

# EXHIBIT 11

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

PLANNED PARENTHOOD CENTER FOR  
CHOICE, et al.,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as  
Governor of Texas, et al.,

Defendants.

No. 1:20-cv-00323-LY

**DECLARATION OF JOSHUA SHARFSTEIN, M.D., IN SUPPORT OF  
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Joshua Sharfstein, M.D., declare as follows:

1. I am Professor of the Practice in Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health.

2. I am offering this declaration on my own behalf and not on behalf of Johns Hopkins University.

3. Prior to my current position, I served as Secretary of the Maryland Department of Health and Mental Hygiene (including during the Ebola pandemic in 2014), the Acting Commissioner and then the Principal Deputy Commissioner of the U.S. Food and Drug Administration (including during the H1N1 Flu pandemic of 2009), and Commissioner of Health for the City of Baltimore. I have been elected as a member of the National Institute of Medicine and the National Academy of Public Administration. My complete curriculum vitae is attached as Exhibit A.

4. My areas of teaching and research include public health crisis and response, healthcare payment, and the opioid epidemic. I teach a class entitled "Crisis and Response in Public

Health Policy and Practice” and am the author of the Public Health Crisis Survival Guide: Leadership and Management in Trying Times, from Oxford University Press.

5. I am closely following the COVID-19 pandemic. I have written articles about the pandemic in the *Journal of the American Medical Association*, *USA Today*, and the *New York Times*.

6. I understand that as part of its efforts to conserve personal protective equipment and hospital resources, Texas has issued an executive order barring “all surgeries and procedures that are not immediately medically necessary to correct a serious medical condition, or to preserve the life of, a patient who without immediate performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient’s physician,” with an exception for surgeries or procedures that “would not deplete the hospital capacity or the personal protective equipment needed to cope with the COVID-19 disaster.”

7. I further understand that Texas state officials have interpreted this executive order to prohibit most or all abortion services in the state, and that if a patient is not able to obtain an abortion in Texas while this prohibition remains in effect, they will be forced to either remain pregnant for the duration of the order or travel to another state to attempt to obtain an abortion.

8. Delaying non-essential procedures is a responsible act by public health officials and the healthcare system as a mitigation measure during a public health crisis. However, multiple medical professional organizations,<sup>1</sup> led by the American College of Obstetricians and Gynecologists (“ACOG”), have stated that

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<sup>1</sup> These include: the American Association of Gynecologic Laparoscopists, the American Gynecological & Obstetrical Society, the American Society for Reproductive Medicine, the Society for Academic Specialists in General Obstetrics and Gynecology, the Society of Family Planning, and the Society for Maternal-Fetal Medicine.

Abortion is an essential component of comprehensive health care. It is also a time-sensitive service for which a delay of several weeks, or in some cases days, may increase the risks or potentially make it completely inaccessible. The consequences of being unable to obtain an abortion profoundly impact a person's life, health, and well-being.

*Joint Statement on Abortion Access During the COVID-19 Outbreak*, ACOG (Mar. 18, 2020), <https://www.acog.org/news/news-releases/2020/03/joint-statement-on-abortion-access-during-the-covid-19-outbreak>. If Texas is leaving to physicians the determination of whether a procedure can be delayed without risk of serious adverse medical consequences, it does not make sense from a public health perspective to categorically exclude abortion services from this area of clinical judgment.

9. I am concerned that stopping abortion care will unnecessarily complicate the response to the coronavirus pandemic and, indeed, may worsen the public health crisis for three reasons.

10. First, if patients travel to attempt to obtain an abortion in another state, they will expose themselves and others they come in contact with to an increased risk of COVID-19 infection.

11. Second, I have reviewed the declaration of Dr. Schutt-Aine (Decl. of Anne Schutt-Aine, M.D., in Supp. of Pls.' Mot. for TRO & Prelim. Inj., attached as Ex. 7 to Pls.' Mot. for TRO & Prelim. Inj., ECF No. 7-7) and understand from that declaration that if patients are delayed for weeks or more in obtaining an abortion, some will be required to have a two-day procedure instead of a one-day procedure, or a procedural abortion instead of a medication abortion, and that either of these changes results in the use of more personal protective equipment.

12. Third, there is concern that coronavirus infection is more severe in pregnant women. ACOG has stated,

Currently available data on COVID-19 does not indicate that pregnant women are at increased risk. However, pregnant women are known to be at greater risk of severe

morbidity and mortality from other respiratory infections such as influenza and SARS-CoV. As such, pregnant women should be considered an at-risk population for COVID-19.

*Practice Advisory: Novel Coronavirus 2019 (COVID-19)*, ACOG (last updated Mar. 13, 2020), <https://www.acog.org/clinical/clinical-guidance/practice-advisory/articles/2020/03/novel-coronavirus-2019>. Delaying a woman from being able to access abortion services may increase the risk for a severe infection that places her and the healthcare system at greater risk.

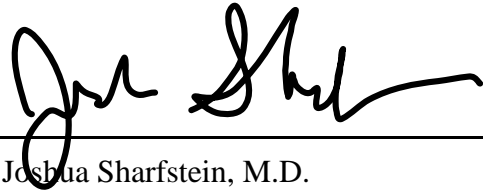
13. I understand that state officials are taking the position that prohibiting most or all abortion services in the state for some period of time is acceptable because services may be resumed in three weeks absent additional action. Given the trajectory of the pandemic, it is highly unlikely that the United States or Texas will be in a substantially better position in three weeks. The White House has made recommendations for social distancing to be in place until at least April 30. With respect to personal protective equipment, the Centers for Disease Control and Prevention (“CDC”) has stated that “shortfalls may be anticipated to continue for the next 3–4 months.” *Healthcare Supply of Personal Protective Equipment*, CDC, Nat’l Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases (last reviewed Mar. 14, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/hcp/healthcare-supply-ppe.html>. It is thus foreseeable that the state will have no basis to change its position in three weeks, which will exacerbate the unintended consequences mentioned above.

14. Texas has other public health measures available that are calculated to be more effective than prohibiting abortion, such as imposing more stringent social distancing measures, which many other states have done and which are showing results in reducing the number of coronavirus infections.

15. As another alternative to the current approach, Texas could take steps to assure that all healthcare providers, including providers of abortion services, have specific plans to reduce spread of coronavirus infection.

16. These alternative steps would accomplish the goals of the state in the coronavirus pandemic, unlike the policy at issue in this case.

17. I declare under penalty of perjury that the foregoing is true and correct.



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Joshua Sharfstein, M.D.

Executed on: April 2, 2020

# EXHIBIT A

December 2019

## **CURRICULUM VITAE**

Joshua M. Sharfstein, M.D.

### **PERSONAL DATA**



### **EDUCATION AND TRAINING**

2001	Fellowship in General Academic Pediatrics Boston University School of Medicine Boston, MA
1999	Boston Combined Residency Program in Pediatrics Boston Children's Hospital and Boston Medical Center Boston, MA
1996	M.D. Harvard Medical School Boston, MA
1991	A.B., Social Studies, <i>summa cum laude</i> Harvard College Cambridge, MA

### **Medical Licensure**

2001-	Maryland
2001-	District of Columbia (inactive)
1997-2001	Massachusetts

### **Board Certification**

2016	Passed Maintenance of Certification exam
2006	Recertification in Pediatrics by American Board of Pediatrics
1999	Certification in Pediatrics by American Board of Pediatrics



## **PROFESSIONAL EXPERIENCE**

1/15 - Faculty, Johns Hopkins Bloomberg School of Public Health

Professor of the Practice in the Department of Health Policy and Management. Associate Dean for Public Health Practice and Training (1/15-3/18). Inaugural Director, Bloomberg American Health Initiative (11/15-). Vice Dean for Public Health Practice and Community Engagement (3/18-)

1/11 - 12/14 Secretary, Maryland Department of Health and Mental Hygiene

Appointed by Governor Martin O'Malley and confirmed by Maryland State Senate. Co-chair of Maryland Health Care Quality & Cost Council and chair of Maryland Health Benefit Exchange.

3/09 - 1/11 Acting Commissioner (until 6/09) and then Principal Deputy Commissioner, U.S. Food and Drug Administration

Appointed by President Barack Obama to second-highest ranking position in the agency.

12/05 - 3/09 Commissioner of Health, Baltimore City

Appointed by Mayor Martin O'Malley and re-appointed by Mayor Sheila Dixon, with confirmation by City Council, to lead the oldest, continuously operating health department in the United States. Chair of Baltimore Substance Abuse Systems, Inc., Baltimore Healthcare Access, Inc., Baltimore City Healthy Start, Inc., and Baltimore Animal Rescue and Care Shelter, Inc.

7/01 - 12/05 Minority Professional Staff and Health Policy Advisor, Government Reform Committee, U.S. House of Representatives.

For Congressman Henry A. Waxman.

## **PROFESSIONAL ACTIVITIES**

### **Society Membership and Leadership**

- Elected Fellow, Institute of Medicine, 2014-Present
- Elected Fellow, National Academy of Public Administration, 2013-Present
- Fellow, American Academy of Pediatrics, 2001-Present

## **Advisory Panels**

- Member, Committee of Science, Technology, and Law of the National Academies of Science, Engineering, and Medicine.
- Co-Chair, Population Health Roundtable, National Academies of Science, Engineering and Medicine, 1/18-
- Chair, Advisory board for Network for Public Health Law, 6/2017- 2/2019.
- Member, Board on Population Health and Public Health Practice, Institute of Medicine, 2007-2009 and 2013-2019.
- Member, Health Information Technology Policy Advisory Committee, U.S. Department of Health and Human Services, 2012-2014.
- Member, Advisory Board, Leadership for Healthy Communities, 2007-2009

## **EDITORIAL ACTIVITIES**

### **Peer Review Activities (recent)**

- Journal of the American Medical Association
- New England Journal of Medicine
- JAMA Internal Medicine
- JAMA Pediatrics
- Pediatrics

### **Editorial Board Membership**

- Journal of the American Medical Association, 2011- .
  - Co-editor of Special Issue on Health Policy, November 13, 2013.
- Public Health Reports, Contributing Editor for Local Acts, 2007-2009

### **Other Editorial Activity**

- Guest Editor, JAMA Internal Medicine, October 2014 issue on medical devices

## **HONORS AND AWARDS**

2018            Advising, Mentoring, Teaching Recognition Award, Johns Hopkins Bloomberg School of Public Health

2014	Heart Healthy, Stroke Free Award, National Forum for Heart Disease & Stroke Prevention
2013	Circle of Commendation Award, Consumer Product Safety Commission NARAL Pro-Choice Maryland Leadership Award
2008	Public Official of the Year, Governing Magazine
1999	Alpha Omega Alpha, Boston University School of Medicine
1996	Rose Seegal Award for Research, Community Service Award, Robert H. Ebert Prize in Primary Care, Harvard Medical School
1994	Jay S. Drotman Memorial Award, American Public Health Association
1991	Phi Beta Kappa, Thomas Temple Hoopes Prize, Frederick Sheldon Traveling Fellowship, Harvard College

### **Named Lectureships**

February 6, 2019	Ernest M. Haddad Lecture. Massachusetts General Hospital Internal Medicine Grand Rounds. <i>Mission Impossible? Asking Health Care to Advance the Health of the Population</i>
October 25, 2019	C. Everett Koop Distinguished Lecture, C. Everett Koop Institute, Dartmouth College. <i>The Politics of Public Health: The Case of the Opioid Epidemic.</i>
May 24, 2018	Leon Kassel Lecture, Sinai Hospital. <i>The U.S. Opioid Epidemic: Past, Present, and Future.</i>
November 15, 2016	John C. Robinson Lecture, Massachusetts General Hospital for Children. <i>Will Changes in Healthcare Mean Better Health for Children?</i>
April 18, 2014	Charles C. Leighton MD Memorial Lecture, Leonard Davis Institute at the University of Pennsylvania. <i>Maryland's Unique Hospital Payment Policy.</i>
October 15, 2013	Seidman Lecture, Harvard Medical School. <i>Lashed to the Mast: Navigating through Health Care Policy, Politics, and Reform in 2014 and Beyond.</i>
June 26, 2013	Hunt Lectureship, Maryland State Medical Society. <i>History of the FDA.</i>
October 4, 2012	Hirsch Lecture in Health Law and Policy, George Washington School of Public Health. <i>Aligning Health Care with Health.</i>

April 26, 2012	Albert J. Himelfarb Lecture, Sinai Hospital Department of Medicine, <i>Health Care 2015 -- and How Do We Get There?</i>
April 27, 2011	Paul A. Harper Lecture, Johns Hopkins Bloomberg School of Public Health, <i>Advocacy for Children</i>
October 5, 2010	Francis S. Balassone Lecture, University of Maryland School of Pharmacy. <i>Regulation at FDA</i>
April 24, 2010	Theodore E. Woodward Annual Lecture, University of Maryland School of Medicine, <i>FDA, Clinical Medicine, and Public Health</i>
August 21, 2008	Moir J. Whitehead Memorial Lecture, Children's Hospital of Pittsburgh. <i>From Bedside to Policy: Pediatrics and Public Health</i>

## PUBLICATIONS

### Journal Articles: Peer Reviewed Studies and Reviews

1. Heyward J, Olson L, Sharfstein JM, Stuart EA, Lurie P, Alexander GC. Evaluation of the Extended-Release/Long-Acting Opioid Prescribing Risk Evaluation and Mitigation Strategy Program by the US Food and Drug Administration: A Review. *JAMA Intern Med.* 2019 Dec 30. [Epub ahead of print]
2. Pérez AV, Trujillo AJ, Mejia AE, Contreras JD, Sharfstein JM. Evaluating the centralized purchasing policy for the treatment of hepatitis C: The Colombian CASE. *Pharmacol Res Perspect.* 2019 Dec 10;7(6):e00552.
3. Wallace M, Sharfstein J, Lessler J. Performance and Priorities: A Cross-sectional Study of Local Health Department Approaches to Essential Public Health Services. *Public Health Rep.* 2020 Jan;135(1):97-106.
4. Rollman JE, Heyward J, Olson L, Lurie P, Sharfstein J, Alexander GC. Assessment of the FDA Risk Evaluation and Mitigation Strategy for Transmucosal Immediate-Release Fentanyl Products. *Journal of the American Medical Association.* 2019 Feb 19;321(7):676-685.
5. Wallace M, Sharfstein JM, Kaminsky J, Lessler J. Comparison of US County-Level Public Health Performance Rankings With County Cluster and National Rankings: Assessment Based on Prevalence Rates of Smoking and Obesity and Motor Vehicle Crash Death Rates. *JAMA Network Open.* 2019 Jan 4;2(1):e186816.

6. Xu T, Klein EY, Zhou M, Lowenthal J, Sharfstein JM, Peterson SM. Emergency Department Utilization Among the Uninsured During Insurance Expansion in Maryland. *Ann Emerg Med*. 2018 Aug;72(2):156-165.
7. Horon IL, Singal P, Fowler DR, Sharfstein JM. Standard Death Certificates Versus Enhanced Surveillance to Identify Heroin Overdose-Related Deaths. *Am J Public Health*. 2018 Jun;108(6):777-781.
8. Alexander GC, Ballreich J, Socal MP, Karmarkar T, Trujillo A, Greene J, Sharfstein J, Anderson G. Reducing branded prescription drug prices: A review of policy options. *Pharmacotherapy*. 2017 Aug 14. [Epub ahead of print]
9. Tschudy MM, Sharfstein J, Matsui E, Barnes CS, Chacker S, Codina R, Cohn JR, Sandel M, Wedner HJ. Something new in the air: Paying for community-based environmental approaches to asthma prevention and control. *J Allergy Clin Immunol*. 2017 Feb 10. pii: S0091-6749(17)30223-3.
10. Rebbert-Franklin K, Haas E, Singal P, Cherico-Hsii S, Baier M, Collins K, Webner K, Sharfstein J. Development of Maryland Local Overdose Fatality Review Teams: A Localized, Interdisciplinary Approach to Combat the Growing Problem of Drug Overdose Deaths. *Health Promot Pract*. 2016 Jul;17(4):596-600.
11. Horrocks D, Kinzer D, Afzal S, Alpern J, Sharfstein JM. The Adequacy of Individual Hospital Data to Identify High Utilizers and Assess Community Health. *JAMA Internal Medicine*. 2016 Jun 1;176(6):856-8. Research letter.
12. Cherico-Hsii S, Bankoski A, Singal P, Horon I, Beane E, Casey M, Rebbert-Franklin K, Sharfstein J. Sharing Overdose Data Across State Agencies to Inform Public Health Strategies: A Case Study. *Public Health Rep*. 2016 Mar-Apr;131(2):258-63..
13. Hussein CA, Luckner M, Samson R, Matsuoka K, Mann DA, Rekhi R, Richardson E, Hurson JA, Reece EA, Sharfstein JM. Working with communities to achieve health equity in Maryland's five health enterprise zones. *Journal of Health Care for the Poor and Underserved* 2014; 25(1 Suppl): 4-10.
14. Schwartz RP, Gryczynski J, O'Grady KE, Sharfstein JM, Warren G, Olsen Y, Mitchell SG, Jaffe JH. Opioid agonist treatments and heroin overdose deaths in Baltimore, Maryland, 1995-2009. *American Journal of Public Health* 2013;103:917-22.
15. Schnitzer, MI, Kaplin DB, Keane VA, Zuckerman B, Sharfstein JM. Giving literacy a shot in the arm. *Public Health Reports* 2008; 123(4): 523-6.
16. O'Keefe, G, Veale L, North M, Goetzinger K, Stewart J, Sharfstein J. A public health response to the implementation of Medicare Part D. *Public Health Reports* 2007; 122(1)101-4.

17. Averbach AR, Lam D, Lam LP, Sharfstein J, Cohen B, Koh H. Smoking behaviours and attitudes among male restaurant workers in Boston's Chinatown: a pilot study. *Tobacco Control* 2002;11 Suppl 2: ii34-7
18. Atkinson KA, Zuckerman B, Sharfstein J, Levin D, Blatt R, Koh H. A public health response to emerging technology: expansion of the Massachusetts newborn screening program. *Public Health Reports* 2001; 116:122-31.
19. Bauchner H, Sharfstein J. Failure to report ethical approval in child health research: review of published papers. *British Medical Journal* 2001;323:318-9.
20. Sharfstein J, Sandel M, Kahn R, Bauchner H. Is child health at risk while families wait for housing vouchers? *American Journal of Public Health* 2001; 91:1191-2.
21. Sharfstein J. Blowing smoke: How cigarette manufacturers argued that nicotine is not addictive. *Tobacco Control* 1999;8:210-213.
22. Sharfstein J. Tackling tobacco or limiting malpractice awards? The campaign contribution priorities of the American Medical Association in the 1996 U.S. Congressional elections. *American Journal of Public Health* 1998; 88: 1233-1236.
23. Sharfstein J and Wise P. Inadequate hepatitis B vaccination of adolescents and adults at an urban community health center. *Journal of the National Medical Association* 1997; 89:86-92.
24. Sharfstein J and Sharfstein SS. Campaign contributions from the American Medical Political Action Committee to members of Congress: For or against the public health? *New England Journal of Medicine*.1994; 330: 32-37. Correction: 332:1450.

### **Books or Monographs**

1. Olsen Y and Sharfstein J. *The Opioid Epidemic: What Everyone Needs to Know*. Oxford: Oxford University Press, 2019.
2. Sharfstein J. *The Public Health Crisis Survival Guide: Leadership and Management in Trying Times*. Oxford: Oxford University Press, 2018.
3. Sharfstein JM, Chrysler D, Bernstein J, Armijos L, Tolosa-Leiv, L, Taylor H, and Rutkow, . (2017, December). Using Electronic Health Data for Community Health:Example Cases and Legal Analysis. Retrieved from <http://www.debeaumont.org/EHDforCommunityHealth>.
4. Sharfstein J, Gerovich S, Moriarty E, Chin D. An emerging approach to payment reform: All-payer global budgets for large safety-net hospital systems. Commonwealth Fund. August 2017.

5. Emanuel E, Spiro T, Calsyn M, Price C, Altman S, Armstrong S, Colmers C, Cutler D, de Brantes F, Egerman P, Kocher K, Orzag P, Rosenthal M, Selig, J, Sharfstein J, Stern A, Tanden N. *Accountable Care States: the Future of Health Care Cost Control*. Washington: Center For American Progress, August 2014.
6. Sharfstein, J and Sandel M. Editors. *Not Safe at Home: How America's Housing Crisis Threatens the Health of Its Children*. Boston: Boston Medical Center Department of Pediatrics, 1998. Reprinted in *Health Policy & Child Health* 1998; 5(1):1-6. and *Journal of Housing and Community Development* 1998;55(4): 14-24.
7. Torrey EF, Stieber J, Ezekiel R, Wolfe S, Sharfstein J, Noble J and Flynn L. *Criminalizing the Seriously Mentally Ill: The Abuse of Jails as Mental Hospitals*. Washington D.C.: Public Citizen and the National Alliance for the Mentally Ill, 1992.

### Commentaries and Editorials

1. Sharfstein JM, Olsen Y. How Not to Spend an Opioid Settlement. *JAMA*. 2020 Mar 17;323(11):1031-1032.
2. Sharfstein JM, Becker SJ, Mello MM. Diagnostic Testing for the Novel Coronavirus. *JAMA*. 2020 Mar 9. [Epub ahead of print]
3. Sunderji A, Mena KN, Winickoff J, Melinek J, Sharfstein J. Influenza Vaccination and Migration at the US Southern Border. *Am J Public Health*. 2020 Apr;110(4):466-467. doi: 10.2105/AJPH.2019.305547.
4. Sharfstein JM. Reform at the FDA-In Need of Reform. *JAMA*. 2020 Jan 14;323(2):123-124.
5. Felix C, Sharfstein JM, Olsen Y. Help Is on the Way: Medicare Coverage of Opioid Treatment Programs. *J Am Geriatr Soc*. 2019 Dec 11. doi: 10.1111/jgs.16281. [Epub ahead of print]
6. Pytell JD, Sharfstein JM, Olsen Y. Facilitating Methadone Use in Hospitals and Skilled Nursing Facilities. *JAMA Internal Medicine*. 2019 Nov 18.
7. Sharfstein JM. Adolescence: An Opportunity for Population Health. *Milbank Quarterly*. 2019 Nov 6.
8. Sharfstein JM, Olsen Y. Lessons Learned From the Opioid Epidemic. *Journal of the American Medical Association*. 2019 Aug 5. doi: 10.1001/jama.2019.9794. [Epub ahead of print]
9. Kawasaki S, Sharfstein JM. The cost of the opioid epidemic, in context. *American Journal of Managed Care*. 2019 Jul;25(13 Suppl):S241-S242. PubMed PMID: 31361433.



10. Sharfstein JM, Slocum J. Private Equity and Dermatology-First, Do No Harm. *JAMA Dermatology*. 2019 Jul 24.
11. Cohen PA, Sharfstein J. The Opportunity of CBD - Reforming the Law. *New England Journal of Medicine*. 2019 Jul 25;381(4):297-299.
12. Sharfstein JM, Olsen Y. Making Amends for the Opioid Epidemic. *Journal of the American Medical Association*. 2019 Apr 16;321(15):1446-1447.
13. Sharfstein JM. Introduction: State Innovation Models. *Milbank Quarterly*. 2019 Jun;97(2):505. 30957298; PubMed Central PMCID: PMC6554553.
14. Sharfstein JM. The Promise-and Politics-of State Innovation for Health. *Milbank Quarterly*. 2019 Jun;97(2):387-390. doi: 10.1111/1468-0009.12384. Epub 2019 Apr 4.
15. Resnick BA, Morlock L, Diener-West M, Stuart EA, Spencer M, Sharfstein JM. PH WINS and the Future of Public Health Education. *J Public Health Manag Pract*. 2019 Mar/Apr;25 Suppl 2, Public Health Workforce Interests and Needs Survey 2017:S10-S12.
16. Sharfstein JM. Common Ground on Health. *JAMA*. 2018 Dec 25;320(24):2518-2519.
17. Rajagopal S, Barnhill A, Sharfstein JM. The evidence-and acceptability-of taxes on unhealthy foods. *Isr J Health Policy Res*. 2018 Nov 20;7(1):68.
18. Sharfstein JM, Leighton J, Sommer A, MacKenzie EJ. Public Health Rising to the Challenge: The Bloomberg American Health Initiative. *Public Health Rep*. 2018 Nov/Dec;133(1\_suppl):3S-4S.
19. Sharfstein J, Santamaria R. Enabling School Success to Improve Community Health. *JAMA*. 2018 Sep 18;320(11):1096.
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21. Bommersbach T, Borger K, Steverman S, Manderscheid RW, Sharfstein J, Everett A. Behavioral Health, Local Health Department Accreditation, and Public Health 3.0: Leveraging Opportunities for Collaboration. *Am J Public Health*. 2018 Oct;108(10):1334-1340.
22. Sharfstein JM. How Do You Solve a Problem Like Juul? *Milbank Q*. 2018 Sep;96(3):417-420.
23. Sharfstein JM, Stuart EA, Antos J. Global Budgets in Maryland: Assessing Results to Date. *JAMA*. 2018 Jun 26;319(24):2475-2476.
24. Sharfstein JM. Crises and Population Health. *Milbank Quarterly*. 2018 Apr 13.. [Epub ahead of print].
25. Sharfstein JM. A Health Policy Sonnet. *Milbank Quarterly*. 2018 Mar;96(1):9-12.



26. Green TC, Rich JD, Sharfstein J. Commentary on 'Revisiting the 'paradigm shift' in opioid use: Developments and implications 10 years later'. *Drug Alcohol Rev.* 2018 Apr;37 Suppl 1:S206-S207.
27. Sharfstein JM. A New Year's Wish on Opioids. *JAMA.* 2018 Feb 13;319(6):537-538.
28. Sharfstein JM, Stuart EA, Antos J. Maryland's All-Payer Health Reform-A Promising Work in Progress. *JAMA Intern Med.* 2018 Feb 1;178(2):269-270.
29. Sharfstein JM. Common Ground on Responsibility for Health. *Milbank Quarterly.* 2017 Dec;95(4):718-721.
30. Hatf E, Sharfstein JM, Labrique AB. Innovation and Entrepreneurship: Harnessing the Public Health Skill Set in a New Era of Health Reforms and Investment. *J Public Health Manag Pract.* 2017 Oct 24.
31. Sharfstein JM, Gerovich S, Chin D. Global Budgets for Safety-Net Hospitals. *Journal of the American Medical Association.* 2017 Nov 14;318(18):1759-1760.
32. Sharfstein JM. Science and the Trump Administration. *Journal of the American Medical Association.* 2017 Oct 10;318(14):1312-1313
33. Sharfstein JM. Public Health Bundles. *Milbank Quarterly.* 2017 Sep;95(3):474-477.
34. Poku MK, Blum AB, Sharfstein JM. US Hospital Awards and Community Health Improvement. *Am J Public Health.* 2017 Jul;107(7):1076-1077.
35. Redberg RF, Jacoby AF, Sharfstein JM. Power Morcellators, Postmarketing Surveillance, and the US Food and Drug Administration. *Journal of the American Medical Association.* 2017 Jul 25;318(4):325-326.
36. Sharfstein JM, Silver DL. Relationship Between the American Academy of Pediatrics and Infant Formula Companies. *JAMA Pediatr.* 2017 Jul 1;171(7):613-614.
37. Sharfstein JM. Vaccines and the Trump Administration. *Journal of the American Medical Association.* 2017 Apr 4;317(13):1305-1306.
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39. Sharfstein JM, Stebbins M. Enhancing Transparency at the US Food and Drug Administration: Moving Beyond the 21st Century Cures Act. *Journal of the American Medical Association.* 2017 Apr 25;317(16):1621-1622.
40. Sharfstein JM. The Opioid Crisis From Research to Practice. *Milbank Quarterly.* 2017 Mar;95(1):24-27.

41. Hughes HK, Landa MM, Sharfstein JM. Marketing Claims for Infant Formula: The Need for Evidence. *JAMA Pediatrics*. 2017 Feb 1;171(2):105-106.
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43. Conti RM, Gee RE, Sharfstein JM. Pharmaceuticals and Public Health. *Journal of the American Medical Association*. 2016 Nov 22;316(20):2083-2084.
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45. Poku MK, Hellmann DB, Sharfstein JM. Hospital Accreditation and Community Health. *American Journal of Medicine*. 2016 Aug 1. pii: S0002-9343(16)30743-4.
46. Sharfstein JM. Global Budgets for Rural Hospitals. *Milbank Quarterly*. 2016 Jun;94(2):255-9.
47. Saloner B, Sharfstein J. A Stronger Treatment System for Opioid Use Disorders. *Journal of the American Medical Association*. 2016 May 24-31;315(20):2165-6
48. Sharfstein JM, Greene J. Promise and Peril for Generic Drugs. *JAMA Internal Medicine* 2016 Jun 1;176(6):733-4.
49. Baciu A, Sharfstein JM. Population Health Case Reports: From Clinic to Community. *Journal of the American Medical Association*. 2016 Jun 28;315(24):2663-4.
50. Kapoor A, Sharfstein JM. Breaking the gridlock: Regulation of dietary supplements in the United States. *Drug Test Anal*. 2016 Mar-Apr;8(3-4):424-30.
51. Sharfstein JM. Rethinking Science and Politics. *Milbank Q*. 2016 Mar;94(1):39-42. doi: 10.1111/1468-0009.12177.
52. Sharfstein JM, Psaty BM. Evaluation of the Cardiovascular Risk of Naltrexone-Bupropion: A Study Interrupted. *Journal of the American Medical Association*. 2016 Mar 8;315(10):984-6.
53. Greene JA, Anderson G, Sharfstein JM. Role of the FDA in Affordability of Off-Patent Pharmaceuticals. *Journal of the American Medical Association*. 2016 Feb 2;315(5):461-2.
54. Sharfstein JM. Accountability for Health. *Milbank Quarterly* 2015; 93(4):675-8.
55. Patel A, Rajkumar R, Colmers JM, Kinzer D, Conway PH, Sharfstein JM. Maryland's Global Hospital Budgets--Preliminary Results from an All-Payer Model. *New England Journal of Medicine* 2015;373(20):1899-901.
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### **Selected Blog Posts**

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4. Sharfstein J. JAMA Forum: “Mayor’s Night Out” and the Politics of Health. Available at <https://newsatjama.jama.com/2016/08/22/jama-forum-mayors-night-out-and-the-politics-of-health/>.

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## SELECTED PRACTICE ACTIVITIES

### Johns Hopkins Bloomberg School of Public Health



- Supported strategic plans on opioids in Staten Island (2018), West Virginia (2018), and Louisiana (2018).
- Supported launch of Johns Hopkins Baltimore Violence Reduction Collaborative. 2016.
- Developed proposal and advised Baltimore City Health Department for BFRIEND falls prevention initiative. Proposal funded by Robert Wood Johnson Foundation. 2015-2017.
- Advised Baltimore City Public Schools, Baltimore City Health Department, and DC Public Schools on absenteeism project. 2016-2018.
- Advised Rhode Island Health Commissioner on response to opioid epidemic. 2015-Present.
- Led review of teen pregnancy and healthy birth strategy for Baltimore's Promise. 2015.

### **Maryland Department of Health and Mental Hygiene**

- Led the negotiation with the Centers for Medicare & Medicaid Services to establish a new model for hospital payment in Maryland, essentially ending fee-for-service payment across all payers for Maryland residents.
- Established clear public health goals for Maryland through the State Health Improvement Process, which involves 18 local planning coalitions and a website with accessible, local data.
- Oversaw a strategic shift to community-based long-term care, including the merger of several waiver programs, the introduction of consumer choice, and a significant expansion of access to home care.
- Led the consolidation of the Alcohol and Drug Abuse Administration with the Mental Hygiene Administration into the new Behavioral Health Administration, and developed and implemented a more rational financing approach to behavioral and somatic care.
- Led several regulatory initiatives, including a ban on the sale of baby bumper pads and a revised consent form for indoor tanning devices for teenagers.
- Oversaw the building of a new public health laboratory, the reform of the Developmental Disabilities Administration, improvements in state psychiatric facilities, and transformation of the Maryland Board of Physicians.
- Oversaw reports on youth use of candy-flavored tobacco and health care worker-related transmission of the Hepatitis B virus.

### **Food and Drug Administration**



- Led the development of FDA-Track, a performance management system across the agency. The U.S. Department of Health and Human Services recognized FDA-Track with an award for innovation in 2011.
- Led the agency's transparency initiative, which made substantially more information available about the regulatory process.
- Coordinated federal efforts between CDC, FDA, and the Trade and Tax Bureau on caffeinated, alcoholic beverages, leading to a ban on these unsafe products.
- Represented FDA on key public issues including the use of antibiotics in animals, the safety of bisphenol-A, the safety of infant positioners, the labeling of bottled water, the safety of dietary supplements, the *Salmonella* outbreak from contaminated eggs, and drug safety.
- Oversaw reports on integrity in FDA decisionmaking and transparency at the agency.

### **Baltimore City Health Department**

- Developed initiatives that won four model practice awards from the National Association of County and City Health Officers, including:
  - Facilitating the transition to Medicare Part D using an emergency management approach;
  - The Reach and Read Public Health Challenge to promote literacy in pediatric primary care;
  - The Baltimore Buprenorphine Initiative, which expanded access to effective drug treatment and was associated with a substantial reduction in heroin overdoses; and
  - The Fluoride Varnish initiative, which trained and reimbursed pediatric practices for applying fluoride varnish to reduce dental caries.
- Led successful regulatory initiatives to improve reporting for influenza vaccination and ban the sale of lead-tainted children's jewelry.
- Introduced Health Leads programs on the Hopkins, UMBC, and Loyola campuses, which have involved more than 1,000 students volunteering to connect patients to resources at multiple health care sites in the city.
- Oversaw significant progress towards making the city animal shelter a "no-kill" shelter.
- Drafted the city plan on infant mortality that would be implemented and contribute to substantial improvements over time.
- Advocated for and implemented the ban on indoor smoking in bars and restaurants and the ban on trans fats in foods.

- Led a successful, national petition calling for the removal of cough-and-cold medications for young children from the market.
- Oversaw reports on heart disease and salt and arsenic contamination at Swann Park.

### **Congressional Testimony**

April 3, 2014	Testimony before the House Oversight and Government Reform Committee, Subcommittee on Economic Growth, Job Creation, and Regulatory Affairs, Subcommittee on Energy Policy, Health Care, and Entitlements, on the Maryland Health Benefit Exchange
December 13, 2012	Testimony before the House Energy and Commerce Committee, Subcommittee on Health, on Implementation of the Affordable Care Act in Maryland
March 17, 2011	Testimony before the Senate Committee on Health, Education, Labor, and Pensions, on the Implementation of the Affordable Care Act in Maryland
September 30, 2010	Testimony before the House Committee on Oversight and Government Reform, Johnson and Johnson's Recall of Children's Tylenol and Other Children's Medicines
September 22, 2010	Testimony before the House Energy and Commerce Committee, Subcommittee on Oversight and Investigations, on the Outbreak of Salmonella in Eggs
July 14, 2010	Testimony before the House Energy and Commerce Committee, Subcommittee on Health, on Antibiotic Resistance and the Use of Antibiotics in Animal Agriculture
May 27, 2010	Testimony before the House Committee on Oversight and Government Reform, Johnson and Johnson's Recall of Children's Tylenol and Other Children's Medicines
May 26, 2010	Testimony before the Senate Special Committee on Aging, Oversight of Dietary Supplements
March 10, 2010	Testimony before the House Energy and Commerce Committee, Subcommittee on Health, on Drug Safety: An Update from FDA.
July 13, 2009	Testimony before the House Committee on Rules on the Preservation of Antibiotics for Medical Treatment Act of 2009
July 8, 2009	Testimony before the House Committee on Oversight and Government Reform, Subcommittee on Oversight and Investigations, on Regulation

of Bottled Water.

May 21, 2009	Testimony before the House Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on President's FY 2010 Budget Request
May 7, 2009	Testimony before the before the Senate Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on H1N1 Flu Virus
April 30, 2009	Testimony before the House Energy and Commerce Committee, Subcommittee on Health, on H1N1 Flu Virus.

### **Testimony Before the Maryland General Assembly**

I have testified more than 75 times before the Maryland General Assembly on budget and policy matters. Successful legislative initiatives have included:

2007 session	SB 349 Expedited Partner Therapy Pilot Program for Baltimore City
2011 session	HB 166 Maryland Health Benefit Exchange Act
2012 Session	HB 86 Health Improvement and Disparities Reduction Act HB 443 Maryland Health Benefit Exchange Act HB 658 Emergency Plans for Human Services Facilities and Dialysis Centers
2013 Session	HB 228 Maryland Health Progress Act HB 986 Sterile Compounding HB 1009 Regulation of Cosmetic Surgery Centers SB 1057 Regulation of Health Care Staffing Agencies
2014 Session	HB 1510 Establishment of Behavioral Health Administration

### **TEACHING**

1/1/2015-	Professor of the Practice, Department of Health Policy and Management
7/1/2006 - 6/30/2009	Adjunct Assistant Professor, Department of Health Policy and Management, Johns Hopkins Bloomberg School of Public Health
9/15/2006 - 6/30/2018	Adjunct Professor, Volunteer, Department of Pediatrics, University of Maryland School of Medicine

*Advisees*

MPH Capstone

1. Marc Rabner. *School Absenteeism and Public Health*. 2016
2. Laura Mandel. *Provider Network Adequacy in Maryland Managed Care Organizations*. 2016.
3. Megan Collins. *Vision for Baltimore - a 3 year program to provide school-based eye care*. 2017.
4. Maria Armijos. *A policy recommendation for antibiotic use in upper respiratory tract infections in Ecuador*. 2017.
5. Madeline Jackson. *Section 1498 and Public Health Access to Specialty Drugs*. 2017.
6. Charlotte Kaye. *Integrating Public Health Programming into Child Welfare Policy in Baltimore City*. 2017.
7. Jenny X. Wen. *Overcoming systemic barriers to opioid use disorder treatment: evidence and recommendations for the National Academy of Medicine*, 2018.
8. Ali Bokhari. *Drug pricing in public health emergencies*, 2018.

Oral Exams

1. Roza Vazin. Health Policy and Management, PhD. 2016.
2. Amber Cox. International Health, PhD. 2016.
3. Megan Wallace. Epidemiology, DrPH. 2016.

*Classroom Instruction: Principal Instructor*

1. Crisis and Response in Public Health Policy and Practice. 300.650.01. 3rd term. 29 students. 2018-2019.
2. The Opioid Crisis: Problem Solving Seminar. PH 308.615. 1st term. 71 students. 2018-2019.
3. Crisis Response in Public Health Practice: International Perspectives. 302.843.98. Barcelona Institute. 20 students. 2018.
4. Public Health Policy. 300.610. Summer term. 260 students. 2018.
5. The Practice of Public Health Through Vaccine Case Studies: Problem Solving Seminar. 223.630. 4th Term. 33 students. 2017-2018.
6. Crisis and Response in Public Health Policy and Practice. 300.650.01. 2nd term. 38 students. 2017-2018.
7. Crisis Response in Public Health Practice: International Perspectives. 302.843.98. Barcelona Institute. 15 students. 2017.
8. Crisis Response in Public Health Practice: Workshop. Barcelona Institute. Approximately 10 students. 2017.
9. The Opioid Crisis: Problem Solving Seminar. 308.615.81. 62 students. 2017.
10. Crisis and Response in Public Health Policy and Practice. 300.650.01. 2nd term. 33 students. 2016-2017.

11. Crisis Response in Public Health Practice: International Perspectives. 302.843.98. Barcelona Institute. 25 students. 2016.
12. Crisis and Response in Public Health Policy and Practice. 300.650.01. 1st term. 40 students. 2015-2016.

The Crisis and Response in Public Health Policy and Practice (domestic and international) and Opioid Crisis Problem Solving Seminar have received outstanding range evaluations.

## RESEARCH GRANT PARTICIPATION

Technical support for data sharing	De Beaumont Foundation	April 2019-March 2020	90,000
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*Co-Investigator.* We are working with principal investigators at the University of Michigan to provide technical support for localities seeking to

Global Budgeting Policy Academy	Robert Wood Johnson Foundation (via Princeton University)	March 1, 2018 - August 1, 2018	30,000
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*Principal Investigator.* We hosted a policy academy and produced a Q and A document for states on global hospital budgeting in rural areas.

Using Healthcare Data in Public Health Practice	De Beaumont Foundation	September 1, 2016 to September 1, 2017	\$100,000
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*Principal Investigator.* The purpose of this grant was to develop use cases and legal pathways for public health departments to use healthcare data. This project was a collaboration with the National Public Health Law Network, and the paper was published in December 2017.

Transparency at the U.S. Food and Drug Administration	Laura and John Arnold Foundation	August 8, 2016 to March 31, 2018	\$175,583
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*Principal Investigator.* The purpose of this grant was to develop recommendations to improve transparency at the U.S. FDA. I coordinated an academic team including experts from Johns

Hopkins, Harvard, and Yale, and we published a supplement to the Journal of Law, Medicine, and Ethics.

Assessing the Applicability of Global Hospital Budgeting to Large Safety Net Systems	Commonwealth Fund	June 1, 2016 to June 30, 2017	\$49,489
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*Principal Investigator.* The purpose of this grant was to develop a report for the Commonwealth Fund on global hospital budgeting for safety net health systems. This report was published in the summer of 2017.

Reforming States Group letter to the New Administration	Milbank Memorial Fund	April 1, 2016 - December 31, 2016	\$10,000
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*Principal Investigator.* The purpose of this grant was to help draft a bipartisan letter on opportunities in health policy for the new administration. This letter was sent in the fall of 2016, and the lead members of the Reforming States Group published an article summarizing the letter in the *New England Journal of Medicine*.

Pharmaceutical Pricing	Laura and John Arnold Foundation	2016 - 2019 2019-	*
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*Investigator.* Professor Gerard Anderson is the Principal Investigator on this project. My main role is to develop public health approaches to pharmaceutical pricing. These efforts culminated in a publication in the *Journal of the American Medical Association* and support for Louisiana's subscription model for hepatitis C elimination.

Healthcare Pricing	Laura and John Arnold Foundation	2019-	*
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*Investigator.* Professor Gerard Anderson is the Principal Investigator on this project. My main role is to assist with work on global-budget type arrangements for hospitals and others in the healthcare system.

## SCHOOL SERVICE

Committee	Role
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Committee of the Whole	Member, 2015-
Graduate Medical Education Committee	Chair, 2015-
Practice Integration Committee	Chair, 2015-2019