

NATHAN CORTEZ



**Adelfa Botello Callejo Endowed Professor
of Law in Leadership & Latino Studies**

**Co-Director, Tsai Center for Law,
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Gerald J. Ford Research Fellow

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SMU Dedman School of Law
3315 Daniel Avenue
Dallas, TX 75205

EXPERIENCE

Southern Methodist University, Dedman School of Law

- Co-Director, Tsai Center, 2022-present
- Associate Dean for Research, 2013-19
- Callejo Endowed Professor, 2015-present
- Gerald J. Ford Research Fellow, 2015-present
- Professor, 2015-present
- Associate Professor, 2012-15
- Assistant Professor, 2007-12

Courses:

- Administrative Law
- Food & Drug Law
- Health Law
- Legislation (upper-level)
- Legislation & Regulation (first-year)
- International and Comparative Health Law

Rutgers University School of Law – Camden

Visiting Assistant Professor, Fall 2006

Arnold & Porter

Associate, Washington D.C., 2002-07

AFFILIATIONS

- Big Data Advisory Board, SMU (2021-present)
- Co-Applicant, Canadian Institute of Health Research (CIHR) grant, “Just Coverage Decisions” (2019-23)
- Advisory Board, DIME (Disruptive Innovation in Medical Ethics), European Research Council grantee
- Conflict of Interest Committee, UT Southwestern Medical Center (2016-18)
- Consultant, Administrative Conference of the United States (ACUS) (2014-16)
- Center for Global Health Impact, SMU

- Advisory Board, Latino Public Policy Research Institute, Latino Center for Leadership Development
- Executive Board, Tsai Center for Law, Science, and Innovation, SMU
- Executive Board, Rowling Center for Business Law and Leadership, SMU
- Mentor, Health Wildcatters
- Editorial Advisory Board, Food and Drug Law Journal (2014-17)

Food and Drug Law: Cases and Materials (5th edition, Foundation Press, 2022), (with Peter Barton Hutt, Lewis Grossman, Erika Lietzan, & Patti Zettler)

Readings in Comparative Health Law and Bioethics (with I. Glenn Cohen & Timothy S. Jost) (Carolina Academic Press, 2020)

EDUCATION

Stanford Law School

J.D. 2002

University of Pennsylvania

B.A. 1999

Major: Philosophy, Politics, & Economics

Minor: American Public Policy

AWARDS + RECOGNITIONS

- Co-Applicant, Canadian Institute of Health Research (CIHR) grant-funded project: “Machine M.D.: How Should We Regulate A.I. in Health Care?” (2021-25)
- Co-Applicant, Canadian Institute of Health Research (CIHR) grant-funded project: “Just Coverage Decisions: Including Legal Analysis into the Assessment of Health Technologies” (2019-23)
- Keynote Lecture, Machine M.D. Conference, University of Ottawa (2019)
- Keynote Lecture, WATCH Society, Stanford Medical School (2016)
- Gerald J. Ford Research Fellowship, SMU (2015)
- Endowed Lecture, Southern Illinois University, Health Policy Institute (2015)
- Elected Member, Barristers, SMU Law School (2014)
- Grant Recipient, Radcliffe Institute for Advanced Study, Harvard (2013)
- Endowed Lecture, Texas A&M College of Medicine (2010)

ARTICLES

In Silico Trials: The Law and Ethics of Using Virtual Twins and Chimeras, (work-in-progress) (with Alejandro F. Frangi and I. Glenn Cohen)

The Law of Licensing and Quality Regulation, __ New Eng. J. Med. __ (forthcoming 2022)

Hortatory Mandates, __ George Wash. L. Rev. __ (with Lindsay F. Wiley) (forthcoming)

The Disembodied First Amendment? __ Wash. U. L. Rev. __ (with William Sage) (forthcoming)

Presidential Administration and FDA Guidance: A New Hope, 2021 U. Ill. L. Rev. Online 179 (with Jacob S. Sherkow)

Information Mischief under the Trump Administration, 94 Chicago-Kent Law Review 315-48 (2019) (symposium: The Trump Administration and Administrative Law) (discussed in Helen Norton, *The Uses and Abuses of the Government’s Tools of Information Control*, JOTWELL, Constitutional Law (Oct. 7, 2019)

Digital Health and Regulatory Experimentation at the FDA, __ Yale Journal of Health Policy, Law, & Ethics & 21 Yale Journal of Law and Technology 4 (joint issue) (2019) (symposium: Artificial Intelligence and Robotics in Medicine)

A.I. in the O.R. (working paper) (with Michelle Mello)

A Black Box for Patient Safety?, 68 DePaul Law Review 239-62 (2019) (Clifford Symposium on Tort Law & Social Policy: Patient Safety: How Might the Law Help?)

BOOKS

FDA and the Marketplace of Ideas for Medical Products, 45
Journal of Law, Medicine, & Ethics 39-42 (2017)

Substantiating Big Data Health Claims?, 14 I/S: A Journal of
Law and Policy for the Information Society 61-86 (2017)
(symposium)

Regulation by Database, 89 University of Colorado Law
Review 1-92 (2018)

Foreward: The Food Law Era, 19 SMU Science &
Technology Law Review 377-80 (2016)

The Statutory Case Against Off-Label Promotion, 83
University of Chicago Law Review Online 124-42 (2016)

FDA Regulation of Mobile Health Technologies, 371 New
England Journal of Medicine 372-79 (2014) (with I. Glenn
Cohen and Aaron S. Kesselheim) (peer-reviewed)

The Mobile Health Revolution?, 47 U.C. Davis Law Review
1173-1230 (2014)

Regulating Disruptive Innovation, 29 Berkeley Technology
Law Journal 173-226 (2014)

**Do Graphic Tobacco Warnings Violate the First
Amendment?**, 64 Hastings Law Journal 1467-1500 (2013)

**Adverse Publicity by Administrative Agencies in the
Internet Era**, 2011 BYU Law Review 1371-1454 (2011)

A Medical Malpractice Model for Developing Countries?, 4
Drexel Law Review 217-41 (2011) (symposium)

**Can Speech by FDA-Regulated Firms Ever Be
Noncommercial?**, 37 American Journal of Law & Medicine
388-421 (2011) (peer-reviewed) (symposium)

**Embracing the New Geography of Health Care:
A Novel Way to Cover Those Left Out of Health Reform**, 84
Southern California Law Review 859-932 (2011)

Recalibrating the Legal Risks of Cross-Border Health Care,
10 Yale Journal of Health Policy, Law, & Ethics 1-89
(2010) (peer-reviewed)

**International Health Care Convergence: The Benefits and
Burdens of Market-Driven Standardization**, 26 Wisconsin

International Law Journal 646-704 (2009) (symposium)

**The Local Dilemma: Preemption and the Role of Federal
Standards in State and Local Immigration Laws**, 60 SMU
Law Review 47-66 (2008) (symposium)

**Patients Without Borders: The Emerging Global Market for
Patients and the Evolution of Modern Health Care**, 83
Indiana Law Journal 71-132 (2008)

**The Food and Drug Administration's Evolving Regulation of
Press Releases: Limits and Challenges**, 61 Food & Drug Law
Journal 623-651 (2006) (with William Vodra and David
Korn) (peer-reviewed)

BOOK CHAPTERS

**A "DESI" for Devices? Can an Experiment in Pharmaceutical
Regulation from the 1960s Improve FDA Oversight of
Medical Devices?**, (with Matthew Herder) (forthcoming in
THE FUTURE OF MEDICAL DEVICE REGULATION: INNOVATION
AND PROTECTION, Cambridge University Press, 2021)

**Introduction: The Internet of Things (IoT) and Health Big
Data**, *in* BIG DATA, HEALTH LAW, & BIOETHICS (Cambridge
University Press, 2018)

The Evolving Law and Ethics of Digital Health, *in* DIGITAL
HEALTH: SCALING HEALTHCARE TO THE WORLD 249-69
(Springer, 2018)

Globalization, *in* OXFORD HANDBOOK OF U.S. HEALTHCARE
LAW 1075-96 (Oxford University Press, 2015)

Analog Agency in a Digital World, *in* FDA IN THE 21ST
CENTURY: THE CHALLENGES OF REGULATING DRUGS AND NEW
TECHNOLOGIES 438-54 (Columbia University Press, 2015)

**Cross-Border Health Care and the Hydraulics of Health
Reform**, *in* THE GLOBALIZATION OF HEALTH CARE: LEGAL AND
ETHICAL ISSUES 65-82 (Oxford University Press, 2013)

**Into the Void: The Legal Ambiguities of an Unregulated
Medical Tourism Market**, *in* RISKS AND CHALLENGES IN
MEDICAL TOURISM: UNDERSTANDING THE GLOBAL MARKET FOR
HEALTH SERVICES 187-206 (Praeger Publishing, 2012)

The Elusive Ideal of Market Competition in U.S. Health

Care, in HEALTH CARE AND EU LAW 359-86 (TMC Asser Press, 2011)

Biopharmaceuticals: Definition and Regulation, in

PRECLINICAL SAFETY EVALUATION OF BIOPHARMACEUTICALS: A SCIENCE-BASED APPROACH TO FACILITATING CLINICAL TRIALS 3-18 (John Wiley & Sons, 2008) (with Lincoln Tsang)

GOVERNMENT REPORTS

Agency Publicity in the Internet Era, Administrative Conference of the United States 1-110 (Sep. 25, 2015), implemented at 81 Fed. Reg. 40,259 (Jun. 21, 2016)

ONLINE WRITING

What To Do About Government Lies?, Balkanization, Symposium on Helen Norton, The Government's Speech and the Constitution (Mar. 16, 2020)

Medicare for All: A Leap into the Known?, Law & Political Economy (Jul. 25, 2019)

Questions About the FDA's New Framework for Digital Health, Health Affairs Blog (with Nicolas Terry & I. Glenn Cohen) (Aug. 16, 2017)

Government Information Policy in the Trump

Administration?, Notice & Comment, Blog of the Yale Journal of Regulation and the ABA Section of Administrative Law & Regulatory Practice (Jan. 26, 2017)

Big Data Meets Big Medicine: Machine Learning, Black Box Algorithms, and the Future of Health Care Analytics, New England Journal of Medicine Group, Open Forum (Nov. 9-19, 2016)

Can Information Technology Save Health Care?, (reviewing Nicolas P. Terry, "Information Technology's Failure to Disrupt Health Care," 13 Nevada Law Journal 722 (2013)) Jotwell.com (Jun. 25, 2014)

Adverse Publicity by Administrative Agencies in the

Internet Era, Administrative Fix Blog, Administrative Conference of the United States (ACUS) (Jan. 15, 2014)

The FDA Needs to Regulate Digital Snake Oil, Slate.com (Sep. 24, 2013)

Medicare's Design Flaw (reviewing Nicholas Bagley, "Bedside Bureaucrats: Why Medicare Reform Hasn't Worked," 101 Georgetown Law Journal 519 (2013)) Jotwell.com (Sep. 2013)

The Umpire Throws a Curveball, Health Reform Watch (Jun. 2012)

Which Theory of Global Justice Best Accommodates the Uncertainties of Medical Tourism?, Opinio Juris (Apr. 2012)

Why Can't We Analogize the Mandate?, Concurring Opinions and Health Reform Watch (Mar. 2012)

Why Obamacare is Constitutional, Austin-American Statesman (Sep. 2011)

Market Competition in Health Care: The EU's Parallel Struggle, Health Reform Watch (Oct. 2009)

Immigrants, Health Reform, and "Lies," Health Reform Watch and The Health Care Blog (Sep. 2009)

Rationing or Cost-Effectiveness?, Health Reform Watch (June 2009)

The Less You Change, The More It Costs, Health Reform Watch (June 2009)

The Life Cycle of Objectionable Drug Marketing Practices, Concurring Opinions and Health Reform Watch (Mar. 2009)

What Does Medical Tourism Say About the U.S. Health Care System?, 39 The Quad 32-35 (SMU Law School, 2008)

Trends in Criminal Enforcement Against Off-Label Promotion, ABA 21st Annual National Institute on White Collar Crime, at L-23 to L-33 (2007) (with Robert Litt)

HHS OIG Issues Criteria for Evaluating State False Claims Acts, 2 Journal of Payment Systems Law 593-598 (2006) (with Dara Corrigan)

Global Privacy Law Update, 20 (6) Computer & Internet Lawyer 1-6 (June 2003) (with John Bentivoglio & Sarah Kirk)

How Does (and Should) the U.S. Regulate Medical Devices, Including A.I.?, Canadian Institute for Advanced Research (CIFAR), A.I. and Health Care: Regulation of Medical Devices with A.I. (Feb. 26, 2021)

LECTURES & PRESENTATIONS

Legal Novelties in Deep Phenotyping for Psychiatric Disorders, International Association of Law and Mental Health, University of Lyon 3 (Jean Moulin University, Lyon France) (Jul. 5, 2022)

Opening Plenary: A.I. in Health Care: Implications for Research, Practice, and Policy, 11th Annual Conference of the American Society for Health Economists (ASHECON) (Jun. 26, 2022)

Administrative Law New Scholarship Roundtable, University of Minnesota Law School (Jun. 22-23, 2022)

FDA's Approach to A.I. and M.L., Machine M.D., University of Ottawa Summer Institute in Health Law & A.I. (May 26, 2022)

Legal Liability and the O.R. Black Box, Canadian Institute for Advanced Research (CIFAR Workshop (Mar. 4, 2022)

Emerging Legal & Ethical Frameworks for A.I. in Medicine, SMU Law School, Tsai Center Symposium (Feb. 25, 2022)

Emerging Standards for Regulating A.I. and Machine Learning, Harvard Medical School, Bioethics and Artificial Intelligence (Feb. 17, 2022)

Administrative Law New Scholarship Roundtable, Yale Law School (senior commenter) (Sep. 17, 2021)

The Post-Covid FDA: Regulating in a New Era of Medicine, Drug Information Association (June 30, 2021)

Ethical, Legal, and Social Implications of Surgical Recording, Vanderbilt University Medical Center (May 14, 2021)

Hortatory Mandates, Mostly Non-Pandemic Health Law Workshop, Texas A&M Law School (Apr., 23, 2021)

The Artifices of Corporate Speech, Harvard Law School, Petrie-Flom Center, Health Law Workshop (Oct. 26, 2020)

What Covid-19 Testing Can (and Can't) Tell Us, Gonzaga Law School, Health & Technology Policy, The Technological Response to Covid-19 (Oct. 9, 2020)

Administrative Law New Scholarship Roundtable, Yale Law School (senior commenter) (Aug. 31, 2020)

Law and the Search for a Covid-19 Vaccine, Tsai Center Lecture, SMU Dedman School of Law (Jul. 31, 2020)

May 2020 Update: Legal Considerations in Telehealth, Telehealth Foundations Course, MGH Institute of Health Professions, Massachusetts General Hospital (May 2020)

The Ethical, Legal, and Social Implications of Return of Results in Deep Phenotyping Research, McLean Institute for Technology in Psychiatry & NIH BRAIN Neuroethics Program, Harvard Medical School (May 8, 2020)

Legal Considerations in Telehealth, Telehealth Foundations Course, MGH Institute of Health Professions, Massachusetts General Hospital (Feb. 2020)

Digital Health and Regulatory Experimentation at the FDA, SMU Forum (Sep. 25, 2019)

A.I. and M.L. at the F.D.A., University of Ottawa, Machine M.D. Conference (June 1, 2019)

Keynote: Machine M.D. - Hope, Hype, Hurdles, University of Ottawa, Machine M.D. Conference (May 31, 2019)

A.I. and M.L. at the F.D.A., Northeastern University School of Law, Promise and Perils of Emerging Health Technologies (Apr. 12, 2019)

Digital Health and Regulatory Experimentation at the FDA, BioLawlapalooza (seriously), Stanford Law School (Mar. 30, 2019)

Law and the O.R. Black Box, Surgical Safety Network (Jan. 4, 2019)

Information Mischief under the Trump Administration, Chicago-Kent College of Law, Symposium: The Trump Administration and Administrative Law (Nov. 29, 2018)

The Need for New Regulation: Privacy Law, the FDA, and Beyond, Yale Law School, Solomon Center for Health Law & Policy, Symposium: The Law and Policy of AI, Robotics, and Telemedicine in Health Care (Nov. 2, 2018)

Digital Health and Regulatory Experimentation at the FDA, American University, Washington College of Law, and Food & Drug Law Institute (FDLI), FDA: Past, Present, & Future (Oct. 19, 2018)

A Black Box for Patient Safety?, DePaul College of Law, Clifford Symposium (Apr. 20, 2018)

Telemedicine Law and Ethics, Stanford University School of Medicine (Oct. 14, 2017)

Regulation by Database, Washington & Lee Law School, Reputation Roundtable (Sep. 22, 2017)

Regulation by Database, Gonzaga Law School (Sep. 18, 2017)

Regulating Big Data Health Claims?, BioLawlapalooza, Stanford Law School (Apr. 24, 2017)

Artificial Intelligence, Predictive Analytics, and Big Data in the Learning Health Care System, Medical Automation & Robotics Roundtable, University of Maryland Carey School of Law (Apr. 7, 2017)

Substantiating Big Data Health Claims?, Predictive Analytics, Law, and Policy: Mapping the Terrain, Ohio State University, Moritz College of Law (Mar. 24, 2017)

The Future of the Affordable Care Act, American Constitution Society, SMU Law School (Mar. 6, 2017)

Regulation by Database, SMU Law School Faculty Forum (Jan. 18, 2017)

Federal Preemption in GMO Labeling, Food Law Forum, SMU Law School (Sep. 9, 2016)

The Evolving Law & Ethics of Digital Health, Wearable Technology in Health Care (WATCH) Society, Stanford Medical School (Jun. 23, 2016)

Regulation by Database, Health Law Workshop, Harvard Law School (Apr. 11, 2016)

Expert Roundtable, Program on Regulation, Therapeutics, and Law (PORTAL), Harvard Medical School (Apr. 11, 2016)

Food Labeling and Compelled Speech, Food Law Forum, SMU Law School (Nov. 13, 2015)

Regulating Medical Algorithms, American Society for Law, Medicine, & Ethics (ASLME), St. Louis University School of Law (June 5, 2015)

Mobile Health: Solution or Solutionism?, Alternative Delivery Methods in Health Care: Search for Quality and Efficiency, Southern Illinois Healthcare/Southern Illinois Health Policy Institute (May 22, 2015)

Towards a Jurisprudence for Innovation, Digital Broadband Migration Conference: First Principles for a 21st Century Innovation Policy, Silicon Flatirons Center, University of Colorado School of Law (Feb. 9, 2015)

Gatekeeping for Mobile Health, Center for Law and the Biosciences Workshop, Stanford Law School (Jan. 27, 2015)

The Mobile Health Revolution?, Distinguished Speaker Lecture, St. Louis University Center for Health Law Studies (Nov. 10, 2014)

Gatekeeping Regulation for mHealth, Food and Drug Law Institute (FDLI) and Petrie-Flom Center for Health Law, Policy, Biotechnology, and Bioethics at Harvard Law School, Washington D.C. (Oct. 21, 2014)

Three-Plus Decades of FDA Software Regulation, Mobile Health Exploratory Seminar, Radcliffe Institute for Advanced Study, Harvard University (Sep. 20, 2013)

Innovations Without Clear Regulatory Precedents

(with Aaron Kesselheim) Mobile Health Exploratory Seminar, Radcliffe Institute for Advanced Study, Harvard University (Sep. 20, 2013)

Is the FDA Equipped to Regulate Mobile Health?, FDA in the 21st Century, Harvard Law School (June 5, 2013)

The Legal Ambiguities of Medical Tourism, Medical Markets: Emerging Issues in Global Health & Commerce, University of North Carolina School of Law (Feb. 1, 2013)

Case of the Century: The Legal and Personal Controversies in the Health Reform Case, Southern Methodist University, Town & Gown (Oct. 8, 2012)

Mobile Health, Disruptive Innovation, and Regulatory Fortitude, SMU Law Faculty Forum (Sep. 19, 2012)

International Health Care Convergence, University of Paris, Hospital Saint-Louis (Aug. 22, 2012)

Medical Apps, Disruptive Innovation, and Regulatory Timing, American Society of Law, Medicine, & Ethics (ASLME), Arizona State University School of Law (June 9, 2012)

Geography Matters: Local Experiments with Immigrant Access to Care, American Society of Law, Medicine, & Ethics (ASLME), Arizona State University School of Law (June 8, 2012)

How Will Health Reform Affect the Cross-Border Market?, Medi-Tour Global Connected Care Conference (May 8, 2012)

The New Geography of Health Care, Georgia State University College of Law (Feb. 20, 2012)

International Medical Liability, University of the Incarnate Word (Feb. 15, 2012)

Cross-Border Health Care and the Hydraulics of Health Reform, Center for Medical Tourism Research (Feb. 15, 2012)

A Novel Way to Cover Uninsured Immigrants?, LatCrit XVI (Oct. 8, 2011)

Immigrants and Health Reform, Hispanic National Bar Association, Annual Meeting (Sep. 1, 2011)

Cross-Border Health Care and the Hydraulics of Health Reform, The Globalization of Health Care: Legal and Ethical Challenges, Harvard Law School (May 20, 2011)

India's Consumer Dispute Forums: A Model for Developing Countries?, Reforming Medical Liability: Global Perspectives, Drexel Law School (Apr. 22, 2011)

Can Speech by FDA-Regulated Firms Ever Be Noncommercial?, Marketing Health: The Growing Role of Commercial Speech Doctrine in FDA Regulation, Boston University School of Law (Feb. 26, 2011)

Charting the Global Trend Towards Biosimilars, Follow-On Biologics: Implementation Challenges and Opportunities, Seton Hall Law School (Oct. 29, 2010)

Dissecting Health Reform, 18th Annual Corporate Counsel Symposium, SMU Law Review Association (Oct. 1, 2010)

Is Cross-Border Health Insurance The Answer?, American Society of Law, Medicine & Ethics (ASLME), University of Texas School of Law (June 4, 2010)

Our Crazy Health Care System, SMU Alumni Board (Apr. 9, 2010)

Emerging Legal Issues with Immigrant Access to Health Care, Fourth Annual William R. Courtney Lectureship in Law, Texas A&M Health Sciences Center, College of Medicine (Mar. 17, 2010)

Harnessing the New Geography of Health Care, Conference of Asian Pacific-American Law Faculty (CAPALF) and the Western Law Teachers of Color, University of Arizona Law School (Mar. 6, 2010)

Harnessing the New Geography of Health Care, 22nd Annual Institute of the State Bar of Texas, International Law Section, Houston, TX (Mar. 5, 2010)

Harnessing the New Geography of Health Care, St. Louis University School of Law (Feb. 3, 2010)

Recalibrating the Legal Risks of Cross-Border Health Care, Center for Medical Tourism Research, University of the

Incarnate Word, San Antonio, TX (Jan. 28, 2010)

Ethics in Social Security Cases, U.S. Social Security Administration, Bench-Bar Conference, Dallas, TX (Jan. 19, 2010)

International Health and the Law, World Medical Tourism and Global Health Congress, Los Angeles, CA (Oct. 27, 2009) (with Steve Weiner)

Medical Repatriation: Can Hospitals Effectively Deport Patients?, Texas Health Law Conference, Austin, TX (Oct. 12, 2009)

The Expanding Geography of Our Health Care Safety Net, SMU Law School (Oct. 7, 2009)

The Changing Role of Markets and Competition in U.S. Health Care, Health Care and EU Law, Radboud University, Nijmegen, Netherlands (Oct. 2, 2009)

Recalibrating the Legal Risks of Cross-Border Health Care, Yale Journal of Health Policy, Law, & Ethics, Yale Law School (Sep. 22, 2009)

The Legal Impact of Voluntary Codes of Conduct in the Health Industry, Food and Drug Law Institute, Washington, D.C. (Sep. 21, 2009)

Recalibrating the Legal Risks of Cross-Border Health Care, American Society of Law, Medicine & Ethics (ASLME), Case Western Reserve University School of Law (June 6, 2009)

The Expanding Geography of Our Health Care Safety Net, Panel on Race and Ethnicity in Medicine, Law and Society 2009 Annual Meeting, Denver, CO (May 28, 2009)

Recalibrating the Legal Risks of Cross-Border Health Care, SMU Law School (Apr. 29, 2009)

A Class Apart: Hernandez v. Texas, American Constitution Society, SMU Law School (Apr. 29, 2009)

A Blueprint for U.S. Immigration Reform, DREAM Act Symposium, Southern Methodist University (Apr. 9, 2009)

Is Chevron Out of Gas?, Current Trends in Administrative Law, Appellate Judges Education Institute, Phoenix, AZ

(Nov. 14, 2008)

The Local Dilemma: Preemption and the Role of Federal Standards in State and Local Immigration Laws, LatCrit XIII, Seattle University School of Law (Oct. 3, 2008)

International Health Care Convergence: The Benefits and Burdens of Market-Driven Standardization, American Society of Law, Medicine & Ethics (ASLME), Drexel University School of Law (June 6, 2008)

Keith Aoki's "Invisible Cities: Three Local Government Models and Immigration Regulation," Colloquium on Law and Citizenship, SMU Law School (Apr. 16, 2008)

International Health Care Convergence: The Benefits and Burdens of Market-Driven Standardization, Dialogue on Cross-Border Health Care, University of Wisconsin School of Law (Mar. 7, 2008)

When Does the FDA Regulate Press Releases by Drug and Device Companies? And What Rules Apply?, Center for Business Intelligence, Webinar (Nov. 15, 2007)

The Local Dilemma: Preemption and the Role of Federal Standards in State and Local Immigration Laws, Immigrants, Vigilantes, and Immigration Reform: Civil Rights in the 21st Century, SMU Law School (Oct. 19, 2007)

Biosimilars in the FDA Regulatory Context, Symposium: New Developments in Drug Approval Law, Seton Hall Law School (Apr. 20, 2007)

PROFILES

Spotlight: Nathan Cortez, 18 (3) Medical Travel Today (2009)

At the Forefront of Medical Tourism Law, Diverse Issues in Higher Education (June 25, 2009)

Medical Tourism: Searching for Cheaper Health Care, 15 SMU Research Magazine (2008)

PODCASTS

Nurses, Policy, and Politics Podcast (Nov. 2021)
The Week in Health Law (Episode 152, Nov. 2018)
The Week in Health Law (Episode 97, May 2017)
The Week in Health Law (Episode 10, Apr. 2015)
Stanford Center for Law and the Biosciences (Jan. 2015)
The Doctor Weighs In (Aug. 28, 2014)

MEDIA

Volunteer Networks in Mexico Aid At-Home Abortions without Involving Doctors or Clinics. They're Coming to Texas, Texas Tribune (Aug. 4, 2022)

Can HIPAA Protect You from Anti-Abortion Laws? What to Know about Medical Privacy Rights, USA Today (Jul. 1, 2022)

"People Will Travel": What Overturning *Roe v. Wade* Could Mean for Abortion Access Across State Lines, USA Today (May 5, 2022)

HHS Reverses Trump-Era Rule that Blocked FDA Pre-Market Review of Diagnostic Tests, Washington Post (Nov. 16, 2021)

Louisiana Lawmakers Say COVID Vaccines Aren't Fully Approved. Experts Say That's "Complete Nonsense", The Advocate (Oct. 3, 2021)

Dozens of Texas School Districts in Legal Battles over Gov. Abbott's Ban on Mask Mandates, CBS 11 News (Dallas-Fort Worth) (Aug. 18, 2021)

Harris County Wins Court Order Blocking Abbott's Ban on COVID-19 Restrictions, Houston Chronicle (Aug. 13, 2021)

Harris, Fort Bend Counties Join Metro Areas Sparring with Abbott over Covid-19 Restrictions, Houston Chronicle (Aug. 12, 2021)

SMU Law Professor Weighs in on Dallas County Mask Mandate Legal Battle, CBS 11 News (Dallas-Fort Worth) (Aug. 12, 2021)

U.S. FDA Loss in Device Case Might Have Implications for Agency's Work on Off-Label Rx Promotion, The Pink Sheet (Jul. 15, 2021)

Regulating in a Disruptive World – What Next?, Foundation for Science and Technology Blog (Jun. 2, 2021)

Lilly Hit by Staff Accusations, FDA Scrutiny at COVID Drug Factories, Reuters (May 5, 2021)

Birth Control Apps Show the Contradictions in FDA Device Oversight, The Verge (Mar. 17, 2021)

The FDA Warned Curative's Popular COVID Test Could be Faulty. Here's What We Know So Far. BuzzFeed News (Jan. 15, 2021)

Affordable Care Act and the Supreme Court: What It Means for You, NBC 5 (Dallas-Fort Worth) (Nov. 10, 2020)

Texas Officials Make Their Case Today to Abolish the Affordable Care Act, Houston Chronicle (Nov. 10, 2020)

A Biden Win Sows Hope in Health Care Sector, Houston Chronicle (Nov. 9, 2020)

Hims Built a \$1.6 Billion Empire by Pushing Prescriptions, Bloomberg Businessweek (Oct. 30, 2020)

Medical, Legal Experts Weigh In on HIPAA, Medical Challenges Cowboys Face, The Athletic (Jun. 16, 2020)

Abbott Can Do What He's Doing, Legal Experts Agree, Austin-American Statesman (Apr. 29, 2020)

Dallas Meat Plant Pausing Production, Requiring COVID-19 Testing of Workers, NBC 5 (Dallas-Fort Worth) (Apr. 29, 2020)

Regulating Mobile Medical Applications, The Regulatory Review, Penn Program on Regulation (Feb. 1, 2020)

How Digital Therapeutics Differ from Traditional Health and Wellness Apps, Canadian Medical Association Journal News (Oct. 10, 2019)

Buying Prescription Drugs Online Is Easier Than Ever. But There Are Side Effects, Fast Company (Sep. 11, 2019)

Startups Are Hawking Zolofit and Beta-Blockers for Off-Label Uses, Bloomberg (Apr. 2, 2019)

FDA Official Says Ongoing Blood Pressure Drug Investigation Will Probably Uncover More Tainted Pills, CNN.com (Feb. 22, 2019)

Why This Mom Traveled to Mexico for Insulin, ABC News (Feb. 14, 2019)

American Travelers Seek Cheaper Prescription Drugs in Mexico and Beyond, Health Shots, National Public Radio (NPR) (Feb. 11, 2019)

FDA Overhauls Approval Process as Medical Devices Come Under Fire, CNN.com (Nov. 27, 2018)

Obamacare Fight Puts Texas Judge in Hot Seat as Election Looms, Bloomberg (Oct. 25, 2018)

No Immediate Ruling in GOP's Latest "Obamacare" Lawsuit, Associated Press (Sep. 5, 2018)

Are Drug Ads Protected by Free Speech?, Bloomberg BNA (Jun. 4, 2018)

Trump Signs Bill for Terminal Patients to Try Unproven Drugs, NBC 5 (Dallas-Fort Worth) (May 30, 2018)

FDA Looks to Regulate Digital Drug Products, Modern Healthcare (Apr. 26, 2018)

FDA Investigating Unauthorized Herpes Vaccine Research, Report Says, CNN.com (Apr. 23, 2018)

In the World of Online Health Quizzes, Who's Looking out for Consumers?, Undark (Dec. 4, 2017)

FDA's Authority to Regulate Off-Label Promotion, The Regulatory Review (Penn Program on Regulation) (Oct. 18, 2017)

Law Professor Lays Out Possible Defense of FDA's Restrictive Off-Label Policies, 9 Inside Health Reform (Oct. 18, 2017)

Activists Battle U.S. Government in Court over Making Animal Welfare Reports Public, Science (May 24, 2017)

Trump Administration Limiting Access to Public Information, The Hill (May 15, 2017)

Under Trump, Inconvenient Data is Being Sidelined, WASHINGTON POST (May 14, 2017)

Could Health Secretary Tom Price Kill Obamacare from the Inside?, ABA Journal (Apr. 4, 2017)

Breakdown: Inside the Messy World of Anonymous Therapy App Talkspace, The Verge (Dec. 19, 2016)

With Obamacare, She Started a New Chapter. With Trump, She Fears It Could Close, KERA News, National Public Radio (Nov. 16, 2016)

Why Can't Tenet Healthcare, a Repeat Offender, Stop the Fraud Scandals?, Dallas Morning News (Aug. 27, 2016)

How Your Health Data Lead a Not-So-Secret Life Online, National Public Radio (Jul. 30, 2016)

There's an App for That Medical Issue. Should You Use It?, Maclean's (Apr. 11, 2016)

Critics Say FDA Needs to Enforce Its Rules on Medical Apps, Politico (Oct. 6, 2015)

Health Apps for Phone Can Be Prescription for Trouble, Albuquerque Journal (Sep. 30, 2015)

Can You Trust Your Healthcare App?, CIO (Sep. 8, 2015)

After Ebola, Some Businesses Suffered, While Others Profited, KERA News, National Public Radio (Sep. 7, 2015)

Listeria Found in Blue Bell Ice Cream Plant in 2013, ABC News affiliate WFAA (Dallas) (May 7, 2015)

Questioning the Value of Health Apps, N.Y. Times (Mar. 16, 2015)

When Medical Apps Do More Harm Than Good, Mother Jones (Jan. 5, 2015)

Blood Pressure Apps May Be Dangerously Wrong,

Reuters (Dec. 23, 2014)

FDA Cracks Down on Fake Ebola Cures Sold Online, All Things Considered, National Public Radio (Oct. 23, 2014)

Watch Out: Fake Ebola Treatments Are Spreading, KERA News, National Public Radio (Oct. 21, 2014)

Ebola Poses Lots of Tough Legal Questions, KERA News, National Public Radio (Oct. 14, 2014)

Ebola and the Law, Think with Krys Boyd, KERA News, National Public Radio (Oct. 14, 2014)

Health Canada Concerned About Explosion of Untested Medical Apps, London Free Press (Sep. 11, 2014)

Medicare Investigation of Parkland Gives Voice to the Voiceless, ABC News affiliate WFAA (Dallas) (Sep. 5 2014)

How Can You Be Sure a Medical App Actually Works?, Marketplace, National Public Radio (Aug. 20, 2014)

What You Don't Know About Your Health Apps Could Hurt You, Huffington Post (Aug. 6, 2014)

Why the FDA Doesn't Need to Be Replaced as mHealth Regulator, FierceMobile Healthcare (Aug. 5, 2014)

Ten Health Apps That Might Make You Sick, InformationWeek (Jul. 31, 2014)

Should You Trust Health Apps on Your Phone?, CBS News (Jul. 30, 2014)

Is That App FDA Approved? Mobile Health Tech Falls Into Gray Area, Mashable (Jul. 30, 2014)

These Medical Apps Have Doctors and the FDA Worried, WIRED (Jul. 29, 2014)

Is a Medical Quack Living in Your Phone?, New York Magazine (Jul. 29, 2014)

Do Health Apps Need Government Oversight?, Motherboard (Jul. 29, 2014)

Why FDA's Role in mHealth Oversight Must Be "Robust,"

FierceMobile Healthcare (Jul. 27, 2014)

Health Law Experts Say "Hands Off" to Congress on FDA Mobile App Regulation, Politico.com (Jul. 24, 2014)

Some Insurance Companies Ask Their Customers to Cross the Border for Care: Is the Practice Going to Spread?, New Republic (Jul. 7, 2014)

Northwestern U. Gets Renewed Grilling Over Unauthorized Tests on Patients, Chronicle of Higher Education (Mar. 16, 2014)

Mobile Health Applications: Real Game-Changer or Latest Health Care Delivery Option?, Managed Care (Oct. 2013)

Open Enrollment for Health Exchange, ABC News affiliate WFAA (Dallas) (Oct. 3, 2013)

Open Health Exchange Enrollment Will Lead to Little Change for Illegal Immigrants, ABC News affiliates WFAA (Dallas), KENS (San Antonio), WCNC (Charlotte), KVUE (Austin), KHOU (Houston) (Sep. 29, 2013)

Suing an Indian Hospital for Medical Negligence Could Take 20 Years, International Medical Travel Journal (Apr. 26, 2013)

Medical Tourism: A Global Stampede for Affordable Care, CNN.com (Mar. 22, 2013)

Can Medical Tourism Save Us From Obamacare?, Reason (Jan. 29, 2013)

Oh! The Places You'll Go For Medical Care, Huffington Post Live (Jan. 14, 2013)

Gallup Poll: 72% of Americans Call Individual Mandate "Unconstitutional," The Daily Caller (Feb. 29, 2012)

Mexico City Hopes to Lure Chicagoans by Touting Cheaper Health Care, Chicago Tribune (Dec. 15, 2011)

Medical Tourism: A Faraway Health Fix, Chicago Tribune/Los Angeles Times (Aug. 3, 2011)

North Texans Could Lose Doctors over Dispute, CBS News 11 (Dec. 2, 2010)

Gute Reise in die Besserung, Der Standard (Austria) (Sep. 12, 2010)

I Can't Afford Surgery in the U.S., CNN.com (Apr. 26, 2010)

SMU Expert Believes Health Plan Will Survive Lawsuit, KERA News, National Public Radio (Mar. 23, 2010)

Examining Health Care and Illegal Immigrants Claim, All Things Considered, National Public Radio (Sep. 10, 2009)

Health Insurers Explore Savings in Overseas Care, Associated Press (Aug. 28, 2009)

Compulsory Licensing for U.S. Medical Tourism Agencies?, International Medical Travel Journal (July 7, 2009)

Athletes on Their Own with Nutritional Supplements, Orange County Register (May 29, 2009)

Supreme Court Justice Appointee's Life Resonates with Many in Dallas, Dallas Morning News (May 27, 2009)

Bill Would Help Educate Children of Illegal Immigrants, Dallas Morning News (Apr. 4, 2009)

Lower Costs Lure U.S. Patients Abroad for Treatment, CNN.com (Mar. 27, 2009)

AdvoCare's Suit Aims at Athletes Falsely Blaming Supplements for Failed Tests, F-D-C Reports, The Tan Sheet 6-7 (Feb. 23, 2009)

Swimmer's Fight with Carrollton Nutrition Firm AdvoCare Makes Waves, Dallas Morning News (Feb. 16, 2009)

It's a World of Risk for Medical Tourists, Los Angeles Daily Journal (Dec. 10, 2008)

Passport to Healthcare: The Emergence of High-Quality, Low-Cost Treatment Abroad, Atlanta Life Magazine 40-43 (Jan. 2008)

Employers, Insurers, Consider Overseas Health Care, All Things Considered, National Public Radio (Nov. 14, 2007)

FACULTY SERVICE

- Provost Search Committee (2019-20)
- Associate Dean for Research (2013-19)
- Judicial Clerkship Committee (2022-present)
- Teaching Committee (2014-15, chair)
- Task Force on Scholarly Research Impact (2016-17)
- Diversity Committee (2015-present, chair 2019)
- Bromberg Inn of Court (2020-21)
- Callejo Inn of Court (2018-19)
- Jury Inn of Court (2015-16)
- Academic Technology Council (2015-18)
- Advisory Committee on Faculty Positions (2015-17)
- Library and Technology Committee (2013-14, chair)
- SMU Emerging Leaders Seminar (2014)
- Executive Committee (2012-14)
- Appointments Committee (2012-14, chair 2019-22)
- Faculty Forum Committee (2009-19, chair)
- Provost Committee on Health Reform (2008-09)
- Curriculum Committee (2007-12)
- Teaching with Technology Committee (2012-13)
- Honor Council (2009-12, chair)
- Facilities & Technology Committee (2013-18, chair)
- Endowed Lecturers Committee (2011-12, chair)
- Recruitment Committee (2011-12)
- Mentoring Committee (2011-present)
- Junior Faculty Workshop Organizer (2008-09)
- Faculty Secretary (2008-09)
- SMU Unbridled Campaign (2008-09)
- Jackson Walker Moot Court Competition (2009)
- American Constitutional Society (Faculty Advisor 2011-present)

Guest speaker for:

- Health Law Association
- Association for Law and Politics
- American Constitution Society
- Federalist Society
- Hispanic Law Students Association
- International LL.M. Program
- Minority Pre-Law Symposium
- Minority Association of Pre-Health Students
- Richardson Independent School District
- SMU Alumni Board

- SMU Pre-Law Scholars Program
- Tanzania Day

19. New England Journal of Medicine
20. NPJ Digital Medicine (Nature Partner Journals)
21. Oxford University Press
22. Pan American Journal of Public Health (WHO)
23. Science
24. Science Translational Medicine
25. Yale Journal of Health Policy, Law, & Ethics
26. Yale Law Journal

PROFESSIONAL ACTIVITIES

- Nominating Committee, Health Law Scholars
- Co-Founder, Texas Legal Scholars Workshop
- Co-Founder, Food Law Forum
- Student Outreach Committee, Hispanic Issues Section, State Bar of Texas
- Contributing Editor, Jotwell Health Law
- Contributor, Health Reform Watch Blog
- Reader, St. Louis University Health Law Scholars Program (2013, 2015, 2020)
- District of Columbia Bar (active)
- California Bar (inactive)
- Health Law Section, D.C. Bar
- Hispanic Bar Association of D.C.
- Board Member, HBA Foundation
- American Association for the Advancement of Science
- American Constitution Society
- American Society of Law, Medicine & Ethics
- American Health Lawyers Association
- American Society of International Law
- Food and Drug Law Institute
- Hispanic Leadership Forum of Dallas
- American Bar Association

Peer reviewer or referee (26):

1. American Journal of Law & Medicine
2. Annals of Internal Medicine
3. Aspen Press
4. Australian Journal of Asian Law
5. Cambridge University Press
6. Deutsche Forschungsgemeinschaft (DFG) (German Research Foundation)
7. Developing World Bioethics
8. Food and Drug Law Journal
9. Health Affairs
10. Health and Place
11. International Lawyer
12. Journal of Health and Life Sciences Law
13. Journal of Health Politics, Policy, and Law
14. Journal of Law, Medicine, and Ethics
15. Journal of Law and the Biosciences
16. Jurimetrics
17. The Lancet
18. National Science Foundation (NSF)