

Janet L. Dolgin

Maurice A. Deane School of Law at Hofstra University
Jack and Freda Dicker Distinguished
Professor of Health Care Law

Hofstra Northwell School of Medicine
Professor, Department of Science Education

Hofstra University School of Health Sciences and Human Services
Professor, Master of Public Health

Director, Gitenstein Institute for Health Law and Policy

Co-Director (with Dr. Samuel Packer), Hofstra University Bioethics Center

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Hempstead, NY 11550
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Education

Yale Law School, J.D. 1981 (Yale Law Journal)
Princeton University, M.A. 1971 and Ph.D. 1974, Anthropology
Barnard College, B.A. 1968, Philosophy

Awards and Grants

Princeton University Fellowship, 1969-1971
Research Assistant, National Institutes of Mental Health,
 Research concerning socio-cultural value patterns in Arizona, 1970
Research grant, Princeton University, 1970-1973
Dissertation research grant, Center for Urban Ethnography, 1971-1973
National Endowment for the Humanities post-doctoral fellowship, 1973-1974
Fulbright Scholar, The Hebrew University of Jerusalem, 1988-1989
Special Project Fellowship, Hofstra University, 1993-94
John D. Gregory Research Chair (inaugural recipient), Hofstra Law School, 2007-
 2009
Principal, Justice for Heroes (NYS), to support “Mission Critical” (offering pro-
bono legal help and social support to veterans in Nassau and neighboring
counties), 2019

Teaching

Maurice A. Deane School of Law at Hofstra University

Jack and Freda Dicker Distinguished Professor of Health Care Law

Professor (1992 - present)

Associate Professor (1988 - 1992)

Assistant Professor (1984 - 1988)

Director, Gitenstein Institute for Health Law and Policy

Co-director, Hofstra Bioethics Center

Hofstra Northwell School of Medicine

Professor, Science Education (2011 - present)

Hofstra University, Health Sciences and Human Services, Master of Public Health

Faculty (2012 - present)

Benjamin N. Cardozo School of Law, Yeshiva University

Visiting Professor of Law (2001 - 2002)

Boston University School of Law

Visiting Professor of Law (Fall 1999)

Cornell Law School

Visiting Professor of Law (Spring 1995 and Spring 1997)

Columbia University, Teachers College

Program in Anthropology

Assistant Professor (1975 - 1978)

Adjunct Associate Professor (1979 - 1984)

The Hebrew University of Jerusalem

Lecturer (1976 - 1977)

(Anthropology)

Fulbright Scholar (1988 - 1989)

(Anthropology; Law)

University of Maryland

Department of Anthropology

Assistant Professor (1974 - 1975)

Hospital and Medical School Committee, Lectureship, and Teaching Positions

Zucker School of Medicine at Hofstra/Northwell
Professionalism program (2011 - present)

Montefiore-Einstein Program in Bioethics and Humanities,
Core Faculty, Certificate Program in Bioethics and Medical Humanities (2008 -
2013)

Nassau University Medical Center, Department of Obstetrics and Gynecology,
Lecture series (in jurisprudence) (2003 - 2012)

Nassau University Medical Center and Hofstra Law School
Created and co-taught interdisciplinary course for medical students and law
students (“Law and Medicine, Together”) (2009 - 2015)

Nassau University Medical Center
Member, Ethics Committee (2011 - present)

Certificate in Clinical Bioethics program (Maurice A. Deane School of Law and Zucker
School of Medicine at Hofstra/Northwell, co-director (2014 - present)

Online MA and LLM programs in Health Law (Maurice A. Deane School of
Law), Faculty Program Director (2015 – present)

Hofstra-Northwell Medical-Legal Partnership
Academic Law Lead (2018-present)

Gitenstein Institute and Hofstra Bioethics Center's Current Health Law Programs

Ongoing Programs, each of which includes Hofstra law students, attorneys and medical
clinicians:

CHAT project (co-managed with Northwell Health clinicians, CHAT offers
resources to ensure that people understand and are able to plan for health care
emergencies before they occur) (implemented 2015)

Program in Clinical Bioethics (implemented 2015)

Hofstra-Northwell Medical-Legal Partnership (implemented 2018)

Publications

- 1974 "Latter-Day Sense and Substance" in *Religious Movements in Contemporary America* (Irving I. Zaretsky and Mark Leone, eds.), Princeton University Press.
- 1976 "Commentary on Liminality and Sick Role," *Man and Medicine*, Vol. 2, No. 3.
- 1976 Review of Jorge Manach, *Frontiers in the Americas*, *Teachers College Record*, Vol. 78, No. 1.
- 1977 *Jewish Identity and the JDL*, Princeton University Press.
- 1977 *Symbolic Anthropology: A Reader in the Study of Symbols and Meanings* (co-edited with David Kemnitzer and David Schneider), Columbia University Press.
- 1977 "The Invisible Event" (co-authored with JoAnn Magdoff) in *Symbolic Anthropology: A Reader in the Study of Symbols and Meanings*, Columbia University Press.
- 1978 "On Anthropology and Education: Retrospect and Prospect," (co-authored with Lambros Comitas), *Anthropology and Education Quarterly*, Vol. 9, No. 3.
- 1979 Review of Barbara A. Babcock, *The Reversible World: Symbolic Inversion in Art and Society*, *American Anthropologist*, Vol. 81, No. 1.
- 1980 "Sex and the Law" (co-authored with Barbara Dolgin) in *Handbook of Human Sexuality*. Prentice Hall.
- 1980 Review of William E. Mitchell, *Mishpokhe*, *American Anthropologist*, Vol. 82, No. 3.
- 1981 Note ("A Jurisprudential Problem in the Submerged Lands Cases: International Law in a Domestic Dispute"), *The Yale Law Journal*, Vol. 90, No. 7.
- 1985 "AIDS: Social Meanings and Legal Ramifications", *Hofstra Law Review*, Vol. 14, No. 1.
- 1988 "Religious Symbols and the Establishment of a National 'Religion,'" *Mercer Law Review*, Vol. 39, No. 2.
- 1990 "Status and Contract in Surrogate Motherhood: An Illumination of the Surrogacy Debate," *Buffalo Law Review*, Vol. 38, No. 2. Reprinted in *Daily Journal Report* (Supplement to *The Los Angeles Daily Journal*, *The San Francisco Daily Journal* and *The Daily Reporter*) (December 28, 1990).

- 1990 "Status and Contract in Feminist Legal Theory of the Family: A Reply to Bartlett," *Women's Rights Law Reporter*, Vol. 12, No. 2 (abstracted in *Sociological Review*).
- 1991 "The Law's Response to Parental Alcohol and 'Crack' Abuse," *Brooklyn Law Review*, Vol. 56, No. 4.
- 1991 "Surrogacy in New York," *N.Y. Domestic Relations Reporter*, Vol. 3, No. 7.
- 1991 "Review of 'Ownership of Life'" (Symposium on Surrogate Motherhood), *N.Y. Domestic Relations Reporter*, Vol. 3, No. 6.
- 1993 "Just a Gene: Judicial Assumptions About Parenthood," *UCLA Law Review*, Vol. 40, No. 3.
- 1993 Review of Marilyn Strathern, *After Nature*, *American Anthropologist*, Vol. 95, No. 2.
- 1994 Review of A. F. Robertson, *Beyond the Family*, *Journal of Interdisciplinary History*, Vol. 24.
- 1994 "The Family in Transition: From *Griswold* to *Eisenstadt* and Beyond," *The Georgetown Law Journal*, Vol. 82, No. 4.
- 1994 "The 'Intent' of Reproduction: Reproductive Technology and the Parent-Child Bond," *The Connecticut Law Review*, Vol. 26, No. 4 (symposium issue).
- 1995 "Family Law and the Facts of Family" in *Naturalizing Power* (Sylvia Yanagisako and Carol Delaney, eds.), Routledge.
- 1995 "The Law Debates the Family: Reproductive Transformations," *The Yale Journal of Law and Feminism*, Vol. 7, No. 1.
- 1996 Review of Mark Tushnet, ed., *The Warren Court in Historical and Political Perspective*, *Journal of Interdisciplinary History*, Vol. 26.
- 1996 "Response to Professor Woodhouse," *The Connecticut Law Review*, Vol. 28, No. 1.
- 1996 "Suffer the Children: Nostalgia, Contradiction, and the New Reproductive Technologies," *Arizona State Law Journal*, Vol. 28, No. 2 (symposium issue).
- 1996 "Why Has the Best Interest Standard Survived?: The Historic and Social Context," *Children's Legal Rights Journal*, Vol. 16, no. 1 (excerpted in *Law and Popular Culture*, David R. Papke et al. (eds, 2007)).

- 1997 "Transforming Childhood: Apprenticeship in American Law," *New England Law Review*, Vol. 31, No. 4.
- 1997 "The Fate of Childhood: Legal Models of Childhood and of the Parent-Child Relationship," *Albany Law Review*, Vol. 61, No. 2.
- 1997 "In a Pod," *Jurimetrics: Journal of Law, Science and Technology*, Vol. 28, No.1.
- 1997 *Defining the Family: Law, Reproduction, and Technology in an Uneasy Age*, New York University Press.
- 1998 "The Morality of Choice: Estate Planning and the Client Who Chooses Not to Choose," *Seattle University Law Review*, Vol. 22, No. 1 (symposium issue).
- 1998 "An Emerging Consensus: Reproductive Technology and the Law," *Vermont Law Review*, Vol. 23, No. 2.
- 1999 Forward ("Cloning Debate"), *Hofstra Law Review*, Vol. 27, No. 3 (symposium issue).
- 1999 "The Age of Autonomy: Legal Reconceptualizations of Childhood," *Quinnipiac Law Review*, Vol. 18, No. 3 (symposium issue).
- 2000 "Choice, Tradition, and the New Genetics: The Fragmentation of the Ideology of Family," *Connecticut Law Review*, Vol. 32, No. 2.
- 2000 "A Rendezvous in the Marketplace?: The Transformation of Family Law," in *Regulating Morality: A Comparison of the Role of the State in Mastering Mores in the Netherlands and the United States* (Hans Krabbendam and Hans-Martien Ten Napel, eds.).
- 2000 Review of Paul Kahn, *The Cultural Study of Law*, *American Anthropologist*, Vol. 102, No. 4.
- 2001 "Personhood, Discrimination, and the New Genetics," *Brooklyn Law Review* Vol. 66, No. 3.
- 2001 Comment on Kaja Finkler's *Experiencing the New Genetics*, *Current Anthropology*, Vol. 42, No. 2.
- 2001 "Ideologies of Discrimination: Personhood and the 'Genetic Group,'" *Studies in History and Philosophy of Biological and Biomedical Sciences*, Vol. 32, No. 4.
- 2002 "The Transformation of American Family Law," *Hamishpat*, Vol. 7.
- 2002 "The Constitution as Family Arbiter: A Moral in the Mess?" *Columbia Law Review*, Vol. 102, No. 2.

- 2003 "The Ideological Context of the Disability Rights Critique: Where Modernity and Tradition Meet," *Florida State University Law Review*, Vol. 30, No. 2.
- 2003 "Embryonic Discourse: Abortion, Stem Cells, and Cloning," *Florida State University Law Review*, Vol. 31, No. 1.
- 2004 "Embryonic Discourse: Abortion, Stem Cells, and Cloning," reprinted in: *Issues in Law & Medicine*, Vol. 19, No. 3.
- 2005 *Bioethics and the Law* (co-authored with Lois Shepherd, Aspen Publishers).
- 2005 *Teacher's Manual, Bioethics and the Law* (co-authored with Lois Shepherd, Aspen Publishers).
- 2005 "Method, Mediations, and the Moral Dimensions of Preimplantation Genetic Diagnosis," *Cumberland Law Review*, Vol. 35, No. 3 (symposium issue).
- 2005 "The Evolution of the "Patient": Shifts in Attitudes About Consent, Genetic Information, and Commercialization in Health Care," *Hofstra Law Review*, Vol. 34, No. 1.
- 2006 "Surrounding Embryos: Religion, Ideology and Politics," *Health Matrix: Journal of Law and Medicine*, Vol. 16, No. 1 (symposium issue).
- 2006 "What's an Embryo?: The Debate About Human Embryonic Stem Cells," *Hofstra Horizons* (fall 2006).
- 2006 "New Terms for an Old Debate: Embryos, Dying, and the 'Culture Wars'," *Houston Journal of Health Law and Policy*, Vol. 6, No. 2 (symposium issue).
- 2006 "Debating Conflicts: Medicine, Commerce, and Contrasting Ethical Orders," *Hofstra Law Review*, Vol. 35, No. 2 (symposium issue).
- 2006 Forward (co-authored with Joel Weintraub) ("Biomedical Research and the Law: The Pharmaceutical Industry and Its Relationship with Government, Academia, Physicians and Consumers"), *Hofstra Law Review*, Vol. 35, No. 2 (symposium issue).
- 2006 "What's an Embryo?: The Debate About Human Embryonic Stem Cells," *Hofstra Horizons*, Fall 2006 issue.
- 2008 "Biomedical Research and the Law," *Hofstra Law Report* (Fall 2008)
- 2008 "Biological Evaluations: Blood, Genes, and Family," *Akron Law Review*, Vol. 41, No.2.

- 2008 “New Terms for an Old Debate: Embryos, Dying, and the ‘Culture Wars’,” reprinted in: *Stem Cell Research: Law and Ethics* (M.N. Bhavani, ed.).
- 2009 *Bioethics and the Law* (co-authored with Lois Shepherd, Aspen Publishers), Second Edition.
- 2009 “Attitudes Toward Embryonic Stem-Cell Research” (co-authored with Catherine Fisher and Terri Shapiro), *Hofstra Law Review*, Vol. 37, No. 2 (symposium issue).
- 2009 Forward (co-authored with Joel Weintraub) (“Biomedical Research and the Law: Embryonic Stem Cells, Clones and Genes”), *Hofstra Law Review*, Vol. 37, No. 2 (symposium issue).
- 2009 “Where is the Child?: Circumcision and Custody in *Boldt v. Boldt*, *J. Clinical Ethics*, Vol. 20, No. 3 (symposium issue).
- 2010 “The Legal Development of the Informed Consent Doctrine: Past and Present,” *Cambridge Quarterly of Healthcare Ethics*, Vol. 19, No. 2.
- 2010 “Class Competition and the Failure of American Health Care: A Recent Illustration,” *Louisiana Law Review*, Vol. 70, No. 3.
- 2010 “When Others Get Too Close: Immigrants, Class, and the Health Care Debate” (co-authored with Katherine R. Dieterich), *Cornell Journal of Law and Public Policy*, Vol. 19, No. 2.
- 2010 “The Fractionalization of ‘Parent.’ Transformations in Society and the Law,” *Expert Review of Obstetrics & Gynecology*, Vol. 5, No. 6.
- 2010 “Foreward” (co-authored with Corinne Kyriacou and Rachel Kreier) (“New Directions in American Health Care: Innovations from Home and Abroad”), *Hofstra Law Review*, Vol. 39 (symposium issue).
- 2011 “Weighing Status: Obesity, Class, and Health Reform” (co-authored with Katherine R. Dieterich), *Oregon Law Review*, Vol. 89, No. 4.
- 2011 “Social and Legal Debate About the Affordable Care Act” (co-authored with Katherine Dieterich), *University of Missouri – Kansas City Law Review*, Vol. 80, No. 1 (excerpt reprinted in Juliet Brodie et al., *Poverty Law: Policy and Practice* (Aspen 2013)).
- 2012 “The ‘Other’ Within: Health Care Reform, Class, and the Politics of Reproduction” (co-authored with Katherine R. Dieterich), *Seattle University Law Review*, Vol. 35.

- 2013 *Bioethics and the Law* (co-authored with Lois Shepherd, Wolters Kluwer Publishers), Third Edition.
- 2013 “Who’s Smiling Now?: Disparities in American Dental Health,” *Fordham Urb. L.J.* (special issue: “Healthy Reform, Healthy Cities”), Vol. 40, No. 4.
- 2014 “From Tradition to Choice in Families and Healthcare Law: Neither Father Nor Doctor ‘Knows Best,’” *J. Family Theory & Research* (special issue: “Making Connections: Toward an Interdisciplinary Family Science”), Vol. 6 (March).
- 2014 “Physician Speech and State Control: Furthering Partisan Interests at the Expense of Good Health,” *New England Law Review*, Vol. 48, No. 2.
- 2015 “Unhealthy Determinations: Controlling ‘Medical Necessity,’” *Virginia Journal of Social Policy and the Law*, Vol 22, No. 3.
- 2015 Reimbursing Clinicians for Advance-Care-Planning Consultations: The Saga of a Healthcare Reform Provision, *The Health Lawyer*, Vol 28, No. 1 (Oct. 2015).
- 2015 “Paternity, Surrogacy, and Reproductive Technology” (Chapter 10 in *Family Law in New York*, edited by Barbara Stark and Joanna Grossman), Carolina Academic Press.
- 2016 Zika Funding and Partisan Politics, *The Health Lawyer*, Vol. 29, No. 1 (Oct. 2016)
- 2016 “Dying Discourse: Contextualizing Advance Care Planning,” *Quinnipiac Law Review*, Vol 34, No. 1.
- 2016 “Foreword” (“Mission Critical Veterans Health Summit: Addressing the Invisible Wounds of Our Nation’s Veterans”), *Hofstra Law Review*, vol. 45 (symposium issue)
- 2017 “Discriminating Gender: Legal, Medical, and Social Presumptions About Intersex and Transgender People,” *Southwestern Law Review*, Vol. 47, No. 1.
- 2019 *Bioethics and the Law* (co-authored with Lois Shepherd, Wolters Kluwer Publisher), Fourth Edition.
- 2019 “Surrogate Motherhood and Transforming Families” in *The Cambridge Handbook for the Anthropology of Kinship* (Sandra Bamford, ed.), Cambridge University Press.
- 2019 “Resolving Health Care Conflicts: A Comparative Study of Judicial and Hospital Responses,” *Wake Forest J. L. & Policy*, vol 9, No. 3 (2019).

_____ "Lessons Learned from a New Medical-Legal Partnership: Patient Screening, Information and Communication, *The Health Lawyer* (forthcoming, expected 2019).

_____ "Medical Disputes and Conflicting Values: Is There a 'Right to Die' Later?," *Brigham Young Law Review* (forthcoming, expected spring 2020).

_____ "Re-Making the 'Right to Die:' Give Me Liberty but Do Not Give Me Death," *SMU Law Review* (forthcoming, expected spring 2020).

Conferences Directed

Biomedical Research and the Law: The Pharmaceutical Industry and Its Relationship with Government, Academia, Physicians and Consumers (2006) (co-directed with Dr. Joel Weintraub) (proceedings published in *Hofstra Law Review*, Vol. 35, No. 2).

Biomedical Research and the Law: Embryonic Stem Cell Research and Cloning: Science, Politics and Values (2008) (co-directed with Dr. Joel Weintraub) (proceedings published in *Hofstra Law Review*, Vol. 37, No.2).

New Directions in American Health Care: Innovations from Home and Abroad (2010) (co-directed with Prof. Rachel Kreier and Prof. Corinne Kyriacou) (proceedings published in the *Hofstra Law Review*, Vol. 39, symposium issue).

Internet Cloud-Based Apps and Social Media ("ICASM") in Health Care, Medicine, and Life Sciences (2012).

Affordable Healthcare's Next Act (2013).

A Spoonful of Sugar, Ethics, and Practice: Will it Help the Medicine Go Down? (2014).

Puff the Magic Medicine: the Medical Marijuana Movement (2015).

Mission Critical Veterans Health Summit: Addressing the Invisible Wounds of Our Nation's Veterans (2016) (proceedings published in the *Hofstra Law Review*, Vol 45, symposium issue).

Transforming the Landscape: Health Care Law & Advocacy for Transgender Clients (2016).

Artificial Intelligence in Health Care (2019).

A Human Rights Conference for Veterans, Service Members, their Families, and Their Advocates (2019) (with Robert W. Entenmann Veterans Law Clinic (Hofstra Law) and NYS Division of Veterans' Services).

The Medical-Legal Partnership Model: Emerging Challenges (planned for Spring 2020).

Admitted to Practice

New York State
Federal District Court for the Southern District of New York
Federal District Court for the Eastern District of New York
United States Tax Court
United States Court of Appeals for Veterans Claims

Private Practice

Davis Polk & Wardwell
Associate Attorney
(1981-1984)

American Bar Association

Health Law Section, Vice-chair, *Health Lawyer*, Editorial Board
(2014 - present)