

# Thaddeus Mason Pope

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## Highlights Summary of Curriculum Vitae

### Honors & Distinctions

- Fellow, The Hastings Center (2023)
- Visiting Scholar, Brocher Foundation, Switzerland (2022)
- Fulbright Canada Research Chair in Health Law, Policy, and Ethics at the University of Ottawa (2021)
- Royal College of Physicians and Surgeons of Canada, McLaughlin-Gallie Visiting Professor (2020)
- John and Marsha Ryan Bioethicist in Residence, Southern Illinois University School of Law & School of Medicine (2020) & (2015)

### Scholarship

- Top 20 most cited health law scholar (*Bill of Health* 2018)
- H-index = 37 (Google Scholar 2024)
- World Top 100 Law & Legal Studies Scientists (*AD Scientific Index* 2024)
- Quoted and cited not only in academic literature but also in appellate court opinions, casebooks, treatises, and legislative debates
- Over 300 articles in law, medical, and bioethics journals and chapters
- Nearly 500 academic and public presentations at universities, hospitals, and professional associations in USA, Europe, Asia, Canada, and Australia

### Expertise

- End of Life Decisions
- Medical Consent
- Patient Rights
- Healthcare Liability
- Torts
- Professional Responsibility
- Health Law
- Bioethics

## **Current Academic Positions**

- Professor of Law, Mitchell Hamline School of Law
- Adjunct Professor, Australian Centre for Health Law Research, Faculty of Law, Queensland University of Technology
- Adjunct Associate Professor, Albany Medical College
- Visiting Professor of Medical Jurisprudence, Saint George's University
- Affiliate Faculty, University of Minnesota Center for Bioethics

## **Service**

- Chair and consultant for international professional associations
- Regular peer reviewer for grants, journals, and book publishers

## **Narrative Summary of Curriculum Vitae**

Thaddeus Mason Pope, JD, PhD, HEC-C, is a foremost expert on medical law and clinical ethics. He focuses on improving medical decision-making and on protecting patient rights at the end of life.

Professor Pope has been a Fulbright Canada Research Chair in Health Law, Policy and Ethics at the University of Ottawa, and a visiting scholar at the Brocher Foundation in Switzerland. He is now a Professor at Mitchell Hamline School of Law and a Fellow of the Hastings Center. Pope is also Adjunct Professor with the Australian Centre for Health Law Research at Queensland University of Technology, and Adjunct Associate Professor with the Alden March Bioethics Institute at Albany Medical College.

Ranked among the Top 20 most cited health law scholars in the United States, Professor Pope has more than 300 publications. And Pope's engagement with these issues goes beyond academic scholarship. He bridges thought and action by developing amicus briefs, legislative testimony, and professional organization policy statements.

Before joining academia, Professor Pope clerked on the U.S. Court of Appeals for the Seventh Circuit and worked as a corporate litigator for Arnold & Porter LLP. Pope earned a JD and PhD (in philosophy and bioethics) from Georgetown University.

## Expert Witness Experience

Professor Pope has served as both a consulting and testifying expert witness in court, arbitration, and other tribunal proceedings. Professor Pope has worked with a wide range of parties in the healthcare system. He has been retained by hospital systems, physicians, nurses, and patients. Professor Pope has worked for both plaintiffs and defendants.

Professor Pope has engaged on two main types of cases.

- First, he has worked on both tort and contract cases involving healthcare providers. These cases often intertwine with issues of clinical and/or professional ethics. For example, a key question was whether the manner of terminating a hospital-physician contract resulted in patient abandonment.
- Second, Professor Pope has worked on actions regarding life-sustaining treatment. These cases often concern the scope of consent authority possessed by surrogate decision makers like proxies, agents, parents, and guardians.

### I. Testified at Trial

*California State Bar Prosecution of Mary Blair Angus and Natalie Duke*, Nos. 16-0-17407 and 16-0-17437 (California State Bar Court 2021).

- Professor Pope testified on the appropriateness of a county adult protective services agency using Probate Code 4766 proceeding to challenge the treatment decisions of a patient's healthcare agent.
- The agent alleged that it was unprofessional for the county's lawyers to have pursued the matter.

*In Areen Charabarti*, No. 201800563MI (Orphans Court Division, Court of Common Pleas of Philadelphia County, Pennsylvania 2018).

- Professor Pope testified at a May 2018 trial on the legal status of brain death. He testified on behalf of a family contesting the Children's Hospital of Philadelphia diagnosis and treatment plan.
- He also served as consulting expert for the family.

## II. Testified at Deposition

*California State Bar Prosecution of Mary Blair Angus and Natalie Duke*, Nos. 16-0-17407 and 16-0-17437 (California State Bar Court 2021).

- Professor Pope testified on the appropriateness of a county adult protective services agency using Probate Code 4766 proceeding to challenge the treatment decisions of a patient's healthcare agent.
- The agent alleged that it was unprofessional for the county's lawyers to have pursued the matter.

*Ramdas Bhandari, MD v. V/H/A Southwest Community Health Corporation d/b/a Community Hospital Corporation and Artesia General Hospital*, No. 1:09-CV-00932 JB/LAM (U.S. District Court for the District of New Mexico 2010-2011).

- Professor Pope was retained by Greenberg Traurig LLP for a hospital client defendant. The plaintiff took Professor Pope's deposition in Houston.
- The primary issue concerned hospital and physician duties to the former patients of a departing physician.

*Wagner v. Summa Health System*, No. CV-2013-09-4227 (Court of Common Pleas, Summit County, Ohio 2016-2017).

- Professor Pope was retained by the family of a deceased patient. The defendant hospital took Professor Pope's deposition in Saint Paul.
- The primary issue concerned provider duties to obtain appropriate consent for a DNR/CCO order.

*Cedar Valley Medical Specialists v. Singh & Kamenova*, No. LACV 131470 (Black Hawk County District Court, Iowa 2018).

- Professor Pope was retained by two oncologists. The defendant clinic took his deposition in Saint Paul in December 2018.
- The oncologists' former employer charged that the manner of their contract termination and departure constituted patient abandonment.

## III. Other Expert Consulting

*O'Connor v. Community Hosp. & Med. Center*, No. 18-CECG-01184 (Fresno Sup. Ct., Cal. 2023).

- Professor Pope was retained by the plaintiff who alleged that the hospital and the regional OPO took his daughter's organs knowing that they lacked authorization.
- The matter settled after Professor Pope's deposition was scheduled.

*Bhandari v. UCSD*, No. 22-CV-1471-CAB-WVG (S.D. Cal. 2022)

- Professor Pope assessed EMTALA and state law claims concerning treatment of a patient who died after allegedly inadequate care.

*Anonymous* (California 2022)

- Professor Pope consulted with clinicians regarding the appropriateness of complying with and revising a POLST.

*Shavelson v. California*, No. 3:21-CV-06654 (N.D. Cal. 2021).

- This matter was appealed to the U.S. Court of Appeals for the Ninth Circuit.
- Professor Pope was consulting with California MAID clinicians and terminally ill patients who challenge the End-of-Life Option Act's prohibition on assistance with ingestion as inconsistent with the ADA.
- Some patients otherwise qualified under the EOLOA are unable to ingest the medication because of their physical disability (such as ALS).
- Pope submitted a declaration in support of opposition to the state's motion to dismiss.

*Potts v. San Rafael Operating Company*, No. SCV-266808 (Sonoma County Superior Court, Cal. 2021).

- Professor Pope was retained in this case concerning resuscitation of a patient contrary to their wishes.

*Michael Hickson v. St. David's South Austin Medical Center & Family Eldercare* (2020).

- Professor Pope consulted with a law firm hired by the family of a patient whose life-sustaining treatment was withdrawn contrary to his wishes and because of his pre-existing disabilities.

*In re B.A.B.*, No. 68-0904-34484 (Minnesota Office of Admin. Hearings 2018).

- Professor Pope was retained by Fredrikson & Byron on behalf of a nurse client. He prepared a report but did not testify.
- This healthcare licensing board action involved professional boundaries. It questioned whether a licensee should have accepted a significant gift from a patient long after the treatment relationship had ended.

*Guardianship of Lisa Spangler*, No. BE15PO724GD (Massachusetts Probate & Family Court, Berkshire Division 2018).

- The family of a disabled individual retained Professor Pope in a matter that questioned whether a guardian may direct a healthcare facility to withdraw a patient's artificial nutrition and hydration. The patient died before Professor Pope was required to testify.

*Kosta M. Arget, MD et al. v. Renown Health et al.*, No. CV11-02477 (Second Judicial District for the State of Nevada, Washoe County 2013).

- Professor Pope was retained by Bryan Cave LLP for a hospital client. He attended a hearing in Reno, but the case settled before his testimony was needed.
- The primary issue concerned hospital and physician group duties to former patients of departing physicians.

*In re Rodney Knoepfle* (Helena, Montana 2016-2017).

- Professor Pope worked as a pre-suit non-testifying expert for a patient planning claims against a hospital.
- Clinicians had resuscitated the patient against his wishes and directions.