

**The University of Texas at Austin**  
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**Employment**

The University of Texas at Austin  
Austin, TX (2006-present)

James R. Dougherty Chair, School of Law and  
Professor of Surgery and Perioperative Care, Dell Medical  
School; Vice Provost for Health Affairs (2006-13)

Columbia University  
New York, NY (1995-2006)

Professor of Law (2001-06);  
Associate Professor of Law (1995-2001)

O'Melveny & Myers  
Los Angeles, CA (1990-93; 1993-95)

Associate, Corporations Department  
(public finance, securities, mergers and acquisitions)

The White House  
Washington, DC (1993)

Cluster Leader, Health Care Working Group  
(President's Task Force on Health Care Reform)

The Johns Hopkins Hospital  
Baltimore, MD (1989-90)

Resident in Anesthesiology and  
Critical Care Medicine

Mercy Hospital and Medical Center  
San Diego, CA (1988-89)

Intern (Transitional)

Davis Polk & Wardwell  
New York, NY (1987)

Summer Associate

**Academic Degrees**

Harvard College  
(1978-82)

AB magna cum laude in biochemical sciences  
(Phi Beta Kappa; John Harvard Scholar)

Stanford University  
(1982-88)

MD with research honors in anesthesia and  
critical care medicine (Alumni Scholar)  
JD with distinction (Order of the Coif;  
note editor, *Stanford Law Review*)

Université Paris Descartes  
(2011)

Docteur honoris causa

**Licensure**

Medicine: California (1989, inactive); New York (1996, inactive); Texas (2008)  
Law: California (1990, inactive); District of Columbia (1991, inactive)

**Professional Honors**

Elected Member, National Academy of Medicine (IOM)  
Elected Member, The Academy of Medicine, Engineering and Science of Texas  
Eminent Scholar, Hagler Institute for Advanced Study, Texas A&M University (2017-18)  
Elected Fellow, The Hastings Center  
Honorary Member, Delta Omega National Public Health Honor Society (Alpha Tau Chapter)  
Honorary Fellow, American College of Legal Medicine  
Elected Fellow, New York Academy of Medicine

**Teaching and Service**

Courses and Lectures

Legislation, Regulation, and Public Policy (UT Law School)  
Health Law (UT Law School)  
Seminar on the Legal and Medical Professions (interdisciplinary with law and medical students)  
Medical-Legal Services for Vulnerable Populations (interdisciplinary with law and social work students)  
Advanced Health Policy (interdisciplinary with doctoral students in law, nursing, pharmacy, social work)  
Developing Outstanding Clinical Skills (DOCS) (Dell Medical School)  
Foundations for Leadership Practice (Dell Medical School)  
Problems in Health Policy and How to Solve Them (Plan II Liberal Arts honors program)  
Lecturer, Health Information Technology Professional Training Program (UT Austin)  
Special Lecturer: McCombs School of Business, UT School of Nursing, UT School of Social Work, UT College of Pharmacy, UT College of Natural Sciences, UT College of Liberal Arts, Moody College of Communication, UT School of Public Health  
Antitrust (Columbia Law School)  
Professional Responsibility (Harvard Law School, Duke Law School)  
Foundations of the Regulatory State (Columbia University School of Law)  
Professions and Professionals (Columbia University School of Law and College of Physicians & Surgeons; Yale Law School and Yale School of Medicine)

Visiting Professorships and Other Teaching Positions

Université Paris Descartes (professeur invite, faculté de droit, 2013-present)  
Yale Law School (Spring 2013)  
Harvard Law School (Fall 2007)  
University of Texas School of Law (2005-2006)  
University of Minnesota Law School/School of Public Health (visiting scholar, Fall 2003)  
Duke University School of Law (Spring 2001)  
Tokyo University Law Faculty (Columbia Law School exchange program, October 1997)  
Leyden-Amsterdam-Columbia Summer Program in American Law (July 1997)  
USC School of Medicine (adjunct faculty, 1991-95)  
UCLA School of Medicine (adjunct faculty, 1991-92)

University Service

Innovation and Leadership Curriculum Committee, Dell Medical School  
Task Force on Student Life (UT Law School) (chair 2014-16)  
Commencement speaker, University of Texas at Austin School of Nursing (December 2011)  
Commencement speaker, University of Texas College of Pharmacy (May 2011)  
Robert W. Hamilton Book Awards (committee 2012; chair 2014) (UT Austin)

Transformation in Medical Education (TIME) Steering Committee (UT System)  
Institute for Cancer Care Excellence special advisory group (MD Anderson Cancer Center)  
Advisory Board, Fleming Center for Healthcare Management (UTHSC Houston)  
Advisory Committee on Human Subjects Research (UT Austin)  
Objectivity in Research Committee (UT Austin)  
Committee on Sustainability (UT Austin)  
Subcommittee on Patient Safety Disclosure (UT System)  
IRB Task Force (UT System)  
Dean search committees (schools of nursing, pharmacy, social work) (UT Austin)  
UT Law School Task Force on Student Life (chair, 2014-16)

**Advisory Boards and Community Service**

Editorial Board, *Health Affairs* (1998-)  
Policy Committee, Collaborative on Accountability and Improvement (co-chair, 2016-)  
Program Committee, Health Professions Interest Group, National Academy of Medicine (2016-)  
Chair, Children's Optimal Health (nonprofit GIS mapping) (2015-2017; vice chair, 2008-15)  
Code Red Task Force on the Uninsured in Texas (2007-)  
Conseil scientifique, Institut Droit et Sante, Universite de Paris V (2007-)  
Central Health Equity Policy Council (executive committee, 2015-)  
Partners in Austin Transforming Health (PATH) (steering committee, 2015-)  
Board of Directors, ChangeLab Solutions (Public Health Law & Policy) (2009-17)  
Nat'l Advisory Committee, RWJF National Policy and Legal Advisory Network (2008-17)  
Editorial Board, Agency for Healthcare Research and Quality WebM&M/PSNet (2009-14)  
Steering Committee, Clinical Education Center at University Medical Center/Brackenridge (2007-2010)  
Fellows Council, The Hastings Center (2007-2012)

**Special Advisory Service**

Consultant, Competition Commission of South Africa, Private Health Care Sector Market Inquiry (2015-17)  
Peer reviewer, Harvard University Report on Protecting and Promoting the Health of NFL Players: Legal and Ethical Analysis and Recommendations (2015)  
Peer reviewer, IOM Report on the Future of Nursing: Five Years Later (2015)  
AHRQ Special Review Panel for R21 Grants on Patient Safety and Medical Liability (2010)  
AHRQ Advisory Council Subcommittee on Patient Safety and Medical Liability (2009-2010)  
Texas Health Services Authority, HIE Governance and Finance Workgroup (2010)  
JCAHO Tort Resolution and Injury Prevention Roundtable (2004-2005)  
Institute of Medicine, Committee on Rapid Advance Demonstration Projects (2002)  
The Hastings Center, Working Group on Conflicts of Interest in Research (2002-2003)  
The Hastings Center, Working Group on Ethical Issues in Patient Safety (2001-2002)  
New York State Dept. of Health Workgroup on IRB Guidelines (1997-1998)

**Grants**

"Preparing State Health Insurance Markets for Provider Competition to Deliver Assembled Products with Warranties" (Principal investigator: Commonwealth Fund, 2015-2016)

"Health Reform, Competition Policy, and Emerging Health Care Markets" (Principal investigator: Commonwealth Fund, 2013)

“The Texas Disclosure and Compensation Study: Best Practices for Improving Safety” (Co-investigator: Agency for Healthcare Research and Quality, 2010-2014; \$1.3 million)

“Medicare-Led Malpractice Reform” (Principal investigator: Commonwealth Fund, 2005-2007)

“A Mediation Skills Approach to Disclosing Medical Error” (Co-investigator: Agency for Healthcare Research and Quality conference grant, 2004)

“Project on Medical Liability in Pennsylvania” (Principal investigator: The Pew Charitable Trusts, 2002-2005; \$3.5 million)

“Competing on Quality of Care” (Investigator Award in Health Policy Research: Robert Wood Johnson Foundation, 1998-2001)

## **Publications**

### Books

*Oxford Handbook of U.S. Health Law* (I. Glenn Cohen, Allison Hoffman, and William M. Sage, eds.). New York: Oxford University Press 2016.

*Medical Malpractice and the U.S. Health Care System* (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006.

*Uncertain Times: Kenneth Arrow and the Changing Economics of Health Care* (Peter J. Hammer, Deborah Haas-Wilson, Mark A. Peterson, and William M. Sage, eds.). Durham, NC: Duke University Press 2003.

### Book Chapters

Sage WM, Ottosen MJ, Coopwood TB. A Quiet Revolution: Communicating and Resolving Patient Harm, in *Surgical Patient Care: Improving Safety, Quality, and Value* (Juan A. Sanchez, Paul Barach, Julie K. Johnson, and Jeffrey P. Jacobs, eds.). New York: Springer Science+Business Media 2017: 649-664.

Sage WM. Antitrust Law and Competition Policy in U.S. Health Care, in *Oxford Handbook of U.S. Healthcare Law* (I. Glenn Cohen, Allison Hoffman, and William M. Sage, eds.). New York: Oxford University Press 2016: 606-636.

Sage WM. Relating Health Law to Health Policy: A Frictional Account, in *Oxford Handbook of U.S. Healthcare Law* (I. Glenn Cohen, Allison Hoffman, and William M. Sage, eds.). New York: Oxford University Press 2016: 3-28.

Sage WM. Some Principles Require Principals: Why Banning “Conflicts of Interest” Won’t Solve Incentive Problems in Biomedical Research, in *Trust and Integrity in Biomedical Research: The Case of Financial Conflicts of Interest* (Thomas H. Murray and Josephine Johnston, eds.). Baltimore, MD: The Johns Hopkins University Press 2010: 188-213.

Sage WM and Leibenluft RF. Overcoming Barriers to Collaboration and Alignment: Legal and Regulatory Issues, in *Physician-Hospital Integration* (Francis J. Crosson and Laura Tollen, eds.). New York: Jossey-Bass 2010: 110-140.

Sage WM. Solidarity, in *Connecting American Values with American Health Care Reform* (Thomas H. Murray and Mary Crowley, eds.). Garrison, NY: The Hastings Center 2009: 10-12.

Sage WM. Paying Research Subjects: The U.S. Example, in *Essais cliniques, quels risques?* (Anne Laude and Didier Tabuteau, eds.). Paris: Presses Universitaires de France 2007: 137-152.

Sage WM and Kinney ED. Medicare-Led Malpractice Reform, in *Medical Malpractice and the U.S. Health Care System* (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006: 318-349.

Sage WM. Malpractice Reform as a Health Policy Problem, in *Medical Malpractice and the U.S. Health Care System* (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006: 30-42.

Sage WM and Kersh RT. Introduction, in *Medical Malpractice and the U.S. Health Care System* (William M. Sage and Rogan Kersh, eds.). New York: Cambridge University Press 2006: 1-8.

Sage WM. New Directions in Medical Liability Reform, in *Malpractice and Medical Practice Handbook* (Richard Anderson, ed.). Totowa, New Jersey: Humana Press 2005: 247-278.

Sage WM. Reputation, Malpractice Liability, and Medical Error, in *Accountability: Patient Safety and Policy Reform* (Virginia A. Sharpe, ed.). Washington, DC: Georgetown University Press 2004: 159-183.

Sage WM. Panel Presentation on Education in Professional Values and Rules, in Record of Proceedings, Convocation on the Face of the Profession II: The First Seven Years of Practice. *Journal of the New York State Judicial Institute on Professionalism in the Law* 2003; 3(1): 38-44.

Sage WM. Understanding the First Malpractice Crisis of the 21<sup>st</sup> Century, in *2003 Health Law Handbook* (Alice G. Gosfield, ed.). St. Paul, Minnesota: West Group: 2003; 1-32.

Institute of Medicine. Fostering Rapid Advances in Health Care: Learning from System Demonstrations (Janet M. Corrigan, Ann Greiner, and Shari M. Erickson, eds.). Washington, DC: National Academies Press: 2002 (committee member and chapter author).

Hammer PJ and Sage WM. Health Care Quality and Antitrust Law: Lessons from the Cases, in *2002 Health Law Handbook* (Alice G. Gosfield, ed.). St. Paul, Minnesota: West Group: 2002; 549-608.

Warren SH and Sage WM. Feasting in a Flak Jacket: Bankruptcy Risks and Opportunities for Solvent Health Care Organizations, in *1998 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1998; 443-468.

Sage WM and Aiken LH. Regulating Interdisciplinary Practice, in *Regulation of the Healthcare Professions* (Timothy S. Jost, ed.). Chicago: Health Administration Press; 1997; 71-101.

Sage WM. Mandatory Consumer Disclosure in Managed Care: Lessons from the Securities Industry, in *Achieving Quality in Managed Care: The Role of Law* (ABA Health Law Section Monograph 5, June 1997). Chicago: American Bar Association; 1997; 99-121.

Sage WM and Anderson D. Health Care Disclosure Requirements, in *1997 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1997; 185-205.

Sage WM and Scott CD. Community Health Information Networks, in *1996 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1996; 403-436.

Sage WM. Courts, Coverage and Managed Care: Do We Really Want an Adversarial Health Care System?, in *Medical Necessity: A Symposium on Policy Issues, Implementation Challenges and Tough Choices*. Washington, D.C.: Agency For Health Care Policy and Research/National Institute For Health Care Management; 1995: 63-73.

Warren SH and Sage WM. With Friends Like These...: Protecting Participants in Integrated Systems from Bankruptcy and Insolvency Risks, in *1995 Health Law Handbook* (Alice G. Gosfield, ed.). Deerfield, Illinois: Clark Boardman Callaghan; 1995; 115-151.

Articles (\*Refereed/peer reviewed publications)

Sage WM. Fracking Health Care: The Need to Safely De-Medicalize America and Recover Trapped Value for Its People (May 31, 2017). U of Texas Law, Public Law Research Paper (available at SSRN: <https://ssrn.com/abstract=2978285> or <http://dx.doi.org/10.2139/ssrn.2978285>).

\*Farmer SA, Moghtaderi A, Schilsky S, Magid D, Sage WM, Allen N, Masoudi FA, Dor A, Black B. Impact of Medical Liability Reform on Coronary Artery Disease Testing and Treatment (submitted for publication).

\*Etchegaray JM, Gallagher TH, Bell SK, Sage WM, Thomas EJ. The Error Disclosure Culture Survey and its Implications for Organizational Culture (forthcoming 2017) (AHRQ special issue on liability and safety).

Sage WM, Hyman DA. Antitrust as Disruptive Innovation in Health Care: Can Limiting State Action Immunity Help Save a Trillion Dollars? 48 *Loyola University Chicago Law Journal* 2017; 48: 723-755 (ABA antitrust symposium).

Sage WM. Minding Ps and Qs: The Political and Policy Questions Framing Health Care Spending. *Journal of Law, Medicine, and Ethics* 2016; 44(4): 559-568 (published in 2017) (symposium on health care in a new administration).

\*Sage WM, Harding MC, Thomas EJ. Resolving Malpractice Claims After Tort Reform: Experience in a Self-Insured Texas Public Academic Health System. *Health Services Research* 2016; 51(S3): 2615-2633 (AHRQ special issue on liability and safety).

\*Etchegaray JM, Ottosen MJ, Aigbe A, Sedlock E, Sage WM, Bell SK, Gallagher TH, Thomas EJ. Patients as Partners in Learning from Unexpected Events. *Health Services Research* 2016; 51(S3): 2600-2614 (AHRQ special issue on liability and safety).

Sage WM. Assembled Products: The Key to More Effective Competition and Antitrust Oversight in Health Care. *Cornell Law Review* 2016; 101(3): 609-700

\*Sage WM, Jablonski JS, Thomas EJ. Use of Non-Disclosure Agreements in Medical Malpractice Settlements by a Large Academic Health Care System. *JAMA Internal Medicine* 2015; 175(7): 1130-1135.

\*Sage WM, McIlhattan K. Upstream Health Law. *Journal of Law, Medicine & Ethics* 2014; 42(4): 535-549 (symposium on buying and selling health care) (published in 2015).

Sage WM. Medical Malpractice Reform: When Is It About Money? Why Is It About Time? *JAMA* 2014; 312(20): 2103-2105 (invited editorial).

Sage WM. Our “Patchwork” Health Care System: Melodic Variations, Counterpoint, and the Future Role of Physicians. *Houston Journal of Health Law & Policy* 2014; 14(1): 1-9 (invited foreword to symposium on health system fragmentation).

\*Sage WM. Getting the Product Right: How Competition Policy Can Improve Health Care Markets. *Health Affairs* 2014; 33(6): 1076-1082.

\*Sage WM, Gallagher TH, Armstrong S, Cohn J, McDonald T, Gale JL, Woodward A, and Mello MM. How Policy Makers Can Smooth the Way for Communication-and Resolution Programs. *Health Affairs* 2014; 33(1): 11-19.

\*Sage WM, Hyman DA. Let’s Make a Deal: Trading Malpractice Reform for Health Reform. *Health Affairs* 2014; 33(1): 53-58.

\*Etchegaray JM, Ottosen MJ, Burrell L, Sage WM, Bell SK, Gallagher TH, and Thomas EJ. Structuring Patient and Family Involvement in Medical Error Event Disclosure and Analysis. *Health Affairs* 2014; 33(1): 46-52.

Sage WM. Putting Insurance Reform in the ACA’s Rear-View Mirror. *Houston Law Review* 2014; 51(4): 1082-1113 (invited commentary).

Hyman DA, Sage WM. Medical Malpractice in the Outpatient Setting: Through a Glass, Darkly. *JAMA Internal Medicine* 2013; 173(22): 2069-2070 (invited commentary) (available at <http://archinte.jamanetwork.com/article.aspx?articleid=1741890>).

Golden JM, Sage WM. Are Human Genes Patentable? The Supreme Court Says Yes and No. *Health Affairs* 2013; 32(8):1343-1345.

Rosenbaum S, Sage WM. Maternity Care and Liability. *Women’s Health Issues* 2013; 23-1: e3–e5 (commentary).

Sage WM. Legal and Constitutional Influences on the Implementation of U.S. Health Care Reform. *Journal de Droit, de la Santé, et de l’Assurance Maladie* 2013; 1(1): 7-10.

\*Sage WM. Both Symptom and Disease: Relating Medical Malpractice to Health Care Costs. *Forum for*

*Health Economics and Policy* 2012; 15(3): 83-106 (available at <http://www.degruyter.com/view/j/fhep.2012.15.issue-3/fhep-2012-0010/fhep-2012-0010.xml?format=INT>).

\*Paik M, Black BS, Hyman DA, Sage WM, Silver CM. How Do the Elderly Fare in Medical Malpractice Litigation, Before and After Tort Reform? *American Law and Economics Review* 2012; 14(2): 561-600 (available at <http://aler.oxfordjournals.org/content/14/2/561.full.pdf+html>).

Sage WM. How Many Justices Does It Take to Change U.S. Health Care? Only One, But It Has to Want to Change. *Hastings Center Report* 2012; 42(5): 27-33 (commentary).

Sage WM. Brand New Law! The Need to Market Health Care Reform. *University of Pennsylvania Law Review* 2011; 159(6): 2121-2146 (symposium on the Affordable Care Act).

\*Hyman CS, Liebman CB, Schechter C, Sage WM. Interest-Based Mediation of Medical Malpractice Lawsuits: A Route to Improved Patient Safety? *Journal of Health Politics, Policy & Law* 2010; 35(5): 797-828.

\*Sage WM. Will Embryonic Stem Cells Change Health Policy? *Journal of Law, Medicine & Ethics* 2010; 38(2): 342-351 (symposium on the stem cell controversy).

\*Sage WM. Why the Affordable Care Act Needs a Better Name: 'Americare.' *Health Affairs* 2010; 29(8): 1496-1497.

\*Sage WM, Balthazar M, Kelder S, Millea S, Pont S, and Rao M. Mapping Data Shape Community Responses to Childhood Obesity. *Health Affairs* 2010; 29(3): 498-502.

Sage WM. Should the Patient Conquer? *Wake Forest Law Review* 2010; 45(5): 1505-1511 (symposium on a patient-centered health system).

Sage WM and Hyman DA. Combating Antimicrobial Resistance: Regulatory Strategies and Institutional Capacity. *Tulane Law Review* 2010; 84(4): 781-839.

\*Arrow K et al. Toward a 21<sup>st</sup> Century Health Care System: Transition Policies for Health Care Reform. *Annals of Internal Medicine* 2009; 150(7): 493-495 (co-author and member of FRESH-Thinking Work Group).

\*Hyman DA, Black B, Silver C, and Sage WM. The Effect of Caps on Non-Economic Damages: Evidence from Texas Medical Malpractice Cases. *Journal of Legal Analysis* 2009; 1(1): 355-409.

Sage WM. Over Under or Through: Physicians, Law, and Health Care Reform. *Saint Louis University Law Journal* 2009; 53(4):1033-1048 (Childress Lecture symposium issue).

Sage WM. Out of the Box: The Future of Retail Medical Clinics. *Harvard Law and Policy Review* 2009; 3: 1-11 (available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2377485](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2377485))

\*Black B, Hyman DA, Silver C, and Sage WM. Defense Costs and Insurer Reserves in Medical Malpractice and Other Personal Injury Cases: Evidence from Texas, 1988–2004. *American Law and Economics Review* 2008; 10(2): 185-245.



\*Silver C, Zeiler K, Black BS, Hyman DA, and Sage WM. Malpractice Payouts and Malpractice Insurance: Evidence from Texas Closed Claims, 1990-2003. *Geneva Papers on Risk and Insurance: Issues and Practice* 2008; 33: 177-192.

Kinney ED and Sage WM. Dances With Elephants: Administrative Resolution of Medical Injury Claims by Medicare Beneficiaries. *Indiana Health Law Review* 2008; 5(1): 1-7 (invited comment on lead article).

Sage WM. Relational Duties, Regulatory Duties, and the Widening Gap Between Individual Health Law and Collective Health Policy. *Georgetown Law Journal* 2008; 96(2): 497-522 (symposium on the future of health law).

\*Hyman DA, Black BS, Silver C, Sage WM, and Zeiler K. Do Defendants Pay What Juries Award? Post-Verdict Haircuts in Texas Medical Malpractice Cases, 1988-2003. *Journal of Empirical Legal Studies* 2007; 4(1): 3-68.

\*Zeiler K, Silver C, Black B, Hyman DA, and Sage WM. Physicians' Insurance Limits and Malpractice Payments: Evidence from Texas Closed Claims, 1990-2003. *Journal of Legal Studies* 2007; 36(2): S9-S45 (published in 2008).

\*Sage WM. Legislating Delivery System Reform: A 30,000 ft. view of the 800 lb. gorilla. *Health Affairs* 2007; 26(6): 1553-1556 (25<sup>th</sup> Anniversary Issue).

\*Pauly MV, Thompson C, Abbott T, Margolis J, and Sage WM. Who Pays?: The Incidence of High Malpractice Premiums. *Forum for Health Economics and Policy* 2007; 9(1) (Frontiers in Health Policy Research, Article 2: <http://www.bepress.com/fhep/9/1/2>).

\*Mello MM, Studdert DM, Schumi J, Brennan TA, and Sage WM. Changes in Physician Supply and Scope of Practice During a Malpractice Crisis: Evidence from Pennsylvania. *Health Affairs* 2007; 26(3): W425-W435 (Web Exclusive, Apr. 24, 2007).

Sage WM. Might the Fact That 90% of Americans Live Within 15 Miles of a Wal-Mart Help Achieve Universal Health Care? *University of Kansas Law Review* 2007; 55(5): 1233-1245 (symposium on the Massachusetts Health Plan).

Sage WM. The Wal-Martization of Health Care. *Journal of Legal Medicine* 2007; 28: 503-519 (Theodore R. LeBlang Distinguished Lecture).

Sage WM. Some Principles Require Principals: Why Banning "Conflicts of Interest" Won't Solve Incentive Problems in Biomedical Research. *Texas Law Review* 2007; 85(6): 1413-1463.

Sage WM. Why Are Demonstrations of Comprehensive Malpractice Reform So (At All) Controversial? *University of Memphis Law Review* 2007; 37(3): 513-529 (symposium on medical malpractice reform).

Sage WM. The Role of Medicare in Medical Malpractice Reform. *Journal of Health Care Law & Policy* 2006; 9(2): 217-234 (symposium on medical liability reform) (published in 2007).

Sage WM, Zivin JG, and Chase NB. Bridging the Relational-Regulatory Gap: A Pragmatic Information Policy for Medical Malpractice and Patient Safety. *Vanderbilt Law Review* 2006; 59: 1263-1308 (symposium on medical liability).

Sage WM. McDonald-Merrill-Ketcham Lecture: Pay for Performance: Will It Work In Theory? *Indiana Health Law Review* 2006; 3(2): 305-324 (symposium on pay for performance).

Kinney ED and Sage WM. Resolving Medical Malpractice Claims in the Medicare Program: Can It Be Done? *Connecticut Insurance Law Journal* 2005-06; 12(1): 77-136 (symposium on health care).

\*Sage WM. Malpractice, Patient Safety, and the Personification of Medical Injury: Opportunities for Academic Medicine. *Academic Medicine* 2006; 81(9): 823-826.

\*Hyman DA and Sage WM. Subsidizing Health Care Providers Through the Tax Code: Status or Conduct? *Health Affairs* 2006; 25(4): W312-W315 (Web Exclusive, June 20, 2006).

\*Sage WM and Kalyan DN. Horses or Unicorns: Can Paying For Performance Make Quality Competition Routine? *Journal of Health Politics, Policy, and Law* 2006; 31(3): 531-556.

Sage WM. Malpractice Reform as a Health Policy Problem. *Widener Law Review* 2005; 12: 109-121 (symposium on medical malpractice) (published in 2006).

\*Mello MM, Studdert DM, DesRoches CM, Peugh J, Zapert K, Brennan TA, and Sage WM. Effects of a Malpractice Crisis on Specialist Supply and Patient Access to Care. *Annals of Surgery* 2005; 242(5): 621-628.

\*Kessler DP, Sage WM, and Becker DJ. The Impact of Malpractice Reforms on the Supply of Physician Services. *JAMA* 2005; 293(21): 2618-2625.

\*Studdert DM, Mello MM, Sage WM, DesRoches CM, Peugh J, Zapert K, and Brennan TA. Defensive Medicine Among High-Risk Specialist Physicians During a Malpractice Crisis. *JAMA* 2005; 293(21): 2609-2617.

\*Black B, Silver C, Hyman DA, and Sage WM. Stability, Not Crisis: Medical Malpractice Claim Outcomes in Texas, 1988-2002. *Journal of Empirical Legal Studies* 2005; 2(2):207-259.

Sage WM. Malpractice Insurance and the Emperor's Clothes. *DePaul Law Review* 2005; 54(2): 463-484 (Clifford Symposium on tort law).

Sloan FA, Mathews CA, Conover CJ, and Sage WM. Public Medical Malpractice Insurance: An Analysis of State-Operated Patient Compensation Funds. *DePaul Law Review* 2005; 54(2): 247-276 (Clifford Symposium on tort law).

\*Sage WM. The Forgotten Third: Liability Insurance and the Medical Malpractice Crisis. *Health Affairs* 2004; 23(4): 10-21 (lead article).

\*Mello MM, Studdert DM, DesRoches CM, Peugh J, Zapert K, Brennan TA, and Sage WM.

Caring for Patients in a Malpractice Crisis: Physician Satisfaction, the Physician-Patient Relationship, and Quality of Care. *Health Affairs* 2004; 23(4):42-53.

\*Hammer PJ and Sage WM. Monopsony as an Agency and Regulatory Problem in Health Care. *Antitrust Law Journal* 2004; 71(3): 949-988 (symposium on health care antitrust).

\*Hammer PJ and Sage WM. Critical Issues in Hospital Antitrust Law. *Health Affairs* 2003; 22(6): 88-100.

Sage WM. Protecting Competition and Consumers: A Conversation with Timothy J. Muris. *Health Affairs* 2003; 22(6): 101-110.

\*Mello MM, Kelly CN, Studdert DM, Brennan TA, and Sage WM. Hospital Behavior in a Tort Crisis: Observations from Pennsylvania. *Health Affairs* 2003; 22(6): 225-233.

\*Sage WM. Medical Liability and Patient Safety. *Health Affairs* 2003; 22(4): 26-36.

\*Sage WM. Unfinished Business: How Litigation Relates to Health Care Regulation. *Journal of Health Politics, Policy, and Law* 2003; 28(2&3): 387-419 (special conference issue, "Who Shall Lead?").

\*Sage WM, Hyman DA, and Greenberg W. Why Competition Law Matters to Health Care Quality. *Health Affairs* 2003; 22(2): 31-44.

Sage WM. Managed Care's Crimea: Medical Necessity, Therapeutic Benefit, and the Goals of Administrative Process in Health Insurance. *Duke Law Journal* 2003; 53(2): 597-651 (symposium on administrative law) (published in 2004).

Sage WM and Hammer PJ. A Copernican View of Health Care Antitrust. *Law & Contemporary Problems* 2002; 65(4): 241-290 (symposium on managed care).

Hammer PJ and Sage WM. Antitrust, Health Care Quality, and the Courts. *Columbia Law Review* 2002; 102(3): 545-649.

Sage WM. Putting the Patient in Patient Safety. *JAMA* 2002; 287(22): 3003-3005 (invited editorial).

\*Sage WM. The Lawyerization of Medicine. *Journal of Health Politics, Policy, and Law* 2001; 26(5): 1179-1195 (Special Issue, Kenneth Arrow and the Changing Economics of Medical Care, Peter J. Hammer, Deborah Haas-Wilson, and William M. Sage, eds.).

\*Hammer PJ, Haas-Wilson D, and Sage WM. Introduction: Why Arrow? Why Now? *Journal of Health Politics, Policy, and Law* 2001; 26(5): 835-849 (Special Issue, Kenneth Arrow and the Changing Economics of Medical Care, Peter J. Hammer, Deborah Haas-Wilson, and William M. Sage, eds.).

Sage WM. Principles, Pragmatism, and Medical Injury. *JAMA* 2001; 286(2): 226-228 (invited editorial).

\*Sage WM. UR Here: The Supreme Court's Guide for Managed Care. *Health Affairs* 2000; 19(5): 219-223.

\*Studdert DM, Sage WM, Gresenz CR, and Hensler DR. Expanded Managed Care Liability: What Impact on Employer Coverage? *Health Affairs* 1999; 18(6): 7-27 (lead article).

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## **Recent Presentations**

### Invited Lectures, Testimony, and Conference Presentations

“Release and Repurpose: Solving the Social and Economic Problem of Low-Value Medicine” (40<sup>th</sup> Annual Health Law Professors Conference: Atlanta, GA; June 2017)

“The AHA and the ‘AHCA’” (Dell Medical School Brown Bag Lunch Series: Austin, TX; May 2017)

“Ethics in the Era of Rapid Innovation and Entrepreneurship in Healthcare” (McCombs School of Business Innovation in Healthcare Delivery Systems Symposium 2017: Austin, TX; April 2017)

“Resolving Malpractice Claims after Tort Reform: Experience in a Self-Insured Texas Public Academic Health System” (McCombs School of Business Innovation in Healthcare Delivery Systems Symposium 2017: Austin, TX; April 2017)

“What Worked and Didn't Work in Obamacare?” (Delta Omega Honor Society Distinguished Lecture Series, Texas A&M School of Public Health: College Station, TX; April 2017)

“The Arc of Health Reform” (Department of Medicine Grand Rounds, UCLA Health: Los Angeles, CA; March 2017)

“Recover and Repurpose: Solving the Social and Economic Problem of Low-Yield Medicine (NYU Classical Liberal Institute Conference on Health Innovation: New York, NY; February 2017)

“Beyond Financing: Keeping “Care” and “Health” in Health Care Reform” (American Bar Association Washington Health Law Summit: Washington, DC; December 2016)

“Healthcare Consolidation: How Regulation Drives Competition” (PhRMA State Medical Society Meeting 2016: Denver, CO; October 2016)

“Legal Influences on Health Care Innovation” (Ulahealth conference on Blockchain-based health care innovation: Austin, TX; October 2016)

“Health System Transformation and National Health Reform: Legal Barriers and Generational Opportunities” (National Academy of Medicine Health Policy and Health Care Systems Annual Interest Group Meeting: Washington, DC; October 2016)

“Responding to Patient Harm using “Communication-and-resolution” Principles: Challenges and Opportunities (American College of Obstetricians and Gynecologists, Texas region annual meeting: The Woodlands, TX; September 2016) (ethics keynote)

“*And Not Or*: The Conjunctive Challenges of Health Reform” (University of Pennsylvania Symposium and Tribute to Richard A. “Buz” Cooper, MD: Philadelphia, PA; September 2016) (afternoon keynote)

“U.S. Health Policy and the Future of Advanced Practice Nursing” (Penn School of Nursing conference on nursing workforce policy: Philadelphia, PA; September 2016)

“Addressing Hidden Regulatory Barriers to Effective Competition in Health Care” (American Bar Association/Loyola University Chicago conference on antitrust and consumer protection in health care: Chicago, IL; September 2016)

“Improving Communication with Patients in Cases of Error or Serious Adverse Events” (conference organizer and principal presenter for Universite Paris Descartes/Assistance Publique Hopitaux de Paris Workshop: Paris, France; June 2016)

“The Current Status and Future of ‘Obamacare’” (Sciences Po, Institut Droit et Sante – Inserm public lecture: Paris, France; June 2016)

“Re-Regulating Health Care for the ‘Triple Aim’ Generation of Professionals, Policymakers, and Patients” (Federation of State Medical Boards Annual Meeting: San Diego, CA; April 2016)

“Professional Speech and the First Amendment” (Northeastern University School of Law conference on the Future of Public Health: Boston, MA; April 2016)

“Legal and Policy Context for Value-Based Care Redesign” (Brown University Department of Orthopedic Surgery Grand Rounds: Providence, RI; March 2016)

“Keynote address: U.S. Health Policy, the ACA, and the Future of Advanced Practice Nursing” (Texas Nurses Association APRN Legislative Day: Austin, TX; February 2016)

“Keynote address: Health Policy and the Changing Role of Clinical Practice Guidelines” (Dell Medical School Department of Women’s Health Clinical Guidelines Forum: Austin, TX; February 2016)

“Health Law at War with Health Policy” (Texas A&M University School of Public Health: College Station, TX; January 2016)

“State Medical Boards: Legal, Institutional, and Generational Changes” (University of Washington School of Medicine conference on developing ethically sound regulatory strategies for medical injuries: Seattle, WA; December 2015)

“ACOs, New Health Care Delivery Models, and Physicians: The Promise of Generational Change” (Yale Law School and Yale School of Management conference on The New Health Care Industry: New Haven, CT; November 2015)

“Issues in Health Economics and Health Policy” (University of Texas Plan II Honors Pre-Medical Society: Austin, TX; October 2015)

“Beyond Revenue and Compliance: The ACA and Strategic Legal Issues for Texas Teaching Hospitals” (Teaching Hospitals of Texas Annual Health Law Seminar: Austin, TX; October 2015)

“Adding Value to Health Care” (Accordion Health Employer Health Conference 2015: Austin, TX; June 2015)

“Why Aren’t We There Already? Centering Health Law on the ACA’s Care Delivery and Population Health Goals” (Health Law Professors Conference: St. Louis, MO; June 2015)

“Competition that Adds Value: Big Picture Challenges in Health Law & Policy” (American Academy of Orthopaedic Surgeons course on Shifting from Volume to Value: Preparing your Practice for Health Reform: Washington, DC; May 2015)

“Belaboring Delivery System Reform” (University of Connecticut Insurance Law Center Conference on the 5<sup>th</sup> Anniversary of the Affordable Care Act: Hartford, CT; April 2015)

“Upstream Health Law” (McCombs School of Business Annual Conference on Innovation in Health Care Delivery Systems: Austin, TX; April 2015)

“The Affordable Care Act in 2015: Implications of Political Change” (American Association of Colleges of Pharmacy Interim Meeting: Austin, TX; February 2015)

“Adding Value by Improving Competition in Health Care” (Philosophical Society of Texas 177<sup>th</sup> Anniversary Meeting: Tyler, TX; February 2015)

“Beyond FDA: A Diversified Information Policy for ‘Unproven’ Treatments” (Texas Law Review Symposium on Science Challenges for Law and Policy: Austin, TX; January 2015)

“Rethinking the Product: A Path to More Effective Competition in Health Care” (Rice University Baker Institute for Public Policy: Houston, TX; December 2014)

“Health Care in the United States: How Public Regulation Drives \$3 Trillion of Private Competition” (European University Institute conference on Antitrust Law in Healthcare: Florence, Italy; November 2014)

“Unpacking the Regulation of Professional Speech (Yale Law School conference on Public Health in the Shadow of the First Amendment: New Haven, CT; October 2014)

“Keynote address: Consolidation and Competition Policy” (Healthcare Financial Management Association Thought Leadership Retreat: Washington, DC; October 2014)

“Communication and Resolution Programs: Policy Goals and Legal Issues” (Washington Medical Quality Assurance Commission Annual Educational Conference: Olympia, WA; October 2014)

“The Effects of Obamacare” (National Latino Law Student annual meeting: Austin, TX; September 2014)

“Disclosure and Apology: A Win-Win for Patient Safety and Medical Liability” (Alliance for Health Reform U.S. Capitol Briefing: Washington, DC; July 2014)

“Engaging Patients as Partners in Error Disclosure to Improve Patient Care: Legal Issues” (AHRQ-UT Health Science Center-Houston: Houston, TX; June 2014)

“Let the People In: Scope of Practice Reform in Texas” (Texas Public Policy Foundation Issue Briefing: Austin, TX; May 2014)

“Getting the Product Right: How Competition Policy Can Improve Health Care Markets” (Health Affairs Briefing, Provider Consolidation in Health Care: Washington, DC; May 2014)

“Clinical Trials Data Sharing, Litigation, and the First Amendment” (Presentation to the Institute of Medicine Committee on Strategies for Responsible Sharing of Clinical Trial Data: Washington, DC; April 2014) (via webcam)

“Improving Health Care Competition by Getting the Product Right” MD Anderson Cancer Center Institute for Cancer Care Innovation: Houston, TX; April 2014)

“Healthy Competition?” (Bipartisan Congressional Health Policy Conference: Houston, TX; March 2014)

“Obamacare: Do the Benefits Outweigh the Costs?” (Adam Smith Society Debate, McCombs School of Business: Austin, TX; January 2014)

“Obamacare in Theory and Practice” (University of Texas LAMP Presentation: Austin, TX; January 2014)

“The Role of Government in Health Care Markets” (University of Texas Health Science Center at San Antonio-Benjamin Rush Institute debate: San Antonio, TX; December 2013)

“Explaining Obamacare” (Institut Droit Sante, Université Paris Descartes: Paris, France; November 2013)

“Beyond Reforming the Market for Individual Health Insurance” (Comment on the University of Houston Law Center Frankel Lecture: Houston, TX; October 2013)

“Obamacare in Four Easy Lessons” (Stanford Center for Law and the Biosciences: Stanford, CA; October 2013)

“The Implementation of Health Reform in Texas” (UTFORUM Seminar on the Status of Health Care in the US: Austin, TX; October 2013)

“New Horizons for Responding to Medical Injury: Communication, Learning, and Resolution” (The Twelfth National Quality Colloquium: Washington, DC; September 2013)

“The Affordable Care Act Three Years Later: Implementation and Inertia” (HIMMS Austin: Austin, TX; September 2013)

“Health Care Reform” (Yale Healthcare Leadership Program, Visiting Scholar presentation: New Haven, CT; April 2013)

“Markets, Government Intervention, and Spending Growth in Health Care” (The Yale Healthcare Debate, Yale School of Medicine: New Haven, CT; March 2013)

“The Future of Health Care in Texas” (Introduction to Clinical Medicine Distinguished Lecture Series/Gateway Scholars Lecture: Austin, TX; March 2013)

“Competition Policy and the Future of Health Care Markets” (Yale Law School Health Law and Policy Society Event: New Haven, CT; March 2013)

“Accountable Care Organizations and the Affordable Care Act” (Travis County Medical Society Physician Dialogue: Austin, TX; February 2013)

“What's Next for Health Care in America? The Implementation of the ACA and What Will Remain Undone” (Yale Health Law and Policy Society Panel Discussion: New Haven, CT; February 2013)

“Privatized Components of Health Law” (Emory University School of Law 32<sup>nd</sup> Annual Thrower Symposium: Atlanta, GA; February 2013)

“The Developing National Health Care Economics Picture” (Seton Physician Leadership Series: Austin, TX; November 2012)

“The Role of Courts in Health Policy: The Supreme Court and the ACA” (UT Austin School of Nursing Health Policy Conference: Austin, TX; October 2012)

“Implementing Health Reform After the Supreme Court’s Ruling” (UCLA Law School: Los Angeles, CA; October 2012)

“Simplifying Health Reform” (University of California-Davis Distinguished Bioethics Public Lecture: Sacramento, CA; October 2012)

“How Many Justices Does It Take to Change the US Health Care System?” (University of California-Davis Distinguished Bioethics Academic Lecture: Sacramento, CA; October 2012)

“US Health Policy: Ethics, Reform, and Costs” (Harvard and Radcliffe Class of 1982 Thirtieth Reunion: Cambridge, MA; September 2012)

“Vision and Goals for a UT Austin Medical School” (Austin Area Research Organization monthly meeting; Austin, TX; September 2012)

“The Affordable Care Act is Constitutional: What Now?” (Texas Tribune Festival Panel Discussion on Health and Human Services: Austin, TX; September 2012) (moderator)

“And Healthcare for All: The Affordable Care Act and the Constitution” (Texas A&M University Wiley Lecture Series: College Station, TX; September 2012)

“SCOTUS Review: The Affordable Care Act Decision and Health Policy” (UT Law Faculty and Student Symposium: Austin, TX; September 2012)

“Health Reform in Half an Hour” (Jackson Memorial Library Summer Series: Tenant’s Harbor, ME; July 2012)

“Emerging Principles of Medical Liability Reform” (35<sup>th</sup> Annual Health Law Professors Conference: Tempe, AZ; June 2012)

“First Do No Harm: Does Health Information Technology Harm Patients?” (2d International Summit on the Future of Health Privacy: Washington, DC; June 2012)

“Geriatrics and Health Care Reform” (UTHSCSA Medical Research Day: San Antonio, TX; May 2012)

“Connecting National Health Care Reform to a UT Austin Medical School” (Natural Sciences Council Faculty and Staff Appreciation Dinner: Austin, TX; April 2012)

“How to Write Health Policy” (3<sup>rd</sup> Annual McCombs Symposium on Health Care Innovation, “Delivery System Reform: Doing More With Less: Austin, TX; April 2012)

“Health Care Reform in Central Texas: ‘Obamacare,’ the Section 1115 Medicaid Waiver, and an Austin Medical School” (Leadership Austin: Austin, TX; April 2012)

“The Constitutionality of the Affordable Care Act: In Favor” (UT Law School Federalist Society Debate on the Constitutionality of the Affordable Care Act: Austin, TX; April 2012)

“Malpractice Reform as a Great Challenge” (TEDMED 2012 Great Challenge Advocate Program: Washington, DC; April 2012)

“The Affordable Care Act in the Supreme Court” (UT Sage Spring 2012 Enrichment Program: Austin, TX; April 2012)

“The Importance of Law to Medicine” (Kappa Rho Pre-Medical Honor Society: Austin, TX; March 2012)

“The Future of Health Care Reform” (Alpha Epsilon Delta Pre-Health Honor Society: Austin, TX; March 2012)

“Whither the 800-lb Gorilla: The State of Play for Delivery System Reform” (Cancer Prevention Grand Rounds, MD Anderson Cancer Center: Houston, TX; January 2012)

#### Seminars and Workshops

“Medical-Legal Partnerships” (UT Law School Faculty Drawing Board Presentation: Austin, TX; March 2017)

“Recover and Repurpose: Engineering the De-Medicalization of US Social Policy” (UCLA Law School faculty workshop: Los Angeles, CA; March 2017)

“Legal, Professional, and Generational Perspectives on US Health Policy Challenges” (Emory Health System clinical leadership meeting: Atlanta, GA; March 2016)

“Health Law Barriers to Health Policy Solutions” (Weill Cornell Department of Health Policy faculty seminar: New York, NY; March 2016)

“Regulatory Theory and Tobacco Control, or Why Dancers Smoke” (University of Texas School of Public Health tobacco research center seminar: Austin, TX; December 2015)

“Relating Health Law to Health Policy” (University of Arizona interdisciplinary seminar on regulation: Tucson, AZ; December 2015)

“Relating Health Law to Health Policy” (Emory Law School Faculty Workshop: Atlanta, GA; November 2015)

“Relating Health Law to Health Policy” (Cornell Law School Faculty Workshop: Ithaca, NY; November 2015)

“Health Law and Health Policy: A Frictional Account” (Southern Methodist University Law School Faculty Workshop: Dallas, TX; October 2015)

“Rethinking the Product: A Path to More Effective Competition in Health Care” (Emory Law School Faculty Workshop: Atlanta, GA; September 2014)

“Improving Competition Policy for Health Care Markets” (University of Texas School of Law Faculty Workshop: Austin, TX; February 2014)

“Medical Schools, Academic Health Centers, and 21st Century Health Care: Overcoming Cognitive Dissonance” (FRESH-Thinking Workshop on the Future of Medical Education: Stanford, CA; October 2013)

“Comments: Our Patchwork Health Care System: Benefits and Challenges” (Houston Journal of Health Law & Policy Annual Symposium: San Antonio, TX; September 2013)

“Competition Policy and the Future of Health Care Markets” (Columbia Law School Center for Law and Economic Studies Workshop: New York, NY; September 2013)

“Medical Malpractice and Health Care Costs” (2013 Medical Malpractice Roundtable, UT School of Law: Austin, TX; March 2013)

“Competition and Emerging Health Care Markets” (Harvard Law School Petrie-Flom Center Health Law Workshop: Cambridge, MA; February 2013)

“Community Benefit Requirements and Health Improvement” (ChangeLab Solutions Board Presentation: Sausalito, CA; February 2013)

“The Impact of Federal and Local Elections on Health Care” (Austin Area Research Organization Committee Meeting: Austin, TX; December 2012)

“Antitrust, Health Reform, and Emerging Health Care Markets (Saint Louis University School of Law faculty workshop: St. Louis, MO; November 2012)

“Improving Premedical Education” (FRESH-Thinking Workshop on the Future of Medical Education: Stanford, CA; November 2012)

“Interprofessional Education in Law and Medicine” (University of California-Davis MIND Institute workshop: Sacramento, CA; October 2012)

“The Supreme Court’s Health Reform Decision” (ChangeLab Solutions Public Health Law Lunch: Oakland, CA; September 2012)