

MATTHEW B. LAWRENCE

1301 Clifton Road, Atlanta, GA 30322

Matthew.Lawrence@emory.edu • [SSRN](#)

EXPERIENCE

Emory University School of Law, Atlanta, GA

Associate Professor, July 2020 –

United States House of Representatives, Washington, DC

Committee on the Budget, Majority Staff

Special Legal Advisor, Jan. 2020 – June 2020

Dickinson Law, The Pennsylvania State University, Carlisle, PA

Assistant Professor, August 2017 – June 2020

- Established and supervised Addiction Legal Resources Team.
- Honored as 2017 Health Law Scholar by American Society for Law, Medicine, and Ethics.

Executive Office of the President, Washington, DC

Office of Management & Budget, Office of General Counsel

Attorney Advisor, Jan. 2017 – July 2017

Intermittent Consultant, August 2017 – November 2019

United States Department of Justice, Washington, DC

Federal Programs Branch, Civil Division

Trial Attorney, Aug. 2010 – Aug. 2013, July 2015 – Jan. 2017

- Represented United States in constitutional and statutory challenges to federal legislation and agency actions.
- Recipient of 2016 Special Commendation Award for defense of Affordable Care Act programs.
- Handled all aspects of dozens of high-profile matters in courts nationwide, including motions seeking nationwide injunctions, dispositive briefing, discovery, and evidentiary hearings.

Harvard Law School, Cambridge, MA

Petrie-Flom Center for Health Law Policy, Bioethics, and Biotechnology

Academic Fellow, Aug. 2013 – June 2015

Affiliate Faculty, Jan. 2018 – Present

- Taught law school seminar, “Law and Medicine: The Affordable Care Act.”
- Blog at Bill of Health and participate in conferences and workshops as affiliate faculty.

EDUCATION

New York University School of Law, New York, NY

J.D., *magna cum laude*, 2009

New York University Law Review, Managing Editor

Furman Scholar (scholarship program for aspiring academics)

Butler Scholar (awarded to top 10 students in class after four semesters)

Pomeroy Scholar (awarded to top 10 students in class after two semesters)

Paul D. Kaufman Memorial Award (most outstanding *Law Review* note)

Brown University, Providence, RI

B.A., *magna cum laude*, with honors, 2006, International Relations

CLERKSHIP

Hon. Douglas H. Ginsburg, U.S. Court of Appeals for the D.C. Circuit, Washington, DC

Law Clerk, 2009 – 2010

PUBLICATIONS

Securing the Hand that Feeds: For and Against Chevron Deference in Appropriations Law, ___ DUKE L. J. ___ (forthcoming 2021).

Single Payer, American Style, ___ J. L. MED. & ETHICS ___ (forthcoming 2021) (peer reviewed) (with Lindsay Wiley, Erin Fuse Brown, and Liz McCuskey).

Parity is Not Enough! Mental Health, Medicaid, and Managed Care, 49 J. L. MED. & ETHICS ___ (forthcoming 2021) (peer reviewed).

Shared Federal Savings, 62 WM. & MARY L. REV. ___ (forthcoming 2021).

[Disappropriation](#), 120 COLUM. L. REV. 1 (2020).

Against the 'Safety Net', 72 FLA. L. REV. 49 (2020).

Reflections on the Effects of Federalism on Opioid Policy, 124 DICK. L. REV. 695 (2020).

Health Insurance's Social Consequences Problem and How to Solve It, 13 HARV. L. & POL'Y REV. 593 (2019).

Deputizing Family: Loved Ones as a Regulatory Tool in the 'Drug War' and Beyond, 11 NORTHEASTERN L. REV. 195 (2019).

Regulatory Pathways to Promote Treatment for Substance Use Disorder or Other Under-Treated Conditions Using Risk Adjustment, 46 J. L. MED. & ETHICS 935 (2018) (peer reviewed).

Chapter Introduction, *Behavioral Economics and the Problem of Healthcare Costs*, in NUDGING HEALTH: BEHAVIORAL ECONOMICS, LAW, AND HEALTH POLICY (I. Glenn Cohen et al. eds., 2017).

Procedural Triage, 84 FORDHAM L. REV. 79 (2015) (reviewed by Adam Zimmerman, *Procedural Triage*, PRAWFSBLAWG.COM (June 18, 2015), <https://prawfsblawg.blogs.com/prawfsblawg/2015/06/procedural-triage.html>).

Mandatory Process, 90 IND. L. J. 1429 (2015).

Courts Should Apply a Relatively More Stringent Pleading Threshold to Class Actions, 81 U. CIN. L. REV. 1225 (2013).

The Jurisdiction of the D.C. Circuit, 23 CORNELL J. OF L. & PUB. POL'Y 131 (2013) (with Eric M. Fraser; David K. Kessler; & Stephen A. Calhoun).

Note, *In Search of an Enforceable Medical Malpractice Exculpatory Agreement: Introducing Confidential Contracts as a Solution to the Doctor-Patient Relationship Problem*, 83 N.Y.U. L. REV. 850 (2009) (named best NYU Law Review note in 2009 by NYU Law faculty committee).

SELECTED PRESENTATIONS AND PANELS

COVID-19 and the Legal Process

Presentation, Emory Law Admitted Students, April 14, 2020

COVID-19 and the Legal Process

Presentation, Emory Medical School, COVID-19: Pathogenesis to Pandemic, April 8, 2020

Shared Federal Savings

Invited Presentation, Penn State Law, January 30, 2020

Assessing the Impact of Allina,

Invited Panelist, American Bar Association Section on Health Law, December 10, 2019

The Future of the ACA,

Invited speaker, National Council of Insurance Legislators Annual Meeting, December 12, 2019

Crisis of Authority: Federalism and the Opioid Crisis, Symposium, Dickinson School of Law,
Speaker, November 8, 2019

Financing Health Entitlements: Appropriations and Shared Savings

Invited Presentation, **Indiana Health Law Symposium: Getting Serious About Single Payer,**
October 17, 2019

Financing Health Entitlements: Appropriations and Shared Savings

Panel Organizer and Panelist, **ASLME Next Steps in Health Reform Conference,** October 10, 2019

Financing Health Entitlements: Appropriations and Shared Savings

Conference Organizer and Panelist, **Pennsylvania Physicians' Legal Issues Conference,** Penn
State's Dickinson Law, September 13-14, 2019

*The Powers of the Purse in Dissonance: Entitlements, Disappropriation, and the Separation of
Powers*

Selected for Presentation, **Administrative Law New Scholars Roundtable,** University of
Wisconsin, June 10, 2019

*The Powers of the Purse in Dissonance: Entitlements, Disappropriation, and the Separation of
Powers*

Presentation, **ASLME Health Law Professors Conference,** June 6, 2019

*The Powers of the Purse in Dissonance: Entitlements, Disappropriation, and the Separation of
Powers*

Presentation, **Junior Faculty Forum,** University of Richmond, May 21, 2019

*Regulatory Pathways to Promote Treatment for Substance Use Disorder or Other Under-Treated
Conditions Using Risk Adjustment*

Invited Presentation, **American University Conference on Opioids and the Law,** February 22,
2019

*Regulatory Pathways to Promote Treatment for Substance Use Disorder or Other Under-Treated
Conditions Using Risk Adjustment*

Selected for Presentation, **Vulnerability and the Human Condition Workshop,** Emory University,
January 25, 2019

Insurance Coverage as a Tool to Promote Treatment for Substance Use Disorder

Invited Presentation, **Carlisle League of Women Voters,** December 5, 2018

Funding Federalism: Budget Neutrality as a Prerequisite to State Innovation in Medicaid
Selected for Presentation, **Beazley Institute for Health Law and Policy**, Loyola College of Law
(Chicago), November 16, 2018

Health Insurance's Social Consequences Problem and How to Solve It
Invited Presentation, **Harvard Law School Health Law Workshop**, September 24, 2018

Health Insurance's Social Consequences Problem and How to Solve It
Presentation, **ASLME Health Law Professors Conference**, June 8, 2018

Deputizing Family: Loved Ones as a Regulatory Tool in the 'Drug War' and Beyond
Selected for Presentation, **Northeastern Law Review Symposium**, April 12, 2018

The Affordable Care Act and Its Discontents
Presentation, **Penn State College of Medicine Grand Rounds**, February 1, 2018

Adjusting Global Payments for Social Determinants of Health
Presentation, **ASLME Next Steps in Health Reform Conference**, October 27, 2017

Health Insurance's Social Consequences Problem and How to Solve It
Presentation, **Health Law Scholars Workshop**, St. Louis University School of Law, October 14,
2017

The Affordable Care Act and Its Discontents
Presentation, **Penn State Dickinson Law Board of Trustees**, September 10, 2017

Health Insurance After King v. Burwell
Conference Organizer and Presenter, **Harvard Law School**, April 1, 2015

Gender (Re)assignment: Legal, Ethical, and Conceptual Issues
Panel Organizer and Panelist, **Harvard Law School**, February 10, 2015

The ACA, Exchanges, and Subsidies—Policy and Implementation
Presentation, **Third Annual Health Law Year in P/Review**, January 30, 2015

Rationing Process: Solving Medicare's Backlog Problem
Presentation, **University of Chicago School of Law**, January 18, 2015

Rationing Process: Solving Medicare's Backlog Problem
Presentation, **DePaul Law School**, November 24, 2014

Rationing Process: Solving Medicare's Backlog Problem
Presentation, **West Virginia University School of Law**, November 13, 2014

Rationing Process: Solving Medicare's Backlog Problem
Presentation, **Tulane Law School**, November 3, 2014

A Conversation with the Department of Health and Human Services, Office of the Inspector General
Organizer and Moderator, **Dana-Farber Cancer Institute**, September 30, 2014

A Dialogue with the Department of Health and Human Services, Office of the Inspector General
Organizer and Moderator, **Harvard Law School**, September 30, 2014

Rationing Process: Participation and Efficiency in the Administration of Medicare
Presentation, **ASLME Health Law Professors Conference**, June 6, 2014

Justice by Default: Solving Medicare's Backlog Problem
Presentation, **Petrie-Flom Center Annual Conference: Behavioral Economics, Law, and Health Policy**, **Harvard Law School**, May 4, 2014

Behavioral Economics and Healthcare Costs
Panel Moderator, **Petrie-Flom Center Annual Conference: Behavioral Economics, Law, and Health Policy**, **Harvard Law School**, May 3, 2014

Rationing Justice
Presentation, **Harvard Law School Health Law Workshop**, April 21, 2014

REPRESENTATIVE CASES

United Healthcare Ins. Co. v. Price, 255 F. Supp. 3d 208 (D.D.C. 2017) (statutory challenge to Medicare Advantage risk adjustment policy).

Estate of Boyland v. Young, 242 F. Supp. 3d 24 (D.D.C. 2017) (equal protection challenge to settlements related to *Pigford* litigation).

Dialysis Patient Citizens v. Burwell, 2017 WL 365271 (N.D. Tex. Jan. 25, 2017) (motion for nationwide injunction to halt rule regarding dialysis patient steering between ACA, Medicare, and Medicaid plans).

United States House of Representatives v. Burwell, 185 F. Supp. 3d 165 (D.D.C. 2016) (Appropriations Clause challenge to expenditures for ACA cost-sharing reductions program).

Evergreen Health Cooperative, Inc. v. U.S. Dep't of Health & Human Servs., No. 16-02039 (D. Md. June 13, 2016) (motions for nationwide emergency relief regarding ACA risk adjustment program brought by health care co-op).

American Hospital Ass'n v. Burwell, 68 F. Supp. 3d 54 (D.D.C. 2014) (APA challenge to Medicare Part A/B re-billing).

Harkness v. United States, 727 F. 3d 465 (6th Cir. 2013) (Establishment Clause and Due Process challenge to Navy promotion procedures).

Stein v. Mabus, 2013 WL 12092058 (S.D. Cal. 2013) (Free Speech Clause challenge to discharge of marine based in part on Facebook comments).

Adirondack Med. Ctr. v. Sebelius, 891 F. Supp. 2d 36 (D.D.C. 2012) (APA challenges to Medicare payment adjustment to counteract "coding creep").

Am. Sports Council v. U.S. Dep't of Ed., 850 F. Supp. 2d 288 (D.D.C. 2012) (Equal Protection Clause challenge to Title IX guidance).

Fox Insurance Company v. Berwick, 2011 WL 13199230 (D. Ariz. Nov. 8, 2011) (APA and due process challenge to first mid-year termination of a Medicare Part D insurer).

OTHER PROFESSIONAL EXPERIENCE

NYU Law Mediation Group, New York, NY
Mediator, 2007–2008

Served as a volunteer mediator in small claims court in Brooklyn, New York.

Williams & Connolly LLP, Washington, DC
Summer Associate, Summer 2008

OTHER ACADEMIC HONORS AND EXPERIENCES

Assistant Professor (by courtesy), Department of Surgery, Penn State College of Medicine, 2017 – 2020.

NYU School of Law: Maurice Goodman Memorial Prize (outstanding scholarship and character); Daniel G. Collins Prize (excellence in contract law); Order of the Coif; Research Assistant, Prof. Lewis A. Kornhauser; Research Assistant, Prof. Arthur R. Miller; Research Assistant, Prof. Howard Shelanski; Teaching Assistant, Prof. Florencia Marotta-Wurgler (contracts).

New York State Bar Association, First Prize, Barry Gold Memorial Health Law Writing Competition, 2008.

SERVICE

Planning Committee, ASLME Next Steps in Health Reform Conference, 2019

Planning Committee, PA-Med/PA Bar Physicians Legal Issues Conference, 2019

Member, Advisory Board, Penn State Consortium to Combat Substance Abuse, 2019 – present.

Member, Board of Directors, THRIVE for Life Foundation, 2019 – present.

Founder and Member, Addiction Legal Resources Team, Penn State Dickinson Law, 2018 – present.

Member, Internal Advisory Board, Penn State Center for Medical Innovation, 2018 – present.

Member, Opioid Prescribing Task Force, Partnership for Better Health PA, 2017 – present.

Member, Community Policy and Engagement Committee, Partnership for Better Health PA, 2017 – present.

PROFESSIONAL AFFILIATIONS AND CERTIFICATIONS

Maryland State Bar (active since 2009).

U.S. Department of Justice, secret level security clearance (granted 2009).