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The Ohio State University
College of Public Health & Moritz College of Law
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ACADEMIC POSITIONS

The Ohio State University, Columbus, OH

Stephen F. Loeb Professor in Health Services Management and Policy, College of Public Health, 2023-present

Professor of Law, Moritz College of Law, 2023-present

Member, OSU-James Comprehensive Cancer Center, Cancer Control Research Program & Center for Tobacco Research, 2013-present

Health Policy Research Affiliate, Center for Health Outcomes and Policy Evaluation Studies, 2023-present

Faculty Affiliate, Center for Ethics and Human Values, 2023-present

Associate Professor (with tenure), College of Public Health & Moritz College of Law, 2017-2023

Assistant Professor, College of Public Health & Moritz College of Law, 2013-2017

Universidad Católica del Uruguay, Montevideo, Uruguay

Visiting Scholar, Facultad de Derecho (School of Law), Fall 2019

New England Law | Boston, Boston, MA

Associate Professor, 2011-2013

Assistant Professor, 2008-2011

Director, Center for Public Health and Tobacco Policy, 2010-2013

Capital University Law School, Columbus, OH

Visiting Assistant Professor, 2007-2008

Adjunct Professor, 2006-2007

Executive Director, Tobacco Public Policy Center, 2005-2008

EDUCATION

Stanford Law School, Stanford, CA

Juris Doctor with Distinction, 2001 (Order of the Coif)

Managing Editor, *Stanford Law Review*

Articles Editor, *Stanford Law & Policy Review*

Hilmer Oehlmann Jr. Prize for Legal Research and Writing

Brandeis University, Waltham, MA

Bachelor of Arts with Highest Honors in Public Policy, *Summa Cum Laude*, 1998 (Phi Beta Kappa)

Major in Public Policy; Minors in Economics and Near Eastern and Judaic Studies

Doris Brewer Cohen Award for Best Senior Thesis in the Social Sciences

Johns Hopkins University, Bloomberg School of Public Health, Baltimore, MD
Certificate in Risk Sciences and Public Policy, 2020
Coursework including epidemiology, toxicology, and quantitative risk assessment

The Ohio State University, Columbus, OH
Non-degree graduate coursework in Public Health, 2016-2017
Coursework including biostatistics, environmental health, and research ethics

ADDITIONAL EXPERIENCE

Centro de Cooperación Internacional de Control de Tabaco, Montevideo, Uruguay
WHO Framework Convention on Tobacco Control Knowledge Hub
Visiting Scholar, Fall 2019

U.S. Food and Drug Administration, Rockville, MD
Senior Advisor to the Director, Office of Policy, Center for Tobacco Products, 2011-2012

Stinson Morrison Hecker LLP, St. Louis, MO (now Stinson LLP)
Associate, Commercial Litigation and Antitrust Law Practice Groups, 2003-2004

U.S. Department of Justice, Washington, DC
Trial Attorney, National Criminal Enforcement Section, Antitrust Division, 2001-2003
Attorney General's Honor Program

RESEARCH AND PUBLICATIONS

Books

1. SCOTT BURRIS, **MICAH L. BERMAN**, MATTHEW PENN & TARA RAMANATHAN HOLIDAY, *THE NEW PUBLIC HEALTH LAW: A TRANSDISCIPLINARY APPROACH TO PRACTICE AND ADVOCACY* (Oxford University Press & APHA Press, 2018).
2. SCOTT BURRIS, **MICAH L. BERMAN**, MATTHEW PENN & TARA RAMANATHAN HOLIDAY, *THE NEW PUBLIC HEALTH LAW: A TRANSDISCIPLINARY APPROACH TO PRACTICE AND ADVOCACY, SECOND EDITION* (Oxford University Press, 2022).
 - Micah L. Berman, Scott Burris, Matthew Penn & Tara Ramanathan Holiday, *Teacher's Manual for The New Public Health Law*, (last updated August 2024; available online at www.thenewpublichealthlaw.org) (password protected).

Book Chapters

3. **Micah L. Berman**, *The Commercial Speech Doctrine in the United States: False Promises and Promising Approaches for Protecting Public Health*, in *TOBACCO ADVERTISING: THE FRONT AND BACK SIDE OF FREE COMMERCIAL SPEECH* (Editora Atlas, 2015) (published in Portuguese and English).

4. Patricia J. Zettler, **Micah L. Berman** & Efthimios Parasidis, *Drug and Vaccine Development and Access*, in ASSESSING LEGAL RESPONSES TO COVID-19 (Public Health Law Watch, 2020).
5. Patricia J. Zettler, **Micah L. Berman** & Efthimios Parasidis, *Drug and Vaccine Development and Access*, in COVID-19 POLICY PLAYBOOK: LEGAL RECOMMENDATIONS FOR A SAFER, MORE EQUITABLE FUTURE (Public Health Law Watch, 2021).
6. **Micah L. Berman**, *Public Health Law*, in MAXCY-ROSENAU-LAST PUBLIC HEALTH AND PREVENTIVE MEDICINE: 16TH EDITION (McGraw Hill, 2021).
7. **Micah L. Berman**, *Tobacco Regulation*, in CHEMICAL RISK GOVERNANCE (Edward Elgar Publishing, 2023).

Public Health Journal Articles

8. Ferketich AK; Liber A; Pennell M; Nealy D; Hammer J; **Berman M**. Clean indoor air ordinance coverage in the Appalachian region of the United States. *American Journal of Public Health* 2010;100(7):1313-1318.
9. Klein EG; Liber AC; Kauffman RM; **Berman M**; Ferketich AK. Local smoke-free policy experiences in Appalachian communities. *Journal of Community Health* 2014;39(1):11-16.
10. Klein EG; Kennedy RD; **Berman M**. Tobacco control policies in outdoor areas of high-volume American transit systems. *Journal of Community Health* 2014;39(4):660-667.
11. **Berman M**; Crane R; Seiber E; Munur M. Estimating the cost of a smoking employee. *Tobacco Control* 2014;23(5):428-433.
12. **Berman ML**; Connolly G; Cummings MK; Djordjevic MV; Hatsukami DK; Henningfield JE; Myers M; O'Connor RJ; Parascandola M; Rees V; Rice JM; Shields PG. Providing a science base for the evaluation of tobacco products. *Tobacco Regulatory Science* 2015;1(1):76-93.
13. Yates K; Friedman K; Slater MD; **Berman M**; Paskett ED; Ferketich AK. A content analysis of electronic cigarette portrayal in newspapers. *Tobacco Regulatory Science* 2015;1(1):94-102.
14. Klein EG; Shoben AB; Krygowski S; Ferketich A; **Berman M**; Peters E; Unnava R; Wewers ME. Does size impact attention and recall of graphic health warnings? *Tobacco Regulatory Science* 2015;1(2):175-185.
15. Roberts ME; **Berman ML**; Slater MD; Hinton A; Ferketich AK. Point-of-sale tobacco marketing in rural and urban Ohio: Could the new landscape of tobacco products widen inequalities? *Preventive Medicine* 2015;81:232-235.
16. **Berman ML**. Raising the tobacco sales age to 21: Surveying the legal landscape. *Public Health Reports* 2016;131:378-381.
17. Jin Y; Lu B; Klein EG; **Berman M**; Foraker RE; Ferketich AK. Tobacco-free pharmacy laws and trends in tobacco retailer density in California and Massachusetts. *American Journal of Public Health* 2016;106(4):679-685.

18. Jenson D; Lester J; **Berman ML**. FDA’s misplaced priorities: premarket review under the Family Smoking Prevention and Tobacco Control Act. *Tobacco Control* 2016;25(3):246-253.
19. Klein EG; **Berman M**; Hemmerich N; Htut S; Carlson C; Slater M. Online e-cigarette marketing claims: a systematic content and legal analysis. *Tobacco Regulatory Science* 2016;2(3):252-262.
20. Peters E; Evans AT; Hemmerich N; **Berman M**. Emotion in the law and the lab: the case of graphic cigarette warnings. *Tobacco Regulatory Science* 2016;2(4):404-413 (finalist for the Research for in Public Interest Communications Prize (*frank prize*)).
21. Wang L; Jin Y; **Berman M**; Ferketich AK. Would a cigarette by any other name taste as good in China? *Tobacco Control* 2016;25(6):638-639 (research letter).
22. **Berman ML**; Yang YT. E-cigarettes, youth, and FDA’s “deeming” regulation. *JAMA Pediatrics* 2016;170(11):1039-1040.
23. Jin Y; Lu B; **Berman M**; Klein EG; Foraker RE; Ferketich AK. The impact of tobacco-free pharmacy policies on smoking prevalence. *Journal of the American Pharmacists Association* 2016;56(6):627–632.
24. **Berman M**. Regulatory oversight of ENDS product defects. *Tobacco Control* 2017;26(1):2-3.
25. Wipfli H; **Berman M**; Hanson K; Kelder S; Solis A; Villanti AC; Ribeiro CMP; Meissner H; Anderson R. Defining tobacco regulatory science competencies. *Nicotine & Tobacco Research* 2017;19(2):222-230.
26. Seiber EE; **Berman ML**. Medicaid expansion and ACA repeal: Evidence from Ohio. *American Journal of Public Health* 2017;107(6):889-892.
27. Kistler CE; Crutchfield TM; Sutfin EL; Ranney LM; **Berman ML**; Zarkin GA, Goldstein AO. Consumers’ preferences for electronic nicotine delivery system product features: A structured content analysis. *International Journal of Environmental Research and Public Health* 2017;14(6):613.
28. Klein EG; Quisenberry AJ; Shoben AB; Cooper S; Ferketich AK; **Berman M**; Peters E; Wewers ME. Health warning labels for smokeless tobacco: The impact of graphic images on attention, recall, and craving. *Nicotine & Tobacco Research* 2017;19(10):1172-1177.
29. Roberts, ME; Klein EG; **Berman ML**; Berhane B; Ferketich AK. Young adult perceptions surrounding hookah use. *Health Behavior and Policy Review* 2017;4(6):593-600.
30. Hemmerich N; Klein EG; **Berman M**. Evidentiary support in public comments to the FDA's Center for Tobacco Products. *Journal of Health Politics, Policy and Law* 2017;42(4):645-666.
31. Jin Y; Lu B; **Berman M**; Klein EG; Foraker RE; Ferketich AK. Ending tobacco sales in pharmacies: A qualitative study. *Journal of the American Pharmacists Association* 2017;57(6):670-676.

32. Song M; Benowitz NL; **Berman M**; Brasky TM; Cummings KM; Hatsukami D; Marian C; O'Connor R; Rees VW; Woroszylo C; Shields PG. Cigarette filter ventilation and its relationship to increasing rates of lung adenocarcinoma. *Journal of the National Cancer Institute* 2017;109(12):djx075.
33. Shields PG; **Berman M**; Brasky TM; Freudenheim JL; Mathe EA; McElroy J; Song M; Wewers MD. A review of pulmonary toxicology of electronic cigarettes in the context of smoking: A focus on inflammation. *Cancer Epidemiology, Biomarkers & Prevention* 2017;26(8):1175-1191.
34. Doogan NJ; Wewers ME; **Berman M**. The impact of a federal cigarette minimum pack price policy on cigarette use in the USA. *Tobacco Control* 2018;27(2):203-208
35. **Berman M**; Hatsukami D. Reducing tobacco-related harm: FDA's proposed product standard for smokeless tobacco. *Tobacco Control* 2018;27(3):352-354.
36. **Berman ML**; Zettler PJ; Ashley DA. Anticipating industry arguments: The FDA's authority to reduce nicotine levels in cigarettes. *Public Health Reports* 2018;133(4):502-506.
37. Quisenberry AJ; Scott AE; Shoben AB, Ferketich AK; Cooper SE; **Berman M**; Peters E; Wewers ME; Klein EG. Health literacy and attention to cigarette health warning labels among rural smokers. *Tobacco Regulatory Science* 2018;4(6):38-46.
38. **Berman ML**; Bickel WK; Harris AC; LeSage MG; O'Connor RJ; Stepanov I; Shields PG; Hatsukami DK. Consortium on Methods for Evaluating Tobacco: Research tools to inform US Food and Drug Administration regulation of snus. *Nicotine & Tobacco Research* 2018;20(11):1292-1300.
39. Friedman KL; Roberts ME; Keller-Hamilton B; Yates KA; Paskett ED; **Berman ML**; Slater MD; Ferketich AK. Attitudes towards tobacco, alcohol, and non-alcoholic beverage advertisement themes among adolescent boys. *Substance Use & Misuse* 2018;53(10):1706-1714.
40. Parmet WE; **Berman ML**; Smith JA. The Supreme Court's crisis pregnancy center case – implications for health law. *New England Journal of Medicine* 2018;379:1489-1491.
41. **Berman ML**; El-Sabawi T; Shields PG. Risk assessment for tobacco regulation. *Tobacco Regulatory Science* 2019;5(1):36-49.
42. Kistler CE; Ranney LM; Sutfin EL; Chrzan K; Wretman CJ; Enyioha C; Meernik C; **Berman M**; Zarkin GA; Goldstein AO. Product attributes important to US adult consumers' use of electronic nicotine delivery systems: A discrete choice experiment. *BMJ Open* 2019;9:e027247.
43. Keller-Hamilton B; Roberts ME; Slater MD; **Berman M**; Ferketich AK. Adolescent males' responses to blu's fake warnings. *Tobacco Control* 2019;28:e151-e153.
44. Wagoner KG; **Berman M**; Rose SW; Song E; Cornacchione Ross J; Klein EG; Kelley DE; King JL; Wolfson M; Sutfin EL. Health claims made in vape shops: An observational study and content analysis. *Tobacco Control* 2019;28:e119-e125.
45. **Berman ML**; Glasser A. Nicotine reduction in cigarettes: Literature review and gap analysis. *Nicotine & Tobacco Research* 2019;21(Suppl 1):S133-S144.

46. Keller-Hamilton B; Ferketich AK; **Berman ML**; Conrad E; Roberts ME. Cigarette prices in rural and urban Ohio: Effects of census tract demographics. *Health Promotion Practice* 2020;21(Suppl 1):37S-43S.
47. Ganesan SM; Dabdoub SM; Nagaraja HN; Scott M; Pamulapati S; **Berman ML**; Shields PG; Wewers ME; Kumar PS. Adverse effects of electronic cigarettes on the disease-naïve oral microbiome. *Science Advances* 2020;6(22):eaaz0108.
48. **Berman ML**; Jenson D. The Food and Drug Administration as gatekeeper and the menthol exception. *American Journal of Public Health* 2020;110(6):775-776.
49. **Berman ML**; Zettler PJ; Parasidis E. Law and ethics during a public health crisis. *Ohio Journal of Public Health* 2020;3(1):3-4.
50. **Berman ML**; Glasser A. The public health standard in action: Analysis of the FDA's IQOS review. *JAMA Oncology* 2020;6(12):1864-1865.
51. Roberts ME; Keller-Hamilton B; Ferketich AK; **Berman ML**. JUUL and the upsurge of e-cigarette use among college undergraduates. *Journal of American College Health* 2020;70(1):9-12.
52. Klein E; Kierstead E; Czaplicki L; **Berman M**; Emery S; Schillo B. Visual attention to the use of #ad versus #sponsored on e-cigarette influencer posts on social media: A randomized experiment. *Journal of Health Communication* 2020;25(12):925-930.
53. Patterson JG; LaPolt DT; Miranda AR; Zettler PJ; **Berman M**; Roberts ME; Keller-Hamilton B; Ferketich AK. Switching stories: user testimonials on juul.com continue to contradict JUUL's switch ≠ cessation narrative. *Tobacco Control* 2021;30:e37-40.
54. Keller-Hamilton B; Lu B; Roberts ME; **Berman ML**; Root ED; Ferketich AK. Electronic cigarette use and risk of cigarette and smokeless tobacco initiation among adolescent boys: A propensity score matched analysis. *Addictive Behaviors* 2021;114:106770.
55. Crane R; **Berman M**; Waxman J. Empowering state and local regulation of tobacco and nicotine products to protect youths. *JAMA Health Forum* 2021;2(1):e201594.
56. Carroll DM; Stepanov I; O'Connor R; Luo X; Cummings KM; Rees VW; Bickel WK; **Berman ML**; Ashley DL; Bansal-Travers M; Shields PG; Hatsukami DK. Impact of cigarette filter ventilation on U.S. smokers' perceptions and biomarkers of exposure and potential harm. *Cancer Epidemiology, Biomarkers & Prevention* 2021;30(1):38-44.
57. Roberts ME; Klein EG; Ferketich AK; Keller-Hamilton B; **Berman ML**; Chacko M; Jenkins CF; Segall MH; Woodyard KC. Beyond strong enforcement: Understanding the factors related to retailer compliance with Tobacco 21. *Nicotine & Tobacco Research* 2021;23(12):2084-2090.
58. Svirsky L; Howard D; **Berman ML**. E-cigarettes and the multiple responsibilities of the FDA. *American Journal of Bioethics* 2022;22(10):5-14.

59. Klein E; Kierstead E; Czaplicki L; **Berman M**; Emery S; Schillo B. Testing potential disclosures for e-cigarette sponsorship on social media. *Addictive Behaviors* 2022;125:107146.
60. Wu J; Harlow AF; Wijaya D; **Berman M**; Benjamin EJ; Xuan Z; Hong T; Fetterman JL. The impact of influencers on cigar promotions: A content analysis of large cigar and Swisher Sweets videos on TikTok. *International Journal of Environmental Research and Public Health* 2022;19:7064.
61. Miranda AR; Patterson JG; LaPolt D; Rumano RP; Reynoso AM; **Berman ML**; Keller-Hamilton BL; Roberts ME; Ferketich AK; Zettler PJ. A call for regulatory clarity: “Switch” and “quit smoking” marketing among online disposable e-cigarette sellers. *HPRH Journal* 2022;61:56 (research letter).
62. Svirsky L; Howard D; **Berman ML**. E-cigarettes, the FDA, public health, and harm reduction: A response to the Open Peer Commentaries. *American Journal of Bioethics* 2023;23(1);W1-W4.
63. Benowitz NL; Warner KE, Myers ML; Hatsukami D; **Berman ML**; Vallone D; Cohen JE. How the FDA can improve public health—Helping people stop smoking. *New England Journal of Medicine* 2023;388:1540-1542.
64. Liu J; Vázquez-Otero C; **Berman ML**; Stevens EM. Youth-appealing features in popular e-cigarette brand advertising in the USA after heightened scrutiny in 2018. *Tobacco Control* 2023;32:497-500.
65. Jordt SE; Jabba SV; Zettler PJ; **Berman ML**. Spree Bar, a vaping system delivering a synthetic nicotine analogue, marketed in the United States as “PMTA exempt.” *Tobacco Control* 2024, doi:10.1136/tc-2023-058469 (online first).
66. Burris S; Silverman R; **Berman M**; Ashe M. Legal work of public health professionals: The case for better professional education. *Public Health Reports* 2024;139(4):519-521.
67. Alalwan MA; Mays D; **Berman ML**; El-Hellani A; Keller-Hamilton B; Brinkman MC; Wagener TL; Tackett AP. Oral nicotine pouch manufacturer’s reduced exposure claims require evidence and regulatory oversight. *Tobacco Control* 2024, doi:10.1136/tc-2024-058610 (online first).
68. Rose SW; Tan A; Bandi P; Maddox R; **Berman M**; Mead-Morse E; Czaplicki L; Faseru B; Frazer K; Choi K. Commercial tobacco and nicotine industry-funded research has no place in SRNT and *Nicotine & Tobacco Research*. *Nicotine & Tobacco Research* 2024;26(8):963-965.
69. Dobbs PD; Kong G; **Berman ML**; Henriksen L. ‘Cashing in’ nicotine pouches for prizes. *Tobacco Control* 2024, doi:10.1136/tc-2024-058691 (online first).
70. **Berman ML**; Arias JJ; Berner Wong N; Crespo J; Goldberg D; Mason Meier B; Satchell T; Silverman RD; Tobin-Tyler E; Chriqui JF. How to advance legal education for future public health professionals. *Public Health Reports* 2024, <https://doi.org/10.1177/00333549241274565> (online first).
71. **Ma S; Anh S; Kareen A; Yang Q; Qiu Z; Chen J; Berman M; Wagener T; Shang C. Features of disposable e-cigarettes and their association with pricing and consumer preference: Evidence from web data of US online stores. *Addiction* 2025;120(3):514-523.**

72. Zettler PJ; Wagener TL; **Berman ML**. What's next for nicotine? The coming legal and political battles over an FDA proposal. *New England Journal of Medicine* 2025;392:1461-1463.
73. Roberts M; Lee J; Morean M; Kong G; Ferketich A; Craigmile P; Ceasar R; Borges Spinola V; **Berman M**. Age restricted location policies: A potential strategy for advancing the tobacco endgame. *American Journal of Public Health* 2025;115(5):673-677.
74. Stepanov I; **Berman M**; Brinkman MC; Carll A; Exil V; Hansen E; El Hellani A; Jabba S; Kassem N; Rezk-Hanna M; Talhout R; Stroup A. Sugars in tobacco products: Toxicity research and implications for tobacco product regulation. *Chemical Research in Toxicology* 2025, <https://doi.org/10.1021/acs.chemrestox.4c00550> (online first).
75. Ma S; Chaudhry E; Ahn S; Brinkman MC; **Berman M**; Wagener T; Shang C. E-cigarette market proportion by nicotine claims in the United States. *Preventive Medicine Reports* 2025;54:103087.
76. Singer JM; Klein EG; **Berman ML**; Wing JJ; Roberts ME. "I'm sure within 5 minutes I can find someone that will be selling it": Qualitative insights into how social media facilitates the sale of banned flavored tobacco products. *Tobacco Control* 2025 (accepted).

Law Review and Law Journal Articles

77. **Micah Berman**, *The "Quality Health Care Coalition Act": Can Antitrust Law Improve Patient Care?*, 53 STAN. L. REV. 695 (2000) (student note).
78. **Micah Berman** & Robert Crane, *Mandating a Tobacco-Free Workforce: A Convergence of Business and Public Health Interests*, 35 WM. MITCHELL L. REV. 1651 (2008).
79. **Micah L. Berman**, *Tobacco Litigation Without the Smoke? Cigarette Companies in the Smokeless Tobacco Industry*, 11 J. HEALTH CARE L. & POL'Y 7 (2008).
80. **Micah L. Berman**, *Smoking Out the Impact of Tobacco-Related Decisions on Public Health Law*, 75 BROOK. L. REV. 1 (2009).
81. **Micah L. Berman**, *From Health Care Reform to Public Health Reform*, 39 J. L. MED. & ETHICS 328 (2011).
82. **Micah L. Berman**, *A Public Health Perspective on Health Care Reform*, 21 HEALTH MATRIX 353 (2011).
83. **Micah L. Berman**, *Improving Patient Safety and Providing Fair Compensation*, 46 NEW ENG. L. REV. 409 (2012) (symposium introduction).
84. **Micah L. Berman**, Michael Freiberg & Julie Ralston Aoki, *From Fenway Park to the Mall of America: A Multi-Collaborative Approach to Teaching and Learning*, 38 DAYTON L. REV. 157 (2012).
85. Lindsay F. Wiley, **Micah L. Berman** & Doug Blanke, *Who's Your Nanny? Choice, Paternalism and Public Health in the Age of Personal Responsibility*, 41 J. L. MED. & ETHICS S88 (2013).

86. **Micah L. Berman**, *Commercial Speech and Tobacco Marketing: A Comparative Discussion of the U.S. and Canada*, 39 AM. J. LAW & MED. 218 (2013).
87. **Micah L. Berman**, *Defining the Field of Public Health Law*, 15 DEPAUL J. HEALTH CARE L. 45 (2013).
88. **Micah L. Berman**, *Pursuing Global Health with Justice*, 1 J.L. & BIOSCIENCES 348 (2014) (book review).
89. **Micah L. Berman**, *Legal but Lethal: Corporations, Consumption, and Protecting Public Health*, 35 J. LEGAL MED. 601 (2014) (book review).
90. **Micah L. Berman** & Annice E. Kim, *Bridging the Gap Between Science and Law: The Example of Tobacco Regulatory Science*, 43 J.L. MED & ETHICS S95 (2015).
91. **Micah L. Berman**, *Manipulative Marketing and the First Amendment*, 103 GEO. L.J. 497 (2015) (cited in *Expressions Hair Design v. Schneiderman*, 808 F.3d 118 (2d Cir. 2015), *vacated and remanded*, 137 S. Ct. 1144 (2017)).
92. **Micah L. Berman**, *Combining Accreditation and Education: An Interdisciplinary Public Health Law Course*, 44 J. L. MED. & ETHICS S18 (2016).
93. **Micah L. Berman**, *Clarifying Standards for Compelled Commercial Speech*, 40 WASH. U. J. L. & POL'Y 53 (2016).
94. Eric N. Lindblom, **Micah L. Berman** & James F. Thrasher, *FDA-Required Tobacco Product Inserts and Onserts – And the First Amendment*, 72 FOOD & DRUG L.J. 1 (2017).
95. **Micah L. Berman**, M. Justin Byron, Natalie Hemmerich, Eric N. Lindblom, Allison J. Lazard, Ellen Peters & Noel T. Brewer, *Communicating Tobacco Product Information to the Public*, 72 FOOD & DRUG L.J. 386 (2017).
96. Patricia J. Zettler, Natalie Hemmerich & **Micah L. Berman**, *Closing the Regulatory Gap for Synthetic Nicotine*, 59 B.C. L. REV. 1934 (2018).
97. **Micah L. Berman**, Elizabeth Tobin-Tyler & Wendy E. Parmet, *The Role of Advocacy in Public Health Law*, 47 J. L. MED & ETHICS S15 (2019).
98. **Micah L. Berman**, *The Faltering Promise of FDA Tobacco Regulation*, 12 ST. LOUIS J. HEALTH L. & POL'Y 145 (2019).
99. **Micah L. Berman**, *Using Opioid Settlement Proceeds for Public Health: Lessons from the Tobacco Experience*, 67 U. KAN. L. REV. 1029 (2019) (cited on HBO's *Last Week Tonight by John Oliver*, May 12, 2024).
100. **Micah L. Berman**, *Tobacco Litigation, E-Cigarettes, and the Cigarette Endgame*, 13 NE. U. L. REV. 219 (2021).

101. Efthimios Parasidis, **Micah L. Berman** & Patricia J. Zettler, *Assessing COVID-19 Emergency Use Authorizations*, 76 FOOD & DRUG L.J. 441 (2021).
102. **Micah L. Berman**, Mahmood A. Alalwan, David T. Levy, Jonathan M. Samet & Peter G. Shields, *How History Informs FDA Tobacco Regulation: Retrospective Application of a Public Health Assessment Framework to “Low Tar” Cigarettes*, 26 J. HEALTH CARE L. & POL’Y 155 (2023).
103. **Micah L. Berman**, Sarah Reisinger, Desmond Jenson, Richard O’Connor, K. Michael Cummings, Irina Stepanov, Warren K. Bickel, Peter G. Shields & Dorothy Hatsukami, *Tobacco Industry Abuse of the Substantial Equivalence Pathway: The Case of Changing Cigarette Filter Ventilation*, 77 FOOD & DRUG L.J. 341 (2023).
104. Ross D. Silverman, Elizabeth Tobin-Tyler & **Micah L. Berman**, *The Bridge Builder: Charity Scott’s Expansive Vision for Lawyers, Health, and Society*, 52 J. L. MED. & ETHICS 238 (2024).

Selected Works in Progress

An internationally focused textbook tentatively titled *Global Public Health Law: A Transdisciplinary Approach to Practice and Advocacy* is under contract with Oxford University Press and in development (co-authored with Scott Burris, Brigit Toebes, and Lisa Forman)

Micah Berman, *Misinformation in Law* (book chapter in development for *Backlash: The War on Public Health* (Fairchild et al., eds.))

Micah Berman, *Tobacco Law and Regulation* (book chapter in development for *Food and Drug Law and Regulation, 4th Edition* (Hahn et al., eds.))

Policy Reports and Technical Reports

Micah Berman & Caris Post, Tobacco Control Legal Consortium, *Secondhand Smoke and Casinos* (2007).

Marlo Miura, Micah Berman & Whitney Dodds, Center for Public Health and Tobacco Policy, *Tobacco Retail Licensing: Local Regulation of the Number, Location, and Type of Tobacco Retail Establishments in New York* (2010).

Micah Berman, Marlo Miura & John Bergstresser, Center for Public Health and Tobacco Policy, *Tobacco Product Display Bans* (2010).

Micah Berman & Kerry Malloy Snyder, Center for Public Health and Tobacco Policy, *Tobacco Price Promotion: Policy Responses to Industry Price Manipulation* (2011).

Micah Berman & Marlo Miura, Center for Public Health and Tobacco Policy, *Cigarette Tax Evasion in New York* (2011).

Micah Berman & Kerry Malloy Snyder, Center for Public Health and Tobacco Policy, *Reducing Youth Exposure to Tobacco Marketing: Options for Local Governments in New York* (2012).

- Micah Berman & Whitney Dodds, Center for Public Health and Tobacco Policy, *The Legal Landscape: Vermont's Tobacco Control Laws* (2012).
- Micah Berman & Whitney Dodds, Center for Public Health and Tobacco Policy, *Addressing the Point of Sale: Options for Reducing Youth Tobacco Use in Vermont* (2012).
- Micah Berman & Kerry Malloy Snyder, Center for Public Health and Tobacco Policy, *Cause and Effect: Tobacco Marketing Increases Youth Tobacco Use – Findings of the 2012 Surgeon General's Report* (2012).
- Micah Berman, Rob Crane & Natalie Hemmerich, OSU College of Public Health, *Running the Numbers: Raising the Minimum Tobacco Sales Age to 21* (2015; revised and expanded in 2016).
- Eric Lindblom, Micah Berman & James Thrasher, O'Neill Institute for National and Global Health Law at Georgetown University, *The Legal Framework for Using Tobacco Product Inserts and Onserts to Help Consumers Make More Informed Choices and to Reduce Tobacco Use Harms* (2016).
- Ohio Department of Medicaid, *Ohio Medicaid Group VIII Assessment: A Report to the General Assembly* (2016) (led report writing team).
- Ohio Department of Medicaid, *2018 Ohio Medicaid Group VIII Assessment: A Follow-Up to the 2016 Ohio Medicaid Group VIII Assessment* (2018) (led report writing team).
- David L. Ashley & Micah L. Berman, *Regulatory Considerations of Policy Measures for Ventilated Cigarettes and Policy Implications* (white paper presented at WHO FCTC meeting) (2019).
- Micah Berman, Network for Public Health Law, *Summary of Authority and Actions Regarding Public Health Emergencies: Ohio Public Health Code* (2020).
- Micah Berman & Nuan Ping Cheah, *Synthetic Nicotine: Background and Regulatory Considerations* (white paper presented at Global Tobacco Regulators Forum) (2021).
- Micah L. Berman & Patricia J. Zettler, *Synthetic Nicotine: Global Legal Landscape and Regulatory Considerations* (white paper presented at WHO Global Tobacco Regulators Forum) (2022).
- Micah L. Berman & Patricia J. Zettler, *Synthetic Nicotine: Global Legal Landscape and Regulatory Considerations* (white paper presented at WHO Study Group on Tobacco Product Regulation meeting) (2022).
- Micah L. Berman, Patricia J. Zettler & Sven-Eric Jordt, *Synthetic Nicotine: Science, Global Legal Landscape, and Regulatory Considerations*, in WHO STUDY GROUP ON TOBACCO PRODUCT REGULATION: REPORT ON THE SCIENTIFIC BASIS OF TOBACCO PRODUCT REGULATION: NINTH REPORT OF A WHO STUDY GROUP (2023).
- Patricia J. Zettler, Micah Berman, Macarius M. Donneyong, Martin Fried & Kathryn E. Lancaster, *External Review of FDA Regulation of Opioid Analgesics* (independent assessment solicited by the FDA Commissioner) (2023).

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, ELIMINATING TOBACCO-RELATED DISEASE AND DEATH: ADDRESSING DISPARITIES—A REPORT OF THE SURGEON GENERAL (2024) (contributing author).

Op-Ed Columns and Selected Letters to the Editor

Matthew Youngner & Micah Berman, *Don't Divert Ohio's Tobacco Funds*, CLEVELAND PLAIN DEALER, June 28, 2005 (letter to the editor).

Micah Berman, *Hookah Bars Should Comply with Ban*, COLUMBUS DISPATCH, Sept. 20, 2005 (letter to the editor).

Micah Berman, *Hiring Only Nonsmokers is Legal and Beneficial*, COLUMBUS DISPATCH, July 12, 2007.

Micah Berman, *Good and the Legal Future of "Light" Cigarettes*, JURIST, Dec. 22, 2008.

Berman M, Ferketich AK. Local smoke-free ordinances are passing in tobacco-growing states. *American Journal of Public Health* 2010;100(11):2014 (response to letter to the editor).

Berman M, Ferketich AK, Liber A, Pennell M, Nealy D, Hammer J. Smoke-free legislation in Appalachian counties. *American Journal of Public Health* 2010;100(11):2013 (response to letter to the editor).

Micah Berman, Kathleen Dachille & Julie Ralston Aoki, Sorrell *and the Future of Commercial Speech Regulations*, JURIST, Oct. 4, 2011.

Micah Berman, *What Makes it Hard to Kick the Habit*, N.Y. TIMES, Aug. 4, 2013 (letter to the editor).

Micah Berman, *Raising Tobacco Sales Age to 21 Would Cut Smoking, Save Lives*, COLUMBUS DISPATCH, Nov. 13, 2013.

Micah Berman, *Time to Increase Ohio's Tobacco Tax to Save Lives*, CLEVELAND PLAIN DEALER, May 16, 2014.

Micah Berman & Kathleen Hoke, *The \$23 Billion Resentment Against America's Tobacco Industry*, NATIONAL LAW JOURNAL, Aug. 4, 2014.

Berman M, Crane R. Tobacco-free hiring policies and academic health centers. *Academic Medicine* 2015;90(2):126 (letter to the editor).

Micah Berman, *Raising Tax on Cigarettes will be Win-Win*, COLUMBUS DISPATCH, Feb. 16, 2015 (letter to the editor).

Micah Berman, *Raising the Minimum Buying Age for Tobacco Could Mean Fewer People Start to Smoke*, THE CONVERSATION, April 2, 2015.

Micah Berman, *Calls for Stronger Regulation of E-Cigarettes*, N.Y. TIMES, Sept. 8, 2015 (letter to the editor).

Micah Berman, *How to Dramatically Reduce Smoking Without Banning Tobacco Sales*, THE CONVERSATION, Sept. 8, 2015.

Micah Berman, *The Continuing Investigation into the World of E-Cigarettes*, THE HILL, Dec. 12, 2016.

Micah Berman & Holly Jarman, *When Writing a Federal Tobacco 21 Law, Less is More*, THE HILL, May 3, 2019.

Cohen JE, Krishnan-Sarin S, Eissenberg T, Gould TJ, Berman ML, Bhatnagar A, Barnett TE, Soule E, Popova L, Tan ASL, Blank MD, Ling PM, O'Connor R. Balancing risks and benefits of e-cigarettes in the real world. *American Journal of Public Health* 2022;112(2):e1–e2 (letter to the editor).

Micah Berman & Alayna Tackett, *The FDA Must Stop Companies from Evading Upcoming New Tobacco Rules*, THE HILL, Dec. 19, 2023.

Jalayne J. Arias, Elizabeth Tobin-Tyler, Jami Crespo, Ross D. Silverman, Daniel S. Goldberg, Benjamin Mason Meier & Micah L. Berman, *Centering Law in Public Health Education*, HEALTH AFFAIRS FOREFRONT, April 12, 2024.

RESEARCH SUPPORT

The Ohio State University Tobacco Center of Regulatory Science, 2023-2028
National Cancer Institute/FDA Center for Tobacco Products
1U54CA287392 (Co-PIs: Wagener and Shields)
Co-Investigator (5% effort)

Modeling the Equity Impact of Age Restricted In-Person Location Policies for Youth Tobacco Use, 2023-2028
National Cancer Institute
1R01CA273206 (PI: Roberts)
Co-Investigator (8% effort)

Effects of State Preemption of Local Tobacco Control Legislation on Disparities in Tobacco Use, Exposure and Retail, 2023-2024
National Cancer Institute (Co-PIs: Yang and Berg)
1R01CA275066
Consultant

External Review of FDA Regulation of Opioid Analgesics, 2022-2023
U.S. Food and Drug Administration, Office of the Commissioner
Co-Author (as consultant through Brilliant Corporation)

Synthetic Nicotine: Properties, Marketing, Challenges, and Regulatory Considerations, 2021-2022
World Health Organization
Co-Principal Investigator (as consultant)

VERIFY: Vaping's End through Research and Innovation for Youth, 2020-2022
American Heart Association, End Nicotine Addiction in Children and Teens Research Initiative (PI:
Mohler)
Co-Investigator

Designing a Comprehensive Framework for the Evaluation of Tobacco Product Risks, 2016-2021
National Cancer Institute
K07-CA-197221 (PI: Berman)
Principal Investigator

Consortium on Models Evaluating Tobacco (COMET), 2016-2021
National Cancer Institute
P01-CA-217806-05 (Co-PIs: Hatsukami and Shields)
Co-Investigator

Regulating Addiction: Paternalism, Stigma, and Health Disparities, 2019-2021
The Ohio State University College of Public Health (Co-PIs: Berman & Howard)
Co-Principal Investigator

Tobacco Use During the Transition to Adulthood, 2016-2021
National Cancer Institute
R01-CA-141643 (PI: Sutfin)
Consultant

Bait and Switch: Do JUUL Testimonials Constitute Switching or Cessation Claims, 2020
OSU Comprehensive Cancer Center, Cancer Control Program Pilot Funding (Co-PIs: Ferketich &
Zettler)
Co-Investigator

Perceived Credibility of Social Media Posts About Tobacco Products, 2019-2020
Truth Initiative (Co-PIs: Berman & Klein)
Co-Principal Investigator (as consultant)

Diffusion of Model Ordinance for Local Tobacco Control in California, 2017-2019
ChangeLab Solutions & Stanford University (Site PI: Prochaska)
Consultant

Consumer Perceptions of Health Claims in Vape Shops, 2017-2019
National Cancer Institute
R03-CA-223600 (PI: Wagoner)
Consultant

Assessment of Ohio Medicaid Expansion, 2016-2018
Ohio Department of Medicaid (Co-PIs: Sahr and Seiber)
Co-Investigator; Chair of Report Writing Subgroup; Steering Committee Member

Thirdhand Smoke Tobacco Exposure and Health Risk Assessment, 2017
California Tobacco-Related Disease Research Program (PI: Samet)

Consultant

Important Characteristics of Electronic Cigarette Use among Adult Smokers, 2015-2016
University of North Carolina Translational & Clinical Sciences (TraCS) Pilot Project (PI: Kistler)
Consultant

Assessment of Health Claims in Vape Shops: Exploring the Need for FDA Enforcement, 2015-2016
University of North Carolina Center for Regulatory Research on Tobacco Communications (CRRTC)
Pilot Project (PI: Wagoner)
Consultant

Optimizing Public Display of Information on Tobacco Product Constituents, 2015-2016
National Cancer Institute/FDA Center for Tobacco Products
P50-CA-180907-03S1 (PI: Brewer)
Co-Investigator

OSU Center of Excellence in Regulatory Tobacco Science, 2013-2015
National Cancer Institute/FDA Center for Tobacco Products
P50-CA-180908-01 (Co-PIs: Wewers and Shields)
Steering Committee Member
Co-Director of Research, Training and Education Core
Co-Investigator, Project 3 (*Diversity of Tobacco Products Used and Purchased*)

Content Analysis and Legal Review of Online E-Cigarette Advertising from Manufacturers, Retailers and Affiliates, 2014-2015
OSU Center of Excellence in Regulatory Tobacco Science Pilot Project (Co-PIs: Berman and Klein)
Co-Principal Investigator

Center for Public Health and Tobacco Policy, 2010-2013
New York State Department of Health & Vermont Department of Health
Center Director

- Obtained more than \$2.6 million in funding to establish and direct a center that provided legal and policy support for tobacco control programs and other public health initiatives in New York State and Vermont. Responsible for all aspects of center's operations, including research, policy development, technical assistance, educational programming, and fiscal oversight.
- Developed model point-of-sale (POS) tobacco policies, including tobacco licensing requirements and limits on price discounting, that jurisdictions around the country incorporated into their laws. Assisted New York City and other jurisdictions in defending tobacco-related laws in court.

Building on Public Health Law Successes, 2010-2011
Consortium for Innovative Legal Education (MPIs: Berman, Ralston Aoki, Freiberg)
Co-Principal Investigator

Tobacco Public Policy Center, 2005-2008
Ohio Tobacco Prevention Foundation
Center Director

- Established and directed a center funded by a \$1.2 million grant that served as a legal and policy resource for advocates, public health officials, policymakers, and others working to reduce tobacco use in Ohio. Developed the center into a recognized state and national authority on

tobacco control issues, including smoke-free workplace laws, tobacco-free schools, and smoke-free multi-unit housing.

- Responded to more than 420 requests for legal technical assistance from around Ohio, hosted eleven conferences and workshops, provided testimony before state and local governmental bodies, and developed dozens of fact sheets and model policies on a wide range of tobacco-related issues.

PRESENTATIONS AND PUBLIC COMMUNICATIONS

Selected Presentations (oral presentations only; since 2013)

International Presentations

Regulation of New Tobacco Products in the United States, Uruguayan Conference on Tobacco or Health (Piriápolis, Uruguay, Aug. 15, 2019)

New Projects, New Challenges: Tobacco Regulation in the United States and Uruguay, Catholic University of Uruguay (Montevideo, Uruguay, Sept. 19, 2019)

Using Law to Improve Health: The Case of Tobacco, University of São Paulo School of Law (São Paulo, Brazil, Oct. 15, 2019)

Regulatory Implications of Policy Measures for Ventilated Cigarettes, WHO FCTC Scientific Meeting on Cigarette Ventilation (Bilthoven, The Netherlands, Nov. 19, 2019)

Synthetic Nicotine: Background and Regulatory Considerations, Global Tobacco Regulators Forum (July 9, 2021) (via Zoom)

Synthetic Nicotine: Properties, Marketing, Challenges, and Regulatory Considerations, WHO Study Group on Tobacco Product Regulation (Dec. 2, 2021) (via Zoom)

Synthetic Nicotine: Global Legal Landscape and Regulatory Considerations, Global Tobacco Regulators Forum (June 16, 2022) (via Zoom)

Synthetic Nicotine: Global Legal Landscape and Regulatory Considerations, WHO Study Group on Tobacco Product Regulation (Tbilisi, Republic of Georgia, Dec. 13, 2022)

Legal Considerations for the Tobacco Endgame, Tobacco Endgame Policy & Advocacy Training Series, Action on Smoking & Health (Oct. 10 & 16, 2023) (online; recorded sessions used in ongoing trainings)

Invited National Presentations

Tear Down that Wall: Retail Tobacco Displays and the First Amendment, Tobacco Control Legal Consortium Conference (St. Paul, MN, January 15-16, 2013) (conference facilitator)

Federal Preemption in Tobacco Control: New World, New Challenges, Tobacco Control Legal Consortium (national webinar) (August 13, 2013)

Teaching Tobacco Regulatory Science, NIH Tobacco Regulatory Science Conference (Bethesda, MD, April 29, 2014)

The Tobacco Control Act and the Deeming Regulations, University of North Carolina, Center for Regulatory Research on Tobacco Communication (Chapel Hill, NC, May 5, 2014)

Eyes on the Prize: Acting Boldly to End Smoking, Tobacco Control Legal Consortium Conference (St. Paul, MN, Sept. 3-4, 2014) (conference facilitator)

The Tobacco Control Act and the Authority of the FDA: How Science Informs Policy, Yale Tobacco Center of Regulatory Science (New Haven, CT, Sept. 22, 2014)

Connecting Science to Law: Understanding the Policymaking Process, AACR Science of Cancer Health Disparities Conference (San Antonio, TX, Nov. 9, 2014)

The Tobacco Control Act and the FDA's Tobacco Regulation: How Science Informs Policy, Georgia State University Tobacco Center of Regulatory Science (Atlanta, GA, Feb. 5, 2015)

Manipulation, Autonomy, and the First Amendment, Georgia State University College of Law, Center for Law, Health & Society (Atlanta, GA, Feb. 5, 2015)

The First Amendment and the Regulation of E-Cigarette Advertising, Centers for Disease Control and Prevention, Public Health Law Program (Atlanta, GA, Feb. 6, 2015)

A View from the Intersection of Theory, Research, and Practice, FDA Center for Tobacco Products (Silver Spring, MD, May 18, 2015)

Eyes on the Prize: Acting Boldly to End Smoking, Tobacco Control Legal Consortium Conference (St. Paul, MN, Sept. 29-30, 2015) (conference facilitator)

Combining Accreditation and Education: An Interdisciplinary Public Health Law Course, Indiana Health Law Review Symposium (Indianapolis, IN, Oct. 16, 2015)

The Tobacco Control Act and the FDA's Tobacco Regulation: How Science Informs Policy, American Heart Association Tobacco Regulation and Addiction Center (multi-site webinar) (Oct. 23, 2015)

Federal Tobacco Litigation, Food & Drug Law Institute FDA Tobacco Regulation Conference (Washington, DC, Oct. 27, 2015)

Participating in Regulatory Science: Submitting Public Comments to the FDA, Tobacco Centers of Regulatory Science (national webinar) (Feb. 10, 2016)

Tobacco 21 Enforcement, Using Science and Law to Advance Tobacco Retail Policy (St. Louis, MO, May 24, 2016)

Risk Assessment for Tobacco Regulation, UCSF Center for Tobacco Control Research and Education (San Francisco, CA, Oct. 17, 2016)

Risk Assessment for Tobacco Regulation, Stanford University School of Medicine, Prevention Research Center/General Medicine Division Seminar Series (Stanford, CA, Oct. 20, 2016)

Eyes on the Prize: Acting Boldly to End Smoking, Tobacco Control Legal Consortium Conference (Austin, TX, March 21, 2017) (meeting facilitator)

Policy Options for Addressing Thirdhand Smoke, University of Southern California, Department of Preventive Medicine (Los Angeles, CA, May 31, 2017)

Fusing Science and Law: A Framework for Tobacco Regulation, Indiana University Fairbanks School of Public Health (Indianapolis, IN, Oct. 31, 2017)

Health Care in a Deregulatory Age, UC Hastings College of Law, “Deregulatory Frontiers” Conference (San Francisco, CA, Nov. 17, 2017)

Communicating with Policymakers, Society for Research on Nicotine and Tobacco, Policy Research Network (national webinar) (Dec. 10, 2017)

Is the End of Smoking in Sight? Tobacco Control in the Trump Administration and Beyond, St. Louis University School of Law, Annual Health Law Symposium (St. Louis, MO, April 6, 2018)

Using Opioid Settlement Proceeds for Public Health: Lessons from the Tobacco Experience, University of Kansas School of Law, Kansas Law Review Symposium (Lawrence, KS, Sept. 21, 2018)

The Faltering Promise of FDA Tobacco Regulation, American University Washington College of Law, “FDA: Past, Present, and Future” Conference (Washington, DC, Oct. 19, 2018)

Risk Assessment for Tobacco Regulation and a Federal Minimum Price Policy, FDA Center for Tobacco Products (Silver Spring, MD, Jan. 18, 2019)

Rethinking the Role of Civil Litigation in Response to the Opioid Crisis, American University Washington College of Law, “The Opioid Crisis: Rethinking Policy and Law” Conference (Washington, DC, Feb. 22, 2019)

Emerging Legal Issues in Tobacco Regulation: The FDA and Beyond, Maryland State Tobacco Control Conference (Baltimore, MD, May 14, 2019)

The Tobacco Control Act and the FDA’s Tobacco Regulation, American Heart Association Tobacco Regulation and Addiction Center (multi-site webinar) (Feb. 21, 2020)

Drug and Vaccine Development and Access, 2020 Public Health Law Virtual Summit: Covid-19 Response and Recovery (Sept. 17, 2020; via Zoom)

Vaccine Distribution, Public Health Law Watch, COVID-19 Law & Policy Briefing (January 21, 2021; via Twitter/Podcast)

Tobacco Litigation, E-Cigarettes, and the Cigarette Endgame, UNLV Health Law Program Speaker Series (March 23, 2021; via Zoom)

What is the Public Health Standard?, Convening on Centering Equity in the Public Health Standard, Public Health Law Center (April 12, 2021; via Zoom)

Federal Tobacco Control Policy Updates, Maryland State Tobacco Control Conference (May 12, 2021; via Zoom)

E-Cigarettes and the Multiple Responsibilities of the FDA, Food & Drug Law Institute Annual Conference (May 20, 2021; via Zoom)

Information, Manipulation, and the Role of Government, APHA Medical Care Section, Symposium on Health and Medical Misinformation (Aug. 12, 2021; via Zoom)

Tobacco Regulation in a Changing Policy Landscape: Synthetic Nicotine, University of Michigan Tobacco Research Network Speaker Series (Nov. 11, 2021; via Zoom)

Synthetic Nicotine: Closing the Regulatory Gap, Public Health Law Center, “Creative Chemistry: Addressing Industry Evasion and Synthetic Nicotine” Webinar (Dec. 15, 2021; via Zoom)

The Tobacco Control Act and the FDA’s Tobacco Regulation, American Heart Association Tobacco Regulation and Addiction Center (multi-site webinar) (Feb. 22, 2022)

Premarket Tobacco Applications: Legal Challenges to FDA’s Process and Outcomes, Food and Drug Law Institute Annual Conference (Washington, DC, June 14, 2022)

West Virginia v. EPA and the Major Questions Doctrine, Centers for Disease Control and Prevention, Public Health Law Program Speaker Series (Sept. 19, 2022; via Zoom)

20 Years of the Industry Documents: Past, Present and Future, UCSF Center for Tobacco Control Research and Education, It’s About A Billion Lives Annual Symposium (San Francisco, CA, Jan. 26, 2023) (keynote panelist)

Misinformation, Law, and Public Health after COVID-19, Georgia State University Grand Rounds Lecture (Atlanta, GA, Feb. 28, 2024)

Litigation to Support the Tobacco Endgame, Action on Smoking and Health, National Tobacco Endgame Summit (Washington, DC, April 18, 2024)

Mentoring, Teaching, and Training in Transdisciplinary Contexts, Legal Life in Health Sciences Workshop (Philadelphia, PA, June 5, 2024)

Teaching Public Health Law in a Time of Judicial Activism, Temple University Center for Public Health Law Research and the American Society of Law, Medicine and Ethics (national webinar) (Aug. 29, 2024)

Tobacco Regulatory Science after Chevron: The Implications of the Changing Legal Landscape for Tobacco Research, University of North Carolina Lineberger Cancer Center, The Ohio State University James Comprehensive Cancer Center, and the Center for Coordination of Analytics, Science, Enhancement, and Logistics in Tobacco Regulatory Science (national webinar) (Oct. 10, 2024)

Misinformation, Law, and Public Health after COVID-19, University of Kentucky Rosenberg College of Law, Randall Park Speaker Series (Lexington, KY, Oct. 14, 2024)

Political and Legal Determinants of Health: Impact of the New Administration, Public Health Law Center (national webinar) (March 11, 2025)

Reviewed National Presentations

Commercial Speech & Tobacco Marketing: A Comparative Discussion, The Future of Global Tobacco Control: 2013 Symposium of the American Journal of Law & Medicine (Boston, MA, January 25, 2013)

Free Speech and Public Health: An International Perspective, ASLME Health Law Professors Conference (Newark, NJ, June 7, 2013)

Incorporating Collaborative Learning into Public Health Law Education, American Public Health Association Annual Meeting (Boston, MA, Nov. 4, 2013)

Manipulation, Autonomy, and the First Amendment, ASLME Health Law Professors Conference (San Francisco, CA, June 7, 2014)

Tobacco Regulatory Science: Bridging the Gap Between Science and Law, 2014 Public Health Law Conference (Atlanta, GA, Oct. 16, 2014)

Combining Accreditation & Education: An Interdisciplinary Public Health Law Course, American Public Health Association Annual Meeting (New Orleans, LA, Nov. 18, 2014)

All or Nothing? Compromise and Consistency in Public Health Law, American Public Health Association Annual Meeting (New Orleans, LA, Nov. 19, 2014)

Beyond Warning Labels: Clarifying Standards for Compelled Commercial Speech, ASLME Health Law Professors Conference (St. Louis, MO, June 5, 2015)

Challenges to State and Local Public Health Laws from International Trade Agreements, American Public Health Association Annual Meeting (Chicago, IL, Nov. 2, 2015)

Seeking a Pro-Equity Impact: The Intersection of Tobacco Control Policy and Health Disparities Research, Society for Research on Nicotine and Tobacco 2016 Annual Meeting (Chicago, IL, March 4, 2016)

Tobacco Regulatory Science: Integrating Science and Law, ASLME Health Law Professors Conference (Boston, MA, June 4, 2016)

FDA as Gatekeeper: Premarket Review of Tobacco Products, American Public Health Association Annual Meeting (Denver, CO, Oct. 31, 2016)

Closing the Regulatory Gap for Synthetic Nicotine, American Public Health Association Annual Meeting (Atlanta, GA, Nov. 6, 2017)

Risk Assessment for Tobacco Regulation, Society for Research on Nicotine and Tobacco 2018 Annual Meeting (Baltimore, MD, Feb. 22, 2018)

Rethinking Public Health Law: New Resources for Teachers, ASLME Health Law Professors Conference (Cleveland, OH, June 8, 2018)

Teaching Transdisciplinary Public Health Law, 2018 Public Health Law Conference (Phoenix, AZ, Oct. 5, 2018)

Compelled Warnings as a First Amendment Battleground, 2018 Public Health Law Conference (Phoenix, AZ, Oct. 6, 2018)

How Lawyers Can Build Bridges Across the Disciplines and in the Community, American Association of Law Schools Annual Meeting (discussion group) (New Orleans, LA, Jan. 4, 2019)

The Fourth Wave? Public Health Litigation, E-cigarettes, and the Cigarette Endgame, Northeastern University School of Law, Center for Health Policy and Law 2020 Annual Conference (Boston, MA, April 17, 2020; via Zoom)

The Ethics of E-Cigarette Industry Funded Research, American Society for Bioethics and Humanities Annual Conference (Oct. 18, 2020; via Zoom).

The Tobacco Control Act's Public Health Standard, ASLME Health Law Professors Conference (June 7, 2021; via Zoom)

Overcoming Federal Preemption: Enabling Local Control Over the Twin Traps of "Characterizing" Flavors and Nicotine Salts, American Public Health Association Annual Meeting (Oct. 21, 2021; via Zoom)

Synthetic Nicotine: The Policy Landscape, Society for Research on Nicotine and Tobacco 2022 Annual Meeting (Baltimore, MD, March 17, 2022)

Regulation of Synthetic Nicotine, 2022 National Conference on Tobacco or Health (New Orleans, LA, June 29, 2022)

Teaching Public Health Law After Covid-19, American Public Health Association Annual Meeting (Boston, MA, Nov. 8, 2022)

Tobacco Industry Abuse of the Substantial Equivalence Pathway, Society for Research on Nicotine and Tobacco 2023 Annual Meeting (San Antonio, TX, March 3, 2023)

Teaching Law in Schools of Public Health, Association of Schools and Programs of Public Health Annual Meeting (Arlington, VA, March 17, 2023)

Innovative Techniques to Teach Dreaded Legal Principles to MHA Students, Association of University Programs in Health Administration Annual Conference (National Harbor, MD, July 1, 2023)

Centering Law in Public Health Education, ASLME Health Law Professors Conference (Philadelphia, PA, June 6, 2024)

Other Local, State, and Regional Presentations

Commercial Speech and Public Health: A Comparative Law Analysis, Ohio Legal Scholarship Workshop (Dayton, OH, June 21, 2013)

Manipulative Advertising and the First Amendment, Big Ten Junior Scholars Conference (Bloomington, IN, August 10, 2013)

What is Advocacy and Am I Allowed to Do It?, Health Policy Institute of Ohio & Alliance for Justice (Ohio webinar) (August 28, 2013)

Creating Smoke-Free Public Housing, Ohio Housing Authorities Conference (Columbus, OH, Sept. 20, 2013)

Manipulative Marketing and the First Amendment, University of Dayton School of Law (Dayton, OH, Nov. 13, 2013)

Legal Issues with Smoke-Free Multi-Unit Housing, Allen County Healthy Housing Conference (Lima, OH, Nov. 21, 2013)

Update on FDA Tobacco Regulation, The Ohio State University Tobacco Control Seminar (Columbus, OH, Feb. 3, 2014)

Tobacco Policy Issues: 2014 and Beyond, Columbus Board of Public Health (Columbus, OH, July 15, 2014)

Strengthening Smoke-Free Policies: Legality and Enforcement, Ohio Department of Health (Ohio webinar) (Aug. 21, 2014)

A Collaborative Response to Emerging Infections and Epidemics, 2015 Health Professionals Conference, The Ohio State University (Columbus, OH, March 28, 2015) (panelist)

Tobacco Policy Issues in Ohio, Health Policy Institute of Ohio Tobacco Control Conference (Columbus, OH, June 1, 2015)

Pulling at the Roots of Poverty: Justice for All, Columbus Metropolitan Club (Columbus, OH, Sept. 9, 2015)

Content Analysis and Legal Review of Health Claims from Online E-Cigarette Retailers and Manufacturers, The Ohio State University Tobacco Control Seminar (Columbus, OH, Oct. 12, 2015)

Licensing and the Enforcement of Tobacco 21 Laws, Ohio Society for Public Health Education (Columbus, OH, March 11, 2016)

Marijuana and Public Health, Ohio Public Health Combined Conference (Columbus, OH, May 10, 2016)

Should the FDA Regulate E-Cigarettes?, Federalist Society, Columbus Lawyers Chapter (Columbus, OH, Jan. 12, 2017) (debate with Prof. Jonathan Adler)

An Assessment of Ohio's Medicaid Expansion, University of Toledo College of Law (Toledo, OH, Jan. 18, 2017)

Is This the End? The Future of Tobacco Control, The Ohio State University, John Glenn College of Public Affairs (Columbus, OH, March 27, 2017)

Tobacco: The Federal and State Policy Landscape, Health Policy Institute of Ohio Addressing Addiction Forum (Columbus, OH, Sept. 26, 2017)

Bringing Research to Policy, The Ohio State University Scholars Strategy Network (Columbus, OH, Feb. 16, 2018)

Public Health, Health Disparities, and the Role of Law, The Ohio State University, 2018 Health Professions Summit (Columbus, OH, Feb. 17, 2018)

Tobacco 21: Legal, Licensing, and Enforcement Issues, Association of Ohio Health Commissioners Fall Conference (Columbus, OH, Sept. 27, 2018)

The Teen Vaping Epidemic, Columbus Metropolitan Club (Columbus, OH, Mar. 6, 2019)

Tobacco 21 and Beyond, Tobacco-Free Ohio Alliance (Columbus, OH, April 9, 2019)

Staying in Front of the COVID-19 Curve: Legal and Ethical Challenges that Lie Ahead, The Ohio State University Moritz College of Law, Discussions from Drinko Hall Lecture Series (Columbus, OH, June 9, 2020; via Zoom)

Law, Policy, and Ethics in the COVID-19 Pandemic, Cleveland State University, College of Sciences and Health Professions (Cleveland, OH; Oct. 16, 2020; via Zoom)

COVID-19 Law and Policy, The Ohio State University Wexner Medical Center, Division of Family Medicine (Columbus, OH, Nov. 18, 2020; via Zoom)

Public Health Law in the Wake of COVID-19, Columbus Bar Association Health Law Committee (March 11, 2021; via Zoom)

Health Equity, the COVID-19 Vaccine, and Economic Recovery, The Ohio State University College of Public Health, Division of Health Services Management and Policy, 2021 Midland Lecture (April 15, 2021; via Zoom) (panelist)

E-Cigarettes and the Multiple Responsibilities of the FDA, The Ohio State University Bioethics Grand Rounds (June 10, 2021; via Zoom)

Public Health Law Updates: Implications for Local Health Departments, Ohio Association of Health Commissioners Annual Conference (Sept. 14, 2021; via Zoom)

The Ethics of Industry Funded Research, The Ohio State University Center for Ethics and Human Values (Sept. 20, 2021; via Zoom)

Using Opioid Settlement Proceeds for Public Health: Lessons from the Tobacco Experience, The Ohio State University Drug Enforcement and Policy Center, Ohio's Opioid Settlement Panel Series (Nov. 10, 2021; via Zoom)

Policy and Politics of Health: The Impact on the Health and Well-Being of a Community, The Ohio State University Roundtable on Actions Against Racism (May 6, 2022; via Zoom) (panelist)

Ohio Tobacco Policy Landscape, Ohio Public Health Combined Conference (Delaware, OH, April 26, 2023)

The Past, Present, and Future of Tobacco Regulation in Ohio, Regional Menthol Prevention Summit (Dayton, OH, May 16, 2024)

Key Ohio Tobacco Policy Issues: History and Next Steps, Association of Ohio Health Commissioners Fall Conference (Dublin, OH, Sept. 18, 2024)

Preview of FDA v. Wages and White Lion Investments, LLC, The Ohio State University Moritz College of Law, Discussions from Drinko Hall Lecture Series (Supreme Court Preview panelist) (Columbus, OH, Oct. 1, 2024)

Faculty Research Highlights, The Ohio State University College of Public Health, Health Services Management Institute (Columbus, OH, Nov. 8, 2024)

Health-Related Cases in the Courts, The Ohio State University Office of Government Affairs, Politics and Policy Discussion Series (Columbus, OH, Dec. 13, 2024)

Policy Change and Public Health, The Ohio State University College of Public Health, DEIC Committee Conversation Series (Columbus, OH, Jan. 16, 2025)

Press Contacts

Regularly quoted in international, national and local press on tobacco control, COVID-19, and other public health issues. Since 2013, quoted in press outlets including the *Wall Street Journal*, *New York Times*, *Washington Post*, *Newsweek*, *Law360*, *L.A. Times*, *The Independent* (U.K.), *Der Spiegel* (Germany), *Agence France Press* (France), *Christian Science Monitor*, *Columbus Dispatch*, *Cleveland Plain Dealer*, and *Cincinnati Enquirer*. Radio and television interviews with the Canadian Broadcasting Corporation, LBC (U.K.), RTL (France), and stations in San Francisco, Calgary, Columbus, Cleveland, Cincinnati, and elsewhere. Appeared on podcasts including *This Week in Health Law*, *All Sides with Ann Fisher*, and *Prognosis Ohio*.

TEACHING

Receive exemplary teaching reviews. Committed to innovative teaching that prepares students for practice. Public Health Law courses have involved experiential learning projects with local health departments.

Courses Taught

The Ohio State University:

- LAW 8810/PUBHHMP 7610: Public Health Law (cross-listed)
- PUBHHMP 7605: Introduction to Health Policy
- PUBHHMP 7611: Health Care Law for Managers
- PUBHHMP 7613: Tobacco Regulation and Policy
- PUBHHMP 6610: Introduction to Health Care Organization
- PUBHLTH 6010: Essentials of Public Health (co-taught)
- PUBHLTH 6004: Foundations in Public Health and Healthcare Systems II (co-taught)
- PUBHHMP 3610: U.S. and International Health Care

New England Law | Boston:

- Public Health Law
- Health Care Law
- Torts
- Criminal Law
- Products Liability

Capital University Law School:

- Public Health Law
- Torts I
- Torts II

AWARDS AND RECOGNITION

- John Slade Award, Society for Research on Nicotine and Tobacco (2023)
- David P. Rall Award for Excellence in Public Health Advocacy, American Public Health Association (2021)
- Future of Public Health Law Education Faculty Fellowship, Robert Wood Johnson Foundation (2014)
- Health Law Scholar, American Society of Law, Medicine & Ethics (2008)

COMMITTEES AND SERVICE ACTIVITIES

Peer Reviewer

American Journal of Preventive Medicine

American Journal of Public Health

BMJ

Health Policy

JAMA Health Forum

Journal of Health Politics, Policy and Law

Journal of Law, Medicine & Ethics

Journal of Medical Ethics

Journal of Public Health Management and Practice

New England Journal of Medicine
NYU Law Review
Nicotine & Tobacco Research
Ohio Journal of Public Health
PLOS Global Health
Preventing Chronic Disease
Public Health
Public Health Reports
Tobacco Control (reviewer of the year, 2019)
Tobacco Regulatory Science (associate editor, 2015-2021)
World Medical & Health Policy
Yale Journal of Health Policy, Law & Ethics

Professional Memberships

American Bar Association
American Public Health Association
American Society of Law, Medicine and Ethics
Columbus Bar Association
Ohio Public Health Association
Ohio State Bar Association
Society for Research on Nicotine and Tobacco

Federal Advisory Committees

Member, U.S. Department of Health and Human Services Interagency Committee on Smoking and Health (2023) (appointed by the Secretary of Health and Human Services) (committee moved to inactive status shortly after appointment)

Member, NIH Director's Council of Public Representatives (2008-2011) (appointed by the NIH director)

College and University Committees (OSU only)

Search Advisory Committee, Executive Vice President and Provost (2023-2024) (university-wide)

College of Public Health, Appointments, Promotions, and Tenure Committee (2023-present)

College of Public Health, Fellow to Faculty Search Committee (2022-2023)

Oversight Committee, Center for Health Outcomes and Policy Evaluation Studies (2022-present) (university-wide)

College of Public Health, Academic Studies Governance Committee (2022-2023)

University Senator representing the College of Public Health (2021-2023) (university-wide)

Committee on Academic Misconduct (2021-2023) (university-wide)

Public Safety Advisory Committee (2020-2023) (university-wide)

Graduate Enrichment Fellowship Review Committee (2022) (university-wide)

Moritz College of Law, Judicial Clerkships Committee (2021-2022)

College of Public Health, Division Chair Search Advisory Committee (2020-2021)

College of Public Health, “Blue Sky Squad” (college structural review committee) (2020-2021)

Moritz College of Law, Academic Affairs Committee (2020-2021)

College of Public Health, Health Services Management and Policy Program Evaluation & Planning Committee (2020)

Moritz College of Law, Dean Search Advisory Committee (2018-2019)

College of Public Health, Champions of Public Health Awards Committee (2018)

College of Public Health, Mary Ellen Wewers Lecture Committee (2018)

College of Public Health, Faculty Open Search Committee (2015-2018)

College of Public Health, Division of Health Services Management and Policy, MHA Admissions Committee (2013-present)

Provost’s Ad-Hoc Committee on Faculty Rewards (2014) (university-wide)

Community and Professional Service and Activities (since 2013)

Chair Elect, Health Policy Faculty Forum, Association of University Programs in Health Administration (2025-present)

Pro Bono Special Counsel, City of Columbus (2024-present) (provide assistance in defending the city’s authority to regulate tobacco products)

Member, National Steering Committee for Public Health Law for Future Public Health Practitioners, Centers for Disease Control and Prevention & ChangeLab Solutions (2022-2024)

Member, Steering Committee on Tobacco Science Integrity, Truth Initiative (2022-present)

Law Professor Panel Member, Local Solutions Support Center (2022-2024)

Consultant, U.S. Food & Drug Administration, Office of the Commissioner (2022-2023) (conducted external review of FDA decisions relating to the regulation of opioid analgesics)

Abstract Reviewer, 2023 Society for Research on Nicotine and Tobacco Annual Meeting (2022)

Abstract Reviewer, 2022 American Public Health Association Annual Meeting (2022)

Grant Reviewer, California Tobacco-Related Disease Research Program, University of California Office of the President (2022-2023)

Member, Board of Directors, Preventing Tobacco Addiction Foundation (2021-present)

Abstract Reviewer, 2022 Society for Research on Nicotine and Tobacco Annual Meeting (2021)

Abstract Reviewer, 2022 National Conference on Tobacco or Health (2021)

Abstract Reviewer, 2020 American Public Health Association Annual Meeting (2020)

Consultant, World Health Organization, Tobacco Free Initiative (2019-present) (intermittent)

Abstract Reviewer, 2020 Public Health Law Conference (2019)

Abstract Reviewer, 2020 Society for Research on Nicotine and Tobacco Annual Meeting (2019)

Project Sunset Committee, Action on Smoking & Health (2019-present)

Consultant, Network for Public Health Law (2018-2019)

Pro Bono Special Counsel, City of Columbus (2018-2019) (provided assistance in defending the city's Tobacco 21 law in court)

Social Justice Committee, Temple Israel (2018-2022)

Policy Action Committee, Society for Research on Nicotine and Tobacco (2017-2019)

External Advisory Board Member, Center for the Evaluation of Nicotine in Cigarettes (CENIC) (NIDA U54 Center; Donny & Hatsukami, Co-PIs) (2016-2023)

Co-Chair, Tobacco 21 Columbus (2015-2019) (co-led successful campaign to increase the tobacco sales age to 21 in Columbus and surrounding communities, and eventually the entire State of Ohio)

Volunteer Consultant, Preventing Tobacco Addiction Foundation (2015-present) (provide legal and policy support to communities around the country on tobacco policy issues)

Program Committee, American Public Health Association (APHA) Law Section (2014-2019)

Abstract Reviewer, 2019 National Conference on Tobacco or Health (2018)

Blogger, *Notice & Comment*, Blog of the *Yale Journal of Regulation* and the American Bar Association Section on Administrative Law & Regulatory Practice (2014-2018) (blog post on preemption cited in *Berger v. Philip Morris USA, Inc.*, 185 F. Supp. 3d 1324 (M.D. Fla. 2016))

Expert Review Workgroup on Legal Epidemiology Competencies, Public Health Law Program, Centers for Disease Control and Prevention (2016-2017)

Section Councilor & Communications Chair, APHA Law Section (2014-1017)

Workgroup on Training and Education (and Sub-Workgroup on Tobacco Regulatory Science Competencies), Tobacco Centers of Regulatory Science (2014-2016)

Planning Committee, 2014 Public Health Law Conference (2014)

Consultant, ChangeLab Solutions (2014)

Health Measurement Advisory Group, Health Policy Institute of Ohio (2014-2016)

Regional Leadership Council, American Lung Association of the Midland States (2013-2017)

Prevention and Public Health Policy Advisory Group, Health Policy Institute of Ohio (2013-2017)

George Consortium (2013-present) (national collaboration of public health academics working to promote the use of law to improve public health)

External Advisory Board Member, Advancing Science and Policy in the Retail Environment (ASPiRE) (NCI U01 Center; Ribisl, Henriksen & Luke, co-PIs) (2012-2016)

Consultant, Tobacco Control Legal Consortium/Public Health Law Center (2007-2022)