

NATHAN CORTEZ



Callejo Endowed Professor of Law
in Leadership & Latino Studies

Co-Director, Tsai Institute for Law,
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SMU Dedman School of Law
3315 Daniel Avenue
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EXPERIENCE

Southern Methodist University, Dedman School of Law

Roles:

- Co-Director, Tsai Center, 2022-present
- Associate Dean for Research, 2013-19
- Callejo Endowed Professor, 2015-present
- Gerald J. Ford Research Fellow, 2015-present
- Joseph A. Storey Fellow, 2025-26
- 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)
- Comparative Health Law & Bioethics (Oxford)
- International and Comparative Health Law

Rutgers University School of Law

Visiting Assistant Professor, Camden, Fall 2006

Arnold & Porter

Associate, Washington D.C., 2002-07

AFFILIATIONS

- Fellow, American Bar Foundation (2025-)
- Elected Member, American Law Institute (2024-)
- Big Data Advisory Board, SMU (2021-)
- Advisory Board, Disruptive Innovation in Medical Ethics, Belgium
- Conflicts of Interest Committee, UT Southwestern Medical Center (2016-18)
- Consultant, Administrative Conference of the United States (2014-16)
- Center for Global Health Impact, SMU

- Advisory Board, Latino Public Policy Research Institute, Latino Center for Leadership Development
- Executive Board, Rowling Center for Business Law and Leadership, SMU
- Mentor, Health Wildcatters
- Editorial Advisory Board, FOOD AND DRUG LAW JOURNAL (2014-17)

EDUCATION

Stanford Law School

J.D. 2002

University of Pennsylvania

B.A. 1999

Major: Philosophy, Politics, & Economics

Minor: American Public Policy

AWARDS + RECOGNITIONS

- Fellow, American Bar Foundation (ABF)
 - Elected Member, American Law Institute (ALI)
 - Co-Applicant, Canadian Institute of Health Research (CIHR) grant-funded project: “Optimizing Medical Device Regulation of Artificial Intelligence” (2026-30)
 - Co-Applicant, CIHR grant-funded project: “Machine M.D.: How Should We Regulate A.I. in Health Care?” (2021-25)
 - Co-Applicant, 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)
 - Joseph A. Storey Fellowship, SMU (2025-26)
 - Gerald J. Ford Research Fellowship, SMU (2015)
 - Endowed Lecture, Southern Illinois University, Health Policy Institute (2015)
 - Grant Recipient, Radcliffe Institute for Advanced Study, Harvard (2013)
 - Endowed Lecture, Texas A&M College of Medicine (2010)
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BOOKS

FOOD AND DRUG LAW, 5TH EDITION: UPDATED AND ABRIDGED (Foundation Press, forthcoming 2027), (with Peter Barton Hutt, Richard A. Merrill, Lewis A. Grossman, Erika Fisher Lietzan, & Patricia J. Zettler)

FOOD AND DRUG LAW: CASES AND MATERIALS, 5TH EDITION (Foundation Press, 2022), (with Peter Barton Hutt, Richard A. Merrill, Lewis A. Grossman, Erika Fisher Lietzan, & Patricia J. Zettler)

READINGS IN COMPARATIVE HEALTH LAW AND BIOETHICS (with I. Glenn Cohen & Timothy S. Jost) (Carolina Academic Press, 2020)

ARTICLES

Chat M.D., 13 JOURNAL OF LAW & THE BIOSCIENCES 1-59 (June 2026) (peer-reviewed)

Using FDA Law to Threaten Medical Practice, 394 (6) NEW ENGLAND JOURNAL OF MEDICINE 524-25 (Jan. 7, 2026) (with Lewis A. Grossman & Patricia J. Zettler)

The FDA’s Crisis is Everyone’s Crisis, 333 (24) JAMA 2137-2138 (Apr. 28, 2025) (with Patricia J. Zettler)

Who Regulates Abortion Now?, 110 IOWA LAW REVIEW 101-72 (2025) (with Joanna L. Grossman)

Navigating a Path Towards Routine Recording in the Operating Room, 278 (3) ANNALS OF SURGERY e474-75 (May 22, 2023) (with Alexander Langerman, Catherine Hammack-Aviran, I. Glenn Cohen, Aalok V. Agarwala, Neal R. Feigenson, Gerald Fried, Teodor Grantcharov, Caprice C. Greenberg, Michelle M. Mello, Andrew G. Shuman)

Machine MD: The Law and Ethics of Health-Related AI Case Study 1: The OR Black Box, CIFAR (Canadian Institute for Advanced Research) (with Nicole Davidson, Sophie Nunnally, Anna Goldenberg, Catherine Régis, Colleen M. Flood, Teresa Scassa, Frank Rudzicz, Ian Stedman, Florian Martin-Bariteau) (2023)

Returning Individual Research Results from Digital Phenotyping in Psychiatry, 24 (2)

AMERICAN JOURNAL OF BIOETHICS 69-90 (May 8, 2023) (with Francis X. Shen, Matthew L. Baum, Nicole Martinez-Martin, Adam S. Miner, Melissa Abraham, Catherine A. Brownstein, Barbara J. Evans, Laura T. Germino, David C. Glahn, Christine Grady, Ingrid A. Holm, Elisa A. Hurley, Sara Kimble, Gabriel Lázaro-Muñoz, Kimberlyn Leary, Mason Marks, Patrick J. Monette, Jukka-Pekka Onnela, P. Pearl O'Rourke, Scott L. Rauch, Carmel Shachar, Srijan Sen, Ipsit Vahia, Jason L. Vassy, Justin T. Baker, Barbara E. Bierer & Benjamin C. Silverman)

Hortatory Mandates, 91 GEORGE WASHINGTON LAW REVIEW 617 (2023) (with Lindsay F. Wiley)

The Disembodied First Amendment?, 100 WASHINGTON UNIVERSITY LAW REVIEW 707-64 (with William Sage) (2023)

The Law of Licensure and Quality Regulation, 387 NEW ENGLAND JOURNAL OF MEDICINE 1053-1056 (Sep. 22, 2022)

Presidential Administration and FDA Guidance: A New Hope, 2021 UNIVERSITY OF ILLINOIS LAW REVIEW 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, 21 YALE JOURNAL OF LAW AND TECHNOLOGY 4 (2019) (symposium: Artificial Intelligence and Robotics in Medicine)

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?)

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) (cited by SEC, Proposed Rule, 88 Fed. Reg. 53960 (Aug. 9, 2023)

Regulation by Database, 89 UNIVERSITY OF COLORADO LAW REVIEW 1-92 (2018)

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

"Responsibility" for Medical AI in the United States, in REGULATING THE FUTURE: AI, HEALTH CARE, AND CANADIAN LAW IN FLUX (forthcoming 2026)

A "DESI" for Devices? Can an Experiment in Pharmaceutical Regulation from the 1960s Improve FDA Oversight of Medical Devices?, (with Matthew Herder) 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

Eroding Trust in Government Information, __ Administrative & Regulatory Law News __ (American Bar Association, forthcoming 2026)

Inter-Loper: *Loper Bright* and Judicial Intrusion on Agency Prerogatives, Bill of Health, Harvard Law School (Sep. 21, 2024)

Bad Friday: Federal Judge Rules that 23 Year-Old FDA Approval of Abortion Drug was Invalid, Verdict, Justia (Apr. 11, 2023) (with Joanna L. Grossman and Seema Mohapatra)

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)

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)

SELECT PRESENTATIONS

Turbulence at the FDA, American Society for Law, Medicine, and Ethics, Georgia State University School of Law (Jun. 5, 2026)

Abusing the Government's Information Power, Biolawlapalooza, Stanford Law School (May 2, 2026)

The Incredible Shrinking Congress: Our Article I Crisis, American Constitution Society, SMU Law School (Apr. 8, 2026)

Professionalism and the Health Care Workforce in the Era of AI, Navigating the New Health Law Landscape, Northeastern University School of Law, Center for Health Policy and Law (Apr. 3, 2026)

Public-Private Scientific Partnerships – Influence, Innovation, and Accountability, The Politicization of Scientific Expertise, Texas Law Review Symposium, University of Texas School of Law (Jan. 31, 2026)

The Battle over Public Information at the FDA, Fireproofing the FDA: Power, Politics, and Public Health, University of Utah College of Law (Sep. 26, 2025)

Lessons from the Early Days of Cancer AI, AI in Cancer Surgery and Care, University of Illinois Law School (Sep. 5, 2025)

ChatMD, Food & Drug Law Scholars Workshop, Loyola University Chicago School of Law (Apr. 24, 2025)

Off-Label Promotion and Impacts on Consumers and Patients, Beyond What We Can See: Evolving Compliance and Ethical Considerations in the Wake of the Weight-Loss Medication Revolution, Loyola University Chicago School of Law (Feb. 7, 2025)

Commenter: “Medicalizing” A.I., Seton Hall Law School, Ninth Annual Health Law Works-in-Progress Retreat (Jan. 31, 2025)

The U.S. Approach to Regulating A.I. in Medicine, Comparison of the Brazilian and Canadian Approaches to Regulating Health Care A.I., Queen’s University School of Law (Nov. 18, 2024)

Commenter, *Bolstering the FDA’s Authority to Combat Misinformation and Disinformation,* University of Houston Law Center, Houston Journal of Health Law & Policy, 12th Annual Symposium (Nov. 8, 2024)

ChatMD, Northeastern University Law School (Sep. 25, 2024)

After *Loper*, Is the Future *Bright*?, Federalist Society & American Constitution Society (ACS) (Sep. 18, 2024)

Ethical Considerations in the Age of AI, The George R. Hugman, III, MD Ethics Forum, TexMed 2024, Texas Medical Association (May 2, 2024)

Large Language Medicine, Research in Biosciences Workshop, Michigan Law School (Apr. 19, 2024)

Lost in Translation: Risks of Automation Reliance with Generative AI in Primary Care,

Machine MD: Primary Care and Artificial Intelligence Workshop, Queen’s University, Faculty of Law (Feb. 26, 2024)

Artificial Intelligence in Health Care, Indiana Law Review Virtual Symposium, Indiana University McKinney School of Law (Feb. 9, 2024)

U.S. Approaches to Disruptive Innovations in Health Care, Shifting Responsibilities in Health Care Due to Disruptive Innovation: Ethical, Legal, and Social Implications, Brocher Foundation (Geneva, Switzerland) (Jan. 11, 2024)

Views from the Bench, Industry, and Regulators, AI Lawyering: Adapting to the Era of ChatGPT and Large Language Models, Tsai Center for Law, Science, & Innovation, SMU Law School (Oct. 13, 2023)

Commenter: “Influencer Speech Torts”, Wiet Life Science Law Scholars Workshop, Beazley Institute for Health Law and Policy, Loyola University Chicago School of Law (Sep. 8, 2023)

The Telehealth Gap after *Dobbs*, Food and Drug Law Scholars Retreat, Tsai Center for Law, Science, & Innovation, SMU Law School (Jun. 2, 2023)

Administrative Law New Scholarship Roundtable, University of Texas (May 16-17, 2023)

Diagnosing in the Home Project Workshop, Petrie-Flom Center for Health Law, Policy, Biotechnology, & Bioethics, Harvard Law School (May 1, 2023)

Policies and Ethics of Medical Innovation, Plenary Panel, AAP/ASCI/APSA Joint Meeting, Chicago, IL. (Apr. 22, 2023) (Association of American Physicians (AAP), American Society for Clinical Investigation (ASCI), and American Physician Scientists Association (APSA))

Remote Patient Monitoring Roundtable, Bipartisan Policy Center, Washington D.C. (Mar. 8, 2023)

Reproductive Health and Sexual Health Exceptionalism, Mainstreaming Reproductive Health, UCLA Law School (Feb. 10, 2023)

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 Course (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)

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)

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, 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)

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)

The New Geography of Health Care,

Georgia State University College of Law (Feb. 20, 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)

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)

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 (AJEI), 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)

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)

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)

PODCASTS

New England Journal of Medicine (Sep. 2022)
Nurses, Policy, and Politics (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 & the Biosciences (Jan. 2015)
The Doctor Weighs In (Aug. 28, 2014)

SELECT MEDIA

This Weight-Loss Drug Hasn't Been Approved by the FDA. Doctors Are Prescribing It Anyway, CBS NEWS (Jun. 8, 2026)

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Law Professor Lays Out Possible Defense of FDA's Restrictive Off-Label Policies, 9 INSIDE HEALTH REFORM (Oct. 18, 2017)

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Trump Administration Limiting Access to Public Information, THE HILL (May 15, 2017)

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

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Is a Medical Quack Living in Your Phone?, NEW YORK MAGAZINE (Jul. 29, 2014)

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

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

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

FACULTY SERVICE

- Faculty Appointments Committee (2012-14, chair 2019-22, 2025-26)
- Committee on Appointments Policies (2024-25)
- Provost Tenure & Promotion Committee (2022-25)
- Provost Search Committee (2019-20)
- Associate Dean for Research (2013-19)
- Judicial Clerkship Committee (2022-present)
- Teaching Committee (2014-15, 2023-24, chair)

- Task Force on 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 Fac. Positions (2015-17)
- Library & Technology Committee (2013-14, chair)
- SMU Emerging Leaders Seminar (2014)
- Executive Committee (2012-14)
- 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 & Tech. 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:

- American Constitution Society
- Health Law Association
- Association for Law and Politics
- American Constitution Society
- Federalist Society
- Hispanic Law Students Association
- If/When/How
- International LL.M. Program
- Minority Pre-Law Symposium
- Minority Association of Pre-Health Students
- Project Uplift
- Richardson Independent School District
- SMU Alumni Board
- SMU Pre-Law Scholars Program
- Tanzania Day

- 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
- St. Louis Health Law Scholars (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
- Amer. Ass'n for the Advancement of Science
- American Constitution Society
- American Society of Law, Medicine & Ethics
- American Health Lawyers Association
- American Law Institute
- American Bar Foundation
- American Society of International Law
- Food and Drug Law Institute
- Hispanic Leadership Forum of Dallas
- American Bar Association

Peer reviewer or referee (27):

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

PROFESSIONAL ACTIVITIES

- Nominating Committee, Health Law Scholars
- Founder, Food & Drug Law Scholars Workshop
- Co-Founder, Texas Legal Scholars Workshop