Ms. Ruqaiijah A. Yearby

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# Academic experience

**Case Western Reserve University School of Law Cleveland, OH**

*Professor of Law,* July 2011 - present

*Associate Director of the Law-Medicine Center,* July 2011 – present

#### Courses Taught

* Bioethics, Contracts, and Health Care Regulation

**Selected Honors**

* Guest Lecturer, Access to Health Care, Loyola Chicago School of Law (2012)
* Book Proposal Reviewer, Cambridge University Press, November, 2011 (Selected as a reviewer by Cambridge University Press)
* Summer Research Fellowship,” Case Western Reserve University School of Law, July, 2011 (A competitive research support grant for university faculty)

#### Selected Service

* *Chair,* Student Life and Diversity Subcommittee, Strategic Planning Committee (2012-2014)
* *Chair,* Institutional Culture Subcommittee, Diversity Committee (2012- present)
* *Associate Director,* Law-Medicine Center (ranked among the top ten health law programs in the country by U.S. News & World Report) (2011 - present)
* *Member,* Law School Appointments Committee (2011 - present)
* *Member,* Diversity Committee (2011 - present)

**University of Connecticut School of Law Hartford, CT**

*Visiting Professor*, January 2011-May 2011

#### Courses Taught

* Bioethics

**University at Buffalo Law School, The State University of New York Buffalo, NY**

**University at Buffalo School of Public Health and Health Professions**

*Associate Professor,* July 2008- August 2011

*Director of the Juris Doctor and Master of Public Health Program,* July 2008 – August 2011

*Director of the Juris Doctor and Pharm.D. Program,* July 2008 – August 2011

*Co-Director, Health Law Concentration,* July 2008 – August 2011

#### Courses Taught

* Bioethics, Health Care Regulation, and Public Health Law

**Selected Honors**

* Grant Reviewer, Wellcome Trust, August, 2010 (Selected as a reviewer by the United Kingdom's largest non-governmental source of funds for biomedical research)
* “Summer Research Fellowship,” University of Buffalo Law School, July, 2010 (A competitive research support grant for university faculty)
* “Small Research Grant,” The Baldy Center for Law & Social Policy, University of Buffalo Law School, March, 2009 (A competitive research support grant for university faculty)
* “Summer Research Fellowship,” University of Buffalo Law School, July, 2009 (A competitive research support grant for university faculty)

#### Selected Service

* *Member,* University Civic Engagement and Public Policy Committee (2009 - 2010)
* *Member,* Law School Appointments Committee (2009-2010)
* *Faculty Thesis Advisor*, Master of Public Health Students (2009 – 2010)
* *Member,* Master of Public Health Program Committee (2008 – 2010)
* *Faculty Thesis Advisor*, Health Law concentration (2008 – 2010)
* *Member,* Accreditation Process Committee for successful accreditation of School of Public Health and Health Professions (2009)
* *Member,* North Eastern People of Color Host Planning Committee (2009)
* *Speaker,* Alumni Scholarship Event (2009)
* *Speaker,* High School Student Pipeline Event (2009)
* *Member*, International Programs andGraduate Studies Committee (2008-2009)
* *Member,* Academic Policy and Program Committee (2008-2009)

**Loyola University Chicago, School of Law Chicago, IL**

**Loyola University Chicago, Stritch School of Medicine**

*Assistant Professor,* July 2003 – June 2008

#### Courses Taught

* Access to Health Care, Bioethics, Criminal Law, Health Care Regulation, Introduction to Health Law, and the Summer Institute on Aging

**Selected Honors**

* “Health Law Scholars Workshop,” American Society of Law, Medicine & Ethics and Saint Louis University Center for Health Law Studies, September 2005 (A competitive award to junior faculty in health law to present works in progress and receive in-depth advice and critique from experienced scholars and teachers) (honorable mention)
* “Mid-American Public Health Fellowship,” Mid-America Regional Public Health Leadership Institute, University of Illinois at Chicago School of Public Health, August 2004 (A competitive training award for leaders in the public health field to write and publish three public health research projects)
* “Summer Research Stipend,” Loyola University Chicago, (Awarded every year employed at Loyola) (A competitive research support grant for university faculty)

**Award**

* “Norman Amaker Award of Excellence,” Loyola University Chicago, January 2007 (A competitive award granted to an individual who embodies the true spirit and commitment of service to others in our community and in legal education)

#### Selected Service

* *Symposium Chair,* First Annual Beazley Institute for Health Law and Policy Symposium (2007-2008)
* *Member,* Dean’s Diversity Advisory Council (2007-2008)
* *Member,* Beazley Institute for Health Law and Policy (ranked among the top ten health law programs in the country by U.S. News & World Report) (2003-2008)
* *Member,* University Steering Committee Latino Health Project (2006-2007)
* *Member*, Dean’s Advisory Council (2005-2008)
* *Member*, University Search Committee, Director of Ethnic Minority Faculty Recruitment and Retention (2004-2005)

## Education

**Georgetown University Law Center Washington, DC**

Juris Doctor; May 2000

**Honors**

* *Staff Editor*, *Georgetown Journal on Poverty Law & Policy*
* *Policy Analyst,*Harrison Institute for Public Law Clinic
* *Research Assistant*, Institute for Health Care Research and Policy, assisted in the drafting of a health privacy survey cited in the Preamble of the Final Privacy Regulations for the *Health Insurance Portability and Accountability Act*
* *Research Assistant,* Health Care for All, researched the effect of the Employment Retirement Income Security Act on Maryland’s health care reform

**Awards**

* Dean’s List (1999)
* J. Franklyn Bourne Academic and Community Service Scholarship (1999)

**Johns Hopkins School of Public Health Baltimore, MD**

Master of Public Health in Health Policy & Management; May 2000

**Honors**

* Certificate in Health and Human Rights
* *Thesis:* “Maryland Medicaid Managed Care Organizations: Barriers to Access for Low Income African-American HIV/AIDS Patients”

**Awards**

* International Health Scholarship (1997)
* Minority Student Support Scholarship (1998)

**University of Michigan Ann Arbor, MI**

Bachelor of Science; May 1996

**Honors**

* Degree in Honors Biology
* *Senior Honors Thesis:* “The Characterization of Mutant *Arabidopsis thaliana* Plants that Produce Abnormal Root Hairs in Response to Low Phosphorus Availability”
* *Research Assistant,* National Science Foundation Minority Research Training Program, researched the effect of lead pollution from the use of leaded gasoline on school age children in South Africa

**Awards**

* Class Honors (1993)
* Sophomore Honors Award (1994)
* “Five Under Ten” Young Alumni Recognition Award (2000)

# Clerkship

**U.S. Court of Appeals, Seventh Circuit Chicago, IL**

*Law Clerk* for the Honorable Ann Claire Williams, August 2002- December 2002

* Assisted in drafting opinions concerning various topics including the economic loss doctrine, federal sentencing guidelines, and loan receipt agreements
* Advised Judge Williams regarding issues in petitions for rehearing en banc, certificates of appealability, and petitions for rehearing

# Publications

Articles

*Breaking The Cycle Of ‘Unequal Treatment’: Using Health Care Reform To Address Racial Disparities In Health Care,* 44 U. Conn. L. Rev. \_ (2012)

*Racial Inequities in Mortality and Access to Health Care: The Untold Peril of Rationing Health Care In the United States,* 32 J. Leg. Med. 77-91 (2011)

*African Americans Can’t Win, Break Even, or Get Out of the System: The Persistence of Unequal Treatment in Nursing Home Care,* 82 Temple L. Rev. 1177-1203 (2010)

*Litigation, Integration, and Transformation: Using Medicaid to Address Racial Inequities in Health Care,* 13 J. Health Care L. & Pol’Y 325-391 (2010)

*Does Twenty-Five Years Make a Difference in ‘Unequal Treatment’?: The Persistence of Racial Disparities in Health Care Then and Now,* 19 Annals of Health L. 57-61 (2010)

*From the Mayflower to the Border Patrols: Who Deserves Access to Health Care in the United States?,* 17Annals of Health L. i-ix (2008) (Symposium issue for the First Annual Beazley Institute for Health Law and Policy Symposium)

*Striving for Equality, But Settling for the Status Quo in Health Care: Is Title VI More Illusory Than Real?,* 59 Rutgers L. Rev. 429-496 (2007) (cited in written testimony submitted to the United States Senate Judiciary Subcommittee on Human Rights and the Law (Dec. 16, 2009))

*A Right to No Meaningful Review Under the Due Process Clause: The Aftermath of Judicial Deference to the Federal Administrative Agencies,* 16 Health Matrix 723-783 (2006) (cited in Furrow, et al, Health Law: Cases, Materials and Problems, 6th ed. 2008)

*Is It Too Late For Title VI Enforcement?: Seeking Redemption of the Unequal United States’ Long Term Care System Through International Means,* 9 DePaul J. Health Care L. 971-1004 (2005)

*Good Enough To Use For Research, But Not Good Enough To Benefit from the Results of that Research: Are the Clinical HIV Vaccine Trials in Africa Unjust?,* 53 DePaul L. Rev. 1127-1153 (2004) (cited in the Oxford Handbook of Bioethics)

Book Chapters

*Racial Disparities in Health Status and Accessing Health Care, in* Sage Debates in Health Care (2012) (*invited author*)

*Regulation of Nursing Homes and Other Facilities, in* 28 Illinois Jurisprudence 467-638, Elder Law (2006) (*invited author*)

*Medical Treatment Decisions*, *in* 27Illinois Jurisprudence 823-862, Health Care Law (2005) (*invited author*)

Editorials

*Reducing Errors Key to Reform,* Rochester Democrat and Chronicle, October 3, 2009 (cited in USA Today Magazine, Nov. 2009).

Empirical Scholarship

*Assessing Racial Disparities In the Quality of Chicago Nursing Home Care* (Empirical Research Study for the Health Medicine Policy and Research Group), Mid-America Regional Public Health Leadership Institute, University of Illinois at Chicago, School of Public Health (2005) (co-authored)

*Addressing the Tuberculosis Crisis among African-American in the City of Poohville: A Partnership the Department of Health and the Tigger Society* (Case Study), Mid-America Regional Public Health Leadership Institute, University of Illinois at Chicago, School of Public Health (2005) (co-authored)

Other Selected Works

*1998-1999 Case Report of the Trademark Litigation Committee of the American* (contributor)

*Medicare’s New Underclass*, RT Imaging, Vol. 1d, R. 13, July 1999 (co-authored)

Public Health Law: Duty, Power, and Restraint (2001) (contributor)

*The State of Health Privacy: An Uneven Terrain,* 607 Practising L. Inst. 621, June 2000 (***cited in the Preamble of the Final Privacy Regulations for the Health Insurance Portability and Accountability Act***) (contributor)

*Piercing the Veil of Secrecy in HIV/AIDS and other Sexually Transmitted Diseases: Theories of Privacy and Disclosure in Partner Notification*, 5 Duke J. Gender L. & Policy 9 (Spring 1998) (contributor)

Works in Progress

*When is a Change Going to Come?: The Continued Exploitation of Children in Medical Research Studies for the Benefit of an Unworthy Society*

*Missing the “Target”: Preventing the Exploitive Targeting of Vulnerable Children for Medical Research Studies*

### Legislative Testimony

*The Persistence of Racial Inequities in Nursing Home Care*, Hearing Before Public Health Committee, Illinois Senate, 96th Gen. Assembly (Oct. 22, 2009)

### Selected Presentations

**Howard University School of Law Washington, DC**

*Invited Presenter*, January 26-27

“Engaged Scholars: Opportunities for Advocacy and ‘Shameless Self- Promotion’ Outside of the Classroom”

“Breaking the Cycle of ‘Unequal Treatment’ With Health Care Reform: Acknowledging and Addressing the Continuation of Racial Bias”

**University of Connecticut School of Law Hartford, CT**

*Invited Presenter,* November 11-12, 2011

“Civil Rights and Health Care Reform: Changing the Status Quo Through Regulation”

**Tarrytown Meetings Tarrytown, NY**

(Three year initiative that brings together renowned scholars, policy experts, civil-society leaders and others working to ensure that new human biotechnologies and related emerging technologies support rather than undermine a healthy, just and sustainable human future)

*Invited Presenter,* July 25-27, 2011

“**A Good Market for Bad Science: How Biological Race is Sold to the Public**”

“Reflections-Connecting the Dots”

**University of Hawaii Richardson School of Law Honolulu, HI**

*Invited Speaker,* December 12, 2010

“Missing The “Target”: Preventing the Unjust Inclusion of Vulnerable Children For Medical Research Studies”

**Society of American Law Teachers Honolulu, HI**

*Invited Speaker,* December 10, 2010

“Interdisciplinary Teaching in More than Name Alone”

**Santa Clara Law Santa Clara, CA**

*Invited Speaker,* November 18, 2010

“When is a Change Going to Come?: The Continued Exploitation of Children in Medical Research Studies for the Benefit of an Unworthy Society”

Seton Hall University, School of Law Newark, NJ

*Invited Speaker,* September 9-12, 2010

“The Regulatory State, Health Care Reform and Civil Rights”

“Elder Care under Health Care Reform: Improving Access to Quality Care”

**Tarrytown Meetings Tarrytown, NY**

*Invited Presenter and Facilitator,* July 26-29, 2010

“Genetics and Racial Justice”

**Southern Illinois University Carbondale, IL**

*Invited Speaker,* May 21, 2010

“Is Rationing of Medical Resources the Answer when Racial Inequities in Health Care Persist?”

**Southern University Law Center Baton Rogue, LA**

*Invited Speaker,* April 8, 2010

“Elder Care in Louisiana under Health Care Reform: Improving Access to Quality Care”

**University of Iowa, College of Law Iowa City, IA**

*Invited Speaker,* February 26, 2010

“Justice Renewed: Using Intersectionality Theory To Define What Is Equitable In Medical Research Studies”

**DePaul University, College of Law Chicago, IL**

*Invited Speaker,* January 18, 2010

“Breaking the Cycle of ‘Unequal Treatment’: Acknowledging and Addressing the Continuation of Racial Discrimination in Health Care ”

**Temple University Beasley School of Law Philadelphia, PA**

*Invited Speaker,* November 13, 2009

“African Americans Can’t Win, Break Even, or Get Out of the System: The Persistence of Racial Disparities in Health Care in ‘Post-Racial’ America*”*

**University at Buffalo Law School Buffalo, NY**

*Invited Speaker,* October 23, 2009

“When is a Change Going to Come?: The Continued Exploitation of Children in Medical Research Studies for the Benefit of an Unworthy Society”

**Seattle University School of Law Seattle, WA**

*Invited Speaker,* June 25, 2009

“When is a Change Going to Come?: The Continued Exploitation of Children in Medical Research Studies for the Benefit of an Unworthy Society”

**Law and Society Association Denver, CO**

*Invited Speaker,* May 29, 2009

“When is a Change Going to Come?: The Continued Exploitation of Children in Medical Research Studies for the Benefit of an Unworthy Society”

**Temple University Beasley School of Law Philadelphia, PA**

*Invited Speaker,* January 24, 2009

“Looking Behindthe Mixed Blessing of Civil Rights: Addressing Racial Disparities in Health Care”

**University of Denver, Sturm College of Law Denver, CO**

*Invited Speaker,* June 27, 2008

“Breaking the Cycle of Unequal Care: Using the Medicaid Act to Address Racial Disparities in Health Care”

**Law and Society Association Quebec, Canada**

*Invited Speaker,* May 29, 2008

“Science versus Sacredness: Ending the Exploitation of Children for the Benefit of Free Riders”

**Marquette University Law School Milwaukee, WI**

*Invited Panelist,* March 28, 2008

“Making Rhetoric A Reality: Granting the African American Community Equal Access to Quality Long Term Care”

**Brooklyn Law School New York, NY**

*Invited Speaker,* February 21, 2008

“You Can’t Win, Break Even, and You Can’t Get Out of the Game: Stopping The Cycle of Racial Inequities in Health Care Forty Years After the Passage of Title VI”

**University of Maryland, School of Law Baltimore, MD**

**Center for Health and Homeland Security**

*Invited Participant*, November 5-7, 2007

“Vulnerable Populations: Emergency Preparedness”

**Penn State University Harrisburg, PA**

*Keynote Speaker,* March 2, 2007

“Addressing Racial Disparities in the Long-Term Care System: Using Law to Create Public Health Solutions”

**Penn State University Harrisburg, PA**

*Invited Speaker,* March 1, 2007

“HIV Vaccine Trials in the United States and Africa: The Same Scientists, Types of Research, and Funding Sources, but Different Ethical Protections for Human Subjects”

**American Public Health Association Boston, MA**

*Invited Speaker,* November 6, 2006

“Striving for Equal Access and Quality, But Settling for the Status Quo: Is Title VI More Illusory Than Real?” (poster)

**DePaul University, College of Law Chicago, IL**

*Invited Speaker,* September 21, 2006

“HIV Vaccine Trials in the United States and Africa: The Same Scientists, Types of Research, and Funding Sources, but Different Ethical Protections for Human Subjects”

**University of Maryland, School of Law Baltimore, MD**

*Invited Speaker,* June 3, 2006

“Striving for Equal Access and Quality, But Settling for the Status Quo: Is Title VI More Illusory Than Real?” (poster)

**Loyola University Chicago, College of Arts and Sciences Chicago, IL**

*Invited Speaker,* April 29, 2006

“Moving Past the Rhetoric to Save Lives: Developing Effective HIV/AIDS Prevention Programs in the United States and Abroad”

**Saint Louis University, School of Law Saint Louis, MO**

*Invited Speaker*, February 8, 2006

“Is It Too Late For Title VI Enforcement?: Seeking Redemption of the Unequal United States’ Long Term Care System Through International Means”

**American University Washington, College of Law Washington, DC**

*Invited Speaker,* January 27, 2006

“You Can’t Win, You Can’t Break Even, And You Can’t Get Out Of The Game: Interest Convergence and the Continuation of Racial Disparities in Health Care Forty Years After the Enactment of Title VI”

**American Association of Law Schools Washington, DC**

*Invited Speaker,* January 6, 2006

“Striving for Equal Access and Quality, But Settling for the Status Quo: Is Title VI More Illusory Than Real?” (poster)

**American College of Legal Medicine Chicago, IL**

*Invited Speaker,* October 1, 2005

“Fulfilling the Promise of Justice: Equal Access to Health Care”

**University of Houston, Law Center Houston, TX**

*Invited Speaker,* June 3, 2005

“A Right to No Meaningful Review in Federal Administrative Agency Hearings: The Aftermath of Shalala v. Illinois Council on Long Term Care, Inc.”

**University of Notre Dame, Law School South Bend, IN**

*Invited Speaker,* April 8, 2005

“A Right to No Meaningful Review: The Aftermath of Shalala v. Illinois Council on Long Term Care, Inc.”

**Rainbow PUSH Coalition Chicago, IL**

*Invited Speaker,* March 5, 2005

“Racial Disparities in Nursing Homes: Building on a Corrupted Foundation of Inequality”

**Northwestern University, Feinberg School of MedicineChicago, IL**

*Invited Speaker* (World AIDS Day Program)*,* December 3, 2004

“HIV Vaccine Trials in the United States and Africa: The Same Scientists, Types of Research, and Funding Sources, but Different Ethical Protections for Human Subjects”

**Loyola University Chicago, School of LawChicago, IL**

*Invited Speaker* (World AIDS Day Program)*,* December 1, 2004

“Are the HIV Vaccine Trials in the United States and Abroad Just?”

Seton Hall University, School of Law Newark, NJ

*Invited Speaker,* June 4, 2004

“Due Process According to the U.S. Department of Health and Human Services: The Aftermath of Shalala v. Illinois Council on Long Term Inc.” (poster)

**Loyola University Chicago, Stritch School of MedicineChicago, IL**

*Invited Speaker,* April 26, 2004

“HIV Vaccine Trials in the United States and Africa: The Same Scientists, Types of Research, and Funding Sources, but Different Ethical Protections for Human Subjects”

**DePaul University, College of Law Chicago, IL**

*Invited Speaker,* March 8, 2003

“The Efficacy of Conducting HIV Vaccine Trials in Africa”

**Loyola University Chicago, School of LawChicago, IL**

*Invited Speaker,* April 17, 2001

“Nursing Home Compliance: The Long Road to Protecting the Unprotected”

**Health Care For All Coalition Baltimore, MD**

*Invited Speaker,* March 23, 1999

“The Effect of the Employment Retirement Income Security Act on State Health Care Reform”

**Kellogg Foundation Conference Baltimore, MD**

*Invited Speaker,* December 3, 1998

“The Sustainability of Community Health Workers in Maryland”

# Legal Experience

**Duane Morris Chicago, IL**

*Health Care Associate,* August 2001 – August 2002; January 2003- June 2003

**Duties**

1. Assumed primary drafting responsibility for pleadings filed in state and federal administrative agencies including motions, briefs, affidavits, and reports of readiness
2. Participated in the filing of nursing home compliance cases through drafting motions, interviewing potential witness, and counseling clients

**U.S. Department of Health and Human Services Chicago, IL**

*Assistant Regional Counsel,* June 2000 – August 2001

**Duties**

* Acted as co-counsel in successful defense before the Departmental Appeals Board

1. Assumed primary drafting responsibility for pleadings filed in federal nursing home compliance cases including motions, briefs, affidavits, and reports of readiness
2. Prosecuted nursing homes for failing to provide quality care to residents

**Awards**

* “Performance Award” for Job Rating of Excellent from the U.S. Department of Health and Human Services, Office of the General Counsel, August 2001
* “Secretary’s Award for Distinguished Service” for community service activities from the U.S. Department of Health and Human Services, June 2001

### Grant Work

### *Grant Reviewer,* Wellcome Trust Biomedical Ethics Developing Country Project Grant (2010)

### *Consultant,* Agency for Healthcare Research and Quality Scientist Development Grant (2009-2010)

### *External Advisor,* NIH Grant Proposal on Reducing Disparities in Lung Cancer (2008-2009)

### *Senior Personnel,* NSF IGERT Grant Proposal for an Interdisciplinary Doctoral Program (2008-2009)

* *Senior Personnel,* NSF IGERT Grant on “Sensor Informatics: Designing Supportive Human Sensor Systems” (2008-2009)

# Membership

##### **American Public Health Association, Aging & Public Health Section**

##### Website Editor, August 2010- August 2012

##### Abstract Reviewer, March 2009 - present

##### Editor of section website and reviewer of abstracts for three annual conferences

**Law and Society, Biotechnology, Bioethics and the Law Collaborative**

##### Board Member, December 2007 – June 2008

##### Collaborative research network hosting six different panels at the 2008 annual Law and Society Association meeting

##### **Between Friends**

##### Board Member, January 2006 – March 2007

##### Secretary, July 2006 – March 2007

##### Charitable organization that offers financial, emotional, and educational support to domestic violence survivors and their children

# Community Service

**Buffalo Prenatal-Perinatal Network**

**Learn Educate & Present Informational Sessions**

*Invited Speaker,* July 2009 and November 2009

* Charitable organization that provides health education and outreach services to low-income women

**LaRabida Children’s Hospital**

*Tutor and Nursing Volunteer,* August 2001 – May 2007

* Charitable hospital that provides care to low-income children in the city of Chicago that need non-emergency care

**Center for Economic Progress**

*Tax Preparer,* December 2000 – April 2001, December 2002 – April 2007

* Charitable organization that provides low-income Illinois residents, who qualify for the earned income tax credit, with free tax preparation

**Georgetown Outreach**

*Tutor,* October 1996-June 1997

* Volunteer program for Georgetown Law students, dedicated to the improvement of life for underprivileged and impoverished children.

**Student Education Peer Program**

*Member,* August 1995-May 1996

* Volunteer program run by University of Michigan students to promote excellence in education and attendance in Detroit area high schools through tutoring and advising students of important college preparatory courses.

**Tau Kappa Omicron Sisterhood, Inc.**

*Co-Founder and Vice President*, May 1995 – May 1996

* Community service organization founded to educate and empower young women at the University of Michigan.

**United Sisters and Brothers**

*Founder,* May 1995-May 1996

* Student organization at the University of Michigan established to unify students with different cultures, religions, and lifestyles through developing and implementing educational programs concerning diversity

**Professional Organizations**

*Member*, American Association of Law Schools, Elder Law and Minority Section

*Member,* American Public Health Association, Aging & Public Health Section

*Member,* District of Columbia Bar Association

**Bar Admission**

United States Court of Appeals for the Seventh Circuit

United States District Court for the Northern District of Illinois

Supreme Court of Illinois

District of Columbia Court of Appeals

Court of Appeals of Maryland