

Contents

<i>List of Figures</i>	<i>page</i> xi
<i>List of Tables</i>	xiii
<i>List of Contributors</i>	xv
<i>Acknowledgments</i>	xix
Introduction	1
Katherine L. Kraschel, I. Glenn Cohen, Abbe R. Gluck, and Carmel Shachar	
PART I THE HEALTH CARE SYSTEM THAT COVID-19 ENCOUNTERED	11
Introduction	13
Carmel Shachar	
1 COVID-19 and Clinical Ethics: Reflections on New York’s 2020 Spring Surge	17
Joseph J. Fins	
2 Patients First, Public Health Last	28
Richard S. Saver	
3 Risk, Responsibility, Resilience, Respect: COVID-19 and the Protection of Health Care Workers	42
William M. Sage and Victoria L. Tiase	
4 Post-Truth Won’t Set Us Free: Health Law, Patient Autonomy, and the Rise of the Infodemic	58
Wendy E. Parmet and Jeremy Paul	
5 Structural Factors Related to COVID-19 Disparities	73
Saida I. Coreas, Erik J. Rodriguez, and Eliseo J. Pérez-Stable	

	PART II COVID-19, DISPARITIES, AND VULNERABLE POPULATIONS	87
	Introduction	89
	Asees Bhasin	
6	Tolerating the Harms of Detention, With and Without COVID-19	91
	Jaimie Meyer, Marisol Orihuela, and Judith Resnik	
7	COVID-19 and Racial Justice in America	105
	Scott J. Schweikart, Fernando De Maio, Mia Keeys, Joaquin Baca, Brian Vandenberg, and Aletha Maybank	
8	Access to Scarce Interventions: Age and Disability	116
	Govind Persad and Jessica L. Roberts	
9	Humane and Resilient Long-Term Care: A Post-COVID-19 Vision	129
	Nina A. Kohn	
	PART III GOVERNMENT RESPONSE AND REACTION TO COVID-19	141
	Prologue	143
	Marcella Nunez-Smith	
	Introduction	149
	Abbe R. Gluck	
10	Federalism, Leadership, and COVID-19: Evolving Lessons for the Public’s Health	153
	Nicole Huberfeld	
11	COVID-19 Reveals the Fiscal Determinants of Health	167
	Matthew B. Lawrence	
12	Legislating a More Responsive Safety Net	179
	Andrew Hammond, Ariel Jurow Kleiman, and Gabriel Scheffler	
13	Eradicating Pandemic Health Inequities: Health Justice in Emergency Preparedness	193
	Ruqaiijah Yearby	
14	The Jacobson Question: Individual Rights, Expertise, and Public Health Necessity	206
	Lindsay F. Wiley	

<i>Contents</i>		ix
PART IV INNOVATION DURING COVID-19		219
Introduction		221
I. Glenn Cohen		
15	Innovation Law and COVID-19: Promoting Incentives and Access for New Health Care Technologies	225
	Rachel E. Sachs, Lisa Larrimore Ouellette, W. Nicholson Price II, and Jacob S. Sherkow	
16	Addressing Exclusivity Issues: COVID-19 and Beyond	237
	Michael S. Sinha, Sven J.R. Bostyn, and Timo Minssen	
17	At-Risk Populations & Vaccine Injury Compensation	253
	Katharine Van Tassel and Sharona Hoffman	
PART V OPENING NEW PATHWAYS FOR HEALTH CARE DELIVERY AND ACCESS		265
Introduction		267
Katherine L. Kraschel		
18	Telehealth Transformation in COVID-19	271
	Ryan P. Knox, Laura C. Hoffman, Asees Bhasin, and Abbe R. Gluck	
19	Changes in Methadone Regulation During COVID-19	288
	Zoe M. Adams, Taleed El-Sabawi, William H. Coe, Hannah Batchelor, Janan Wyatt, Mona Gandhi, Ida Santana, and Ayana Jordan	
20	Reproductive Justice after the Pandemic: How “Personal Responsibility” Entrenches Disparities and Limits Autonomy	303
	Rachel L. Zacharias, Elizabeth A. Dietz, Kimberly Mutcherson, and Josephine Johnston	
21	Abortion At-Home and At-Law During a Pandemic	317
	Joanna N. Erdman	
PART VI GLOBAL RESPONSES TO COVID-19		329
Introduction		331
Michelle M. Mello		

22	COVID-19 and National Public Health Regimes: Whither the Post-Washington Consensus in Public Health?	335
	Tess Wise, Gali Katznelson, Carmel Shachar, and Andrea Louise Campbell	
23	Mapping COVID-19 Legal Responses: A Functionalist Analysis	354
	Joelle Grogan and Alicia Ely Yamin	
24	A Tale of Two Crises: COVID-19, Climate Change, and Crisis Response	367
	Daniel Farber	
25	Vaccine Tourism, Federalism, Nationalism	379
	I. Glenn Cohen	
	Epilogue: COVID-19 in the Courts	391
	Abbe R. Gluck and Jacob Hutt	