

## **ELIZABETH PENDO**

Joseph J. Simeone Professor of Law  
Saint Louis University School of Law  
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### **ACADEMIC EXPERIENCE**

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

Joseph J. Simeone Professor of Law, 2015-present  
Professor of Law, 2008-present; Visiting Professor of Law, 2007-2008  
Member, Center for Health Law Studies, 2007-present  
Member, Wefel Center for Employment Law, 2007-present  
Vice Dean, 2014-2015  
Associate Dean for Academic Affairs, 2010-2013

Chair, Learning Outcomes and Assessment Committee, 2013-2015  
Chair, Personnel Committee, 2010-2012  
Chair, Faculty Appointments Committee, 2009-2012

#### **Saint Thomas University, Miami, FL**

Professor of Law, 2005-2008  
Associate Professor, 2002-2005  
Assistant Professor, 1999-2002

### **TEACHING**

#### **Saint Louis University School of Law, 2007 - present**

Health Law, Bioethics and Law; Disability Law; Civil Procedure I and II

#### **Vytautas Magnus University School of Law, Kaunas, Lithuania, March 2015**

Health and Human Rights

#### **Saint Louis University Albert Gnaegi Center for Health Care Ethics, 2007-2011**

Clinical Health Care Ethics Certificate Program: Law and Bioethics; Ethical, Policy, and Social Issues in Pain Management and Palliative Care

#### **Nova Southeastern University Shepard Broad Law Center, 2006-2009**

M.S. in Health Law (blended on-line program): Legal Perspectives on Health Care Ethics

#### **Saint Thomas University School of Law, 1999-2007**

Health Law; Disability Law; Employee Benefits Law; Civil Procedure I & II

#### **Saint Thomas University School of Law Spain Program, 2001**

Health and Human Rights

## EDUCATION

**University of California Berkeley School of Law**, J.D., May 1993

S. K. Yee Scholarship (full-tuition merit scholarship)

Prosser Prize for writing, Children and the Law

**University of California Los Angeles**, B.A. with Honors in English Literature, *Magna*

*Cum Laude*, June 1990

College Honors Program; Phi Beta Kappa

Regents and Alumni Association Scholarships

## PUBLICATIONS

### Works in Progress

*Disability and Health Report*, Healthy People 2020 Law and Health Policy Project, U.S. Department of Health and Human Services, funded by the Robert Wood Johnson Foundation and the CDC Foundation (with Lisa I. Iezzoni, Professor of Medicine, Harvard Medical School and Director, Mongan Institute for Health Policy)

HEALTH LAW: CASES, MATERIALS AND PROBLEMS, with Clark, Furrow, Fuse Brown, Gatter, Greaney, Johnson, Jost, King & Schwartz (Thomson/West Publishing) (8th ed.)

Guest Editor, Special Issue: Health Care Law and the Rights of Individuals with Disabilities, *Laws* (a peer-reviewed, scholarly open access journal)

### Law Review and Peer-Reviewed Publications

BIOETHICS AND LAW IN A NUTSHELL (West) (co-authored with Robert Gatter, Sandra H. Johnson, Robert L. Schwartz) (2016)

*Hidden from View: Disability, Segregation and Work*, in INVISIBLE LABOR (Winifred Poster, Marion Crain & Miriam A. Cherry eds.) (University of California Press) (2016) (book chapter)

*Collecting New Data on Disability Health Inequities*, The Hastings Center Report (March/April 2016)

*What Patients with Disabilities Teach Us about the Everyday Ethics of Healthcare*, 50 Wake Forest L. Rev. 287 (2015)

*Identifying (With) Disability: Using Film to Teach Employment Discrimination*, 58 St. Louis Univ. L. J. 143 (2013)

*Shifting the Conversation: Disability, Disparities and Health Care Reform*, 6 FIU L. Rev. 400 (2011)

- Reducing Disparities through Health Care Reform: Disability and Accessible Medical Equipment*, 4 Utah L. Rev. 1057 (2010)
- Race, Sex and Genes at Work: Uncovering the Lessons of Norman-Bloodsaw*, 10 Hous. J. Health L. & Pol'y 227 (2010)
- Taking it to the Streets: A Public Right-of-Way Project for Disability Law*, 54 St. Louis Univ. L. J. 901 (2010)
- A Service Learning Project: Disability, Access and Health Care*, 38 J. of Law, Med. & Ethics 1 (2010)
- Working Sick: Lessons of Chronic Illness for Health Care Reform*, 9 Yale J. Health Pol'y L. & Ethics 453 (2009)
- Disability, Equipment Barriers and Women's Health: Using the ADA to Provide Meaningful Access*, 2 St. Louis Univ. J. Health L. & Pol'y 15 (2008), reprinted in RIGHTS OF THE DISABLED (Sonia Katoch, ed.) (ICFAI University Press 2010)
- Book Review*, 29 J. Legal Med. 117 (2008), reviewing Susan Starr Sered and Rushike Fernandopulle, *Uninsured in America* (2007)
- The Health Care Choice Act: The Individual Insurance Market and the Politics of 'Choice'*, 29 W. New Eng. L. Rev. 473 (2007)
- The Politics of Infertility: Recognizing Coverage Exclusions as Discrimination*, 11 Conn. Ins. L.J. 293 (2005)
- Coverage of Reproductive Technologies Under Employer-Sponsored Health Care Plans*, 8(2) Employee Rts. & Emp. Pol'y J. 523 (2005)
- Telling Stories About Health Insurance: Using New Films in the Classroom*, 5 Hous. J. Health L. & Pol'y 269 (2005)
- Images of Health Insurance in Popular Film: The Dissolving Critique*, 37 J. of Health L. 267 (2004), reprinted in BIOETHICS AND THE LAW (Janet L. Dolgin & Lois Shepherd, eds.) (Aspen Publishers)
- Substantially Limited Justice?: The Possibilities and Limits of a New Rawlsian Analysis of Disability-Based Discrimination*, 77 St. John's L. Rev. 225 (2003)
- Disability, Doctors and Dollars: Distinguishing the Three Faces of Reasonable Accommodation*, 35 U.C. Davis L. Rev. 1175 (June 2002)
- Book Review*, 22 J. Legal Med. 431 (July 2001), reviewing Sana Loue, *Textbook of Research Ethics: Theory and Practice* (2001)
- Recognizing Violence Against Women: Gender and the Hate Crimes Statistics Act*, 17 Harv. Women's L. J. 157 (Spring 1994)

*The Relationship Between Domestic Violence and Custody: A Pathfinder*, 12(4) Legal Ref. Servs. Q. 5 (1993)

### **Testimony and Public Comment**

Public Comment to the United States Access Board in connection with its Proposed Standards for Medical Diagnostic Equipment (June 8, 2012) (joined)

Public Comment supporting the United States Access Board's adoption of proposed guidelines for the design, construction, and alteration of safe and accessible pedestrian facilities in the public right-of-way (Sept. 21, 2011)

Testimony to United States Access Board addressing the effect of inaccessible medical equipment on access to health care for people with disabilities, legal background, and recommended sources of reference for standards (Feb. 10, 2011)

Public Comment supporting the Department of Justice's adoption of standards and scoping requirements for accessible medical equipment in its proposed revisions to Titles II and III of the ADA (Jan. 14, 2011)

Statement in Support of Senate Bill S2835 / Assembly Bill A6668 Removing Mental Disability Language from New York State Termination of Parental Rights Statute (with Stephanie Gwillim) (June 3, 2009)

Public Comment encouraging the Department of Justice to address standards for accessible medical equipment in its proposed revisions to Titles II and III of the ADA (Aug. 18, 2008)

### **Other Writings**

Guest Blogger, Health Law Prof Blog (Feb. 2014)

*Disability, Disparities and Health Care 20 Years after the ADA*, Ethics Rounds, Kaiser Permanente Northern California Department of Medical Ethics (Summer/Fall 2011) and *Caring for Patients with Disabilities*, Ethics Rounds, Kaiser Permanente Northern California Department of Medical Ethics (Summer/Fall 2010)

*Breaking Down the Blank Page: A Technique for Outlining Essay Questions*, 17 The Law Teacher (Fall 2011) and *Second and Third Year Students as Exam Preparation Experts*, 12 The Law Teacher (Fall 2004). Reprinted in *TECHNIQUES FOR TEACHING LAW 2* (Gerald F. Hess, et al. eds., 2011)

*Contextualizing Disability Law and Policy*, The Lawyer 20 (Spring 2002)

*The Americans with Disabilities Act at Work: Are You Covered?*, 4(2) MS Focus 18 (2002)

## HONORS & AWARDS

The American Law Institute, elected 2011

Eileen H. Searls Service Award, awarded by the Saint Louis University School of Law Women Law Students' Association, 2014

Faculty Excellence Award, Diversity & Social Justice (first recipient), awarded by the Saint Louis University Student Government Association to one University professor, 2013

Women's Justice Award - Legal Scholar, awarded by the Saint Louis Daily Record, 2012

YWCA Leadership Award, awarded in recognition of leadership in the Saint Louis University community, 2012

## PROFESSIONAL AFFILIATIONS

American Law Institute, elected 2011

American Bar Association

Fellow, elected 2015

Commission on Disability Rights, appointed 2017

Health Law Section, Affordable Care Act Task Force, 2017-present

Association of American Law Schools

Section on Law, Medicine and Health Care

Chair, 2017; Chair-Elect and Program Chair, 2016; Secretary, 2015;

Executive Committee, 2013–2014

Section on New Law Professors

Chair, 2007; Chair-Elect, 2006; Secretary, 2005

Association of American Law Schools, Southeast Conference (SEALS)

Inclusiveness Committee, 2014 – present

Beginning & Newer Law Teachers Committee, 2013 – present

Prospective Law Teachers Committee, 2013 – present

Organizer, health law programming for Annual Meeting, 2012 and 2013

Founding Disability Law Liaison for programming, 2016 - present

American Society of Bioethics and the Humanities

Nominations Committee, 2013 – 2014

Reviewer, proposals for Annual Meeting, 2014 and 2015

## PROFESSIONAL SERVICE

American Bar Association, Site Accreditation Team, St. John's University School of Law, 2017 (upcoming)

Academic Affairs Consultant, University of Cincinnati College of Law, 2016 (concerning structure and functions of academic leadership positions)

Chair of Graduate Council Review Team, S. J. Quinney College of Law at University of Utah, 2015

American Society of Law, Medicine and Ethics, Health Law Scholars Workshop, Reader, 2008-present, Selection Committee, 2016-present

Association of American Law Schools, Works-in-Progress for New Law School Teachers, Section on Law, Medicine and Health Care, Invited Reader, 2016 - present

American Society of Bioethics and the Humanities, Mentor Pairing Workshop, Invited Reader, 2012 and 2015

SEALS, New Scholars Workshop, Invited Reader, 2007-present, New Voices in Labor and Employment Law, Invited Reader, 2013-present

Florida Agency for Health Care Administration, Managed Care Ombudsman Committee, Statewide Chair, 2003-2007, appointed member, 2000-2007. Coordinated and led efforts to provide individual assistance in understanding and navigating the managed care grievance process.

Manuscript Review: Cambridge University Press; Journal of the American Medical Association; American Journal of Law, Medicine and Ethics; Yale Journal of Health Policy, Law & Ethics; Aspen Legal Publishers; American Journal of Bioethics

## LAW PRACTICE EXPERIENCE

**Metropolitan Life Insurance Company**, New York, NY, 1997-1999, *Associate Counsel, Employee Benefits / ERISA Group*

**Reboul, MacMurray, Hewitt, Maynard & Kristol**, New York, NY (now part of Ropes & Gray LLP), 1995-1997, *Associate, Litigation Group*

**U.S. Court of Appeals, Second Circuit**, New York, NY, 1993-1995, *Pro Se Law Clerk* (civil rights cases)

**State Bar Admissions:** California and New York (inactive status)

## RECENT PRESENTATIONS

*Could We Pass the ADA Today? Disability Rights in an Age of Partisan Polarization*, AALS Annual Meeting, San Diego, CA, 2018, speaker (upcoming)

*The Role of Law and Policy in Improving the Health of People Disabilities: The Healthy People 2020 Law and Health Policy Project*, American Public Health Association Annual Meeting, Atlanta, GA, 2017, speaker (upcoming)

*Disability, Vulnerability, and Inclusion: Clinical, Ethical, Legal, and Humanistic Perspectives*, Annual Meeting of the American Society of Bioethics and the Humanities, Kansas City, MO, 2017, speaker (upcoming)

*Recent Developments in Health Law and Public Health Ethics*, SEALS Annual Meeting, Boca Raton, FL, 2017, speaker (upcoming)

*Becoming a Productive and Fulfilled Scholar*, SEALS Annual Meeting, Boca Raton, FL, 2017, speaker (upcoming)

*Legal Strategies to Improve Disability Health Equity*, American Society of Law, Medicine and Ethics Health Law Professors Conference, Atlanta, GA, 2017

*Supreme Court Update: Disability Rights Law*, CLE program, Saint Louis, MO, 2017, speaker

*Visibility, Inclusion, Respect*, Missouri Association on Higher Education and Disability, Saint Louis, MO, 2017, keynote speaker

*The Future of Disability Law in the United States*, SLU LAW Summations (podcast series), Saint Louis, MO, 2017, guest

*Disabling Bias: Centering the Narratives of People with Disabilities*, Free to [Be] (university-wide student organization), Saint Louis, MO, 2017, discussion leader

*Hidden from View: Disability, Segregation and Work*, INVISIBLE LABOR Booksigning, Saint Louis, MO, 2017, speaker

*The ADA: Equality of Opportunity for People with Disabilities*, undergraduate Disability Theory and Politics Professor Amber Knight, Saint Louis University, Saint Louis, MO, 2017, guest lecture

*Health Law and Health Equity*, AALS Annual Meeting, San Francisco, CA, 2017, program organizer and speaker

*Disability Law in Legal Careers: Perspectives on Equality of Opportunity*, SLU LAW Series, Saint Louis, MO, 2016, program co-organizer and speaker

*The ADA at 25: Focus on Health Care*, Disability Studies undergraduate course, Professor Harold Braswell, Center for Health Care Ethics, Saint Louis University, Saint Louis, MO, 2016, guest lecture

*Top Developments in Disability Law and Policy*, SEALS Annual Meeting, Amelia Island, FL, 2016, program organizer and speaker

*Hot Topics in Health Law and Bioethics*, SEALS Annual Meeting, Amelia Island, FL, 2016, speaker

*Formative Assessment and Learning Outcomes: Implementing Upcoming ABA Standards Easily and Effectively*, SEALS Annual Meeting, Amelia Island, FL, 2016, speaker

*New Disability Challenges in Health Law*, American Society of Law, Medicine and Ethics Health Law Professors Conference, Boston, MA, 2016, program organizer and speaker

*Medical Documentation in the Workplace*, CLE program, Saint Louis, MO, 2016, speaker

*Current Issues in Accommodations Law*, SEALS Annual Meeting, Boca Raton, FL, 2015, speaker

*Caring for Patients: A Therapeutic Approach*, International Congress on Law and Mental Health, Sigmund Freud University, Vienna, Austria, 2015, speaker

*Protecting the Rights of Persons with Disabilities in the Medical Decision-making Process*, Jacobus tenBroek Disability Law Symposium, Baltimore, MD, 2015, workshop leader

*What Patients with Disabilities Teach Us about the Everyday Ethics of Healthcare*, Relationship-Centered Health Law and Ethics, Wake Forest University School of Law and Wake Forest Center for Bioethics, Health and Society, Winston Salem, NC, 2014, speaker

*Disability Rights and Health Care Reform*, Exploring Law, Disability and the Challenge of Equality in Canada and the U.S., UC Berkeley School of Law, Berkeley, CA, 2014, speaker

*Health Care Disparities and Inclusion*, Annual Meeting of the American Society of Bioethics and the Humanities, San Diego, CA, 2014, speaker

*Hot Issues in Law & Bioethics*, SEALS Annual Meeting, Amelia Island, 2014, organizer and panelist

*Update on At-Risk Populations: Mental and Physical Disability, Sexual Orientation and Veterans Status*, American Society of Law, Medicine and Ethics Health Law Professors Conference, San Francisco, CA, 2014, speaker



- The ADA Amendments Act and GINA & the ADA: Lessons from the First Cases*, Missouri Bar Association Mini-Law School Program, Saint Louis MO, 2014, speaker
- Disability and Health Care: What Difference Does it Make?*, Health Law Policy & Advocacy, Professor Sidney Watson, Saint Louis University School of Law, Saint Louis, MO, 2013, guest lecture
- The Genetic Information Nondiscrimination Act: Lessons from the First Cases*, CLE program, Saint Louis, MO, 2013, speaker
- GINA: Lessons from the First Cases*, University of Nevada Las Vegas, William S. Boyd School of Law, Las Vegas, NV, 2013, speaker
- Disability Equity Measures: Collecting New Data to Address Disability Disparities in Health Care*, Georgia State University College of Law, Atlanta, GA, 2013, speaker
- Health Care Reform Revisited: What Progress has Been Made Since Last Year?*, SEALS Annual Meeting, West Palm Beach, 2013, speaker
- Becoming a Productive and Fulfilled Scholar*, SEALS Annual Meeting, West Palm Beach, 2013, speaker
- Respecting People with Disabilities in Health Care Policy: A Therapeutic Approach*, International Congress on Law and Mental Health, Amsterdam, Netherlands, 2013, speaker
- Disability and Higher Education: The Impact of the ADA Amendment Act*, Disability and Higher Education graduate course, Professor Karen Myers, School of Education, Saint Louis University, Saint Louis, MO, 2013, guest lecture
- Health Care Reform: What Progress Has Been Made for People Who Use the Health Care System the Most?*, Association for Law, Medicine and Ethics Health Law Professors Conference, Newark, NJ, 2012, speaker
- Health Care Reform, Technology and Disability*, Law & Society Association Annual Meeting, Boston, MA, 2013, speaker
- Including Disability in Health Care Reform*, Including Disability: How Legal Discourse Can Shape Life's Transitions, UCLA School of Law, Los Angeles, CA, 2013, speaker
- Reducing Disability-Based Disparities through Health Care Reform*, Nova Southeastern University Shepard Broad Law, Ft. Lauderdale, FL, 2013, speaker
- Hard Conversations: Health Care Reform and Vulnerable Populations*, University of Nevada Las Vegas, William S. Boyd School of Law, Las Vegas, NV, 2013, speaker

*Doing Disability Justice: Advancing Disability Rights and Student Involvement in the Law School Environment*, Society of American Law Teachers Conference, Baltimore, MD, 2012, speaker

*Implementing Health Care Reform: What the Headlines Missed and The Far Reach of Disability Law: Its Impact in Multiple Federal and State Contexts*, SEALS Annual Meeting, Amelia Island, FL, 2012, speaker

*Beyond Discrimination: How Attitudes and Perception Affect Health Care Access and Decision-making*, Association of Law, Medicine and Ethics Health Law Professors Conference, Tempe, AZ, 2012, speaker

*Employee Benefits in an Era of Retrenchment*, Washington University School of Law and the Center for the Interdisciplinary Study of Work and Social Capital, Saint Louis MO, 2012, moderator

*Update on Disability Rights Law*, CLE program, Saint Louis, MO, 2012, speaker

*Disability and Access to Health Care*, Bioethics and the Law, Visiting Professor Kathy Cerminara, Saint Louis University School of Law, Saint Louis, MO, 2012, guest lecture

*Disability and Higher Education: The Impact of the ADA Amendment Act*, Disability and Higher Education graduate course, Professor Karen Myers, School of Education, Saint Louis University, Saint Louis, MO, 2012, guest lecture

*Disability, Barriers, and Women's Health*, Rebranding Disability Law: The Intersection of Disability with Gender, Race, Class and Other Identities, UC Berkeley School of Law, Berkeley, CA, 2012, speaker