

**AN INTERPROFESSIONAL AND
INTERINSTITUTIONAL ESSAY COMPETITION FOR
LAW STUDENTS AND MEDICAL STUDENTS
ADDRESSING HEALTH POLICY ISSUES RELATED
TO THE COVID-19 PANDEMIC**

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INTRODUCTION

Interprofessional communication and collaboration are essential to the work of most professionals, including lawyers and health care providers. While legal and medical practices differ in many ways, practitioners in both fields face “(1) acceleration of professional specialization, (2) fragmentation of services, (3) a growing demand to treat the client [or patient] as a whole person, and (4) the emergence of complex social and ethical problems beyond the scope of one profession or discipline to solve.”¹ Moreover, while lawyers and health care providers often see their professions in conflict, many areas of mutual concern benefit from the application of both legal and medical expertise.

As legal educators and the bodies that accredit and rank them consider the best practices for legal pedagogy, consideration should be given to increasing interprofessional learning opportunities.² Providing law students interprofessional learning opportunities exposes them to problem solving beyond the myopic lens of their own profession and facilitates a more holistic approach to legal problems.³ Similarly, national reports focused on the development of competencies for medical students and residents reveal clear themes:

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1. Janet Weinstein, *Coming of Age: Recognizing the Importance of Interdisciplinary Education in Law Practice*, 74 WASH. L. REV. 319 (1999).

2. Lisa Radtke Bliss, Sylvia Caley, Patty Roberts, Emily Suski, & Robert Pettignano, *Interprofessional Education, in Building on Best Practices: Transforming Legal Education in a Changing World* (Deborah Maranville, et al., eds., 2015).

3. *Id.*

Medical students should display an understanding of nonbiologic determinants of health, cultural diversity, public health and prevention, and health policy and systems thinking. They should develop skills in policy and systems advocacy and demonstrate an ability to work in interprofessional teams. Similarly, competencies for residency education highlight skills in interprofessional communication as well as demonstration of “an awareness of and responsiveness to the larger context and system of health care as well as the ability to effectively call on resources in the system to provide optimal health care.”⁴

However, traditional professional education does little to provide law students and medical students with the education and training relevant to working with professionals in other disciplines. Moreover, despite a growing number of institutions that have had the foresight to voluntarily develop legal-medical interprofessional programs in recent years,⁵ no accreditation standards explicitly support collaborative work between law students and medical students.⁶ This special edition of *Syracuse Law Review* contains the winning essays from a writing competition between students at Syracuse University College of Law (“SUCOL”) and State University of New York, Upstate Medical University (“Upstate”)—neighboring institutions in Syracuse, New York.

Planning for this volume began in late 2019 with an idea to engage law students and medical students in an interinstitutional and interprofessional academic exercise addressing health policy. At that time, fifteen candidates remained of the twenty-eight hopefuls who mounted a Democratic primary challenge against incumbent Republican President Donald Trump for the 2020 election—the largest field of candidates in a United States presidential election in over forty years. According to a Pew study conducted earlier that year, only the state of the economy topped health care costs among Americans’ public policy priorities, outranking education, terrorism, and social security, while other health policy issues, including Medicare and drug addiction, outranked popular public priorities such as the budget deficit, race relations, the military, transportation, climate change, and global trade.⁷

4. Tobin-Tyler, Elizabeth JD, MA & Teitelbaum, Joel JD, LLM, *Training the 21st-Century Health Care Team: Maximizing Interprofessional Education Through Medical-Legal Partnership*, 91 ACAD. MED. 761, 761–765 (2016).

5. These programs range from informal activities to medical legal partnerships and joint MD/JD degree tracks.

6. Linda Morton, Howard Taras & Vivian Reznik, *Encouraging Physician-Attorney Collaboration through More Explicit Professional Standards*, 29 HAMLINE J. PUB. L. & POL’Y 317 (2008).

7. Kristen Bialik, *State of the Union 2019: How Americans See Major National Issues*, PEW RSCH. CTR. (Feb. 4, 2019), <https://www.pewresearch.org/fact-tank/2019/02/04/state-of-the-union-2019-how-americans-see-major-national-issues/>.

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As we entered the election year, the pool of Democratic candidates was reduced to six and four areas seemed to dominate the national health policy discourse: the future of the Affordable Care Act, expanding healthcare insurance coverage, the cost of prescription drugs, and changes to accountable care organizations.⁸

The initial concept for the exercise consisted of an essay contest open to SU law students and Upstate medical students. As initially conceived, contestants would write on a health policy issue of their choice and the winning authors would moderate a health policy debate between candidates for the United States Congressional seat in New York's 24th District. However, in early 2020, virtually all aspects of life were dramatically changed by the emergence of the disease caused by the novel corona virus of 2019 (COVID-19), or the severe acute respiratory syndrome coronavirus 2 (SARS-Co-V2), as it was officially named by the International Committee on Taxonomy of Viruses (ICTV) on February 11, 2020.⁹

Approximately forty cases of pneumonia of unknown etiology within the city of Wuhan in China's Hubei Province were first reported to the World Health Organization's (WHO) China Country Office on December 31, 2019 and subsequently attributed to COVID-19.¹⁰ On January 13, 2020, WHO confirmed a case of the disease in Thailand as the first case outside of China. The first case reported in the United States was identified on January 20, 2020, when a man returning to the Seattle area on January 15, 2020 from visiting China developed respiratory symptoms and went to a hospital for assessment on January 19, 2020.¹¹ By March 11, 2020, WHO declared COVID-19 a pandemic,¹² and within two months of this declaration, COVID-19 had spread to 192 countries with over 4 million cases and over 280,000 deaths.¹³ At the time of this writing—thirteen months later—more than 83 million have contracted the virus worldwide, and 1.8 million have succumbed to it, with over 31.6 million cases and 566,494 deaths in the United States alone.¹⁴

8. *Six Healthcare Issues to Watch this Year*, DERMATOLOGY TIMES, Apr. 2019, at 10.

9. *Archived: WHO Timeline COVID-19*, WHO (Apr. 27, 2020), <https://www.who.int/news/item/27-04-2020-who-timeline---covid-19>.

10. Timothy P Sheahan & Matthew B Frieman, *The Continued Epidemic Threat of SARS-CoV-2 and Implications for the Future of Global Public Health - Current Opinion*, 40 VIROLOGY 37,37–40 (2020).

11. *Id.*

12. *Id.*; See Heath Kelly, *The Classical Definition of a Pandemic is Not Elusive*, 89 BULL. OF THE WORLD HEALTH ORG. 540, 540–541 (2011).

13. *Id.*

14. As of August 23, 2021, the United States accounts for approximately 37,530,212 of the global COVID-19 cases and ranks thirteenth in the world for COVID-19 deaths per

Beyond the profound illness and loss of life, the COVID-19 pandemic has affected nearly every aspect of life in the United States and around the world. Not surprisingly, citing concerns about the pandemic, October 22, 2020 was the second and final debate between then President Donald Trump and democratic challenger and former vice-president Joe Biden. So, too, did the pandemic affect plans for the academic exercise that would ultimately result in the publication of this volume. Under the leadership of the American Medical Association and Medical Society of the State of New York (AMA/MSSN) president Eunice Choe and *Syracuse Law Review* Editor-in-Chief Nikkia Knudsen, students elected to proceed with the writing contest but replace the moderated political debate with a special edition of the *Syracuse Law Review* featuring the winning essays. Students from Upstate's chapter of the AMA/MSSN, under the leadership of Eunice Choe, worked with students of the *Syracuse Law Review*, under the leadership of Nikkia Knudsen to develop parameters and the timeline for the competition.

I. METHODS

Founded in 1870, Syracuse University is a private institution with over 22,000 students in 13 schools and colleges,¹⁵ including the College of Law, which was founded in 1895 and is home to nearly 650 students.¹⁶ Upstate, founded in 1834 as the Medical Institution of Geneva College, became a college of Syracuse University in 1875 where it was housed until 1950 when it was acquired by the State University of New York (SUNY).¹⁷ Today, Upstate houses one of four academic medical centers in the SUNY system of 64 campuses and enrolls over 1,500 students in its Colleges of Medicine, Graduate Studies, Nursing, and Health Professions. The Syracuse University and Upstate main campuses overlap in Syracuse, New York.

The AMA/MSSNY chapter and the *Syracuse Law Review* invited all student enrolled in graduate programs at Syracuse University or Upstate Medical University to participate in the competition. Entries for

capita. See *Covid Map*, BBC (Aug. 23 2021), <https://www.bbc.com/news/world-51235105>; See also Alexandra Ellerbeck, *The Health 202: Here's How the U.S. Compares to Other Countries on the Coronavirus Pandemic*, THE WASHINGTON POST (Apr. 12, 2021, 7:52 AM), <https://www.washingtonpost.com/politics/2021/04/12/health-202-here-how-us-compares-other-countries-coronavirus-pandemic/>.

15. *Facts, Figures and Rankings*, SYRACUSE UNIV., <https://www.syracuse.edu/about/facts-figures-rankings/> (last visited Aug. 23, 2021).

16. *Fast Facts*, SYRACUSE UNIV. COLL. OF L., <http://law.syr.edu/admissions/fast-facts> (last visited Aug. 23, 2021).

17. *History of SUNY Upstate Medical University*, TIKI-TOKI, <http://www.tiki-toki.com/timeline/entry/415783/History-of-SUNY-Upstate-Medical-University/> (last visited Aug. 25 2021).

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the competition were required to demonstrate original thought on a topic related to COVID-19, although authors had wide latitude to analyze a response to COVID-19, propose a response or policy solution, advocate a position, educate the reader on clinical aspects, or discuss clinical treatments or a potential vaccination, or other topic of their interest. Essay submissions were accepted beginning December 2020 and closed by February 2021. Of the nineteen essays submitted five were from SUCOL students and fourteen were from Upstate students.

I was joined by the distinguished faculty members Peter Bell, Robin Paul Malloy, Aliza Milner and Danielle Stokes from SUCOL, and Amy Caruso Brown, Rebecca Garden, Travis Hobart, and Edward McArdle from Upstate to score submissions. All essays were graded on five criteria: (1) **Originality**: How unique was the author's premise regarding the prompt?; (2) **Understanding of the selected topic**: How well did the author show an understanding of their chosen topic and how it related to the essay prompt?; (3) **Voice**: How well did the author explain their voice?; (4) **Style**: How well did the author utilize grammar, spelling, and syntax?; and (5) **Formatting**: How well did the author follow the formatting guidelines? Each criterion was scored from 1 (worst) to 5 (best) and scores were tallied for all entries.

In Round one, a panel of two faculty members from Upstate and two faculty members from SUCOL independently scored each submission and the top ten scoring submissions advanced to the second round of review. Each submission advancing to Round two was then scored by a mixed panel of two faculty members to select a first, second, and third place submission. The six next highest scoring submissions were selected for publication as “Honorable Mention” essays.

II. RESULTS

In the final round, the scores ranged from 20.3 (lowest) to 23.3 (highest). In their 1st Place paper entitled, *A Proposed Policy Solution to Provide Remote Prenatal Care After the COVID-19 Pandemic*, Upstate medical students Olivia Chen and Natasha G. Pandit examined the role of telemedicine visits for managing prenatal visits between providers and pregnant women during the pandemic. While acknowledging that physicians and patients must weigh the risks and benefits of in-person versus remote prenatal care, telemedicine can be a valuable tool, even for monitoring and counseling in high-risk cases. Citing health and economic benefits to mothers, babies, and payers, Chen and Pandit argue for policy change to extend Medicaid coverage to obstetric telemedicine services beyond the pandemic.

The Liquidity Pandemic: A Recent History of the Federal Reserve and Economic Implications of Historically Aggressive Actions during the COVID-19 Pandemic earned SUCOL law student Roland Lindmayer the 2nd Place distinction for his examination of the Federal Reserve's actions prior to and during the COVID-19 pandemic, and how these efforts "have and will continue to affect the economy, financial markets, and monetary policy for years—and even decades—to come." Noting that,

the Federal Reserve has been an extremely influential government body in combatting the economic and financial effects of the COVID-19 pandemic, possibly even more so than the Executive Branch and Legislative Branch. The Fed's policies since the start of the pandemic have also fundamentally altered its relationship with the U.S. economy and financial markets by continuing to venture into more unorthodox policies and to extend the Fed's reach into new markets. Some policies that were previously considered totally out of the question are now within the realm of possibilities for continuing to combat the recession caused by the COVID-19 pandemic or future recessions. It remains to be seen exactly how the Federal Reserve will move forward as both a monetary policymaker and asset manager, and how its relationship with financial markets will continue to evolve.

Rebecca Harris received the 3rd Place award for her paper entitled *Extroversion as a Potential Risk Factor for Increased Spread of COVID-19 in the United States During a Global Pandemic*. In this novel review of a universal spectrum of personality types, Harris examines the potential impact of introverted and extroverted personality types on adherence to public health guidelines in the United States during the pandemic and how the promotion of extroverted tendencies by United States culture contributed to increased risk of COVID-19 spread. This, she argues, may be due to reduced adherence to social distancing and other guidelines among extroverted people. Ultimately, Harris argues that targeted messaging that accounts for differences in the degree of behavioral changes required of extroverts compared to introverts, and the increased stress associated with diminished social contact, could be more successful in inducing compliance with social guidelines during this pandemic or any future public health crises.

Among the six honorable mention papers, Ann Ciancia wrote a compelling essay entitled: *The Rise in Family Violence During the COVID-19 Era*. She explains that under mandated health precautions, many families have isolated themselves to stay safe from the virus but are left in danger at home with their abuser(s). "The pandemic creates a paradox," she says, because for some individuals, "being isolated at home during the pandemic is more dangerous than a crowded supermarket."

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Cianca proposes several measures to reduce risks to vulnerable individuals during this pandemic and in future emergencies.

In *A Bioethical Argument to Provide Direct Payments to Undocumented Immigrants in a COVID-19 Economic Stimulus*, Michael Conroy highlights the unequal distribution of recent governmental stimulus payments to individuals who were financially impacted by the pandemic, and relies on the bioethical principles of justice and solidarity to argue undocumented workers and their families should be eligible for stimulus payments.

While the first known case of COVID-19 was reported in Wuhan, China, in her essay entitled, *Is China to Blame for COVID-19?*, Melanie Ngo explores provisions of the International Health Regulations (IHR)¹⁸ to assess China's culpability for the early spread of the virus, and the Foreign Sovereign Immunities Act (FSIA) of 1976¹⁹ as a potential bar to legal action against China by foreign plaintiffs.

In his essay entitled, *A Bitter Pill to Swallow - The Inevitability of the Global Pandemic*, Anthony Corsi explores the history of disease outbreaks to conclude that we should have been better prepared for the COVID-19 pandemic. Moreover, Corsi argues that the tremendous losses of this pandemic should prompt us to better prepare for the inevitable next pandemic.

Noting phenomenon like the vast inequity in COVID-19 vaccine availability between wealthy and poor countries and “vaccine tourism”—the practice of traveling from poor areas to rich areas to receive vaccines—Connor Wiest's essay entitled *Only the Rich can Afford a Free Vaccine* highlights inequities in vaccine access as just the latest example of global healthcare inequity.

Finally, in *COVID-19 Within the Mass Incarceration System*, Almasa Talovic identifies prisons and jails as “COVID-19 hotspots” and describes the often severe and disproportionate impact of the illness on the physical and mental health of inmates. The author then argues legal, public policy, public health, and economic bases for reform of the prison system.

CONCLUSION

Neither public health crises nor interprofessional and interinstitutional collaboration are new. However, the unique nature and timing of the world-wide COVID-19 pandemic created what appears to

18. *International Health Regulations*, WHO, https://www.who.int/health-topics/international-health-regulations#tab=tab_1 (last visited Aug. 25, 2021).

19. Foreign Sovereign Immunities Act of 1976, 28 U.S.C. §1605(a)(2) (2016).

be the first example of a law review volume to be dedicated to essays submitted by law students and medical students. Congratulations are in order for the student organizers of this activity and the authors who submitted essays. Despite the devastating loss of life caused by COVID-19 and the enormous health, social, and economic challenges created by the pandemic, perhaps one bright side is the incredible focus of individuals from multiple backgrounds coming together to address these challenges. Although this volume is a small drop in a large bucket, the nine essays published in this volume are significant for their substance and, equally important, the interdisciplinary collaboration between professional students at different institutions as a model for other efforts of this kind.