

Govind C. Persad

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EMPLOYMENT

University of Denver Sturm College of Law, Denver, CO

Assistant Professor of Law, 2018-

Johns Hopkins University, Baltimore, MD

Assistant Professor of Health Policy & Management and (by courtesy) Philosophy, 2016-18

Georgetown University, Washington, DC

Junior Faculty Fellow, McDonough School of Business, 2015-16

U.S. Court of Appeals for the Tenth Circuit, Denver, CO

Law Clerk to the Hon. Carlos F. Lucero, 2014-15

PUBLICATIONS

Law Journals

1. *Allocating Medicine Fairly in an Unfair Pandemic*, 2021 U. ILL. L. REV. 1085 (2021). Reviewed in JOTWELL: Nadia Sawicki, *Using Public Health Law to Minimize the Racially Disparate Impact of Covid-19* (Mar. 29, 2021), <https://health.jotwell.com/using-public-health-law-to-minimize-the-racially-disparate-impact-of-covid-19/>
2. *Pricing Drugs Fairly*, 62 WM. & MARY L. REV. 928 (2021).
3. Commentary, *Improving the Ethical Review of Health Policy and Systems Research: Some Suggestions*, 49 J.L. MED. & ETHICS 123 (2021).
4. *Focusing Public Health Restrictions*, ___ AM. J.L. & MED. ___ (forthcoming 2021). Symposium article. Peer reviewed.
5. *Reforming Age Cutoffs*, ___ U. RICH. L. REV ___ (forthcoming 2022). Symposium article.
6. *Expensive Patients, Reinsurance, and the Future of Health Care Reform*, 69 EMORY L.J. 1153 (2020). Reviewed in JOTWELL: Christina Ho, *Our Reinsurance Moment* (July 6, 2020), <https://health.jotwell.com/our-reinsurance-moment/>
7. *Choosing Affordable Health Insurance*, 88 GEO. WASH. L. REV. 819 (2020).
8. *Disability Law and the Case for Evidence-Based Triage in a Pandemic*, 130 YALE L.J. FORUM 26 (2020).
9. *Setting Priorities Fairly in Response to Covid-19: Identifying Overlapping Consensus and Reasonable Disagreement*, 7 J.L. & BIOSCI. ISAA044 (2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7337850/>. Second author, with David Wasserman & Joseph Millum. Peer reviewed.
10. *Examining Pharmaceutical Exceptionalism: Intellectual Property, Practical Expediency, and Global Health*, 18 YALE J. HEALTH POL'Y, L., & ETHICS 157 (2019). Peer reviewed.
11. *Evaluating the Legality of Age-Based Criteria in Health Care: From Nondiscrimination and Discretion to Distributive Justice*, 60 B.C. L. REV. 889 (2019).
12. *Considering Quality of Life While Repudiating Disability Injustice: The Pathways Approach to Priority-Setting*, 47 J.L. MED. & ETHICS 294 (2019). Peer reviewed.
13. *Paying Patients: Legal and Ethical Dimensions*, 20 YALE J.L. & TECH. 177 (2018).
14. *Bankruptcy Beyond Status Maintenance*, 11 VA. L. & BUS. REV. 451 (2017).

15. *Beyond Administrative Tunnel Vision: Widening the Lens of Costs and Benefits*, 15 GEO. J.L. & PUB. POL'Y 941 (2017). Symposium article.
16. *Law, Science, and the Injured Mind*, 67 ALA. L. REV. 1179 (2016).
17. *Health Theater*, 48 LOY. U. CHI. L.J. 585 (2016).
18. *Priority-Setting, Cost-Effectiveness, and the Affordable Care Act*, 41 AM. J.L. & MED. 119 (2015). Peer reviewed.
19. *The Medical Cost Pandemic: Why Limiting Access to Cost-Effective Treatments Hurts the Global Poor*, 15 CHI. J. INT'L L. 559 (2015).
20. *When, and How, Should Cognitive Bias Matter to Law?* 32 LAW & INEQ. 31 (2014).
21. *The Tarasoff Rule: The Implications of Interstate Variation and Gaps in Professional Training*, 42 J. AM. ACAD. PSYCHIATRY & L. 469 (2014). Second author, with Rebecca A. Johnson and Dominic Sisti. Peer reviewed.
22. *Libertarian Patriarchalism: Nudges, Procedural Roadblocks, and Reproductive Choice*, 35 WOMEN'S RTS. L. REP. 273 (2014). Symposium article.
23. *What Marriage Law Can Learn from Citizenship Law (And Vice Versa)*, 22 TUL. J.L. & SEXUALITY 103 (2013). First Prize, 2012 National LGBT Bar Association Student Writing Competition; Article of the Day, ImmigrationProf Blog.
24. Note, *Risk, Everyday Intuitions, and the Institutional Value of Tort Law*, 62 STAN. L. REV. 1445 (2010).
25. *The Current State of Medical School Education in Bioethics, Health Law, and Health Economics*, 36 J.L. MED. & ETHICS 89 (2008). First author, with Linden Elder, Laura Sedig, Leonardo Flores & Ezekiel J. Emanuel. Peer reviewed.

Medical, Bioethics, and Health Policy Journals

1. *Ethical Considerations of Offering Benefits to COVID-19 Vaccine Recipients*, JAMA (2021), doi:10.1001/jama.2021.11045. First author, with Ezekiel J. Emanuel.
2. *Public Preferences on COVID-19 Vaccine Prioritization*, 4 JAMA NETWORK OPEN e217943 (2021). First author, with Ezekiel J. Emanuel, Samantha Sengenito, Aaron Glickman, Steven Phillips, and Emily A. Largent.
3. *Incorporating Health Equity Into COVID-19 Reopening Plans: Policy Experimentation in California*, AM. J. PUB. HEALTH (2021), <https://doi.org/10.2105/AJPH.2021.306263>. Second author, with Emily Largent, Michelle Mello, Danielle Wenner, Daniel Kramer, Brownsyne Tucker Edmonds, and Monica E. Peek.
4. *Fair Allocation at COVID-19 Mass Vaccination Sites*, 2 JAMA HEALTH FORUM e210464 (2021), <https://jamanetwork.com/channels/health-forum/fullarticle/2778378>. Second author, with William F. Parker & Monica E. Peek.
5. *Sustainability, Equal Treatment, and Temporal Neutrality*, 47 J. MED. ETHICS 106 (2021).
6. Letter, *Prioritizing the Prevention of Early Deaths from COVID-19*, 51 HASTINGS CTR. REP. 42 (2021).
7. *Allocating Scarce Life-Saving Resources: The Proper Role of Age*, ___ J. MED. ETHICS ___ (2021). doi: 10.1136/medethics-2020-106792. First author, with Steven Joffe.
8. *Preventing Harm and Promoting Equity in Crisis Standards of Care* [working title]. HASTINGS CTR. REP. (forthcoming 2021).
9. *What Are the Obligations of Pharmaceutical Companies in a Global Health Emergency?* LANCET (forthcoming 2021). Final author, with Ezekiel J. Emanuel, Allen Buchanan, Shuk Ying Chan, Cecile Fabre, Daniel

Halliday, Joseph Heath, Lisa Herzog, RJ Leland, Matthew McCoy, Ole F. Norheim, Carla Saenz, G. Owen Schaefer, Kok-Chor Tan, Christopher Heath Wellman, and Jonathan Wolff.

10. *Can COVID-19 Vaccines Be Global Public Goods?* BMJ OPINION (forthcoming 2021). First author, with Ezekiel J. Emanuel.
11. *Fairly Prioritizing Groups for Access to COVID-19 Vaccines*, 324 JAMA 1601 (2020). First author, with Monica E. Peek & Ezekiel J. Emanuel.
12. *An Ethical Framework for Global Vaccine Allocation*, 369 SCIENCE 1309 (2020). Second author, with Ezekiel J. Emanuel, Adam Kern, Allen Buchanan, Cécile Fabre, Daniel Halliday, Joseph Heath, Lisa Herzog, R.J. Leland, Ephrem T. Lemango, Florencia Luna, Matthew S. McCoy, Ole F. Norheim, Trygve Ottersen, G. Owen Schaefer, Kok-Chor Tan, Christopher Heath Wellman, Jonathan Wolff, and Henry S. Richardson.
13. *US Public Attitudes Toward COVID-19 Vaccine Mandates*, 3 JAMA NETWORK OPEN e2033324 (2020). Second author, with Emily Largent, Samantha Sangenito, Aaron Glickman, Connor Boyle, and Ezekiel J. Emanuel.
14. *Respecting Disability Rights — Toward Improved Crisis Standards of Care*, 383 N. ENGL. J. MED. e26 (2020). Second author, with Michelle Mello and Douglas White.
15. Letter, *Allocating Scarce Resources in the Time of COVID-19—Authors' Reply*, 382 N. ENGL. J. MED. E79 (2020)
16. *Fair Allocation of Scarce Medical Resources in the Time of COVID-19*, 382 N. ENGL. J. MED. 2049 (2020). Second author, with Ezekiel J. Emanuel, Ross Upshur, Beatriz Thome, Michael Parker, Aaron Glickman, Cathy Zhang, Connor Boyle, Maxwell Smith, & James Phillips.
17. *Should Pediatric Patients Be Prioritized When Rationing Life-Saving Treatments During the COVID-19 Pandemic?* 146 PEDIATRICS E2020012542 (2020), <https://doi.org/10.1542/peds.2020-012542>. First author, with Douglas White. Roundtable with Ryan Antiel, Farr A. Curlin, Cathy Zhang, Aaron Glickman, Ezekiel J. Emanuel, & John D. Lantos.
18. *Categorized Priority Systems: A New Tool for Fairly Allocating Scarce Medical Resources in the Face of Profound Social Inequities*, 159 CHEST 1294 (2020). Fourth author, with Tayfun Sonmez, Parag Pathak, Utku Unver, Robert Truog, and Douglas White.
19. *A Conceptual Framework for Clearer Ethical Discussions About COVID-19 Response*, 20 AM. J. BIOETHICS 98 (2020).
20. *The Ethics of COVID-19 Immunity-Based Licenses (“Immunity Passports”)*, 323 JAMA 2241N (2020). First author, with Ezekiel J. Emanuel.
21. *Eliminating Categorical Exclusion Criteria in Crisis Standards of Care Frameworks*, 20 AM. J. BIOETHICS 28 (2020). Fourth author, with Catherine Auriemma, Ashli Molinero, Amy Houtrow, Douglas White, & Scott Halpern.
22. *Advance Directives and Transformative Experience: Resilience in the Face of Change*, 20 AM. J. BIOETHICS 69 (2020). Invited.
23. *Determining the Number of Refugees to be Resettled in the United States: An Ethical and Policy Analysis*, 2 J. IMMIGRANT & REFUGEE STUDIES ____ (2021). Fifth author, with Rachel Fabi, Leonard Rubenstein, Paul Spiegel, Namrita Singh, & Daniel Serwer.
24. *Are Medicaid Closed Formularies Unethical? Social Values and Limit-Setting*, 21 AM. MED. ASS'N J. ETHICS 654 (2019). Second author, with Leah Rand (trainee). Invited.
25. *Will More Organs Save More Lives? Cost-Effectiveness and the Ethics of Expanding Organ Procurement*, 33 BIOETHICS 684 (2019).

26. *Differential Payment to Research Participants: An Ethical Analysis*, 45 J. MED. ETHICS 318 (2019). First author, with Holly Fernandez Lynch & Emily Largent.
27. *Authority Without Identity: Defending Advance Directives via Posthumous Rights over One's Body*, 45 J. MED. ETHICS 249 (2018).
28. *The Case for Resource-Sensitivity: Why It Is Ethical to Provide Cheaper, Less-Effective Treatments in Global Health*, 47 HASTINGS CTR. REP. 17 (2017). First author, with Ezekiel J. Emanuel. Featured article with commentaries by Alex London (Carnegie Mellon), Richard Marlink (Harvard), & Paul Ndebele (Medical Research Council of Zimbabwe).
29. Letter, *The Ethics of Expanding Access to Cheaper, Less-Effective Treatments--Authors' Reply*, 389 LANCET 1008 (2017). Second author, with Ezekiel J. Emanuel.
30. *What Is the Relevance of Procedural Fairness to Making Determinations about Medical Evidence?* 19 AM. MED. ASS'N J. ETHICS 183 (2017). Invited.
31. *The Ethics of Expanding Access to Cheaper, Less-Effective Treatments*, 388 LANCET 932 (2016). First author, with Ezekiel J. Emanuel.
32. *Expanding Deliberation in Critical-Care Policy Design*, 16 AM. J. BIOETHICS 60 (2016): 60-63. Invited.
33. *Clinical Research: Should Patients Pay to Play?* 7 SCI. TRANSLATIONAL MED. 298 (2015). Fifth author, with Ezekiel J. Emanuel, Steven Joffe, Christine Grady, & David Wendler.
34. Poster, *Offensive Defensive Medicine: The Ethics of Digoxin Injections in Response to the Partial Birth Abortion Ban*, 90 CONTRACEPTION 304 (2014). Second author, with Colleen Denny & Elena Gates.
35. *Misuse Made Plain: Evaluating Concerns About Neuroscience in National Security*, 1 AJOB NEUROSCI. 15 (2010). Seventh author, with Kelly Lowenberg, Brenda M. Simon, Amy Knight Burns, Libby Greismann, Jennifer M. Halbleib, David L.M. Preston, Harker Rhodes, & Emily M. Murphy.
36. *Standing by Our Principles: Meaningful Guidance, Moral Foundations, and Multi-Principle Methodology in Medical Scarcity*, 4 AM. J. BIOETHICS 46 (2010). First author, with Ezekiel J. Emanuel & Alan Wertheimer.
37. Letter, *Ethical Criteria for Allocating Health-Care Resources--Authors' Reply*, 373 LANCET 1425 (2009). First author, with Ezekiel J. Emanuel & Alan Wertheimer.
38. *Principles for Allocation of Scarce Medical Interventions*, 373 LANCET 423 (2009). First author, with Ezekiel Emanuel & Alan Wertheimer. Reprinted in ETHICAL ISSUES IN MODERN MEDICINE, 8th ed. (John Arras, Bonnie Steinbock, & Alex London eds. 2012).
39. *Are Physicians Willing to Ration Health Care? Conflicting Findings in a Systematic Review of Survey Research*, 90 HEALTH POL'Y 113 (2009). Second author, with Daniel Strech, Georg Marckmann, & Marion Danis.
40. *Including Persons with HIV Infection in Cancer Clinical Trials*, 26 J. CLIN. ONCOLOGY 1027 (2008). First author, with Richard F. Little & Christine Grady.

Book Chapters

41. *Access to Vaccines and Critical Care Treatments for Older People and People with Disabilities* [working title], in COVID-19 AND THE LAW (I. Glenn Cohen et al. eds.), forthcoming 2022. Cambridge University Press. First author, with Jessica Roberts.
42. *Cost-Effectiveness in Animal Health*, THE ROUTLEDGE HANDBOOK OF ANIMAL ETHICS (Bob Fischer ed. 2019).
43. *The Case for Valuing Non-Health and Indirect Benefits*, in GLOBAL HEALTH PRIORITY-SETTING: BEYOND COST-EFFECTIVENESS (Ole F. Norheim, Ezekiel J. Emanuel & Joseph Millum eds. 2019): 207-22. Oxford University Press. First author, with Jessica du Toit.

44. *Transparency Trade-Offs: Priority-Setting, Scarcity, and Health Fairness*, in *TRANSPARENCY IN HEALTH AND HEALTH CARE IN THE UNITED STATES* (Holly Fernandez Lynch, I. Glenn Cohen, Carmel Shachar & Barbara J. Evans eds. 2019): 44-57. Cambridge University Press.
45. *Justice and Public Health*, in *OXFORD HANDBOOK OF PUBLIC HEALTH ETHICS* (Nancy Kass, Jeff Kahn & Anna Mastroianni eds. 2019): 33-46.
<http://dx.doi.org/10.1093/oxfordhb/9780190245191.013.4>. Oxford University Press.
46. *Public Preferences About Fairness and the Ethics of Allocating Scarce Medical Interventions*, in *INTERDISCIPLINARY PERSPECTIVES ON FAIRNESS, EQUITY AND JUSTICE* (Meng Li & David Tracer eds. 2017): 51-65. Springer.
47. *Sufficiency, Comprehensiveness of Healthcare Coverage and Cost-Sharing Arrangements in the Realpolitik of Health Policy*, in *WHAT IS ENOUGH? SUFFICIENCY, JUSTICE, AND HEALTH* (Carina Fourie and Annette Rid eds. 2016): 267-80. First author, with Harald Schmidt. Oxford University Press.
48. *Should Research Ethics Encourage the Production of Cost-Effective Interventions?* in *ETHICS AND GOVERNANCE OF BIOMEDICAL RESEARCH: THEORY AND PRACTICE* (Daniel Strech & Marcel Mertz eds. 2016): 13-28. Springer.
49. *Democratic Deliberation and the Ethical Review of Human Subjects Research*, in *HUMAN SUBJECTS RESEARCH REGULATION: PERSPECTIVES ON THE FUTURE* (I. Glenn Cohen & Holly Fernandez Lynch eds. 2014): 157-72. MIT Press.

Philosophy Journal Articles

50. *Disaster Exceptionalism*, ____ SOC. PHIL. & POL'Y ____ (forthcoming 2022)
51. *Distributive Justice and the Relief of Household Debt*, 26 J. POL. PHIL. 327 (2018).
52. *Downward Mobility and Rawlsian Justice*, 175 PHIL. STUDIES 277 (2017).
53. Retrospective Essay, *On H.M. Oliver's "Established Expectations and American Economic Policies,"* 125 ETHICS 829 (2015).
54. *Equality via Mobility: Why Socioeconomic Mobility Matters for Relational Equality, Distributive Equality, and Equality of Opportunity*, 31 SOC. PHIL. & POL'Y 158 (2015).

Op-Eds, Blog Posts, and White Papers

55. *This Is the Wrong Way to Distribute Badly Needed Vaccines*, N.Y. TIMES (May 24, 2021), <https://www.nytimes.com/2021/05/24/opinion/vaccine-covid-distribution.html>. Second author, with Ezekiel J. Emanuel.
56. *Yes, It's Legal for Businesses and Schools to Require You to Get the COVID-19 Vaccine*, WASH. POST (May 4, 2021). Second author, with Holly Fernandez Lynch.
57. *Extending the Johnson & Johnson Vaccine Pause for a Week Was a Deadly Mistake*, WASH. POST (Apr. 17, 2021), <https://www.washingtonpost.com/opinions/2021/04/17/extending-johnson-johnson-vaccine-pause-week-was-deadly-mistake/>. First author, with William F. Parker.
58. *In the Face of a COVID Surge, The US Should Delay Second Doses*, USA TODAY (Apr. 8, 2021), <https://www.usatoday.com/story/opinion/2021/04/08/covid-surge-deliver-first-vaccine-shots-delay-second-doses-column/7122747002/> With Ezekiel J. Emanuel & William Fiske Parker.
59. *US Should Share Vaccines It's Not Using with the World*, BOS. GLOBE (Mar. 31, 2021), <https://www.bostonglobe.com/2021/03/30/opinion/us-should-share-vaccines-its-not-using-with-world/>. Second author, with Ezekiel J. Emanuel.
60. *Can Vaccine Allocation Plans Legally Respond to Racial Disparities?* BILL OF HEALTH (Mar. 29, 2021), <https://blog.petrieflom.law.harvard.edu/2021/03/29/vaccine-allocation-racial-disparities/>

61. *Age-Based Vaccine Distribution Is Not Only Unethical. It's Also Bad Health Policy*. WASH. POST (Mar. 9, 2021), <https://www.washingtonpost.com/opinions/2021/03/09/age-based-covid-vaccine-distribution-unethical/>. First author, with Emily A. Largent and Ezekiel J. Emanuel.
62. *Four Recommendations To Efficiently And Equitably Accelerate The COVID-19 Vaccine Rollout*, HEALTH AFFAIRS BLOG (Feb. 20, 2021), <https://www.healthaffairs.org/doi/10.1377/hblog20210204.166874/full/>. Second author, with William F. Parker and Monica Peek.
63. *Philosophers on Access to Medicine*, DAILY NOUS (Oct. 28, 2020), <https://dailynous.com/2020/10/28/philosophers-access-medicine/>
64. *Arizona's Crisis Standards of Care and Fair Allocation of Resources During COVID-19*, BILL OF HEALTH (Aug 6, 2020), <https://blog.petrieflom.law.harvard.edu/2020/08/06/arizonas-crisis-standards-care-covid19/>
65. *A Model Hospital Policy for Fair Allocation of Medications to Treat COVID-19*, University of Pittsburgh (May 28, 2020), <https://ccm.pitt.edu/node/1133>. Co-author.
66. *What Are the Ethics Behind Covid-19 "Immunity Passports"?* WASH. POST (May 10, 2020), <https://www.washingtonpost.com/opinions/2020/05/10/immunity-licenses-could-help-with-reopening-only-when-implemented-properly/> First author, with Ezekiel J. Emanuel.
67. *Diversity and Solidarity in Response to Covid-19*, HASTINGS BIOETHICS F. (May 13, 2020), <https://www.thehastingscenter.org/diversity-and-solidarity-in-response-to-covid-19/> First author, with David Wasserman.
68. *How Triage During COVID-19 Can be Fair to Patients with Disabilities*, BILL OF HEALTH (Apr. 13, 2020), <https://blog.petrieflom.law.harvard.edu/2020/04/13/triage-disabilities-coronavirus-ethics-law/>
69. *Fair Coronavirus Triage Guidelines—Not Business as Usual—Will Save More Patients with Disabilities from Covid-19*, DENVER POST (Apr. 7, 2020). First author, with Joseph Millum.
70. *Pandemic Guidelines, Not Changed Malpractice Rules, Are the Right Response to COVID-19*, BILL OF HEALTH (Mar. 30, 2020), <https://blog.petrieflom.law.harvard.edu/2020/03/30/pandemic-guidelines-malpractice-covid19/>. Second author, with Valerie Gutmann Koch & Wendy Netter Epstein.
71. *How the Coronavirus May Force Doctors to Decide Who Lives, Who Dies*, N.Y. TIMES (Mar. 12, 2020). Second author, with Ezekiel J. Emanuel & James P. Phillips.
72. *Do Pharmaceutical Patents Generate Unique Global Health Duties?* BILL OF HEALTH (Dec. 12, 2019), <https://blog.petrieflom.law.harvard.edu/2019/12/12/pharmaceutical-patents-global-health-ethics-ip/>
73. *What Should We Ask About Age-Based Criteria in Healthcare?* BILL OF HEALTH (May 1, 2019), <https://blog.petrieflom.law.harvard.edu/2019/05/01/what-should-we-ask-about-age-based-criteria-in-healthcare/>
74. *Vulnerability, Coercion, and Undue Influence: From the Mud into the Muck?* BILL OF HEALTH (Nov. 23, 2015), <https://blog.petrieflom.law.harvard.edu/2015/11/23/vulnerability-coercion-and-undue-influence-from-the-mud-into-the-muck/>
75. *The Action-Inaction Distinction Before NFIB v. Sebelius*, LAW & BIOSCIENCES BLOG (July 22, 2012), <https://law.stanford.edu/2012/07/22/the-action-inaction-distinction-before-nfib-v-sebelius-2/>

RECENT PRESENTATIONS (past five years)

Law

[Title TBD], AALS Health Law Section Virtual Health Law Workshop, forthcoming Dec. 2021.

[Title TBD], Washington University in St. Louis School of Law, forthcoming Oct. 2021. Invited.

Considering Vaccination Status, Petrie-Flom Center Workshop, Harvard Law School, forthcoming Sept. 2021. Invited.

Panelist, *High-Cost Treatment Disparities: Who Gets Access, Who Pays?*
Jaharis Health Law Institute, DePaul College of Law, forthcoming April 2021. Invited.

Panelist, *Racial Injustice In COVID-19 Vaccine Distribution*
UC Hastings College of the Law, March 2021. Invited.

The Use of Biotech in the COVID-19 Pandemic
Solomon Center/Petrie-Flom COVID-19 and the Law Seminar Series, forthcoming Feb. 2021. Panel discussion.

COVID-19 Vaccines: The Duties of Pharmaceutical Companies
Harvard University Program on Regulation, Therapeutics, and Law, Jan. 2021. Presented online. Invited.

Conceptualizing Affordable Health
Rocky Mountain Junior Scholars Conference, Nov. 2020. Presented online.

Implications of a Repealed ACA
Colorado State of Reform Conference, Nov. 2020. Panel discussion with Tom Donohoe and Lauren Carboni. Presented online. Invited.

Disability Law and the Case for Evidence-Based Triage in a Pandemic
Yale Law Journal Scholarship Discussion Group, August 2020. With Prof. Samuel Bagenstos (Michigan). Invited.

The Ethics of COVID-19 Immunity-Based Licenses (“Immunity Passports”)
American Society for Bioethics and Humanities, Oct. 2020. Panel discussion with Vardit Ravitsky and Kathryn Olivarius.
American Society for Bioethics and Humanities Law and Bioethics Affinity Group, July 2020. Invited.

Discussant for Christina Ho’s *Health Reinsurance as a Human Right*
AALS Health Law Section Virtual Health Law Workshop, June 2020. Invited.

Legal Structures and the Fair Sharing of Health Care Costs
Law and Society Annual Meeting, Denver, CO, May 2020. Presented online.

Applying a Market Failures Approach to Professional Ethics
University of Colorado Center for Values and Social Policy Workshop, Boulder, CO, May 2020. Presented online.

Disability, COVID-19, and Triage: Exploring Resource Allocation and the Framing of Disability
Petrie-Flom Center for Health Law Policy, Bioethics, and Biotechnology at Harvard Law School, Cambridge, MA, April 2020. Presented online. Panel discussion with Profs. Leslie Francis (Utah), Michael Stein (Harvard) and Omar Haque (Harvard).

Legality of and Challenges to Rationing Medical Resources
Public Health Law Watch COVID Law Briefing, Center for Health Policy and Law, Northeastern University School of Law, Boston, MA, April 2020. Presented online. Panel discussion with Profs. Diane Hoffman (Maryland), Leslie Francis (Utah), Sam Bagenstos (Michigan).

Pricing Drugs Fairly
Law and Biosciences Workshop, Stanford Law School, January 2020
Junior Scholars Workshop, Marquette University Law School, Oct 2019
Works-in-Progress Talk, Department of Bioethics, National Institutes of Health, Sept 2019
Regulation and Innovation in the Biosciences, Copenhagen, Denmark, June 2019.

Health Insurance and the Value of Treatment Differentiation
ASLME Health Law Professors Conference, June 2019.

Comments on Andrew Stewart, “Anger, Revenge, and Tort Law”

American Philosophical Association, Central Division, Denver, CO, Feb 2019

Beyond QALY Maximization and Antidiscrimination: A Moderate Approach to Priority-Setting for Patients with Disabilities

Petrie-Flom Conference: Beyond Disadvantage: Disability, Law, and Bioethics, Harvard Law School, Cambridge, MA, June 2018. Among ~10% of abstracts accepted.

Intellectual Property and Access to Health Care: Beyond Pharmaceutical Exceptionalism

ASLME BioIP Workshop, Georgia State University College of Law, May 2018
Bowdoin College, Brunswick, ME, April 2018

Adequacy and Equality in Health Insurance Benefit Design

Michigan Law 4th Annual Junior Scholars Conference, University of Michigan, Ann Arbor, April 2018.
Mid-Atlantic Health Law Professors Retreat, Seton Hall Law School, February 2018

When Are Age-Based Classifications Appropriate in Medical Decisionmaking? Discrimination, Discretion, and Distributive Justice

ASLME Health Law Scholars Workshop, St. Louis University School of Law, October 2017

Taxing Health

ASLME Health Law Professors Conference, June 2017

Transparency Trade-Offs: Priority-Setting, Scarcity, and Health Fairness

Petrie-Flom Conference on Transparency in Health and Health Care, Harvard Law School, Cambridge, MA, April 2017. Among ~12% of abstracts accepted.

When Should Employee Health Be Employers’ Business?

Zicklin Center Normative Business Ethics Workshop, Department of Legal Studies and Business Ethics, The Wharton School, University of Pennsylvania, January 2017

Paying Patients: Legal and Ethical Dimensions

Mid-Atlantic Health Law Professors Retreat, Seton Hall Law School, February 2017
ASLME Health Law Professors Conference, June 2016

An Egalitarian Right to Security: From Status Maintenance to Adequacy Plus Mobility

Rapoport Center for Human Rights Conference, University of Texas School of Law, Austin, TX, April 2016

Medical Ethics and Health Policy

Fair Global Distribution of Covid-19 Vaccines: The Role of Firms

Keynote address, Society for Business Ethics, July 2021. Invited.

Panelist, Author-Meets-Critics Session, Nicole Hassoun, *Global Health Impact*

American Philosophical Association, Pacific Division, April 2021. Invited.

Panelist, *Ethics, COVID and Surgery*

ASBH Surgical Ethics Affinity Group—Consortium of Surgical Ethics, March 2021. Invited.

Panelist, *Employer Obligations and COVID-19 Vaccines*

Rutgers Center for Population-Level Bioethics, March 2021. Invited.

Plenary Presenter, *Business and Society*

Stern School of Business, New York University, March 2021. Invited.

COVID-19 Vaccines and Allocation

American Journal of Bioethics/Stanford Center for Biomedical Ethics Webinar, Feb. 2021. Panel discussion with Monica Peek, Kathy Kinlaw, Grace Lee. Invited.

Who’s Essential? The Ethics of COVID Vaccination

Ohio State University COMPAS Webinar, Feb. 2021. Panel discussion with Anne Barnhill.

- An Ethical Framework for Global Vaccine Allocation*
Safra Center for Ethics, Harvard University, Sept. 2020. Presented online. Invited.
- The Ethics of COVID-19 Immunity-Based Licenses (“Immunity Passports”)*
Emory University, Feb. 2021.
Penn Bioethics Seminar, June 2020. Invited.
- Triage in Educational Ethics*
Educational Ethics: A Field-Launching Conference, Harvard University Graduate School of Education & Safra Center for Ethics, postponed due to COVID-19. Invited.
- Global Health Priority-Setting: Beyond Cost-Effectiveness*, panel with Joe Millum, Zeke Emanuel, Mieraf Tadesse Tolla
International Association of Bioethics, Philadelphia, PA, June 2020. Presented online.
- Offsetting Animal Research*
International Association of Bioethics, Philadelphia, PA, June 2020. Presented online.
- Ethics and COVID-19: Scarce Resource Allocation*. Panel with Sarah Vittone (Georgetown).
George Washington University, Milken Institute of Public Health, Bioethics Interest Group, May 2020. Presented online.
- Crisis Triage and People with Disabilities*
Invited. Panel discussion with Matthew Wynia (Colorado), Julie Reiskin (Colorado Cross-Disability Coalition), Daniel Goldberg (Colorado).
- Allocation of Remdesivir and ECMO During the COVID-19 Pandemic*
DC Regional Ethics Consortium, May 2020. Presented by telephone.
- Global Health Provision and Justice*, discussion with Paul Farmer (Harvard)
Safra Center for Ethics, Harvard University, April 2020. Presented online. Invited.
- Payment in Research Ethics*
Conversations About Research Ethics, Ohio State University, October 2019. Invited.
- Financial Protection in Universal Health Coverage*
CeBIL/RIBS Symposium, University of Copenhagen, June 2019
Philosophy Interest Group, American Society for Bioethics and Humanities, October 2017
- Lifetime Limits on Health Care*
Institute for the Study of Markets and Ethics, Georgetown University, February 2019
- Differential Payment to Research Participants: An Ethical Analysis*
Center for Values and Social Policy, University of Colorado, September 2018
- Comments on Alison Massof, “Doctors: Collaborators or Contractors?”*
Rocky Mountain Ethics Congress, University of Colorado, August 2018
- When Can Health Differences Justify Wealth Differences?*
Workshop on Current Issues in Ethics and Economics, Center for Values and Social Policy, University of Colorado-Boulder, April 2018
- Authority Without Identity: Defending Advance Directives via Posthumous Rights Over One’s Body*
University of Waterloo, Waterloo, Canada, March 2018
American Philosophical Association, Central Division, February 2018
- Centering Health Care and Public Health Policy: Should We Cater to the Middle Class?*
American Society for Bioethics and Humanities, October 2017
- Cost-Effectiveness in Animal Health: An Ethical Analysis*
Rocky Mountain Ethics Congress, Preconference Workshop on Animal Ethics, University of Colorado, August 2017

Comments on Eric Chwang, “Consent Is All in the Mind(ing)”

Rocky Mountain Ethics Congress, University of Colorado, August 2017

Setting Priorities for Genomic Research: Cost-Effectiveness and Distributive Fairness

Ethical, Legal and Social Implications of Genomic Research Congress, University of Connecticut, June 2017

Social Change and Status Quo Maintenance in Applied Ethics

Workshop on Methodology in Applied Ethics, Georgetown University, February 2017

The Ethics of Cost-Effectiveness: How Organ Transplantation Costs Lives

American Philosophical Association, Eastern Division, January 2017

Center for Bioethics and Humanities, University of Colorado-Anschutz Medical Campus, November 2015.

Center for Values and Social Policy, University of Colorado-Boulder, October 2015.

Beyond Administrative Tunnel Vision: Widening the Lens of Costs and Benefits

Georgetown Institute for the Study of Markets and Ethics Annual Workshop, Georgetown University, November 2016.

Invited Panelist, *Can't Buy Me Love, but Maybe a Clinical Trial Spot? How IRBs Wrestle with Participant Funding and Influence*

PRIM&R Advancing Clinical Excellence Conference, Anaheim, CA, November 2016. Panel discussion with Melissa Abraham, Carol Weil, Glenn O'Neill, and Elizabeth Hohmann.

In Defense of Use-Based Health Care Financing

American Philosophical Association, Eastern Division, Washington, DC, January 2016

Philosophy

Polarization, Distributive Justice, and the Future of the Middle Class

American Philosophical Association, Central Division, March 2017

Household Debt, Disadvantage, and Status Maintenance

Finance and Social Justice Conference, University of Bayreuth, November 2016

From Bungee Cords to Safety Nets: Evaluating and Rethinking Status Maintenance

Professional Speaker Series, Colorado State University, December 2015

HONORS AND AWARDS

External

Greenwall Foundation Faculty Scholar in Bioethics, 2018-21. Provides 50% of salary as well as a mentorship program.

BioIP Workshop Scholar, American Society of Law, Medicine and Ethics, 2018 (one of three)

Health Law Scholar, American Society of Law, Medicine and Ethics, 2017 (one of four)

Student Travel Award, American Philosophical Association, Eastern Division, 2015, 2014, 2013

First Prize, National LGBT Bar Association Law Student Writing Competition, 2012

First Prize, Northeastern University Program in Human Rights and the Global Economy Student Writing Competition, 2012

Participant, National Endowment for the Humanities Summer Seminar, Washington University in St. Louis, 2012. Topic: *Liberty, Equality, and Justice: Philosophical Problems in Domestic and Global Contexts*. Includes housing and stipend.

Internal

Small Grant Recipient, Hughes-Ruud Scholarship Fund, University of Denver, 2021-22

Public Impact Fellow, University of Denver, 2020-21

Honored at the Eighth Annual Research, Scholarship, and Creative Work Faculty Recognition Dinner hosted by the Office of the Provost, University of Denver, 2020

MEDIA APPEARANCES

Print and Online

On COVID-19: *New York Times; Los Angeles Times; Boston Globe; Chicago Tribune; Wall Street Journal; Associated Press; Axios; Roll Call; The Nation; Salon; Christian Science Monitor; MarketWatch; Der Spiegel; Rolling Stone; Undark Magazine; Wired Magazine; Pink Sheet; Bloomberg Law; Law360; CQ News; 5280 Magazine; FreightWaves; ASCO Post; WalletHub; Center for Public Integrity; Bangor Daily News; Denver Front Porch News; Colorado Times-Recorder; Stanford Daily*

On other topics: *Wired Magazine; Colorado Public Radio; CNN; Kidney News; The Daily Pennsylvanian*

Radio, Television, and Podcasts

On COVID-19: *The Mehdi Hasan Show (MSNBC/Peacock); NPR (Morning Edition); WHYY (Philadelphia); WGBH (Boston); AirTalk with Larry Mantle (NPR 89.3 KPCC, Southern California); Hard Call; Making the Call; KMGH-TV (ABC 7) Denver; KDVR-TV (Fox 31) Denver; Science Magazine; RadioEd (University of Denver); Fox 21 (Denver); Examining Ethics; Talk is the Best Medicine*

RECENT SERVICE AND OUTREACH

National and International

Columnist, Ethics and Law, *ASCO Post* (American Society for Clinical Oncology), 2020-

Invited Discussant, National Academies of Science, Engineering and Medicine Workshop on Vaccine Verification, 2021

Invited Discussant, Workshop on Priority-Setting for Mental Health, University of Pennsylvania Scattergood Program, 2021

Invited Rapid Reviewer, UK Pandemic Ethics Accelerator, University of Oxford, 2021

Commentator, National Academies of Science, Engineering and Medicine, Rapid Expert Consultation on Allocation of COVID-19 Therapies, 2020

Consultant, World Health Organization, 2020.

Member, American Philosophical Association Committee on Philosophy and Law, 2018-20. Elected position. Reviewed submissions for Berger Prize and worked to select recipient. Organized panel on law and ethics of health insurance.

Content Expert Reviewer (by invitation), U.S. Department of Health and Human Services, ASPR Technical Resources Assistance Center & Information Exchange, 2018.

Board of Directors, Telluride Association, 2013-. Telluride Association is a non-profit that offers free summer seminars in humanities, social sciences, and ethnic studies to high school students, and operates scholarship residences at Cornell and the University of Michigan. Board service included co-chairing faculty hiring for summer seminars in ethnic studies.

National Institutes of Health Study Section on Societal and Ethical Issues in Research, Temporary Member, 2017. Invited reviewer for grant applications that use legal methods.

Diversity/Mentoring the Mentors Workshop Participant, American Philosophical Association, 2017. Selected participant in grant-funded workshop on strategies for effectively mentoring students from diverse backgrounds, particularly undergraduates who are participating in diversity summer programs and plan to pursue graduate study.

Invited Commentator, Templeton Foundation-funded project on hope, creative resolve, and access to medicines, Cornell University, 2017. Commented on book manuscript by Nicole Hassoun (Binghamton) on the human right to health and access to essential medicines.

Peer Reviewer

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Govind C. Persad—Curriculum Vitae—7 September 2021

University Presses: MIT Press; Routledge; CALI eLangdell

Law Journals: *Yale Law Journal*; *Columbia Law Review*; *Law and Philosophy*; *Journal of Law and the Biosciences* (3x); *Journal of Law, Medicine, & Ethics*

Medical Journals: *New England Journal of Medicine*; *The Lancet*; *JAMA*; *Annals of Internal Medicine*; *PLOS Medicine*; *Nature Medicine*; *Journal of General Internal Medicine* (3x); *Transplantation*; *Regenerative Medicine*. *Journal of AIDS – Epidemiology*

Health Policy Journals: *American Journal of Public Health* (2x); *Health Affairs*; *The Milbank Quarterly*; *Health Care Analysis* (2x); *Health and Human Rights*; *Journal of Financial Counseling and Planning*

Bioethics Journals: *Journal of Medical Ethics* (8x); *Journal of Medical Ethics* (8x); *American Journal of Bioethics* (3x); *Public Health Ethics*; *Hastings Center Report* (2x); *Kennedy Institute of Ethics Journal* (2x); *Theoretical Medicine and Bioethics*; *Medicine, Health Care, and Philosophy* (2x); *BMC Medical Ethics*; *Oxford Handbook on Public Health Ethics*

Philosophy Journals: *Journal of Political Philosophy* (2x); *Ethical Theory and Moral Practice*; *Journal of Ethics and Social Philosophy* (2x); *Social Theory and Practice* (2x); *Public Affairs Quarterly*

Home Institution

Scrivner Institute Advisory Task Force, University of Denver, 2018-.

COVID-19 Vaccination Working Group, University of Denver, 2021-.

Admissions Committee, University of Denver Sturm College of Law, 2019-.

Student Organization Advisor, Health Law Society, University of Denver Sturm College of Law, 2018-.

Invited Discussant, National Academies of Science, Engineering and Medicine Workshop on Vaccine Verification, 2021

Panelist, *COVID-19 Vaccine Mandates: A Necessary Step or an Overstep?* University of Denver, 2021.

Panelist, *COVID-19 Vaccine Equity*, American Constitution Society, Sturm College of Law, 2021.

Panelist, *Contact Tracing and COVID-19*, University of Denver, 2020.

Panelist, *Bioethics, Health Law, and COVID-19*, University of Denver, 2020.

Presenter, Summer Scholarship Brown Bag, Sturm College of Law, 2019-21.

Panel Moderator, *Denver Law Review* Symposium, University of Denver, 2019.

Presenter on the Human Right to Health, Sutton Colloquium, University of Denver, 2018.

Member, Institutional Review Board, Bloomberg School of Public Health, Johns Hopkins University, 2017-18.

Admissions and Program Committee, PhD Concentration in Bioethics and Health Policy, Bloomberg School of Public Health, Johns Hopkins University, 2017.

Campus Interviewer for Fulbright Scholarship applicants, Georgetown University, 2015

Local

Discussed clinical practice guidelines with researcher at UHealth, 2020

Discussed mental health law with staff at Rocky Mountain Children's Law Center, 2020

Guest presenter on priority-setting in health care, University of Pennsylvania, 2020

Guest presenter on ethics and cost-effectiveness analysis, Johns Hopkins University, 2019

Keynote presenter on ethical issues in genetic engineering, Denver Public Schools, 2019.

Presenter, Minorities and Philosophy Tea Time, University of Colorado-Boulder, 2018.

Lunch and Learn Presenter, Patient-Centered Outcomes Research Institute, Washington, DC, 2017. Topic: Justice and public health.

TEACHING

Full-Length Courses

- University of Denver, *Torts*, 2021 (upcoming)
- University of Denver, *Health Law*, 2018, 2019, 2020
- University of Denver, *Legal Profession*, 2020
- Johns Hopkins University, *Bioethics and the Law*, 2018. Co-taught with Joseph Ali.
- Johns Hopkins University, special study on Valuing Health, 2016
- Georgetown University, *Moral Foundations of Market Society*, 2014, 2015
- Stanford University, *Race and Gender: Philosophical Perspectives*, 2012. Co-taught with Sam Asarnow.

Graduate Student Supervision

Directed research supervisor, Emily Bath, University of Denver, spring 2020
Student note supervisor, Jordyn McDowell, University of Denver, fall 2019
Directed research supervisor, Shanona Vargo, University of Denver, spring 2019
PhD Co-Advisor, Christian Morales, Johns Hopkins University, 2017-18
PhD Exam Committee, Ariella Messing, Johns Hopkins University, 2017-18

Short Courses and Guest Lectures

- Fellows Seminar, Department of Bioethics, National Institutes of Health, 2017 & 2018. Topic: health care reform.
- Bioethics Boot Camp, University of Pennsylvania, 2017, 2016, 2014. Topics: universal coverage; non-health benefits in health policy; priority-setting in the Affordable Care Act.
- PhD Seminar, Department of Health Policy and Management, Johns Hopkins University, 2017 & 2016. Topic: introduction to ethical theory for PhD students in health policy.
- Medical Ethics, San Francisco State University, 2013. Topic: physician-patient relationship.
- Mass Incarceration in Global Perspective, Prison University Project, San Quentin, 2013. Topic: philosophy of race. Co-facilitated with Wendy Salkin.

Teaching Assistantships

Stanford University, 2009-12. Courses: *Global Justice* (Samuel Arnold); *Justice* (Joshua Cohen); *Introduction to Moral Philosophy* (Tamar Schapiro); *Modern Philosophy: Descartes to Kant* (Shane Duarte); *Philosophy & Literature* (R. Lanier Anderson & Joshua Landy).

EDUCATION

Law School	Stanford Law School, J.D., 2013, with Pro Bono Distinction <ul style="list-style-type: none">• <i>Stanford Law Review</i>, Articles Committee• Student Fellow, Stanford Center for Law and the Biosciences• First Prize, Steven M. Block Civil Liberties Award• Class Prizes in Legal Ethics, Sexual Orientation and the Law, and Alternative Conceptions of Antidiscrimination
Graduate	Stanford University, Ph.D., Philosophy, 2015 Dissertation: <i>Moving Toward Fairness: Normative Aspects of Social & Economic Mobility</i> Committee: Debra Satz (chair), Eamonn Callan, Joshua Cohen, Mark Kelman <ul style="list-style-type: none">• Stanford Interdisciplinary Graduate Fellow, 2012-15• Graduate Public Service Fellow, Haas Center for Public Service, 2012
Undergraduate	Stanford University, B.S., Biological Sciences, with distinction, 2007 Stanford University, B.A., Philosophy, with honors and distinction, 2006 <ul style="list-style-type: none">• <i>Phi Beta Kappa</i>

- Mothershead Prize for Outstanding Senior Thesis in Moral Philosophy

OTHER EMPLOYMENT

University of Pennsylvania, Philadelphia, PA

Visiting Researcher, Department of Medical Ethics & Health Policy, 2013-14

Jenner & Block LLP, Washington, DC

Summer Associate, 2010. Offer extended.

Munger, Tolles & Olson LLP, San Francisco, CA

Summer Associate, 2009

National Institutes of Health, Bethesda, MD

Predoctoral Fellow, Department of Bioethics, 2006-08

OTHER GRANTS RECEIVED

Exploration of Practical Ethics Grants, Johns Hopkins University, 2017-18.

Role: Co-Investigator (Principal Investigators: Johnathon Ehsani, Health Policy and Management, and Tak Igusa, Engineering)

Topic: Ethical issues in autonomous vehicle testing. Total: \$67,500.

Role: Co-Investigator (Principal Investigator: Len Rubenstein, School of Public Health)

Topic: Ethics and human rights of refugee resettlement. Total: \$64,635.

BAR ADMISSIONS

Maryland (2014); U.S. Court of Appeals for the Tenth Circuit (2015)