

MARY CROSSLEY

John E. Murray Faculty Scholar and Professor of Law
University of Pittsburgh School of Law
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EMPLOYMENT

University of Pittsburgh School of Law, Professor of Law, 2005- present; Dean, 2005-2012.

Florida State University College of Law, Florida Bar Health Law Section Professor of Law,
2001- 2005; Visiting Professor, 2000-2001.

Courtesy Faculty Member, Florida State University College of Medicine, 2002-present.

University of California, Hastings College of the Law; Assistant Professor, 1991-1994;
Associate Professor, 1994-1997; Professor, 1997-2000; Associate Academic Dean, 1998-
2000.

Shartsis, Friese & Ginsburg, San Francisco, California; Associate, 1990-91

Wiggin & Dana, New Haven, Connecticut; Associate, 1988-89

Honorable Harry W. Wellford, United States Court of Appeals for the Sixth Circuit, Memphis,
Tennessee; Judicial clerk, 1987-88

EDUCATION

Vanderbilt University School of Law, Nashville, Tennessee
J.D., May 1987; Order of the Coif; Editor in Chief, *Vanderbilt Law Review*, 1986-87

University of Virginia, Charlottesville, Virginia
B.A. in history, May 1984; Phi Beta Kappa

PUBLICATIONS

Law journal articles

“Community Integration of People with Disabilities: Can *Olmstead* Protect against Retrenchment?,” 6 *Laws* 22 (2017), <http://www.mdpi.com/2075-471X/6/4/22>.

“Black Health Matter: Disparities, Community Health, and Interest Convergence,” 22 *Mich J. Race & Law* 53 (2017).

“Ending-Life Medical Decisions: Some Disability Perspectives,” 33 *Georgia State U. L. Rev.* 893 (2017).

“Rick’s Taxonomy,” 66 *Syracuse L. Rev.* 641 (2016)(symposium contribution).

“Health and Taxes: Hospitals, Community Health, and the IRS,” 16 *Yale J. Health Pol’y, L. & Ethics* 51 (2016).

“Disability Cultural Competence in the Medical Profession,” 9 *St. Louis U. J. Health L. & Pol’y* 89 (2016)(symposium contribution).

“Reflections on Mentoring,” 44 *J. Law, Med. & Ethics* 46 (2016)(with Ross D. Silverman).

“Including Public Health Content in a Bioethics and Law Course: Vaccine Exemptions, Tort Liability, and Public Health,” 43 *J. Law, Med. & Ethics* 22 (2015).

“Normalizing Disability in Families: A Response to Ouellette,” 43 *J. Law, Med. & Ethics* 224 (2015).

“Giving Meaning to ‘Meaningful Access’ in Medicaid Managed Care,” 102 *Ky. L.J.* 255 (2014).

“Tax-Exempt Hospitals, Community Health Needs, and Addressing Disparities,” 55 *How. L.J.* 687 (2012) (symposium essay).

“Learning by Doing: an Experience with Outcomes Assessment” (with Lu-in Wang), 41 *Univ. Toledo L. Rev.* 269 (2010)(essay for the University of Toledo Law Review’s Leadership in Legal Education Symposium series).

“Rescuing Baby Doe,” 25 *Georgia State University Law Review* 1043 (2009)(symposium essay).

“Non-Profit Hospitals, Tax Exemption and Access for the Uninsured,” 2 *Pitt. J. Envtl. Pub. Health L.* 53 (2007)(symposium essay).

“Discrimination Against the Unhealthy in Health Insurance,” 54 *Kansas Law Review* 73 (2005).

“Dimensions of Equality in Regulating Assisted Reproductive Technologies,” 9 *Journal of Gender, Race & Justice* 273 (2005).

“Reasonable Accommodation as Part and Parcel of the Antidiscrimination Project,” 35 *Rutgers Law Journal* 861 (2004).

“Genes and Disability: Questions at the Crossroads,” 30 *Florida State U. L. Rev.* xi (2003) (with Lois Shepherd) (Symposium Introduction).

“Infected Judgment: Legal Responses to Physician Bias,” 48 *Villanova Law Review* 195 (2003).

“Becoming Visible: The ADA’s Impact on Health Care for Persons with Disabilities,” 52 *Alabama Law Review* 51 (2000).

“The Disability Kaleidoscope,” 74 *Notre Dame Law Review* 621 (1999).

“Medicaid Managed Care and Disability Discrimination Issues,” 65 *Tennessee Law Review* 419 (1998).

"Choice, Conscience, and Context," 47 *Hastings Law Journal* 1223 (1996).

"Infants with Anencephaly, the ADA, and the Child Abuse Amendments," 11 *Issues in Law and Medicine* 379 (1996).

"Medical Futility and Disability Discrimination," 81 *Iowa Law Review* 179 (1995).

"Of Diagnoses and Discrimination: Discriminatory Nontreatment of Infants with HIV Infection," 93 *Columbia Law Review* 1581 (1993).

"Selective Nontreatment of Handicapped Newborns: An Analysis," 6 *Medicine and Law* 499 (1987).

"*Miranda* and the State Constitution: State Courts Take a Stand," 36 *Vanderbilt Law Review* 1693 (1986).

Book chapters

“Parental Autonomy, Children with Disabilities, and Horizontal Identities,” in *Oxford Handbook of Philosophy and Disability* (2018)(forthcoming).

“The Role of Courts in Health Policy and Policymaking,” in *Health Policymaking in the United States* (Beaufort Longest ed. 6th ed. 2015).

“*In re T.A.C.P. and In the Matter of Baby K: Anencephaly and Slippery Slopes*,” in *Health Law and Bioethics: Cases in Context* (2009).

“The Essential Three Rs of Deanhood,” in *Leading a Law School: Top Deans on Establishing Best Practices, Serving School Constituencies, and Planning Strategically for the Future* (Thomson/Aspatore 2008).

“Impairment and Embodiment,” in *Americans with Disabilities: Implications of the Law for Individuals and Institutions* (Leslie Francis & Anita Silvers eds. 2000).

“The ‘Genetic Defense’: Hurdles and Pressures” in *Genetics and Criminality: The Potential Misuse of Scientific Information in Court* (Jeffrey R. Botkin et al. eds. 1999).

Other publications

“The Perils of Wellness,” review essay published on JOTWELL, www.jotwell.com (February 2018).

“Living with Alzheimer’s: A Fate Worse than Death?,” review essay published on JOTWELL, www.jotwell.com (December 2016).

“Tax-Exempt Hospitals and Community Health Under the Affordable Health Care Act: Identifying and Addressing Unmet Legal Needs as Social Determinants of Health,” 131 *Public Health Rep* (Jan-Feb 2016)(with Elizabeth Tobin-Tyler and Jennifer Herbst).

“Pendulums Swing,” review essay published on JOTWELL, www.jotwell.com (November 2015).

“Beginning with the End (of End-of-life Law) in Mind,” review essay published on JOTWELL, www.jotwell.com (December 2014).

“What Makes Health ‘Public’? Finding a Middle Path, review essay published on JOTWELL, www.jotwell.com (January 2014).

“Some Things are Better Left Unsaid: the Argument the Solicitor General Didn’t Make in *NFIB v. Sebelius*,” review essay published on JOTWELL, www.jotwell.com (November 2012).

“*Toyota Motor Manufacturing v. Williams*: Narrowing the Definition of Disability,” *Health Law News*, Fall 2002, at 4.

PRESENTATIONS

“Disability in the Resistance,” AALS Annual Meeting, Disability Law Section, San Diego, California, January 2018.

“Medicaid’s Uncertain Future,” Sunday Morning FORUM, Unitarian Universalist Church, Pittsburgh, Pennsylvania, November 2017.

“Hitting the Sweet Spot: Medicaid Supports for Housing,” Medicalization of Poverty Symposium, Champaign, Illinois, November 2017.

“Parental Autonomy, Children with Disabilities, and Horizontal Identities,” Tennessee Value and Agency Conference on “Philosophy of Disability: Perspectives, Challenges, and Aspirations,” University of Tennessee, Knoxville, Tennessee, November 2017.

“Community Integration of People with Disabilities: Can *Olmstead* Protect against Retrenchment?” Next Steps in Health Reform 2017 Conference, American University Washington College of Law, October 2017.

“Ending-Life Medical Decisions: Some Disability Perspectives and Parallels to Black Lives Matter,” Grand Rounds Series, Hall Center for Law and Health, Indiana University Robert H. McKinney School of Law, April 2017

“A Cultural Competence Approach to Disability-Related Education for Medical Professionals,” University of Pittsburgh Diversity in Practice Speaker Series, Pittsburgh, Pennsylvania, March 2017.

“Ending-Life Medical Decisions: Some Disability Perspectives and Parallels to Black Lives Matter,” the John W. Fisher II Lecture in Law & Medicine, West Virginia University College of Law, February 2017.

“Ending-Life Medical Decisions: Some Disability Perspectives,” presented at symposium on “Quinlan at 40,” Georgia State University College of Law, Atlanta, Georgia, November 2016.

“Black Health Matters: Disparities, Community Health, and Interest Convergence,” presentation at American Society for Law, Medicine & Ethics Health Law Professors Conference, Boston, Massachusetts, June 2016.

“Community Benefit, CHNAs, and Community Health,” guest appearance on The Week In Health Law podcast, www.twihl.com, January 2016.

“Black Health Matters: Disparities, Community Health, and Interest Convergence,” presentation at Conference on The Present and Future of Civil Rights Movements: Race and Reform in 21st Century American, Duke Law School, Durham, North Carolina, November 2015.

“Obamacare Subsidies and Same-Sex Marriage: 2015 Supreme Court Headliners,” presentation at Longwood Retirement Community, Oakmont, Pennsylvania, May 2015.

“Rick’s Taxonomy,” presentation at Symposium on Richard Matasar’s Scholarship on Legal and Higher Education, Syracuse University College of Law, Syracuse, New York, April 2015.

“Disability Cultural Competence in the Health Professions,” presentation at conference on The ADA at 25: Disability Rights and the Health Care Workforce, St. Louis University School of Law, St. Louis, Missouri, March 2015.

“Tax-Exempt Hospitals and Community Obligations: How the Affordable Care Act Changes the Picture,” presentation to the University of Pittsburgh Consortium Ethics Program, Pittsburgh, Pennsylvania, December 2014.

“Hospitals’ Obligations to Their Communities under the Affordable Care Act,” Faculty Friday Lecture for University of Pittsburgh Honors College, Pittsburgh, Pennsylvania, October 2014.

“Introducing Public Health Law to First-Year Law Students Through the Legislation & Regulation Course: A Work in Progress,” poster presentation at the Future of Public Health Law Education Summer Institute, Park City, Utah, July 2014.

“The ACA’s Community Health Needs Assessment Requirement for Tax-exempt Hospitals: A Stimulus for Collaboration between Hospitals and Health Departments?,” presentation at American Society for Law, Medicine & Ethics Health Law Professors Conference, San Francisco, California, June 2014.

“Abortion, ART, and Disability: Commentary on Ouellette,” presentation at Workshop on Abortion and Assisted Reproductive Technology, Yale University Law School, New Haven, Connecticut, April 2014.

“Community Health Needs Assessments: Aligning Hospital Investments and Public Health Outcomes,” presentation for webinar sponsored by The CDC Public Health Law Program and The Network for Public Health Law, March 2014.

“The Affordable Care Act in Perspective,” presentation at Longwood Retirement Community, Oakmont, Pennsylvania, February 2014.

“Advances in Human Genetics and the Meaning of Public Health: A Lawyer’s Observations,” presentation at Human Genetics Departmental Retreat, University of Pittsburgh Graduate School of Public Health, September 2013.

“Giving Meaning to ‘Meaningful Access’ in Medicaid Managed Care,” presentation at AALS Annual Meeting, Disability Law Section, Washington, D.C., January 2013.

“What’s Law Got To Do With It? Law’s Role in Addressing Health Inequality,” presentation as part of Health Equity Seminar series at University of Pittsburgh Graduate School of Public Health, November 2012.

“Tax-exempt Hospitals and Community Health Needs,” Wiley Branton Symposium entitled Health Care Reform and Vulnerable Populations, sponsored by Howard Law Journal, Washington, D.C., November 2011.

“Disability Cultural Competence in the Professions,” presentation at Carlow University as part of Disability Awareness Month programing, Pittsburgh, October 2011.

“Assessment of Student Learning at Pitt Law,” presentation to faculty at McGeorge School of Law, Sacramento, California, February 2011.

“The ‘Risk Pool’ and Health Care Reform,” presentation to faculty at the University of California, Hastings College of the Law, September 2009.

“A Funny Thing Happened on the Way to Institutional Assessment (at Pitt Law),” (with Lu-in Wang) Legal Education at the Crossroads v. 3: A Conference on Assessment, Denver, Colorado, September 2009.

“How Legal Education is Responding to Changes in the Legal Profession,” St. Vincent College Law Day Dinner, Greensburg, Pennsylvania, May 2009.

“Rescuing Baby Doe,” Symposium entitled The 25th Anniversary of the Baby Doe Rules: Perspectives from Law, Health Care, Ethics, and Disability Policy, sponsored by the Georgia State University College of Law and the Emory Center for Ethics, Atlanta, Georgia, February 2009.

“Women in the Legal Profession,” Twentieth Century Club, Pittsburgh, Pennsylvania, March 2008.

“Non-Profit Hospitals, Tax Exemption and Access for the Uninsured,” Health Law Certificate Program 10th Anniversary Symposium, University of Pittsburgh School of Law, February 2007.

“*Spector v. Norwegian Cruise Lines* and the Curious Contingency of Disability Rights,” Association of American Law Schools Annual Conference, Washington, D.C., January 2006.

“Public Insurance Programs, the ADA, and the ‘Health’ of People with Disabilities,” Achieva Workshop Series, Pittsburgh, Pennsylvania, October 2005.

“Discrimination Against the Unhealthy in Health Insurance,” Distinguished Speaker Series, St. Louis University School of Law, October 2004.

“Dimensions of Equality in Regulating ARTs,” Symposium entitled Creating Life? Examining the Legal, Medical and Ethical Issues of Assisted Reproductive Technologies, sponsored by the Journal of Gender, Race & Justice, University of Iowa School of Law, October 2004.

“Discrimination Against the Unhealthy in Health Insurance,” American Society of Law, Medicine & Ethics, Annual Health Law Teachers Conference, Seton Hall University, June 2004 (poster presentation)

“The Law’s Treatment of Genetic Discrimination in Health Insurance: Exceptional or Exemplary?”, presented at Critical Issues Workshop on The Impact of Genetic Testing: Ethical, Legal, and Social Issues, sponsored by the Alpha-1 Foundation, in Miami, Florida, October 2003.

“Reasonable Accommodation as Part and Parcel of the Antidiscrimination Project,” presentation to faculty at University of Florida College of Law, September 2003, and presentation to faculty at Florida State University College of Law, June 2003.

“Supreme Court/Legislative Preview,” Southeastern Association of Law Schools 2003 Annual Meeting, Amelia Island, Florida, July 2003.

“The Ethics of Selecting Against Mental Retardation in Prenatal Genetic Screening Practices,” joint presentation with Prof. Lois Shepherd, Annual Health Law Teachers’ Conference, sponsored by the American Society of Law, Medicine, and Ethics and Indiana University School of Law, Indianapolis, Indiana, June 2002.

“Deep and Wide: The ADA’s Impact on and Implications for Health Care,” Symposium on The Americans with Disabilities Act: A Ten-Year Retrospective, at University of Alabama School of Law, March 2000.

“Is Health Insurance Really Like a Camera,” presentation to faculty of Florida State University College of Law, February 2000.

“The Meaning of Disability,” Annual Health Law Teachers’ Conference, sponsored by the American Society of Law, Medicine & Ethics and St. Louis University Law School, St. Louis, Missouri, June 1999.

“The ADA and Health Care Rationing,” Law and the Health Care System Conferences sponsored by the Federal Judicial Center, Palm Springs, California, November 1997, and Atlanta, Georgia, March 1998.

“The ADA’s Insurance Conundrum,” Annual Health Law Teachers’ Conference, sponsored by the American Society of Law, Medicine & Ethics and Seton Hall University, Newark, NJ, June 1997.

"Criminal Responsibility and the 'Genetics Defense': A Response to Professor Dresser," Conference on Genetic Testing and Screening for Mental Health Disorders, University of Utah, June 1996.

"Choice, Conscience, and Context: A Reply to Professor Shapiro," Symposium on New Reproductive Technologies at Hastings College of the Law, February 1996.

"Recent Developments in Health Care Law," Lunch and Learn Continuing Legal Education Program, Hastings College of the Law, November 1995.

"Anencephalic Infants, the ADA and the Child Abuse Amendments," National Legal Center for the Medically Dependent and Disabled, 10th Annual Training Conference, Milwaukee, Wisconsin, April 1995.

"The Legal Implications of the Genetics Revolution," California State University at Stanislaus, May 1994.

"Recent Developments in Health Care Law," Lunch and Learn Continuing Legal Education Program, Hastings College of the Law, March 1993.

PANEL DISCUSSIONS

"Going Beyond the Walls of the Healthcare System: Addressing the Social Determinants of Health," panelist, Medicalization of Poverty Symposium, Champaign, Illinois (2017).

"*Olmstead*, Medicaid, and Integration," panelist, workshop on health Law, Southeastern Association of Law Schools Annual Meetings, Boca Raton, Florida, 2017.

"The Future of Medicaid," plenary panelist, American Society for Law, Medicine & Ethics Health Law Professors Conference, Atlanta, Georgia, June 2017.

"The Affordable Care Act and Health Disparities," panelist and moderator, Mid-Atlantic Black Law Students Association Annual Convention, Pittsburgh, Pennsylvania, March 2013.

"Assessing Student Learning Outcomes: An Institutional Perspective," panelist, Section on Legal Education and Admission to the Bar, ABA Annual Meeting, San Francisco, August 2010.

"The Future of Legal Education," panelist at the Annual Third Circuit Judicial Conference, Hershey, Pennsylvania, April 2010.

"Strategies for Coming Out on Top of the Economy," panelist at Pittsburgh Legal Symposium, sponsored by The Flagship Group, Pittsburgh, Pennsylvania, November 2009.

“Diversity Strategies in Law Schools,” panelist, 4th Annual PBA Diversity Summit, Lancaster, Pennsylvania, October 2009.

“Fostering Diversity in Law Schools,” panelist, 21st Annual Meeting of the National Consortium on Racial and Ethnic Fairness in the Courts, Pittsburgh, Pennsylvania, May 2009.

“Managing Up and Managing Down,” panelist, ABA Deans’ Workshop, Scottsdale, Arizona, February 2009.

“Effective Communication between Chiefs and Law School Deans,” panelist, joint meeting of Conference of Chief Justices and Law Deans, Scottsdale, Arizona, February 2009.

“The Dean and the Faculty: Establishing Relationships and Setting Boundaries,” panelist, Association of American Law Schools Annual Meeting, San Diego, California, January 2009.

“Resources and Relationships,” panelist, ABA Deans’ Workshop, Santa Monica, California, February 2008.

“The *Lawrence* Decision,” moderator, Southeastern Association of Law Schools 2004 Annual Meeting, Kiawah Island, S.C., August 2004.

“The Medical Malpractice Crisis: Federal Efforts, States’ Roles and Private Responses,” moderator, Annual Health Law and Policy Colloquium, Loyola University Chicago School of Law, November 2003.

“The Case of Terri Schiavo – Issues in Law, Medicine, and Ethics,” panelist, FSU College of Law, November 2003.

“Genes & Disability: Defining Health and the Goals of Medicine,” symposium co-director and moderator, Florida State University College of Law, March 2002.

“The Supreme Court’s ADA Cases,” panelist, Supreme Court Review, Hastings College of the Law, September 1999.

“Herbal Supplement Regulation,” moderator, Symposium on the Resurgence of Herbal Remedies, Hastings College of the Law, February 1999.

“Proposition 209: the California Civil Rights Initiative,” debate moderator, Hastings College of the Law, November 1996.

“Proposition 186: Single Payer Health Care Reform,” moderator, Hastings College of the Law, November 1994.

“Disability Issues in the Classroom,” Hastings College of the Law, October 1994.

"Health Care Reform and Women's Health," moderator, Hastings College of the Law, April 1994.

AWARDS & HONORS

Elected member, American Law Institute, May 2016.

Selected to serve as one of five Faculty Mentors for Future of Public Health Law Education Fellowship Program organized by Georgia State University College of Law and funded by the Robert Wood Johnson Foundation, 2014-2015.

Recipient of award from the Derrick A. Bell Fund for Excellence to sponsor research assistance, University of Pittsburgh School of Law, 2014.

Selected by Robert Wood Johnson Foundation and the Network for Public Health Law to serve as one of six Public Health Law Scholars in Residence, to complete a fellowship with the San Francisco Department of Public Health Law, 2013.

Selected as "Art of Justice" Honoree by Women & Girls Foundation, Pittsburgh, Pennsylvania, 2009.

COURSES TAUGHT

Torts, Health Law & Policy, Family Law, Legislation & Regulation, Current Issues in Health Law, Bioethics & Law, Health Care & Civil Rights (seminar), Contracts, Lawyering, Introduction to the Legal System for Health Care Compliance (online), Health Care Compliance (online), Health Justice (undergraduate course)

OTHER PROFESSIONAL ACTIVITIES

Board Member, Access Group, Inc., West Chester, Pennsylvania, 2013 – present.

Member, Institute of Politics Health and Human Services Committee, 2008-present.

Member, Merit Selection Panel for United States Magistrate Judge, Western District of Pennsylvania, 2010-11.

Senior Scholar participant at Health Law Scholars Workshop sponsored by American Society of Law, Medicine & Ethics and St. Louis University School of Law, October 2010 and October 2015.

Member, Executive Committee for the AALS Section for the Law School Dean, 2008-09; Chair of Planning Committee for January 2010 Deans-only Workshop.

Board Member, Pennsylvania Bar Institute, 2009-present; Diversity Committee Chair, 2010-2012.

Member, National Advisory Committee, Department of Health Policy & Management, Graduate School of Public Health, University of Pittsburgh, 2008-2011.

Board Member, ACHIEVA, Pittsburgh, Pennsylvania, 2006-2012.

Board Member, Magee Women's Research Institute and Foundation, Pittsburgh, Pennsylvania, 2006-2012.

Member of Capital Regional Medical Center Ethics Committee, Tallahassee, Florida, 2004-2005.

Member of Editorial Board, *Florida Practitioner's Health Law Handbook*, 2002-2005.

Subject specialist reviewer (health law) for Distance Education and Training Council, fall 2000

Board Member, Health Initiatives for Youth (HIFY), San Francisco, California, 1998-2000

PROFESSIONAL AFFILIATIONS

American Bar Association, 1988 to present

State Bar of California, 1990 to present

American Society of Law, Medicine and Ethics, 1991 to present

BAR ADMISSIONS

Tennessee (1987), Connecticut (1989) and California (1990)