

Featured Panels: Health Care & Life Sciences and BioTech Panels

Neutrals on the Health Care & Life Sciences Panel, one of about two dozen CPR Institute Panels of Distinguished Neutrals, are experts in matters involving health care entities, hospitals and hospital systems, physicians and other providers, collaborative arrangements, managed care and HMOs, and pharmaceutical and medical device manufacturers, as well as the complex regulatory and reimbursement framework in which they operate.

The panel also includes neutrals with experience in intellectual property related to health care and the life sciences, clinical trials, research and development, and bioethics.

Harvey L. Kaplan, a partner in Shook, Hardy & Bacon LLP's Kansas City office, and a member of the Health Care & Life Science Panel, has played a prominent role in national litigation involving many products, including oral and implantable contraceptives; diethylstilbestrol (DES); IUDs; DTP, hepatitis, polio, and flu vaccines; ophthalmic products; migraine drugs; diet drugs; analgesics; diabetic drugs; and antihistamines. Kaplan notes "[l]itigating pharma cases all over the country the last 35-plus years has given me a unique perspective on the health care industry."

This broad perspective characterizes the neutrals on the panel.

Another panel focuses on biotechnology matters. The CPR Biotech panel also

includes neutrals with experience in intellectual property related to biotechnology.

BioTech and Health Care intellectual property disputants also may consult CPR's Technology Panel, which is composed of neutrals with experience in all aspects of scientific and technological disputes.

The former judges and attorneys with extensive medical and other technical backgrounds who serve on these two panels acquired their experience while working at organizations such as the Sloan-Kettering Institute in New York, Bloomfield, Conn.-based Cigna Corp., and at the U.S. Patent & Trademark Office, focusing there on mechanical and surgical arts.

Neutrals have worked on government health regulatory initiatives like the Health Insurance Portability and Accountability Act, better known as HIPAA, or in U.S. Food and Drug Administration compliance. They have been involved in drug cases such as Vioxx and Fen-Phen. Additionally, many panelists are listed on the American Health Lawyers Association roster of neutrals and have received advanced degrees in fields like biochemistry and microbiology.

Neutrals are only appointed to these panels after rigorous peer review. The review committees include professionals who have served at organizations like Thousand Oaks, Calif.-based Amgen Inc., Columbia Univer-

sity in New York, and University Hospitals Health Systems in Cleveland, Ohio.

Katherine Benesch is a former Duane Morris LLP partner, as well as a trained hospital administrator. She has served as the Chair of the CPR Health Care & Life Sciences Committee, and not only was a member of its CPR Panel, but also was instrumental in developing the panel. Benesch, who heads Benesch & Associates in Princeton, N.J., writes, "Over 20 years' experience working with genomics and molecular biology professionals, cancer researchers and all kinds of healthcare providers, facilities, academic medical centers, pharmaceutical and biotech companies, has given me insights that are invaluable in serving as an arbitrator or mediator for parties within the highly regulated biotech and healthcare industries. In many cases, parties have told me that my knowledge of the technicalities of the medicine, the science, the payment mechanisms, the regulations and/or how the industries function make me an insider in the field, which saves countless hours of explanation, and leads to a much more efficient ADR process and outcome."

For further information about these or other CPR Panels of Distinguished Neutrals please contact Mara Weinstein, Special Projects and Panels Manager at mweinstein@cpradr.org.

—Mara Weinstein, CPR Institute 