of Cancer Genes, Environmental Health Institute
- 1988 - 1990 Member, Advisory Group on Hospital Occupational Health and Safety, American Hospital Association
- 1987 - 1988 Member, Medical Testing and Health Insurance Advisory Panel, Office of Technology Assessment, United States Congress
- 1987 Member, Health Monitoring in the Workplace Advisory Panel, National Academy of Sciences
- 1986 Consultant, American Medical Association, Study on Drug Testing in the Workplace
- 1984 - 1985 Principal Legal Contractor, Reproductive Health Hazards in the Workplace, Office of Technology Assessment, United States Congress
- 1982 - 1985 Founder and Director, West Virginia University Occupational Health Law Program
- 1982 - 1984 Member, Preventing Illness and Injury in the Workplace Advisory Panel, Office of Technology Assessment, United States Congress
- 1982 - 1983 Principal Legal Contractor, The Role of Genetic Testing in the Prevention of Occupational Disease, Office of Technology

Assessment, United States Congress

HONORS

- 2009 Elected Member, American Law Institute
- 2006 Reappointed Distinguished University Scholar, University of Louisville
- 2001 Named Distinguished University Scholar, University of Louisville
- 2001 Named Herbert F. Boehl Chair of Law and Medicine, University of Louisville School of Medicine
- 1999 Received Esther Farfel Award, University of Houston's highest honor for research, teaching, and service.
- 1999 Received National Public Health Hero Award, University of California-Berkeley School of Public Health
- 1997 Received Jay Healey Distinguished Health Law Teacher Award, American Society of Law, Medicine and Ethics
- 1996 Received Ethel M. Baker Faculty Award for Community Service, University of Houston Law Center
- 1995 Named Hugh Roy and Lillie Cranz Cullen Distinguished Professor of Law, University of Houston Law Center
- 1995 Received Mayor and City Council of Houston Proclamation for Faculty Excellence
- 1993 Elected Fellow of the Hastings Center
- 1990 Named Law Foundation Professor, University of Houston Law Center
- 1990 Inducted into Abington (Pa.) High School Hall of Fame
- 1984 Received Hale Posten Award for Legal Scholarship, West Virginia University College of Law

BOARDS (current)

Advisory Board, National Information Resource on Ethics and Human Genetics,
Kennedy Institute of Ethics, Georgetown University
Board of Editors, American Journal of Law, and Medicine
Editorial Board, American Journal of Public Health

Editorial Board, Journal of Biolaw and Business
Editorial Board, Journal of Clinical Research and Bioethics
Editorial Board, Journal of Law, Medicine and Ethics
Editorial Board, Personalized Medicine
Editorial Board, World Journal of Medical Genetics
External Ethics Advisory Board, Vanderbilt University Medical Center DNA
Databank
Fellow, Hastings Center
International Editorial Advisory Board, Genetics and Society Book Series
Scientific Advisory Board, Lifeboat Foundation

EXTERNAL REVIEWER FOR PROMOTION AND TENURE

Arizona State University College of Law
Baylor College of Medicine
Brooklyn Law School
Bryant University
Catholic University School of Law
Cleveland State University College of Law
Columbia University School of Law
Drake University Law School
Duke University
Florida A&M University College of Law
Florida State University College of Law
George Washington University Law School
Georgia State University College of Law
Golden Gate University School of Law
IIT-Chicago Kent College of Law
Indiana University School of Law
Johns Hopkins University School of Public Health
Lewis and Clark School of Law
Loyola of Chicago School of Law
Marquette University School of Law
Mayo Clinic College of Medicine
Mercer University School of Law
Northern Illinois University College of Law
Oregon Health & Science University
Seton Hall University School of Law
St. Louis University School of Medicine
St. Thomas University School of Law
South Texas College of Law
Suffolk University School of Law
University of Alberta Faculty of Law
University of Arizona School of Law
University of Arkansas-Fayetteville School of Law
University of California-Berkeley College of Natural Resources
University of California-Berkeley School of Law

University of California-Berkeley School of Public Health
University of California-Davis School of Law
University of California-San Francisco School of Medicine
University of Cincinnati College of Law
University of Cincinnati College of Medicine
University of Houston Law Center
University of Kansas School of Law
University of Maryland School of Law
University of Memphis School of Law
University of Minnesota School of Medicine
University of Missouri School of Law
University of North Carolina School of Law
University of South Carolina School of Law
University of Utah School of Law
University of Washington School of Law
University of Wisconsin School of Law
Vanderbilt University School of Law
Vanderbilt University School of Medicine
West Virginia University College of Law

REVIEWER

Academic Press
Agency for Healthcare Research and Quality
American College of Clinical Pharmacy
American Journal of Epidemiology
American Journal of Human Genetics
American Journal of Law and Medicine
American Journal of Medical Genetics
American Journal of Pharmacogenomics
American Journal of Preventive Medicine
American Journal of Public Health
American Journal of Surgery
Applied Clinical Informatics
Archives of Internal Medicine
Behavioral Sciences and the Law
Bioethics (UK)
BMC Medical Ethics
Cambridge University Press
Community Genetics
Economic and Social Research Council (UK)
Encyclopedia of Bioethics
European Journal of Human Genetics
European Society of Human Genetics
Future Medicine
Genetics in Medicine
Genome Canada

Globalization and Health
Harvard University Press
Hastings Center Report
Human Genetics
Institute of Medicine
International Archives of Occupational and Environmental Health
IRB: Ethics and Human Research
Johns Hopkins University Press
Journal of the American Medical Association
Journal of Clinical Ethics
Journal of General Internal Medicine
Journal of Health Politics, Policy, and Law
Journal of Infection and Public Health
Journal of Law, Medicine, and Ethics
Journal of Legal Medicine
Journal of Occupational and Environmental Medicine
Jurimetrics Journal
Kennedy Institute of Ethics Journal
Law and Policy
Milbank Quarterly
MIT Press
Molecular Genetics and Metabolism
Mount Sinai Journal of Medicine
National Institute for Occupational Safety and Health
National Science Foundation
Nature Genetics
Nature Reviews Genetics
Neuropsychiatric Genetics
New England Journal of Medicine
New Genetics and Society (UK)
North American Actuarial Journal
Nuffield Council on Bioethics (UK)
Oxford University Press
Personalized Medicine
Pharmacogenomics Journal
Philosophy, Ethics and Humanities in Medicine
Public Health Ethics (UK)
Public Health Law Research Program
Robert Wood Johnson Foundation
Science
Science, Technology, and Human Values
Social Studies of Science
Studies in Ethics, Law, and Technology
Theoretical Medicine and Bioethics
Trends in Biotechnology
Trial

University of California Press
Wellcome Trust (UK)

SELECTED SPEECHES AND LECTURES

Topics include: Americans with Disabilities Act, behavioral genetics, biobanks, bioethics, clinical ethics, electronic health records and networks, employment law, epigenetics, forensics, genetic privacy and discrimination, health insurance, Health Insurance Portability and Accountability Act, health law and policy, Human Genome Project, infectious diseases, medical privacy and confidentiality, occupational health, occupational medicine, pandemic preparedness, pharmacogenomics, public health, research ethics, SARS, toxicogenomics.

Albany Law School (1995)
American Association for the Advancement of Science (2003, 2007, 2009)
American Association of Health Plans (1998)
American Bar Association, Committee on Employee Rights and Responsibilities (1995)
American Bar Association, Section on Business Law (2001)
American Bar Association, Section on Health Law (2003)
American Bar Association, Section on Labor and Employment Law (2003)
American Bar Association, Section on Science and Technology Law (1992, 2003)
American Cancer Society (1990)
American Civil Liberties Union of Delaware (1996)
American College of Legal Medicine (1993)
American College of Medical Genetics (2008)
American College of Occupational and Environmental Medicine (2002, 2004, Patterson Memorial Lecture 2011)
American College of Physicians (2004)
American College of Preventive Medicine (2006)
American Council of Life Insurers (1998)
American Enterprise Institute (1997)
American Health Lawyers Association (1998)
American Heart Association (1992)
American Hospital Association (1987, 1988, 1989)
American Law Institute/American Bar Association (1999)
American Liver Foundation (1999)
American Medical Association (2000)
American Medical Informatics Association (2007)
American Psychiatric Association (2008)
American Public Health Association (2005)
American Society for Bioethics and Humanities (2002, 2003)
American Society for Pharmacology and Experimental Therapeutics (2002)
American Society for Preventive Oncology (1995)
American Society of Clinical Oncology (1999)
American Society of Human Genetics (1993, 2001, 2003, 2005)
American Society of Law, Medicine, and Ethics (1987, 1993, 1995, 2004, 2005, 2006, 2010)

Arizona State University College of Law (2005, 2007)
Association of American Law Schools (1998, 2000, 2001, 2002)
Baptist Health System (San Antonio) (1999, 2000)
Baylor College of Medicine (1989, 1994, 1999, 2006)
Biotechnology Industry Organization (Toronto) (2002)
Brooklyn Law School (2001)
Capital University Law School (2009)
Case Western Reserve University School of Law (1996)
Case Western Reserve University School of Medicine (1988, 2005)
Center for Democracy and Technology (2008)
Centers for Disease Control and Prevention (1997, 1998, 2001, 2002, 2003, 2006)
Chartered Property Casualty Underwriters Society (1999)
Cleveland Clinic (2005)
Cleveland-Marshall College of Law (GTE Lecture) (1994)
Cold Spring Harbor Laboratory (1990, 2002)
College of Wooster (2002)
Colorado Springs Osteopathic Foundation (1994)
Columbia University School of Law (2000)
Columbia University School of Public Health (1989)
Columbus State University (2004)
Council of Appellate Staff Attorneys (2003)
Computers, Freedom, and Privacy Annual Conference (1998)
Council of State Governments (1991, 1992)
Dartmouth College (2000)
Duke University School of Law (Siegel Lecture) (2008)
Duquesne University School of Law (2001)
Eighth and Tenth Circuit Judicial Conference (2000)
Fairleigh Dickinson University (2007)
Federal Judicial Center (1995, 1999)
Federalist Society (1998)
Fifth Circuit Judicial Conference (1996, 1999)
Fifth International DNA Sampling Conference (Banff, 2009)
Forum Club of Houston (1993)
Fourth International DNA Sampling Conference (Montreal, 2006)
Georgetown University (2001)
Gulf States Hemophilia Foundation (1996)
Hartford Hospital (2005)
Harvard Law School (2001)
Hastings Center (1987, 1988, 2002, 2003, 2007)
Hawaii Bar Association (1998)
Hawaii Judicial Conference (1998)
Hawaii Legislature (1998)
Health Care Compliance Association (2007)
Health Information and Management Systems Society (2007)
Huntington Disease Society of America (1998)
IIT-Chicago-Kent College of Law (Piper Memorial Lecture 1987, 1997)

Indiana University School of Law (2002)
Institute of Medicine (2007, 2009)
International Council of Chemical Associations (2001)
International Society for Technology Assessment in Health Care (1990)
International Society for the Study of Xenobiotics (2002)
International Society of Labor Law and Social Security (Montreal, 1995)
Jewish Hospital (Louisville) (2005, 2006)
Johns Hopkins University School of Public Health (2005, 2007)
Kentucky Bar Association (2003)
Kentucky Cabinet for Health Services (2001)
Kentucky Legislature (2001, 2003)
Kentucky Medical Association (2010)
Kentucky Office of the Attorney General (2010)
Kentucky Public Health Association (2007)
Keystone Conference on Epigenetics (2011)
Los Alamos National Laboratories (1991)
Louisiana State University (2004)
Louisville Bar Association (2002, 2005)
Marshall University School of Medicine (2008)
Massachusetts Institute of Technology (1998)
Mayo Clinic (2001)
M.D. Anderson Cancer Center (1991, 1996, 1997, 1999, 2002)
Medical University of South Carolina (1997)
Methodist Hospital (Houston) (2000)
Mexico-U.S. Committee for Occupational and Environmental Health (Cuernavaca, Mexico 1990)
Miami Children's Hospital (2004)
Midwest Center for Occupational Health and Safety (1991)
Milbank Memorial Fund (1999, 2000)
Missouri Judicial Conference (2001, 2002)
Mt. Sinai (N.Y.) School of Medicine (Richman Lecture, 1999)
National Academy of Arbitrators (1991, 1993, 1998)
National Academy of Sciences (1992, 1993, 2002, 2003)
National Action Plan on Breast Cancer (1996, 1997)
National Association of Science Writers (2001)
National Association of Women Judges (2005)
National Cancer Institute (1994, 2005)
National Committee on Vital and Health Statistics (2010)
National Conference of State Legislatures (1998, 2001, 2004)
National Health Law Teachers Conference (1995, 1996, 1997, 2003, 2006)
National Heart, Lung and Blood Institute (1997)
National Human Genome Research Institute (1997)
National Institute of General Medical Sciences (2001)
National Institute of Environmental Health Sciences (2001, 2002, 2004)
National Institutes of Health (1991, 1994, 1996, 1997, 2001, 2002, 2003)
National Institute for Occupational Safety and Health (1991, 2000, 2010)

National Research Council (2004, 2007)
New York Academy of Medicine (1991, 2002)
New York Academy of Sciences (1988)
New York Law School (2001)
Ninth Circuit Judicial Conference (2000)
North Central Occupational and Environmental Medicine Association (1998)
Norton Healthcare System (Louisville) (2005, 2008, 2011)
Ohio State Medical Association (1987)
Open Minds (2008, 2010)
Organization Resources Counselors (1998)
Overlook and Morristown Memorial Hospitals (N.J.) (Wolfe Lecture, 1999)
Parkinson's Disease Foundation (2004)
Pennsylvania Bar Association (1992)
Pharmaceutical Manufacturers Association (1987)
Princeton University (2000)
Rice University (1994)
Risk and Insurance Management Society (1992)
St. Jude Children's Research Hospital (1999)
St. Louis University School of Law (1989)
Secretary's Advisory Committee on Human Research Protections (2004, 2008)
Seton Hall Law School (Merck Distinguished Scholar 2002)
Seventh and Eighth Circuit Judicial Conference (1998)
Sixth Circuit Judicial Conference (2004)
Society for Occupational and Environmental Health (1993)
Society of General Internal Medicine (2001)
Society of Toxicology (2010)
South Carolina State Bar, Employment Law Section (2009)
Southern Illinois University School of Law (John & Marsha Ryan Bioethicist in Residence, 2007)
Southern Illinois University School of Medicine (2007)
Southern University Law Center (2000)
Stanford University School of Medicine (2003)
Substance Abuse and Mental Health Services Administration (2005)
Suffolk University Law School (2001)
Swiss Institute of Comparative Law (Lausanne, Switzerland 1994)
Temple University School of Law (2004)
Tenth Circuit Judicial Conference (1996)
Texas Cancer Council (1998)
Texas Center for the Judiciary (1990)
Texas Legislature (numerous)
Texas Lutheran University (1996)
Texas Medical Association (1994)
Texas State Bar, Health Law Section (2008)
The Institute for Rehabilitation and Research (1992)
Transylvania University (2002)
United States Commission on Civil Rights (1998)

United States House of Representatives, Committee on Government Reform (2006)
United States Senate, Committee on Homeland Security and Governmental Affairs (2007)
United States Department of Energy (1991, 1993, 1994, 1997, 1998)
Universidad Nacional Autónoma de México (Mexico City, 1995)
University of Alberta Faculty of Law (2003)
University of Calgary Faculty of Medicine (O'Byrne Lecture, 2003)
University of California-Berkeley School of Public Health (1999, 2010)
University of California-Los Angeles School of Law (2004)
University of California-Los Angeles School of Medicine (2003, 2004)
University of California-Los Angeles School of Public Health (2005)
University of Chicago School of Law (1987)
University of Cincinnati College of Law (2007)
University of Cincinnati College of Medicine (annual 1984-1998, 2003)
University of Georgia School of Law (2000)
University of Kentucky College of Law (2002)
University of Maryland School of Law (2008)
University of Memphis School of Law (1996)
University of Michigan School of Public Health (1987, 1988, 1991)
University of Minnesota School of Law (2002, 2003, 2007)
University of Minnesota School of Medicine (2002, 2003)
University of Missouri School of Law (2000)
University of North Carolina (2011)
University of North Carolina School of Medicine (2003)
University of Ottawa (2009)
University of Pittsburgh Medical Center (2006)
University of Pittsburgh School of Law (1988)
University of Pittsburgh School of Medicine (2000)
University of Pittsburgh School of Public Health (2000)
University of South Carolina School of Law (Johnson & Johnson Lecture, 2005)
University of Tennessee Health Sciences Center (2002)
University of Texas Graduate School of Biomedical Sciences (1993, 1994, 1995)
University of Texas – Houston School of Medicine (2010)
University of Texas Medical Branch-Galveston (1994, 1996)
University of Texas School of Law (1999)
University of Texas School of Public Health (annual, 1985-2000)
University of Toronto School of Law (2011)
University of Utah School of Law (2010)
University of Utah School of Medicine (1999, 2004, 2007)
University of Virginia (2008)
University of Virginia Medical Center (2005)
University of Virginia School of Law (2009, 2011)
University of Washington School of Medicine (2003)
Utah Legislature (1998)
Vanderbilt University School of Medicine (2003)
Washington State Department of Health (1999)
Workshop on International Cooperation for the Human Genome Project (Valencia,

Spain 1990), (Bilbao, Spain 1993)
World Conference on Diabetes Research (Monaco, 1992)
World Healthcare Innovation & Technology Congress (2008)
World Research Group (2004)
Wyoming Medical Association/Wyoming Bar Association (1987)
Xavier (La.) University (1999)
Yale University (2004)
Zeta Phi Beta Educational Foundation (2003)

BAR MEMBERSHIPS

Supreme Court of the United States
District of Columbia Court of Appeals
Supreme Court of Pennsylvania

PROFESSIONAL MEMBERSHIPS

American Public Health Association
American Society for Bioethics and Humanities
American Society of Human Genetics
American Society of Law, Medicine & Ethics

SPONSORED RESEARCH (all as principal investigator unless otherwise noted)

2007 “Center for Environmental Genomics and Integrative Biology,”
National Institutes of Health, \$50,552 (co-investigator)

2003 “Center for Public Health Law Partnerships,” Centers for Disease
Control and Prevention, \$989,000

2003 “Quarantine and Isolation: Lessons Learned from SARS,” Centers for
Disease Control and Prevention, \$99,868

2002 “Education in Genetics Ethics,” National Human Genome Research
Institute, National Institutes of Health, \$1,460,592

2002 “Research Agenda for Maternal Fatality Review Laws,” Centers for
Disease Control and Prevention/American College of Obstetricians and
Gynecologists, \$10,868

2001 “Analysis of State Child Fatality Review Laws,” Centers for Disease
Control and Prevention, \$171,202

2001 “Regulation of Biobanks: Banking Without Checks or Insured
Deposits?,” United States Department of Energy, \$600,000

2001 “Genetic Ties and the Future of the Family,” National Human Genome
Research Institute, National Institutes of Health, \$814,471

- 2000 "Pharmacogenomics and Minority Populations," National Institute of General Medical Sciences, National Institute of Environmental Health Sciences, and National Human Genome Research Institute of the National Institutes of Health, \$903,748
- 2000 "Genetic Information and Life Insurance Underwriting," National Human Genome Research Institute, National Institutes of Health, \$784,227
- 2000 "Texas Genetics Legislation," Texas Department of Health, \$7,500 (co-investigator)
- 2000 "Legal Issues in the Regulation of Tuberculosis," Centers for Disease Control and Prevention, \$7,500
- 2000 "Evaluating the Effectiveness of Laws Regulating Tobacco in Texas," Centers for Disease Control and Prevention/Texas Department of Health, \$50,000 (co-investigator)
- 1999 "Texas Health Legislation Research Center," Texas Legislature, \$700,000
- 1998 "Texas Partnership to Improve End-of-Life Care," Robert Wood Johnson Foundation, \$75,000 (co-investigator)
- 1998 "Policy Development on Managed Care and Cancer in Texas," Texas Cancer Council, \$105,000
- 1997 "Legal Protections for People with Disabilities," National Institute on Disability and Rehabilitation Research, United States Department of Education, \$60,000 (co-investigator)
- 1997 "Texas Health Legislation Research Center," Texas Legislature, \$700,000
- 1997 "Education on Legal Issues Involving Managed Care and Cancer," Texas Cancer Council, \$104,000
- 1996 "Measuring the Effects of a Unique Law Limiting Employee Medical Examinations to Job-Related Matters," United States Department of Energy, \$126,000
- 1996 "Impact of Managed Care on Cancer Services in Texas," Texas Cancer Council, \$99,000
- 1995 "Privacy, Confidentiality, and New Genetic Technology," United States Department of Energy, \$30,000

- 1995 "Family Violence and the Health Care System in Texas," Texas Legislature, \$518,200
- 1993 "Nonfinancial Barriers to Health Care in Texas," Texas Legislature, \$283,600
- 1992 "The Human Genome Project and the Future of Health Care," National Center for Human Genome Research, National Institutes of Health, \$70,000 (co-investigator)
- 1991 "Occupational Injury and Illness in Texas," Texas Legislature, \$290,400
- 1990 "Legal and Ethical Issues Raised by the Human Genome Project," National Center for Human Genome Research, National Institutes of Health, \$90,000

PUBLICATIONS

Books

1. Mark A. Rothstein & Lance Liebman, Cases and Materials on Employment Law (Foundation Press) (1987), (2d ed. 1991), (3d ed. 1994), (4th ed. 1998), (5th ed. 2003), (6th ed. 2007), (7th ed. 2011)
2. Lori B. Andrews, Maxwell J. Mehlman, & Mark A. Rothstein, Genetics: Ethics, Law and Policy (West Group) (2002), (2d ed. 2006), (3d ed. 2010)
3. Mark A. Rothstein, Charles B. Craver, Elinor P. Schroeder & Elaine W. Shoben, Employment Law Treatise (2 vols.) (West Group) (1994), (2d ed. 1999), (3d ed. 2004), (4th ed. 2009)
4. Mark A. Rothstein, Occupational Safety and Health Law (West Group) (1978), (2d ed. 1983), (3d ed. 1990), (4th ed. 1998), and annual editions: 2006, 2007, 2008, 2009, 2010, 2011
5. Daniel Oberdorfer & Mark A. Rothstein, West's Legal Forms (Employment Law) (Vol. 24A) (Thomson/West) (3d ed. 2003), and 2010 Supplement
6. Baruch A. Brody, Mark A. Rothstein, Laurence B. McCullough, & Mary Anne Bobinski, Medical Ethics: Analysis of the Issues Raised by the Codes, Opinions and Statements (BNA Books) (2001)
7. Mark A. Rothstein, Charles B. Craver, Elinor P. Schroeder, & Elaine W. Shoben, Employment Law Hornbook (West Group) (1994), (2d ed. 1999), (3d ed. 2004), (4th ed. 2009)
8. Mark A. Rothstein, Charles B. Craver, Elinor P. Schroeder, Elaine W.

- Shoben & Lea VanderVelde, Human Resources and the Law (BNA Books) (1994)
9. Mark A. Rothstein, Medical Screening and the Employee Health Cost Crisis (BNA Books) (1989)
 10. Mark A. Rothstein, Medical Screening of Workers (BNA Books) (1984)

Books Edited

11. Mark A. Rothstein, Thomas H. Murray, Mary Anderlik Majumder, & Gregory E. Kaebnick, eds., Genetic Ties and the Family: The Impact of Paternity Testing on Parents and Children (Johns Hopkins University Press) (2005)
12. Mark A. Rothstein, ed., Genetics and Life Insurance: Medical Underwriting and Social Policy (MIT Press) (2004), paperback (2009)
13. Mark A. Rothstein, ed., Pharmacogenomics: Social, Ethical, and Clinical Dimensions (Wiley-Liss) (2003)
14. Richard A. Goodman, Mark A. Rothstein, Richard E. Hoffman, Wilfredo Lopez, & Gene W. Matthews, eds., Law in Public Health Practice (Oxford University Press) (2002), (2d ed. 2006)
15. Baruch A. Brody, Mark A. Rothstein, Laurence B. McCullough, & Mary Anne Bobinski, eds., Medical Ethics: Codes, Opinions, and Statements (BNA Books) (2000)
16. Ronald A. Carson & Mark A. Rothstein, eds., Behavioral Genetics: The Clash of Culture and Biology (Johns Hopkins University Press) (1999), paperback (2002)
17. Mark A. Rothstein, ed., Genetic Secrets: Protecting Privacy and Confidentiality in the Genetic Era (Yale University Press) (1997), paperback (1999)
18. Thomas H. Murray, Mark A. Rothstein, & Robert F. Murray, Jr., eds., The Human Genome Project and the Future of Health Care (Indiana University Press) (1996)
19. Mark A. Rothstein, ed., Legal and Ethical Issues Raised by the Human Genome Project: Proceedings of the Conference in Houston, Texas, March 7-9, 1991 (Health Law and Policy Institute) (1991)

Book Chapters

20. Mark A. Rothstein, Occupational Health Law and the Physician, Occupational Health Services: A Practical Approach, 2d ed. (Tee L. Guidotti et al., eds.) (Routledge 2012)
21. Mark A. Rothstein, Legal and Ethical Implications of Epigenetics, Environmental Epigenomics in Health and Disease (Randy L. Jirtle & Frederick L. Tyson, eds.) (Springer-Verlag 2011)
22. Mark A. Rothstein, Protecting Privacy in Genetic Research on Alcohol Dependence and Other Addictions, Genetic Research on Addiction: Ethics, the Law and Public Health (Audrey Chapman, ed.) (Cambridge University Press 2011)
23. Mark A. Rothstein, Ethical and Legal Aspects of Quarantine, Liberty and Coercion in Public Health (James F. Childress, ed.) (2011)
24. Mark A. Rothstein, Informed Consent in Pharmacogenomic Research and Treatment, Principles of Pharmacogenetics and Pharmacogenomics (Russ Altman, David Flockhart, & David Goldstein, eds.) (Cambridge University Press 2011)
25. Mark A. Rothstein & Yann Joly, Genetic Information and Insurance Underwriting: Contemporary Issues and Approaches in the Global Economy, Handbook of Genetics and Society: Mapping the New Genomic Era (Paul Atkinson, Peter Glasner, & Margaret Lock, eds.) (Routledge 2009)
26. Mark A. Rothstein, Occupational Health and Discrimination Issues Raised by Toxicogenomics in the Workplace, Genomics and Environmental Regulation (Richard R. Sharp, Gary E. Marchant, & Jamie Grodsky, eds.) (Johns Hopkins University Press 2008)
27. Mark A. Rothstein, Privacy Issues in Public Health Genomics, Genomics and Public Health: Legal and Socio-Ethical Perspectives (Bartha Maria Knoppers, ed.) (Martinus Nijhoff Publishers 2007)
28. Mark A. Rothstein, Privacy and Confidentiality in the Nationwide Health Information Network, Paper Kills: Transforming Health and Health Care with Information Technology (David Merritt, ed.) (CHT Press 2007)
29. Mark A. Rothstein & Heather L. Hinds, Ethical Criteria for Evaluating Hand Transplantation, Hand Transplantation (Vijay S. Gorantla, ed.) (Landes Bioscience 2006)
30. Ellen Wright Clayton & Mark A. Rothstein, Integrating Genetics Into Public Health Policy and Practice, Law in Public Health Practice, 2d ed. (Richard A. Goodman et al. eds.) (Oxford University Press 2006)

31. Mary Anderlik Majumder & Mark A. Rothstein, Pharmacogenomics and Cancer: Ethical, Legal and Social Issues, Cancer Bioinformatics: From Cancer Biology to Therapy Design and Treatment (Sylvia Nagl, ed.) (John Wiley & Sons 2006)
32. M. Gabriela Alcalde & Mark A. Rothstein, Ethical Considerations in Pharmacogenomic Research, Pharmacogenomics and Proteomics: Enabling the Practice of Personalized Medicine (Steven H. Wong, Mark W. Linder & Roland Valdes, Jr., eds.) (AACC Press 2006)
33. Mark A. Rothstein, Translating Values and Interests Into the Law of Parentage Determination, Genetic Ties and the Family: The Impact of Paternity Testing on Parents and Children (Mark A. Rothstein et al., eds.) (Johns Hopkins University Press 2005)
34. Mark A. Rothstein, Government Agencies/Statutes/Legislation, Textbook of Clinical Occupational and Environmental Medicine, 2d ed. (Linda Rosenstock et al., eds.) (Elsevier Saunders 2005)
35. Mark A. Rothstein & Carlton A. Hornung, Public Attitudes About Genetics and Life Insurance, Genetics and Life Insurance: Medical Underwriting and Social Policy (Mark A. Rothstein, ed.) (MIT Press 2004)
36. Mark A. Rothstein, Policy Recommendations, Genetics and Life Insurance: Medical Underwriting and Social Policy (Mark A. Rothstein, ed.) (MIT Press 2004)
37. Mark A. Rothstein & Carlton A. Hornung, Public Attitudes About Pharmacogenomics, Pharmacogenomics: Social, Ethical, and Clinical Dimensions (Mark A. Rothstein, ed.) (Wiley-Liss 2003)
38. Mark A. Rothstein, Epilogue: Policy Prescriptions, Pharmacogenomics: Social, Ethical, and Clinical Dimensions (Mark A. Rothstein, ed.) (Wiley-Liss 2003)
39. Laura Beskow, Marta Gwinn, & Mark A. Rothstein, Integrating Genomics Into Public Health Policy and Practice, Law in Public Health Practice (Richard Goodman et al., eds.) (Oxford University Press 2002)
40. Phyllis Griffin Epps & Mark A. Rothstein, Pharmacogenomics: Ensuring Equality in Drugs Based on Difference, Pharmacogenomics: The Search for Individualized Therapeutics (Julio Licinio & Ma-Li Wong, eds.) (Wiley-VCH 2002)
41. Mark A. Rothstein, OSHA Law and Practice, West's Federal Administrative Practice, 4th ed. (vol. 3, chs. 34-38) (West Group 2001), and 2010 Supp.
42. Mark A. Rothstein, Bias and Discrimination, Confidentiality, Genetics,

- Public Health, and Health Care Policy, Medical Ethics: Analysis of The Issues Raised by the Codes, Opinions and Statements (Baruch A. Brody, Mark A. Rothstein, Laurence B. McCullough, and Mary Anne Bobinski, eds.) (BNA Books 2001)
43. Mark A. Rothstein, Genetic Determinism: Its Effects on Culture and Law, Behavioral Genetics: The Clash of Culture and Biology (Ronald A. Carson & Mark A. Rothstein, eds.) (Johns Hopkins University Press 1999)
 44. Mark A. Rothstein, The Law of Medical and Genetic Privacy in the Workplace and Genetic Secrets: A Policy Framework, Genetic Secrets: Protecting Privacy and Confidentiality in the Genetic Era (Mark A. Rothstein, ed.) (Yale University Press 1997)
 45. Mark A. Rothstein, The Genetic Factor in Health Care Reform: Framing the Policy Debate, The Human Genome Project and the Future of Health Care (Thomas H. Murray, Mark A. Rothstein, Robert F. Murray, Jr., eds.) (Indiana University Press 1996)
 46. Mark A. Rothstein, Ethical Issues Surrounding the New Technology as Applied to Health Care, Biotechnology: Science, Engineering, and Ethical Challenges for the Twenty-first Century (Frederick B. Rudolph & Larry V. McIntire, eds.) (Joseph Henry Press 1996)
 47. Mark A. Rothstein, The Challenge of New Genetic Information for the Law of Health and Life Insurance, The Human Genome Project: Legal Aspects, vol. 3 (Fundación BBV, Madrid 1996)
 48. Mark A. Rothstein, Medical Record Confidentiality in the Workplace, Healthcare, Privacy @ CYBERSPACE (SUNY at Albany 1995)
 49. Mark A. Rothstein, Genetic Discrimination in Employment: Ethics, Policy, and Comparative Law, Human Genetic Analysis and the Protection of Personality and Privacy (Schulthess Polygraphischer Verlag, Zurich 1995)
 50. Mark A. Rothstein, The Americans with Disabilities Act, Workers' Compensation, and Related Issues of Occupational Medicine Practice, Textbook of Clinical Occupational and Environmental Medicine (Linda S. Rosenstock & Mark Cullen, eds.) (W.B. Saunders Co. 1994)
 51. Mark A. Rothstein, Legal Concerns in Worker Notification and the Use of Biomarkers in Medical Surveillance, Biomarkers and Occupational Health: Progress and Perspectives (Mortimer L. Mendelsohn, John P. Peeters, & Mary Janet Normandy, eds.) (Joseph Henry Press 1994)
 52. Mark A. Rothstein, Genetics, Insurance, and the Ethics of Genetic Counseling, Molecular Genetic Medicine, vol. 3 (Theodore Friedmann, ed.) (Academic Press 1993)

53. Mark A. Rothstein, Arbitration in the Employer Welfare State, *Arbitration 1991: The Changing Face of Arbitration in Theory and Practice*, Proceedings of the Forty-Fourth Annual Meeting of the National Academy of Arbitrators (BNA Books 1992)
54. Mark A. Rothstein, The Genome Project and Employment Law, *Legal and Ethical Issues Raised by the Human Genome Project* (Mark A. Rothstein, ed.) (Health Law and Policy Institute 1991)
55. Mark A. Rothstein, The Law/Medicine Interface in Assessing Vocational Capacity, *Vocational Assessment of Impaired Workers* (Steven Scheer, ed.) (Aspen Press 1990)
56. Mark A. Rothstein, Legal and Ethical Issues in the Laboratory Assessment of Genetic Susceptibility to Cancer, *Genetic Susceptibility to Cancer: Laboratory Approaches* (Lawrence Spatz, Arthur D. Bloom, & Natalie W. Paul, eds.) (Environmental Health Institute/March of Dimes 1990)
57. Mark A. Rothstein, Employee Testing: Drug and AIDS Testing, *Occupational Health Services* (William L. Newkirk & Lynn D. Jones, eds.) (American Hospital Publishing 1989)
58. Mark A. Rothstein, Screening Workers for AIDS, *AIDS and the Law* (Harlon L. Dalton & Scott Burris, eds.) (Yale University Press 1987)

Symposia

59. Melissa M. Goldstein & Mark A. Rothstein, eds., Symposium: The Effects of Health Information Technology on the Practice of Medicine, 38(1) *J. L. Med. & Ethics* 1-84 (2010)
60. Mark A. Rothstein & Bartha Maria Knoppers, eds., Symposium: Regulation of Biobanks, 33(1) *J.L. Med. & Ethics* 1-101 (2005)

Articles

[* indicates article may be viewed and downloaded from:
<http://hq.ssrn.com/author=139038>]

61. Mark A. Rothstein & Gil Siegal, Health Information Technology and Physicians' Duty to Notify Patients of New Medical Developments, 12 *Hou. J. Health L. & Pol'y* ____ (2012)
62. Mark A. Rothstein, Physicians' Duty to Inform Patients of New Medical Discoveries: The Effect of Health Information Technology, 39 *J.L. Med. & Ethics* ____ (2011)
- 63.* Mark A. Rothstein, Constitutional Right to Informational Health Privacy in Critical Condition, 39 *J.L. Med. & Ethics* 280-284 (2011)

- 64.* Mark A. Rothstein, Who Will Treat Medicaid and Uninsured Patients? Retired Providers Can Help, 39 J.L. Med. & Ethics 91-95 (2011)
- 65.* Mark A. Rothstein, Health Care Reform and Medical Malpractice Claims, 38 J.L. Med. & Ethics 871-874 (2010)
- 66.* Mark A. Rothstein, Deidentification and Its Discontents: A Response to the Open Peer Commentaries, 10(9) Am. J. Bioethics W1-W2 (2010)
- 67.* Mark A. Rothstein, Is Deidentification Sufficient to Protect Health Privacy in Research?, 10(9) Am. J. Bioethics 3-11 (2010)
- 68.* Mark A. Rothstein, Should Health Care Providers Get Treatment Priority in an Influenza Pandemic?, 38 J. L. Med. & Ethics 412-419 (2010)
- 69.* Mark A. Rothstein, Malpractice Immunity for Volunteer Physicians in Public Health Emergencies – Adding Insult to Injury, 38 J.L. Med. & Ethics 149-153 (2010)
- 70.* Mark A. Rothstein, The Hippocratic Bargain and Health Information Technology, 38 J.L. Med. & Ethics 7-13 (2010)
- 71.* Mark A. Rothstein, The Role of Law in the Development of American Bioethics, 20 J. Int'l de Bioéthique 73-84 (2010)
- 72.* Mark A. Rothstein & Heather L. Harrell, Health Risk Reduction Programs in Employer-Sponsored Health Plans: Part II – Law and Ethics, 51 J. Occup. & Env'tl. Med. 951-957 (2009)
- 73.* Mark A. Rothstein & Heather L. Harrell, Health Risk Reduction Programs in Employer-Sponsored Health Plans: Part I - Efficacy, 51 J. Occup. & Env'tl. Med. 943-950 (2009)
- 74.* Mark A. Rothstein, Improve Privacy in Research by Eliminating Informed Consent? IOM Report Misses the Mark, 37 J. L. Med. & Ethics 507-512 (2009)
- 75.* Mark A. Rothstein, Yu Cai, & Gary E. Marchant, The Ghost in Our Genes: Legal and Ethical Implications of Epigenetics 19 Health Matrix 1-62 (2009)
- 76.* Mark A. Rothstein, The Limits of Public Health: A Response, 2 Pub. Health Ethics 84-88 (2009)
- 77.* Mark A. Rothstein, Genetic Stalking and Voyeurism: A New Challenge to Privacy, 57 U. Kansas L. Rev. 539-578 (2009)
- 78.* Mark A. Rothstein, GINA, the ADA, and Genetic Discrimination in Employment, 36 J.L. Med. & Ethics 837-840 (2008)

- 79.* Mark A. Rothstein, Putting the Genetic Information Nondiscrimination Act in Context, 10 *Genetics in Med.* 655-656 (2008)
- 80.* Mark A. Rothstein, Keeping Your Genes Private, *Scientific American*, Sept. 2008, 64-69
81. Amy L. McGuire, . . . Mark A. Rothstein et al., Confidentiality, Privacy, and Security Considerations for the Storage of Genetic and Genomic Test Information in Electronic Health Records: Consensus Statement, 10 *Genetics in Med.* 495-499 (2008)
- 82.* Mark A. Rothstein, Is GINA Worth the Wait?, 36 *J.L. Med. & Ethics* 174-178 (2008)
- 83.* Mark A. Rothstein, Health Privacy in the Electronic Age, 28 *J. Legal Med.* 487-501 (2007)
- 84.* Mark A. Rothstein & Meghan K. Talbott, Job Security and Income Replacement for Individuals in Quarantine: The Need for Legislation, 10 *J. Health Care L. & Pol'y* 239-257 (2007)
85. Herbert Hendin, . . . Mark A. Rothstein, et al., Licensing and Physician Mental Health: Problems and Possibilities, 93 *J. Med. Licensure & Discipline* No. 2, 6-11 (2007)
- 86.* Mark A. Rothstein, Legal Conceptions of Equality in the Genomic Age, 25 *L. & Inequality* 429-463 (2007)
- 87.* Mark A. Rothstein & Meghan K. Talbott, Encouraging Compliance with Quarantine: A Proposal to Provide Job Security and Income Replacement, 97 *Am. J. Pub. Health* S49-S56 (2007)
- 88.* Mark A. Rothstein & Meghan K. Talbott, Compelled Authorizations for Disclosure of Health Records: Magnitude and Implications, 7 *Am. J. Bioethics* No. 3, 38-45 (2007)
- 89.* Mark A. Rothstein & Meghan K. Talbott, Compelled Authorizations for Disclosure of Health Records: Response to the Open Peer Commentaries, 7 *Am. J. Bioethics* No. 3, W-1 to W-3 (2007)
90. Mark A. Rothstein, Tiered Disclosure Options Promote the Autonomy and Well-Being of Research Subjects, 6 *Am. J. Bioethics* No. 6, 20-22 (2006)
- 91.* Mark A. Rothstein & Meghan K. Talbott, Compelled Disclosure of Health Information: Protecting Against the Greatest Potential Threat to Privacy, 295 *JAMA* 2882-2885 (2006)
- 92.* Mark A. Rothstein & Meghan K. Talbott, The Expanding Use of DNA in

- Law Enforcement: What Role for Privacy?, 34 J.L. Med. & Ethics 153-164 (2006)
- 93.* Mark A. Rothstein, Liability Issues in Pharmacogenomics, 66 La. L. Rev. 117-124 (2005)
- 94.* Mark A. Rothstein, Applications of Behavioural Genetics: Outpacing the Science?, 6 Nature Reviews Genetics 793-798 (2005)
- 95.* Mark A. Rothstein, Genetic Exceptionalism and Legislative Pragmatism, 35 Hastings Center Rep. No. 4, 27-33 (July-Aug. 2005), reprinted at 35 J.L. Med. & Ethics Supp. No. 2, at 59-65 (2007)
- 96.* Mark A. Rothstein, Genetic Justice, 352 New Eng. J. Med. 2667-2668 (2005)
- 97.* Mark A. Rothstein, Expanding the Ethical Analysis of Biobanks, 33 J.L. Med. & Ethics 89-101 (2005)
- 98.* Mark A. Rothstein, Research Privacy Under HIPAA and the Common Rule, 33 J.L. Med. & Ethics 154-159 (2005)
- 99.* Mark A. Rothstein, Are Traditional Public Health Strategies Consistent with Contemporary American Values?, 77 Temple L. Rev. 175-192 (2004)
100. Mark A. Rothstein, The Growth of Health Law and Bioethics, 14 Health Matrix 213-218 (2004)
101. Mary R. Anderlik & Mark A. Rothstein, Canavan Decision Favors Researchers Over Families, 31 J.L. Med. & Ethics 450-454 (2003)
102. Lawrence H. Lash, Ronald N. Hines, Frank J. Gonzalez, Timothy R. Zacherewski & Mark A. Rothstein, Genetics and Susceptibility to Toxic Chemicals: Do You (or Should You) Know Your Genetic Profile?, 305 J. Pharmacology & Experimental Therapeutics 403-409 (2003)
103. M. Gabriela Alcalde & Mark A. Rothstein, Pharmacogenomics: Ethical Concerns and Pharmacy Practice, 59 Am. J. Health-Syst. Pharmacy No. 22, at 2239-2240 (2002)
104. Susan Gerard, Maxine Hayes, & Mark A. Rothstein, On the Edge of Tomorrow: Fitting Genomics into Public Health Policy, 30 J.L. Med. & Ethics 173-176 (2002)
105. Mark A. Rothstein, Discrimination in Employment on the Basis of Genetics, 2 Employee Rts. & Employment Pol'y J. 112-122 (2002)
- 106.* Mark A. Rothstein, Serge A. Martinez & W. Paul McKinney, Using

Established Medical Criteria to Define Disability: A Proposal to Amend the Americans with Disabilities Act, 80 Wash. U.L.Q. 243-297 (2002)

- 107.* Mary R. Anderlik & Mark A. Rothstein, DNA-Based Identity Testing and the Future of the Family: A Research Agenda, 28 Am. J.L. & Med. 215-232 (2002)
108. Mark A. Rothstein & Mary R. Anderlik, The AbioCor Artificial Heart Replacement: Bioengineering Meets Bioethics, 16 J. Cardiothoracic & Vascular Anesthesia 234-239 (2002)
- 109.* Mark A. Rothstein, Rethinking the Meaning of Public Health, 30 J.L. Med. & Ethics 144-149 (2002)
110. Mary R. Anderlik & Mark A. Rothstein, Genetic Privacy: A War Fought on Many Fronts, Update - - N.Y. Academy of Sciences Mag. 198-204 June/July 2002
- 111.* Mark A. Rothstein, The Role of IRBs in Research Involving Commercial Biobanks, 30 J.L. Med. & Ethics 105-108 (2002)
- 112.* Mark A. Rothstein & Mary R. Anderlik, Commentary, What Is Genetic Discrimination and When and How Can It Be Prevented?, 3 Genetics in Med. 354-358 (2001)
- 113.* Mark A. Rothstein & Phyllis Griffin Epps, Pharmacogenomics and the (Ir)relevance of Race, 1 Pharmacogenomics J. 104-108 (2001)
- 114.* Mark A. Rothstein & Sandra Carnahan, Legal and Policy Issues in Expanding the Scope of Law Enforcement DNA Data Banks, 67 Brooklyn L. Rev. 127-177 (2001)
- 115.* Mary R. Anderlik & Mark A. Rothstein, Privacy and Confidentiality of Genetic Information: What Rules for the New Science?, 2 Ann. Rev. Genomics & Human Genetics 401-433 (2001)
- 116.* Mark A. Rothstein, Predictive Genetic Testing for Alzheimer's Disease in Long-Term Care Insurance, 35 Ga. L. Rev. 707-733 (2001)
- 117.* Mark A. Rothstein & Phyllis Griffin Epps, Ethical and Legal Implications of Pharmacogenomics, 2 Nature Revs. Genetics 228-231 (2001)
- 118.* Mark A. Rothstein, Ethical Guidelines for Medical Research on Workers, 42 J. Occup. & Env'tl Med. 1166-1171 (2000)
- 119.* Mark A. Rothstein, Genetics and the Work Force of the Next Hundred Years, 3 Colum. Bus. L. Rev. 371-402 (2000)
120. Mark A. Rothstein & Mary Kay Pelias, Genetic Testing in Adoption: Joint

- Statement of the American Society of Human Genetics and the American College of Medical Genetics, 56 Am. J. Human Genetics 761-767 (2000)
121. Mark A. Rothstein, Why Treating Genetic Information Separately Is a Bad Idea, 4 Tex. Rev. L. & Politics 33-37 (1999)
 122. Mark A. Rothstein, The Impact of Behavioral Genetics on the Law and the Courts, 83 Judicature 116-123 (1999)
 - 123.* Mark A. Rothstein & Sharona Hoffman, Genetic Testing, Genetic Medicine, and Managed Care, 34 Wake Forest L. Rev. 849-888 (1999)
 124. Barbara Fuller, ... Mark A. Rothstein, ... et al., Privacy in Genetics Research, 285 Science 1359-1361 (1999)
 - 125.* Mark A. Rothstein, Betsy D. Gelb, & Steven G. Craig, Protecting Genetic Privacy by Permitting Employer Access Only to Job-Related Medical Information: Analysis of a Unique Minnesota Law, 24 Am. J.L. & Med. 399-417 (1998)
 - 126.* Mark A. Rothstein, Genetic Privacy and Confidentiality: Why They Are So Hard to Protect, 26 J.L. Med. & Ethics 181-186 (1998)
 127. S. Van McCrary & Mark A. Rothstein, Where Are We Now? Family Violence and the Health Care System in Texas, 94 Tex. Med. 44-48 (1998)
 - 128.* Mark A. Rothstein, A Proposed Revision of the ACOEM Code of Ethics, 39 J. Occup. & Env'tl. Med. 616-622 (1997)
 129. Karen Rothenberg, Barbara Fuller, Mark A. Rothstein, et al., Genetic Information and the Workplace: Legislative Approaches and Policy Challenges, 275 Science 1755-1757 (1997)
 130. Mark A. Rothstein, Health Care: Public and Private Systems in the Americas, 17 Compar. Lab. L.J. 612-625 (1996)
 131. Mark A. Rothstein & Bartha Maria Knoppers, Legal Aspects of Genetics, Work, and Insurance in North America and Europe, 3 European J. Health L. 143-161 (1996)
 - 132.* Mark A. Rothstein, Preventing the Discovery of Plaintiff Genetic Profiles by Defendants Seeking to Limit Damages in Personal Injury Litigation, 71 Ind. L. J. 877-910 (1996)
 133. Mark A. Rothstein, Legal and Ethical Aspects of Medical Screening, 11 Occup. Med.: State of the Art Revs. 32- 39 (1996)
 134. Mark A. Rothstein, Kathleen Kennedy, Karen Ritchie, & Kirsten Pyle, Are

- Cancer Patients Subject to Employment Discrimination?, 9 *Oncology* 1303-1306 (1995)
135. Mark A. Rothstein, An Overview of Labor and Employment Law Issues in Hospital Closures and Downsizing, 28 *J. Health & Hosp. L.* 336-343 (1995)
136. Mark A. Rothstein, The Use of Genetic Information for Nonmedical Purposes, 9 *J.L. & Health* 109-120 (1995)
137. Mark A. Rothstein, Genetic Testing: Employability, Insurability & Health Reform, 17 *Monog. Nat'l Cancer Inst.* 87-90 (1995)
138. Sharon P. Cooper & Mark A. Rothstein, Health Hazards Among Working Children in Texas, 88 *Southern Med. J.* 550-554 (1995)
139. Mark A. Rothstein, Taking the Patient's View of Health Reform, 3 *J. Am. Health Policy* No. 5; 27-31 (Sept./Oct. 1993)
140. Mark A. Rothstein, Legal Issues in Genetic Testing, 25 *J. Ins. Med.* 267-278 (1993)
141. Mark A. Rothstein, Discrimination Based on Genetic Information, 33 *Jurimetrics J.* 13-18 (1992)
142. Mark A. Rothstein, Genetic Discrimination in Employment and the Americans with Disabilities Act, 29 *Hous. L. Rev.* 23-84 (1992)
143. Mark A. Rothstein, Wrongful Refusal to Hire: Attacking the Other Half of the Employment At-Will Rule, 24 *Conn. L. Rev.* 97-146 (1991)
144. Mark A. Rothstein, Workplace Drug Testing: A Case Study in the Misapplication of Technology, 5 *Harv. J.L. & Tech.* 65-93 (1991)
145. Mark A. Rothstein, Genetic Screening in Employment: Some Legal, Ethical, and Societal Issues, 1 *Int'l J. Bioethics* 239-244 (1991)
146. Mark A. Rothstein, A Proposed Model Act for the Reinstatement of Employees Upon Recovery from Work-Related Injury or Illness, 26 *Harv. J. on Legis.* 263-283 (1989)
147. Mark A. Rothstein, Medical Screening and Employment Law: A Note of Caution and Some Observations, 1988 *U. Chi. Legal F.* 1-32
148. Mark A. Rothstein, Legal Considerations in Worker Fitness Evaluations, 3 *Occup. Med.: State of the Art Revs.* 209-218 (1988)
149. Mark A. Rothstein, Workplace Drug Testing: The Challenge to Employment Relations and Employment Law, 63 *Chi.-Kent L. Rev.* 683-743

- (1987)
150. Mark A. Rothstein (for the Council on Scientific Affairs of the American Medical Association), Issues of Employee Drug Testing, 258 JAMA 2089-2096 (1987)
 151. Mark A. Rothstein, Refusing to Employ Smokers: Good Public Health or Bad Public Policy?, 62 Notre Dame L. Rev. 940-968 (1987)
 152. Mark A. Rothstein, Medical Screening in the Workplace: Genetics, AIDS, and Beyond, 2 Labor Lawyer 675-682 (1986)
 153. Mark A. Rothstein, Discriminatory Aspects of Medical Screening, 27 J. Occup. Med. 924-929 (1986)
 154. Mark A. Rothstein, Screening Workers for Drugs: A Legal and Ethical Framework, 11 Employee Rel. L.J. 422-437 (1985-1986)
 155. Mark A. Rothstein, Substantive and Procedural Obstacles to OSHA Rulemaking: Reproductive Hazards as an Example, 12 B.C. Envtl. Aff. L. Rev. 627-700 (1985)
 156. Mark A. Rothstein, Legal Issues in the Medical Assessment of Physical Impairment by Third-Party Physicians, 5 J. Legal Med. 503-548 (1984)
 157. Mark A. Rothstein, Reproductive Hazards and Sex Discrimination in the Workplace: New Legal Concerns in Industry and on Campus, 10 J. Coll. & U.L. 495-514 (1984)
 158. Mark A. Rothstein, Employee Selection Based on Susceptibility to Occupational Illness, 81 Mich. L. Rev. 1379-1496 (1983)
 159. Mark A. Rothstein, OSHA After Ten Years: A Review and Some Proposed Reforms, 34 Vand. L. Rev. 71-139 (1981)
 160. Mark A. Rothstein, Judicial Review of Decisions of the Occupational Safety and Health Review Commission 1973-1978: An Empirical Study, 56 Chi.-Kent L. Rev. 607-633 (1980)
 161. Mark A. Rothstein, OSHA Inspections After Marshall v. Barlow's, Inc., 1979 Duke L.J. 63-103 (1979)
 162. Mark A. Rothstein & Laura F. Rothstein, Administrative Searches and Seizures: What Happened to Camara and See?, 50 Wash. L. Rev. 341-384 (1975)
 163. Mark A. Rothstein, Private Actions for Public Nuisance: The Standing Problem, 76 W. Va. L. Rev. 453-479 (1974)

Judicial Bench Books

164. Mark A. Rothstein, Meghan K. Talbott, Amy R. Schofield, and Linda L. Chezem, Public Health Law Judicial Reference Guide for Kentucky Courts, Center for Public Health Law Partnerships, A CDC Collaborating Center (2006) (189 pp.), available at http://louisville.edu/bioethics/public-health/KY_Benchbook.pdf/view.
165. Amy R. Schofield, Linda L. Chezem, Larry I. Palmer, Mark A. Rothstein, and T. Howard Stone, Public Health Law Bench Book for Indiana Courts, Center for Public Health Law Partnerships, A CDC Collaborating Center (2005) (219 pp.), available at http://louisville.edu/bioethics/public-health/IN_Benchbook.pdf/view.

Reports

166. Mark A. Rothstein & Julia M. Rothstein, State Genetic Nondiscrimination Laws, A Report to the Institute on Biotechnology and the Human Future (2006) (53 pp.), available at http://www.thehumanfuture.com/commentaries/genetic_discrimination/geneticdiscrimination_commentary_rothstein01.html.
167. Mark A. Rothstein et al., Quarantine and Isolation: Lessons Learned from SARS, A Report to the Centers for Disease Control and Prevention (2003) (160 pp.), available at <http://louisville.edu/bioethics/public-health/SARS.pdf/view>.
168. Mark A. Rothstein et al., Legal Analysis of the Institute of Medicine Recommendations to Expand Testing for and Treatment of Latent Tuberculosis, A Report to the Centers for Disease Control and Prevention (2000) (20 pp.)
169. Mark A. Rothstein et al., Family Violence and the Health Care System in Texas, A Report to the Texas Legislature (1997) (425 pp.)
170. Mark A. Rothstein et al., Nonfinancial Barriers to Health Care in Texas, A Report to the Texas Legislature (1995) (297 pp.)
171. Mark A. Rothstein et al., Occupational Injury and Illness in Texas, A Report to the Texas Legislature (1993) (274 pp.)
172. Mark A. Rothstein, Legal Issues in Occupational Drug Testing, A Report to the American Medical Association (1986) (30 pp.)
173. Mark A. Rothstein, The Regulation of Reproductive Hazards under OSHA, A Report to the United States Congress, Office of Technology Assessment (1984) (167 pp.)

174. Mark A. Rothstein, Legal Issues Raised by Biochemical Genetic and Cytogenetic Testing in the Workplace, A Report to the United States Congress, Office of Technology Assessment (1982) (100 pp.)

Short Articles

- 175.* Mark A. Rothstein, Debate Over Patient Privacy Controls in Electronic Health Records, Bioethics Forum, Feb. 17, 2011, www.thehastingscenter.org/Bioethicsforum/post.aspx?id=5139&blogid=140
- 176.* Mark A. Rothstein, Worst Case Bioethics: Death, Disaster, and Public Health (book review), 31 J. Legal Med. 331-335 (2010)
- 177.* Mark A. Rothstein, Expanding Access to Health Care: It Takes More Than Money, Bioethics Forum, Feb. 23, 2010, www.thehastingscenter.org/BioethicsForum/Post.aspx?id=4496
- 178.* Mark A. Rothstein, Health Insurance Reform: Unintended Consequences, Bioethics Forum, Feb. 11, 2010, www.thehastingscenter.org/BioethicsForum/Post.aspx?id=4484
179. Melissa M. Goldstein & Mark A. Rothstein, Introduction to Symposium on Health Information Technology and the Practice of Medicine, 38(1) J.L. Med. & Ethics 6 (2010)
- 180.* Mark A. Rothstein, Health Privacy and the Facebook Generation, Bioethics Forum, Aug. 11, 2009, www.thehastingscenter.org/BioethicsForum/post.aspx?id=3794
- 181.* Mark A. Rothstein, GINA's Beauty Is Only Skin Deep, 22 Gene Watch 9-12 (Apr.-May 2009)
- 182.* Mark A. Rothstein, Yu Cai, & Gary E. Marchant, Ethical Implications of Epigenetic Research, 10 Nature Rev. Genetics 224 (2009)
183. Mark A. Rothstein, Is HIPAA flawed, or unnecessary? Reply to "HIPAA-cracy" (letter), Hastings Center Rep. 36(4):6-7 (2006)
184. Mark A. Rothstein, Transplanting Human Tissue: Ethics, Policy, and Practice (book review), Am. J. Bioethics 6(3):76-77 (2006)
185. Mark A. Rothstein, Genetic Privacy, Abandonment, and DNA Dragnets (invited letter), Hastings Center Rep. 35(1):21-23 (2005)
186. Mark A. Rothstein & Bartha Maria Knoppers, Introduction to Biobanks Symposium, J.L. Med. & Ethics 33(1):6 (2005)
187. Alasdair Breckenridge, Klaus Lindpainter, Peter Lipton, Howard McLeod,

- Mark Rothstein & Helen Wallace, Pharmacogenetics: Ethical Problems and Solutions, 5 *Nature Reviews Genetics* 676-680 (2004)
188. M. Gabriela Alcalde & Mark A. Rothstein, Consideraciones Éticas en Torno del Implante de Corazón Artificial Abiocor, *Sociedad Iboamericana de Información Científica*, www.siicsalud.com/dato/dat039/047/2000.htm (2004)
 189. Mark A. Rothstein, The Year in Bioethics, 2004, *Law & Bioethics Rep.* 4(2):2 (2004)
 190. Mark A. Rothstein, What Kind of Malpractice Crisis?, *Law & Bioethics Rep.* 3(1): 2 (2003)
 191. Mark A. Rothstein, Public Willingness to Participate in Genomics Research, *Emerging Issues in Environmental Health Sciences* (July 2003)
 192. Mark A. Rothstein, Privacy and Confidentiality in Genetic Research, *Law & Bioethics Rep.* 2(1): 6-8 (2002)
 193. Mark A. Rothstein, Privacy and Health Care (book review), 345 *New Eng. J. Med.* 844 (2001)
 194. Mark A. Rothstein, Genetics and Public Health in the 21st Century: Using Genetic Information to Improve Health and Prevent Disease (book review), 343 *New Eng. J. Med.* 1580 (2000)
 195. Mark A. Rothstein, Family and Community in Genetic Research, *Health Law News* 13(3): 9,16 (2000)
 196. Mark A. Rothstein, Secondary Uses of Cord Blood Information, 8 *Cancer Research, Therapy & Control* 351-52 (1999)
 197. Mark A. Rothstein, Substance Abuse and the ADA: Some Unresolved Issues, 8 *Employment Testing* 49 (1999)
 198. Mark A. Rothstein, Policy Makers Need to Address Genetic Issues, 7 *Employment Testing* 41 (1998)
 199. Mark A. Rothstein, "Gattaca" and Today's Genetic Secrets, *Health Law News*, Dec. 1997
 200. Mark A. Rothstein, Occupational Physicians Face Legal, Ethical Issues in Medical Screening, 5 *Employment Testing* 145-51 (1996)
 201. Ellen Wright Clayton & Mark A. Rothstein, Anonymous Genetic Testing: Reply to Mehlman et al. (letter), 59 *Am. J. Human Genetics* 1169-70 (1996)

202. Mark A. Rothstein, Should Genetic Information Be Used to Predict Life Expectancy of Plaintiffs in Tort Cases?, *Houston Lawyer*, Sept./Oct. 1996
203. Mark A. Rothstein, The Ethics of Tiered Health Care, *Health Law News*, Sept. 1995
204. Mark A. Rothstein, Study Probes Nonfinancial Barriers to Health Care, *Tex. Med. Center News*, Apr. 1995
205. Mark A. Rothstein, Genetic Testing, Jobs, and Insurance: What Public Policy Issues Should Reformers Consider?, 4 *Employment Testing* 17 (1995)
206. Mark A. Rothstein, The Family and Medical Leave Act and Injured Workers, *Health Law News*, July 1993
207. Mark A. Rothstein, Employers' Use of Genetic Tests Under the ADA, 2 *Employment Testing* 73 (1993)
208. Mark A. Rothstein, Employees' Access to Health Benefits, 2 *Employment Testing* 24 (1993)
209. Mark A. Rothstein, Genetics and Employment Discrimination, *Advances in Genetic Information* (Council of State Governments 1992)
210. Mark A. Rothstein, Risky Business: Genetic Testing and Exclusionary Practices in the Hazardous Workplace (book review), 268 *JAMA* 921 (1992)
211. Mark A. Rothstein, Foreword, Genome Symposium, 29 *Hous. L. Rev.* 1-6 (1992)
212. Mark A. Rothstein, Commentary on "But is He Genetically Diseased?", 22 *Hastings Center Rep.* S-19 (July-Aug. 1992)
213. Neil A. Holtzman & Mark A. Rothstein, Eugenics and Genetic Discrimination (invited editorial), 50 *Am. J. Human Genetics* 457-459 (1992)
214. Mark A. Rothstein, The Genome Project as Public Policy, 68 *Bull. N.Y. Acad. Med.* 144-150 (1992)
215. Mark A. Rothstein, Johnson Controls, Workplace Risks, and the Limits of Autonomy, *Health Law News*, June 1991
216. Mark A. Rothstein, The Human Genome Project and Genetic Screening: The Importance of Ethical, Legal, and Social Issues, *Health Law News*, March 1991

217. Mark A. Rothstein, Does Employee Drug Testing Work?, 4 Employment Testing 716 (1991)
218. Mark A. Rothstein, Genetic Screening in the Workplace, Encyclopedia of Career Change and Work Issues (L. Jones, ed.) (Oryx Press 1991)
219. Mark A. Rothstein, Predicting the Consequences of the High Risk Occupational Disease Notification and Prevention Act, Occupational Health in the 1990s (P. Landrigan & I. Selikoff, eds.) (N.Y. Academy Press 1990)
220. Mark A. Rothstein, Forum on Refusing to Employ Cigarette Smokers, Employment Rel. Weekly, June 19, 1989
221. Mark A. Rothstein, Foreword to the Health Law Issue, 25 Hous. L. Rev. 471-473 (1988)
222. Mark A. Rothstein, Ban Smoking, Not Smokers from the Workplace, Hous. Lawyer, July/Aug. 1987
223. Mark A. Rothstein, Medical Screening: A Tool with Broadening Use, Bus. & Health, Oct. 1986
224. Mark A. Rothstein & Laura F. Rothstein, Law Reviews Suffer from Lack of Peer Review, Legal Times, Jan. 6, 1986
225. Mark A. Rothstein, Jump in Worker Medical Screening Raises Concerns, Am. Med. News, Oct. 19, 1984

Popular Articles

- 226.* Mark A. Rothstein, Unreliable Insurance, Louisville Courier-Journal, Feb. 17, 2010
227. Mark A. Rothstein, A Future in Research for Kentucky?, Louisville Courier-Journal, March 28, 2002
228. Mark A. Rothstein, Medical Privacy -- An Oxymoron?, Newsday, March 15, 1999
229. Mark A. Rothstein, Underlying Issues Important Part of Cloning Debate, Houston Chronicle, Sept. 1, 1998
230. Mark A. Rothstein, HMO Liability Is Worth the Cost, Wall St. J., Aug. 11, 1998
231. Mark A. Rothstein & Ronald Scott, Prohibitions on Genetic Discrimination in Insurance and Employment, Houston Bus. J., Feb. 6-12, 1998

232. Mark A. Rothstein, Equalize Opportunity -- Then Start Clock on Affirmative Action's End, Houston Chronicle, Nov. 30, 1997
233. Mark A. Rothstein, More Than Money at Stake When Hospitals Join Forces, Houston Chronicle, June 9, 1996
234. Mark A. Rothstein, Winners, Losers in Delay of Health-Care Reform, Houston Chronicle, Aug. 31, 1994
235. Mark A. Rothstein & Beverly Woodward, Self-Insurance Works Against Goals of Health Reform, Boston Globe, July 1, 1994
236. Mark A. Rothstein, If You Think Your Employer Insures You, Look Again, Houston Post, Dec. 8, 1991
237. Mark A. Rothstein, Free Trade Doesn't Equal Freedom, Houston Post, Aug. 11, 1991
238. Mark A. Rothstein, The Challenge of the New Genetics, 69 Nat'l Forum 39 (1989)
239. Mark A. Rothstein, Health Insurance Can Be Hazard to Your Rights, Houston Chronicle, Oct. 4, 1989
240. Mark A. Rothstein, Sniffing Out Drug Abusers is No Quick Fix, Wall St. J., June 16, 1986
241. Mark A. Rothstein, Meet the Perfect Worker, Chicago Tribune, Dec. 30, 1985

July 2011