

*The National Academies of*  
**SCIENCES • ENGINEERING • MEDICINE**

**Evolving Crisis Standards of Care & Ongoing Lessons from COVID-19:  
A Workshop Series**

***Webinar #4 Evolving CSC: Legal, Ethical and Equity Considerations***  
***11/08/2021***

**SPEAKER BIOSKETCHES**

**Eric Toner, MD (Planning Committee Chair)**  
***Senior Scholar, Senior Scientist,***  
***Center for Health Security,***  
***Johns Hopkins University***

Dr. Toner is a Senior Scholar with the Johns Hopkins Center for Health Security and a Senior Scientist in the Department of Environmental Health and Engineering at the Johns Hopkins Bloomberg School of Public Health. He is an internist and emergency physician. His primary areas of interest are healthcare preparedness for catastrophic events, pandemic influenza, and medical response to bioterrorism. He is Managing Editor of the online newsletter *Clinicians' Biosecurity News* and an Associate Editor of the journal *Health Security*, the leading peer-reviewed journal in this field. During the COVID-19 pandemic, Dr. Toner has authored numerous reports and journal articles including those describing hospital preparation approaches, estimating national personal protective equipment needs, and proposing an ethical framework for allocation of scarce COVID-19 vaccine. He has been interviewed frequently by major national and international news media. Prior to the pandemic, Dr. Toner authored scores of scholarly papers and government reports on healthcare and pandemic preparedness, and he organized numerous meetings of national leaders on the topics of hospital preparedness, pandemic influenza, emerging infectious diseases, mass casualty disasters, biosecurity, and nuclear preparedness. He has spoken at many national and international conferences on a range of biosecurity topics and appeared on a number of high-profile national television and news features on pandemic flu and bioterrorism preparedness. He was the project director and principal designer of the influential pandemic exercises *Clade X* and *Event 201* and has been the principal investigator of several US government-funded projects to assess and advance healthcare preparedness. Dr. Toner has served on a number of national working groups and committees. Dr. Toner has been involved in hospital disaster planning since the mid-1980s. Prior to joining the Center, he was Medical Director of Disaster Preparedness at St. Joseph Medical Center in Towson, Maryland, where he practiced emergency medicine for 23 years. In 2003, he spearheaded the creation of a coalition of disaster preparedness personnel from the 5 Baltimore County hospitals, the health department, and the Office of Emergency Management. During this time, he also headed a large emergency medicine group practice and co-founded and managed a large primary care group practice and an independent urgent care center. Dr. Toner received his MD and BA degrees from the University of Virginia. He trained in internal medicine at the Medical College of Virginia.

**Monica E. Peek, MD, MPH, MS**  
**Associate Professor of Medicine**  
**Director of Research (Associate Director), MacLean Center of Clinical Medical Ethics**  
**Associate Director, Chicago Center for Diabetes Translation Research**

**Executive Medical Director, Community Health Innovation  
The University of Chicago**

Dr. Monica Peek is an Associate Professor at the University of Chicago, where she works as a clinical internist, bioethicist and health services researcher, with a focus on health disparities. Dr. Peek is the Director of Research (and Associate Director) at the MacLean Center for Clinical Medical Ethics, the Associate Director of the Chicago Center for Diabetes Translation Research, and the Executive Medical Director of Community Health Innovation. Her research pursues health equity and social justice, with a focus on promoting equitable doctor/patient relationships among racial minorities, integrating the medical and social needs of patients, and addressing healthcare discrimination and structural racism that impact health outcomes (e.g., diabetes, COVID-19). Dr. Peek is a member of Chicago's Racial Equity Rapid Response (RERR) Team to reduce COVID-19 Disparities in Chicago (2020-present), was a member of the Illinois COVID-19 Crisis Standards of Care Working Group (2020) and has served in several capacities at the University of Chicago during the pandemic, including membership on the COVID-19 Crisis Standards of Care Working Group, the Committee for Scarce Resource Allocation, the Remdesivir Working Group, and the COVID Vaccination Implementation Workgroup. Dr. Peek is a designated COVID Triage Officer. Dr. Peek's papers about COVID-19 disparities have been published in *JAMA*, *Health Affairs*, the *American Journal of Public Health*, *Annals of Internal Medicine* and others. Her work has been cited by the National Academy of Medicine. Dr. Peek is the Co-PI of the NIH-funded Chicagoland COVID Collaborative, which is part of the Community Engagement Alliance (CEAL). This grant aims to leverage scientific expertise and community partnerships to support and test the implementation of adaptive interventions to address barriers to COVID-19 vaccine uptake and participation in therapeutic trials and other research in low-income Black and Latinx communities in the Chicago metro area. Dr. Peek has been an advocate for COVID equity and has been featured in media outlets

**Virginia A. Brown PhD, MA,  
Assistant Professor, Department of Population Health,  
Dell Medical School,  
The University of Texas at Austin**

Virginia A. Brown currently serves as an Assistant Professor in the Division of Community Engagement and Health Equity in the Department of Population Health, she holds a courtesy appointment in the Department of Psychiatry, at Dell Medical, and she serves as the Associate Director of Liberal Arts Honors (LAH) in the College of Liberal Arts. Her research work focuses on protecting the autonomy of persons living with serious mental illness using psychiatric advance directives (PADs). PADs are a communication tool that promotes patient autonomy and provides capacitated adults, who live with serious mental illnesses, the ability to record their preferences for care as well as the ability to designate a proxy decision maker before a healthcare crisis occurs. Currently she is working to implement PADs as within the SAMHSAs Assisted Outpatient Treatment project awarded to Integral Care, Austin's local mental health authority. She describes her work as engaging at the intersections of clinical ethics, medical sociology, and inequality. She writes that, "While I recognize that health and health care outcomes, are said to focus on the autonomous choices of the individuals served, the expectations and outcomes are, regrettably not patient centered enough for all." As a sociologist she uses what is called the sociological imagination to understand the forces of social change focusing on the disparities that arise in health and health care outcomes. This perspective frames her inquiry—not as personal troubles, but as public issues as she asks questions about how the context, the social interactions we experience while living in society are, for too many, deeply rooted in structural inequalities (the socially constructed barriers set out in policy and practice that methodically restrict access to some thereby favoring others). Such structural practices

disproportionately impact Black and Latinx people, women, and gender minorities. To respect patient autonomy, we (health care professionals, allied health professionals, and lay providers) must also acknowledge that in addressing inequity we are also obligated to not cause additional burdens on the individuals we care for nor further burden the communities we serve. Instead, we must engage in collaborative, co-created investigations and solutions to address health and health care inequality. In her work, Dr. Brown addresses inequity in research by applying a community based participatory research (CBPR) framework to her work. CBPR uses a range of methodological approaches to center the priorities, the experiences, the strengths, and the knowledge communities have in identifying and solving health and health care related problems. Her research practice, grounded in CBPR and ethics, allows her to conceptualize and respond to inequality at the individual, community, and institutional level and as she writes, gives her “the moral courage to speak truth to power.” In her current work, funded by the Patient Centered Outcomes Institute’s (PCORI) Eugene Washington PCORI Engagement Award, she and her team along with a group of community partners collaborated to develop Citizen Scientist Training to serve as the foundation for establishing community and academic research partnerships for research focused on mental health. By shifting to collaboration to co-create research practice we can establish an ethical social justice framework for addressing inequality in health and health care.

**Valerie Gutmann Koch, JD,**

**Co-director of the Health Law & Policy Institute, Houston Law Center;**

**Director of Law & Ethics at the University of Chicago MacLean Center for Clinical Medical Ethics**

Valerie Gutmann Koch is co-director of the Health Law & Policy Institute. She also serves as the Director of Law & Ethics at the University of Chicago MacLean Center for Clinical Medical Ethics. Previously, she was the Jaharis Faculty Fellow at DePaul University College of Law and a Visiting Assistant Professor at IIT Chicago-Kent College of Law. Professor Koch was the Special Advisor and Senior Attorney to the New York State Task Force on Life and the Law, the state’s bioethics commission, where she crafted policy and guidance related to pandemic preparedness and crisis standards of care, human subjects research, and surrogate decision-making. Following law school, she practiced in the intellectual property litigation practice at Kirkland & Ellis LLP. As a scholar of bioethics, public policy, and health law, Professor Koch concentrates on how medical and technological advances have informed and sometimes transformed various areas of law, identifying ways in which law and policy is – or is not – equipped to address changes in technology and practice. She earned her J.D. degree from Harvard Law School, where she was the co-editor of the recent developments section of the *Journal of Law, Medicine & Ethics*. She graduated magna cum laude from Princeton University, with an A.B. from the Princeton School of Public and International Affairs, with a focus in bioethics. Professor Koch is committed to public service, including serving as the Chair of the ABA’s Special Committee on Bioethics and the Law and Co-Chair of the Law Affinity Group for the American Society for Bioethics and the Humanities.

**James Hodge, JD, LLM,**

**Peter Kiewit Foundation Professor of Law, Sandra Day O'Connor College of Law; and Director, Center for Public Health Law and Policy, Arizona State University**

James G. Hodge, Jr., JD, LLM, is the Peter Kiewit Foundation Professor of Law at the Sandra Day O'Connor College of Law and Director of the Center for Public Health Law and Policy at Arizona State University. Through scholarship, teaching, and applied projects, Professor Hodge delves into multiple areas of health law, public health law, global health law, ethics, and human rights. Since 2010, he has served as director of the Western Region Office of the Network for Public Health Law, one of

5 centers nationally funded by the Robert Wood Johnson Foundation (RWJF). Since its inception, the office has assisted public health lawyers, officials, practitioners, students, and others across 11 states and nationally on over 4,300 claims. Professor Hodge is a prolific scholar, having published more than 275 articles in journals of law, medicine, public health and bioethics; 2 books in public health law; 25 book chapters; and guest edited four symposium issues in the Journal of Law, Medicine, and Ethics, Jurimetrics, and the Annals of Health Law. He is regularly ranked among the top 1.5% of cited authors in the Social Science Research Network (SSRN). With others, he has drafted several model public health laws including the Model State Public Health Information Privacy Act, Model State Emergency Health Powers Act, Turning Point Model State Public Health Act, and Uniform Emergency Volunteer Health Practitioners Act. Professor Hodge is a national expert on emergency legal preparedness, obesity laws and policies, vaccination laws, and public health information privacy. His work on these and other topics has been cited in The New York Times, The Wall Street Journal, The Washington Post, USA Today, U.S. News and World Report, Time, Newsweek, The Atlantic, National Law Journal, NBC News, Baltimore Sun, Dallas Morning News, and additional regional newspapers, social media sites, and journals including Science, JAMA, New England Journal of Medicine, American Journal of Public Health, and Public Health Reports. Professor Hodge regularly publishes a column on public health law for the Journal of Law, Medicine, and Ethics. He advises numerous federal, state, and local governments on public health law and policy issues and has lectured extensively on diverse topics in international locations including Sydney, Toronto, Barcelona, Geneva, and Dublin. Before joining the College of Law in 2009, he was professor, Johns Hopkins Bloomberg School of Public Health; adjunct professor of Law, Georgetown University Law Center; and core faculty, Johns Hopkins Berman Institute of Bioethics.

**Suzet M. McKinney, Dr.,P.H., M.P.H.,  
Principle & Director, Life Sciences**

Dr. McKinney is a public health expert, medical executive, thought leader, strategic thinker and nationally recognized expert in emergency preparedness and response. As Principal and Director of Life Sciences for Sterling Bay, Dr. McKinney oversees relationships with the scientific, academic, corporate, tech, and governmental sectors involved in the life sciences ecosystem. She also leads the strategy to expand Sterling Bay's footprint in life sciences nationwide. She previously served as CEO and Executive Director of the Illinois Medical District, where she managed a 24/7/365 environment that included 560 acres of medical research facilities, labs, a biotech business incubator, universities, raw land development areas, four hospitals and more than 40 healthcare-related facilities. Within two years of leadership, Dr. McKinney accomplished a financial turnaround of the IMD, successfully retiring more than \$40 million in debt. In 2020, Dr. McKinney was appointed by Illinois Governor JB Pritzker as Operations Lead for the State of Illinois' Alternate Care Facilities, a network of alternate medical locations designed to decompress the hospital system during the COVID-19 pandemic. She worked with the U.S. Army Corps of Engineers and multiple construction, architecture and project management teams to prepare five facilities to open for overflow patient care. Dr. McKinney is also an experienced on-camera expert who has frequently discussed healthcare disparities and racial inequities amplified by the pandemic, climate-related emergencies, biological and chemical threats and natural disasters. She's been featured on CNN, ABC, NBC Nightly News, The Wall Street Journal, Forbes, Crain's Chicago Business and The Chicago Tribune. Prior to leading the IMD, Dr. McKinney served as the Deputy Commissioner of the Bureau of Public Health Preparedness and Emergency Response at the Chicago Department of Public Health (CDPH), where she oversaw the emergency preparedness efforts for the Department and coordinated those efforts within the larger spectrum of the City of Chicago's Public Safety activities, in addition to overseeing the Department's Division of Women and Children's Health. She also provided support to the U.S. Department of Defense's

Defense Threat Reduction Agency, lending subject matter expertise in biological terrorism preparedness to the country of Poland. Previously, she served as the Sr. Advisor for Public Health and Preparedness at the Tauri Group, where she provided strategic and analytical consulting services to the U.S. Department of Homeland Security's (DHS), BioWatch Program. Her work at DHS included providing creative, responsive and operationally based problem-solving for public health, emergency management and homeland security issues, specifically chemical and biological early detection systems and the implementation of those systems at the state and local levels.

***Robert Onders, MD, JD,  
Alaska Native Medical Center Administrator,  
Alaska Native Tribal Health Consortium***

Dr. Robert Onders joined the Consortium in 2015 and currently serves as the administrator of the Alaska Native Medical Center (ANMC). Previously Dr. Onders served as medical director of community and Health Systems Improvement and President of Alaska Pacific University. Prior to joining, Dr. Onders worked as clinical director for Kodiak Area Native Association and emergency department director at West Park Hospital in Cody, Wyoming. Dr. Onders graduated from a combined six-year bachelor of science and doctor of medicine program through Kent State University and Northeast Ohio Medical University in 1997. He completed his family medicine residency, juris doctorate, and masters of public administration with the University of Wyoming.

***Jennifer Piatt, JD  
Deputy Director  
Network for Public Health Law's Western Region Office***

Jennifer Piatt, JD, ("Jen") is a Deputy Director with the Network for Public Health Law's Western Region Office. She also serves as a Research Scholar with the Center for Public Health Law and Policy at the Sandra Day O'Connor College of Law. She earned her JD at the Sandra Day O'Connor College of Law at Arizona State University in the spring of 2018. As a law student, Jen worked with the Center for Public Health Law and Policy and the Network for Public Health Law as a student research assistant. In these roles, Jen provided drafting assistance and co-authored articles on a range of topics in the public health law sphere, including Crisis Standards of Care. Post-graduation, Jen served as a law clerk to Vice Chief Justice Ann A. Scott Timmer of the Arizona Supreme Court. In this position, Jen provided research and drafting assistance and prepared bench memos for cases granted review. Following her clerkship, Jen worked in private practice as a pharmacy regulatory attorney at Quarles & Brady LLP, in the firm's Phoenix, Arizona office. In this role, Jen advised multiple clients on pharmacy and drug wholesale compliance and regulatory issues, provided contract drafting assistance, assisted with state pharmacy and wholesale licensing, and assisted clients going before state boards of pharmacy such as NPR, PRI/The World, CNN, Democracy Now, CBS, ABC, the Christian Science Monitor, STAT News, and others. Dr. Peek is a Senior Associate Editor for the journal *Health Services Research* and a former member of the National Advisory Council (NAC) for the Agency for Healthcare Research & Quality (AHRQ) and the National Council for the Society of General Internal Medicine (SGIM).

***Govind Persad, JD, PhD,  
Assistant Professor, Sturm College of Law***

Professor Persad's research interests center on the legal and ethical dimensions of health insurance, health care financing (both domestic and international), and markets in health care services, as well as professional ethics and the regulation of medical research. He has been selected as a 2018-21 Greenwall Faculty Scholar in Bioethics for an ongoing research project on health insurance and

protection against financial risk. His articles have appeared or will appear in the George Washington Law Review, Emory Law Journal, Boston College Law Review, and Yale Journal of Health Policy, Law, and Ethics, among others. He was selected as a Health Law Scholar in 2017 and as a BioIP Scholar in 2018 by the American Society of Law, Medicine and Ethics. Prior to joining the faculty at the University of Denver, Professor Persad was an Assistant Professor of Health Policy and Management at the Johns Hopkins University Bloomberg School of Public Health, where he was affiliated with the Berman Institute of Bioethics and served on the School's Institutional Review Board, and was a Junior Faculty Fellow at Georgetown University's McDonough School of Business. He clerked for the Hon. Carlos Lucero, U.S. Court of Appeals for the Tenth Circuit, in Denver.

**Cynda Hylton Rushton, PhD, RN, FAAN,  
Anne and George L. Bunting Professor of Clinical Ethics  
Berman Institute of Bioethics  
School of Nursing at Johns Hopkins University  
School of Medicine's Department of Pediatrics**

Cynda Hylton Rushton, PhD, RN, FAAN, is the Anne and George L. Bunting Professor of Clinical Ethics in the Berman Institute of Bioethics and the School of Nursing at Johns Hopkins University, with a joint appointment in the School of Medicine's Department of Pediatrics. A founding member of the Berman Institute, Dr. Rushton co-chairs the Johns Hopkins Hospital's Ethics Consultation Service. An international leader in nursing ethics, in 2014 Dr. Rushton co-led the first National Nursing Ethics Summit, convened by the Johns Hopkins Berman Institute of Bioethics and School of Nursing. The Summit, supported by strategic partners from nine national nursing organizations and seven collaborating organizations, developed a Blueprint for 21st Century Nursing Ethics. The Blueprint highlights recommendations for clinical practice, education, policy and research and has been a catalyst for strategic action coinciding with the American Nurses Association 2015 designation of the "Year of Ethics". Dr. Rushton's current scholarship in clinical ethics focuses on moral distress and suffering of clinicians, the development of moral resilience, designing a culture of ethical practice, and conceptual foundations of integrity, respect, trust and compassion.

**Nneka Sederstrom PhD, MPH, MA, FCCP, FCCM,  
Chief Health Equity Officer, Hennepin Healthcare**

Dr. Nneka Sederstrom received her BA in Philosophy from George Washington University in 2001. She began her career at the Center for Ethics at Medstar Washington Hospital Center in Washington DC the same year. She completed her Masters in Philosophy and Public Policy from Howard University in 2003 and proceeded to begin her PhD studies in Medical Sociology and Race, Class, and Gender Inequalities at the same university. After beginning her PhD studies, she was made Director of the Center for Ethics and Director of the Spiritual Care Department. She proceeded to hold these positions until she left to join Children's Minnesota in March 2016 where she served as the Director of the Clinical Ethics Department for almost 5 years. She has recently joined the executive leadership team at Hennepin Healthcare System as the new Chief Health Equity Officer where she will lead efforts in addressing health disparities, equity, and antiracism in the institution and community. Her PhD is in Sociology with concentrations in Medical Sociology and Race, Class, and Gender Inequality, MPH in Global Health Management, and MA in Philosophy. She is a member of several professional societies and holds a leadership position in CHEST Medicine and the Society of Critical Care Medicine. She is a Fellow of the American College of Chest Physicians and a Fellow of the American College of Critical Care Medicine. She is widely published in Equity and Clinical Ethics and speaks regularly at national and international meetings. Dr. Sederstrom is the mother of 2 amazing children and married to an amazing husband. She loves to read (especially long epic fantasy series), dance, knit,

bake, and engage in all things crafty. Her favorite music is anything before 2005 and her favorite quote is “Do the best you can until you know better. Then when you know better, do better.” By Maya Angelou

**Thomas Sequist, MD, MPH,  
Chief Patient Experience and Equity Officer at Mass General Brigham**

Tom Sequist, M.D., M.P.H. is the Chief Patient Experience and Equity Officer at Mass General Brigham. He leads system-wide strategies for improving patient experience, quality, safety, equity, and community health. He is a practicing general internist at Brigham and Women’s Hospital and is a Professor of Medicine and Professor of Health Care Policy at Harvard Medical School. Dr. Sequist’s research interests focus on quality measurement and improvement, health care equity, patient and provider education, and the innovative use of health information technology. Dr. Sequist is a member of the Taos Pueblo tribe in New Mexico and he has conducted influential health policy research to advance our understanding of health care for Native American communities. He serves as the Director of the Four Directions Summer Research Program at Brigham and Women’s Hospital and the Medical Director of the Brigham and Women’s Hospital Physician Outreach Program with the Indian Health Service. Dr. Sequist graduated from Cornell University with a B.S. in Chemical Engineering. He received his M.D. degree from Harvard Medical School and his M.P.H. degree from the Harvard School of Public Health.

**Doug White, MD, MAS,  
Vice Chair and Professor of Critical Care Medicine,  
UPMC Endowed Chair for Ethics in Critical Care Medicine, Director,  
Program on Ethics and Decision Making in Critical Illness,  
University of Pittsburgh School of Medicine**

Dr. White graduated summa cum laude from Dartmouth College in 1995 with a degree in English Literature. He received his MD from UCSF in 1999 and completed a residency in Internal Medicine and a fellowship in Pulmonary and Critical Care Medicine at UCSF. While at UCSF, he also completed a Master’s degree in Epidemiology and Biostatistics and a fellowship in Bioethics under Bernard Lo. He joined the faculty at UCSF in 2005 as an Assistant Professor of Medicine and a Core Faculty of the Program on Medical Ethics. In 2009, he joined the faculty of the University of Pittsburgh in the Departments of Critical Care Medicine and Medicine as an Associate Professor. Dr. White directs the University of Pittsburgh Program on Ethics and Decision Making in Critical Illness. His research program encompasses both empirical research on and normative ethical analysis of surrogate decision making for patients with life-threatening illness. He has several ongoing NIH-funded studies. He has published widely using both quantitative and qualitative methods to examine the process of surrogate decision making in intensive care units. In conducting this work, he collaborates with a multi-disciplinary group of investigators, which includes faculty with expertise in bioethics, law, philosophy, sociology, biostatistics, and health services research. His empirical research program has two central aims: 1) to identify factors that adversely affect surrogate decision-making for critically ill patients; and 2) to develop and test interventions to improve surrogate decision making. His normative work focuses on ethical issues that arise in intensive care units, including the allocation of scarce resources, resolving futility disputes, responding to conscience-based treatment refusals by clinicians, and developing fair processes of decision making for incapacitated patients who lack surrogate decision makers.