Contents

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

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

Contents

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

22	COVID-19 and National Public Health Regimes: Whither the Post-Washington Consensus in Public Health? Tess Wise, Gali Katznelson, Carmel Shachar, and Andrea Louise Campbell	335
23	Mapping COVID-19 Legal Responses: A Functionalist Analysis Joelle Grogan and Alicia Ely Yamin	354
2 4	A Tale of Two Crises: COVID-19, Climate Change, and Crisis Response Daniel Farber	367
25	Vaccine Tourism, Federalism, Nationalism I. Glenn Cohen	379
	Epilogue: COVID-19 in the Courts Abbe R. Gluck and Jacob Hutt	391

Contents

Х