

ISAAC (ZACK) BUCK

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FULL-TIME ACADEMIC APPOINTMENTS

UNIVERSITY OF TENNESSEE COLLEGE OF LAW, *Knoxville, TN*

Wilkinson Junior Research Professor, 2017

Assistant Professor, 2016-present

Courses: Torts II, Health Care Finance and Organization, Health Care Regulation and Quality, Bioethics and Public Health Seminar, Health Care Fraud and Abuse

Awards: Marilyn V. Yarbrough Faculty Award for Writing Excellence (2017)
Wilkinson Junior Research Professorship (2017)

MERCER UNIVERSITY SCHOOL OF LAW, *Macon, GA*

Assistant Professor, 2013-2016

Courses: Torts, Health Care Law, Contemporary Topics in Health Law (Seminar), Health Law: Finance and Organization, Health Law: Regulation and Quality

SETON HALL UNIVERSITY SCHOOL OF LAW, *Newark, NJ*

Visiting Assistant Professor, 2011-2013

Courses: Mental Health Law, Bioethics, Health Care Fraud and Abuse

PLACED LAW REVIEW ARTICLES

A Farewell to Falsity: Shifting Standards in Medicare Fraud Enforcement, 48 SETON HALL L. REV. __ (forthcoming, 2018).

The Cost of High Prices: Embedding the Ethic of Cost in the Standard of Care, 58 B.C. L. REV. 101 (2017).

Overtreatment and Informed Consent: A Fraud-Based Solution to Unwanted and Unnecessary Care, 43 FLA. ST. L. REV. 907 (2016).

Furthering the Fiduciary Metaphor: The Duty of Providers to the Payers of Medicare, 104 CAL. L. REV. 1043 (2016).

Side Effects: State Anti-Fraud Statutes, Off-Label Marketing, And the Solvable Challenge of Causation, 36 CARDOZO L. REV. 2129 (2015).

Breaking the Fever: A New Construct for Regulating Overtreatment, 48 U.C. DAVIS L. REV. 1261 (2015).

PLACED LAW REVIEW ARTICLES (CONTINUED)

Enforcement Overdose: Health Care Fraud Regulation in an Era of Overcriminalization and Overtreatment, 74 MD. L. REV. 259 (2015).

The Indefinite Quarantine: A Public Health Review of Chronic Inconsistencies in Sexually Violent Predator Statutes, 87 ST. JOHN'S L. REV. 847 (2013).

Caring Too Much: Misapplying the False Claims Act to Target Overtreatment, 74 OHIO ST. L. J. 463 (2013).

INVITED SYMPOSIUM ARTICLES

Managing Medicaid, 11 ST. LOUIS J. HEALTH L. & POL'Y ___ (in progress) (*forthcoming*, 2017).

NFIB v. Sebelius at Five: The Future of the Affordable Care Act and the Role of the Federal Government in Healthcare Reform, ___ J. L. & PUB. POL'Y ___ (in progress) (*forthcoming*, 2017-18).

OTHER WRITING AND MEDIA FEATURES

Contributing Editor, JOTWELL (2015-present), available at www.jotwell.com:

Recognizing and Reinvigorating Medical Necessity, Review of Janet L. Dolgin, *Unhealthy Determinations: Controlling Medical Necessity*, JOTWELL, Jan. 11, 2016, available at <http://health.jotwell.com/recognizing-and-reinvigorating-medical-necessity/>.

Targeted, Concise Treatments for The American Health Care System, Review of David Orentlicher, *Controlling Health Care Spending: More Patient "Skin in the Game?"* and Barbara A. Noah, *The (Ir)rationality of (Un)informed Consent*, JOTWELL, Mar. 1, 2017, available at <http://health.jotwell.com/targeted-concise-treatments-for-the-american-health-care-system/>.

Regular Contributor, Bill of Health, Harvard Law Petrie-Flom Center Blog (2015-present), available at <http://blogs.law.harvard.edu/billofhealth/>.

Guest Columnist, *American Health Care Act Will Reduce Number of Citizens with Insurance*, KNOXVILLE NEWS-SENTINEL, May 21, 2017, available at <http://www.knoxnews.com/story/opinion/columnists/2017/05/21/american-health-care-act-reduce-number-citizens-insurance/328543001/>.

Interviewed as Invited Guest, This Week in Health Law Podcast, Episode 79, Hosted by Professors Nic Terry and Frank Pasquale, iTunes, Dec. 8, 2016, available at <http://www.twihl.com>.

Faculty Contributor, Health Reform Watch Blog, Seton Hall Law School Center for Health & Pharmaceutical Law & Policy (2011-2013), available at <http://www.healthreformwatch.com/>.

Lead Op-Ed, *The Affordable Care Act – What It Means*, NORTH JERSEY RECORD, Jul. 2, 2012, available at http://www.northjersey.com/news/opinions/healthcare_070312.html?page=all

INSTITUTIONAL SERVICE AND ACTIVITIES

University of Tennessee College of Law and University of Tennessee (2016-present)
Member, Search Committee, Director of UT College of Law Lewis Career Center (2017)
Member, Academic Standards and Curriculum Committee (2016-present)
Member, Clinic Advisory Committee (2016-present)
Member, Cunningham Award Selection Committee (2017)
Faculty Advisor, Health Law Society (2016-present)
Faculty Advisor and Coach, University of Tennessee Bryant National Health Law Transactional Moot Court Competition (2017)
Participant, University of Tennessee Health Care Delivery Think Tank (2016-present)
Member, University of Tennessee Department of Public Health Academic Program Committee (2016-present)

Mercer University School of Law (2013-16)
Member, Curriculum Committee (2013-2016)
Faculty Advisor, Health Law Society (2014-2016)
Member, Continuing Legal Education Committee (2014-2016)
Member, Student Affairs Committee (2015-2016)
Faculty Secretary (2015-2016)
Member, Public Service Committee (2013-2014, 2016)
Instructor, Introduction to Law Study for First-Year Students (2014-2015)
Member, New Initiatives Committee (2013-2014)

Seton Hall University School of Law (2011-13)
Faculty Coordinator, Summer Faculty Brown Bag Series (2012)
Faculty Advisor, University of Maryland Health Law Compliance and Regulatory Competition (Spring 2012, Spring 2013)

EDUCATION

University of Pennsylvania Law School, *Philadelphia, PA*
Juris Doctor, 2009

Activities: *Associate Editor*, Journal of International Law (2007-2008)
 Guild Food Stamp Clinic (2007-2009) (*Most Valuable Volunteer* (2009))
 Independent Study, Professor Harry Reicher (2007)

University of Pennsylvania School of Medicine, Center for Bioethics, *Philadelphia, PA*
Masters of Bioethics, 2009

Writing: *HIPAA Beyond the Hype: Reconciling HIPAA and the IHR in an Era of Increased Pandemic Threat* (2008)

Miami University, *Oxford, OH*
Honors Bachelor of Arts with Distinction, Political Science and Journalism, 2006

Honors: *Magna cum laude*, Honors Program, Dean's List, *Phi Beta Kappa*
Thesis: *Genocide: Who Cares? The Varying Reactions by the International Community* (2006)

LEGAL EMPLOYMENT

Sidley Austin LLP, *Chicago, IL*
Associate, 2009-2011
Summer Associate, 2008

Practice: Worked in general litigation and complex commercial litigation groups; represented clients in health care, pharmaceutical, restaurant, and retail industries; worked on defense matters including False Claims *qui tam* and health care and consumer fraud cases

Baker & Daniels LLP, *Indianapolis, IN* [now Faegre Baker Daniels LLP]
Summer Associate, 2007

Practice: Worked with health care, litigation, and employment and labor groups

OTHER TEACHING ENGAGEMENTS

Hamline University School of Law, *Saint Paul, MN*
Visiting Professor, Health Law Institute, Jan. 2013

Course: Health Care Fraud and Abuse

University of Pennsylvania Law School, *Philadelphia, PA*
Arthur Littleton and H. Clayton Louderback Legal Writing Instructor, 2008-2009

Course: Legal Research and Writing

SELECTED PRESENTATIONS

Managing Medicaid, American Society of Law, Medicine, and Ethics, *Next Steps in Health Reform 2017*, American University Washington College of Law, Washington, D.C. (*forthcoming*, Oct. 28, 2017).

Health Reform After the 2016 Presidential Election, 2017 Southeastern Association of Law Schools Conference (SEALS), Boca Raton, FL (Aug. 1, 2017).

Discussion Group: Recent Developments in Health Law and Public Health Ethics, 2017 Southeastern Association of Law Schools Conference (SEALS), Boca Raton, FL (Jul. 31, 2017).

Summer Research Forum, University of Tennessee College of Law (Jul. 13, 2017).

Taking the Vitals of the Medicaid Managed Care Marketplace, Saint Louis University Health Law Symposium, St. Louis, MO (Apr. 7, 2017) (invited).

The Chronic Challenge of Cost Control, *Journal of Law and Public Policy Symposium*, University of St. Thomas School of Law, Minneapolis, MN (Mar. 31, 2017) (invited).

Health Care Reform: What's Happened and What's Next, University of Tennessee College of Law (Mar. 6, 2017).

Furthering the Fiduciary Metaphor, 2016 Indiana University McKinney School of Law Grand Rounds, Indiana University McKinney School of Law, Indianapolis, IN (Nov. 3, 2016) (invited).

'Reverse' False Claims: Compliance, Enforcement, and Ethics, University of Tennessee College of Law, Knoxville, TN (Oct. 15, 2016).

The Cost of High Prices, University of Cincinnati College of Law, Cincinnati, OH (Oct. 6, 2016).

Discussion Group: Hot Topics in Health Law and Bioethics, 2016 Southeastern Association of Law Schools Conference (SEALS), Amelia Island, FL (Aug. 5, 2016).

Furthering the Fiduciary Metaphor, 2016 ASLME Health Law Professors Conference, Boston University School of Law, Boston, MA (Jun. 4, 2016).

Overtreatment and Informed Consent, Mercer University Department of Philosophy, Macon, GA (Apr. 22, 2016).

Furthering the Fiduciary Metaphor, Georgia State University College of Law, Faculty Colloquium Series, Atlanta, GA, Oct. 5, 2015.

The Fractured Fiduciary, 2015 Southeastern Association of Law Schools Conference (SEALS), New Scholars Works-In-Progress Workshop, Boca Raton, FL, Jul. 28, 2015 (selected).

Overtreatment and Informed Consent, 2015 Southeastern Association of Law Schools Conference (SEALS), Boca Raton, FL, Jul. 27, 2015.

New Constructs for Regulating Overtreatment, 2015 ASLME Health Law Professors Conference, Saint Louis University School of Law, St. Louis, MO, Jun. 6, 2015.

Overtreatment and Informed Consent, 2015 Law and Society Conference, Law and Society Association, Seattle, WA, May 29, 2015.

'Reverse' False Claims and Attorney Ethics: The Duty of Confidentiality in the Era of Kane v. Continuum Partners, Georgia Hospital Association and Georgia Academy of Healthcare Attorneys Annual Meeting, Pine Mountain, GA, May 15, 2015.

Overtreatment and Informed Consent, University of Georgia School of Law, Faculty Colloquium Series, Athens, GA, Apr. 15, 2015.

Side Effects, AALS Section of Law, Medicine & Health Care Works-In-Progress for New Law School Teachers, AALS Annual Meeting, Washington, D.C., Jan. 3, 2015 (selected).

Federation of State Medical Licensing Boards, Savannah, GA, Oct. 24, 2014 (co-presented with P. Longan).

Breaking the Fever: Reconstructing Health Care Fraud Enforcement, 2014 Southeastern Association of Law Schools Conference (SEALS), New Scholars Works-In-Progress Workshop, Amelia Island, FL, Aug. 4, 2014 (selected).

Enforcement Disorder: Health Care Fraud Regulation in an Era of Overcriminalization and Overtreatment, 2014 Southeastern Association of Law Schools Conference (SEALS), Amelia Island, FL, Aug. 2, 2014.

Civil Rights of Mental Health Patients Under EMTALA and HIPAA, Mental Health, Civil Rights, and Involuntary Treatment and Commitment, Mercer University School of Medicine, Macon, GA, Jun. 11, 2014.

Enforcement Disorder: Health Care Fraud Regulation in an Era of Overcriminalization and Overtreatment, 2014 ASLME Health Law Professors Conference, University of California, Hastings College of Law, San Francisco, CA, Jun. 7, 2014.

Breaking the Fever: Reconstructing Health Care Fraud Enforcement, 2014 Emerging Ideas Conference, University of Kentucky School of Law, Lexington, KY, May 21, 2014.

Selected Panelist, *Maintaining Consent and Confidentiality in the Modern Era*, ABA HIV/AIDS Law & Practice Conference, Georgia State University College of Law, Atlanta, GA, Feb. 28, 2014.

Legal and Ethical Issues in Voluntary Self-Disclosures, Health Care Compliance Association, Southeast Regional Annual Conference, Atlanta, GA, Jan. 24, 2014 (co-presented with R. Stone).

Enforcement Overdose: The Case for Recalibrating Health Care Fraud Regulation in an Era of Overtreatment, 2013 Health Law Scholars Workshop, Saint Louis University School of Law, St. Louis, MO, Oct. 10-12, 2013 (selected).

Overregulation and Overtreatment, 2013 Southeastern Law Scholars Conference, Charleston School of Law, Charleston, SC, Oct. 5, 2013.

Caring Too Much: Misapplying the False Claims Act to Target Overtreatment, 2013 ASLME Health Law Professors Conference, Seton Hall University School of Law, Newark, NJ, Jun. 8, 2013.

Insurance Coverage for Mental Health Services Under the ACA: Essential and Expanding? 2012 ASLME Health Law Professors Conference, Sandra Day O'Connor College of Law, Arizona State University, Tempe, AZ, Jun. 9, 2012.

OTHER MEDIA AND RECOGNITION

Quoted in Tonyaa Weathersbee, Weathersbee: AHCA Cuts Subsidies Here By \$1,826, THE COMMERCIAL APPEAL, MEMPHIS BREAKING NEWS AND SPORTS, Mar. 21, 2017, available at <http://www.commercialappeal.com/story/news/local/2017/03/21/weathersbee-ahca-cuts-subsidies-here-1826/99439594/>.

Member of Panel of Experts, Richie Bernardo, 2017's Cities Most Affected by Trumpcare, WALLETHUB, Mar. 20, 2017, available at <https://wallethub.com/edu/cities-most-affected-by-trumpcare/33588/#>.

Overtreatment and Informed Consent: Featured in "Worth Reading this Week," published by Bill of Health, Harvard Law Petrie-Flom Center Blog, Apr. 21, 2015, available at <http://blogs.law.harvard.edu/billofhealth/2015/04/21/worth-reading-this-week-72/>.

Quoted in Noelle Kachinsky, *Milledgeville Pharmacist Refuses to Fill Prescription for Miscarriage Patient*, WGXA News Macon, Apr. 10, 2015, available at <http://www.wgxa.tv/news/local/Milledgeville-Pharmacist-Refuses-to-Fill-Prescription-for-Miscarriage-Patient-299421801.html>.

Quoted in Michael Sandler, *Smaller 2014 Settlements Don't Mean Less Fraud*, MODERN HEALTHCARE, Mar. 7, 2015, available at <http://www.modernhealthcare.com/article/20150307/MAGAZINE/303079969/smaller-2014-settlements-dont-mean-less-fraud>.

Quoted in Amy Sherman, *Rick Scott 'Oversaw the Largest Fraud in the Nation's History,' Florida Democratic Party Says*, Mar. 3, 2014, available at <http://www.politifact.com/florida/statements/2014/mar/03/florida-democratic-party/rick-scott-rick-scott-oversaw-largest-medicare-fra/>.

Enforcement Overdose: Selected as ASLME Health Law Scholar, 2013 Health Law Workshop at Saint Louis University, October 10-12, 2013.

Interview, Mental Illness and Gun Policy, STATELINE/PEW CHARITABLE TRUSTS, Mar. 6, 2013.

Quoted in Todd South and Kate Belz, *Cleveland, Tenn.-Based Life Care Centers of America Probed for Medicare Fraud*, CHATTANOOGA TIMES FREE PRESS, Dec. 1, 2012, available at <http://www.timesfreepress.com/news/local/story/2012/dec/01/life-care-probed-for-medicare-fraud/94137/>

Reference, 'Defensive' Ordering of Procedures, Tests Can Increase Your Legal Risks, PHYSICIAN RISK MANAGEMENT, Oct. 2012, Vol. 1, No. 4, pp. 37-39.

Quoted in *Are You Over-Ordering? Anti-Fraud Violations Possible*, PHYSICIAN RISK MANAGEMENT, Oct. 2012, Vol. 1, No. 4, p. 39.

Caring Too Much: Featured in "Worth Reading this Week," published by HealthLawProf Blog, Sept. 14, 2012, available at http://lawprofessors.typepad.com/healthlawprof_blog/2012/09/worth-reading-this-week-2.html, and Bill of Health, Harvard Law Petrie-Flom Center Blog, Sept. 14, 2012, available at <http://blogs.law.harvard.edu/billofhealth/2012/09/14/worth-reading-this-week-2/>.

Quoted in Bernice Yeung, *S. Calif. Lab, Radiology Company Accused of Health Care Fraud*, California Watch, Jun. 18, 2012, available at <http://californiawatch.org/dailyreport/s-calif-lab-radiology-company-accused-health-care-fraud-16517> (republished as *Radiology Company Accused of Health Care Fraud*, Jun. 18, 2012, ABC-7, KGO-TV, San Francisco, CA, available at <http://abclocal.go.com/kgo/story?section=news/state&id=8705795>)

Quoted in *Supreme Court to Hear Arguments Concerning Health Care Reform*, KOFO 1220 AM Local News, Ottawa, KS, Nov. 15, 2011.

PROFESSIONAL AND COMMUNITY ACTIVITIES

Member, Moderator and Coordination Committee, Southeastern Association of Law Schools (SEALS) (2016-present).

Member, Health Law Resource Team, Southeastern Association of Law Schools (SEALS) (2016-present).

Member, American Association of Law Schools, Law, Medicine and Health Care Section (2015-present).

Affiliate Member, Georgia Bar (2015-2016).

Academic Liaison, Executive Committee, Health Law Section, Georgia Bar (2015-2016).

Beall's Hill Representative and Member, Executive Board of Directors, InTown Macon Neighborhood Association (Mar. 2015-Dec. 2015).

Member, Illinois Bar, 2009 (inactive as of 2014).