

# CURRICULUM VITAE

September 1, 2022

## PERSONAL INFORMATION

Name: **DR. GREGORY JAMES SMITH, JD, DBE**  
Home Address: 255 Adams Street, Denver, CO 80206-5213  
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## EDUCATION

Regis University, Denver, CO. Ignatian Scholars Program. 2016-2018.

Loyola University Chicago, Chicago, IL. Neiswanger Institute for Bioethics and Health Policy, Strich School of Medicine. Doctor of Bioethics (DBE), Bioethics and Health Policy. Degree received May 14, 2016.

Loyola University Chicago, Chicago, IL. Neiswanger Institute for Bioethics and Health Policy, Strich School of Medicine. Master of Arts (MA), Bioethics and Health Policy. Degree received May 19, 2012.

University of Colorado Denver, Denver, CO. Graduate School, College of Liberal Arts and Sciences, Master of Humanities (MH). Degree received May 16, 2009.

Georgetown University, Kennedy Institute of Ethics, Washington, DC. The Intensive Bioethics Course. Certificate received June 9, 2007.

Cornell Law School, Ithaca, NY. Doctor of Law (JD). Degree received May 26, 1972.

The Colorado College, Colorado Springs, CO. History. Bachelor of Arts, *cum laude*, with Distinction in History. Degree received June 2, 1969.

## ACADEMIC APPOINTMENTS

### Loyola University Chicago

#### School of Law

Adjunct Professor of Law, 2016-present

#### Neiswanger Institute for Bioethics and Health Policy - Strich School of Medicine

Adjunct Professor, 2020-present

At Loyola, I teach online courses in law, bioethics and social justice to law and graduate students in the School of Law and to graduate students in the Neiswanger Institute

### University of Denver, Denver, Colorado (DU)

University College

Graduate Program in Health Care Management

Adjunct Faculty, 2013-present

At DU's University College, I teach online and ground-based courses to graduate students in the Health Care Management Program relating to legal and ethical issues for health care providers, facilities, and health care research. The legal issues course (HC 4400) was developed by me in 2013.

**Regis University, Denver, Colorado (Regis)**

Rueckert-Hartman College of the Health Professions  
Department of Health Care Ethics  
Affiliate Faculty, 2006-present

At Regis, I teach online and ground-based courses in bioethics and law to undergraduate students enrolled in the Loretta Heights School of Nursing and to graduate students enrolled in the School of Physical Therapy.

**University of Colorado Denver**

Auraria Campus  
Department of Philosophy  
College of Liberal Arts and Sciences  
Adjunct Instructor, 2019-present

At UCD, I taught a hybrid bioethics course to upper division undergraduates and, as noted below under Grant Activity, I revised this course at the request of the Department to facilitate the offering of an 8-week online version of the course, which started in the Spring of 2021.

**Medical College of Wisconsin (MCW)**

Clinical and Translation Science Institute (CTSI)  
Adjunct Faculty, 2019-

At MCW, starting in 2021, I have taught an online course in regulatory matters at CTSI for physicians, graduate and medical students pursuing a graduate degree in clinical research with human subjects. The course has now been offered in both 2021 and 2022 and was developed by me.

**Rocky Vista University (RVU)**

Department of Medical Humanities  
College of Osteopathic Medicine  
Adjunct Faculty, 2020-

At RVU, starting in 2020, I have been a part of a team-taught online course in medical ethics for all first-year medical students. Originally taught in the Fall and Spring terms, the course has now been compressed into the Spring term of each year, starting in 2022.

**LAW PRACTICE EXPERIENCE AND LICENSURE**

Admitted to the Colorado Bar (State and Federal Courts), 1972.  
Colorado, #4159

Admitted to the Bar, Supreme Court of the United States, 1977.

**Cherry Creek Legal Consulting, PLLC, Denver, CO**

Senior Counsel, September 1, 2022 – present

[www.cclc.law](http://www.cclc.law)

**Caplan and Earnest LLC, Boulder, CO**

Special Counsel, July 1, 2013 – August 31, 2022

**Hamilton Faatz, PC, Greenwood Village, CO**

Shareholder/Principal, August 1, 2010 – June 30, 2013

**Burns, Wall, Smith and Mueller, PC, Denver, CO**

Associate, 1972-1977

Partner/Shareholder, 1977-July 31, 2010

I concentrate my practice on the legal aspects of business matters (entity organization and operation, mergers, acquisitions, contracting and regulatory compliance, etc.) for home health and rehabilitation agencies, provider networks, medical, technology and service enterprises, nonprofit organizations, as well as for physicians, physical therapists, occupational therapists, dentists, veterinarians, and other health care professionals, their practices and professional and related charitable organizations. In this practice, I work with small business and professional practices, including those involved in the health care field. I also serve as General Counsel for the Home Care Association of Colorado, General Counsel for the Colorado Chapter, American Physical Therapy Association and act as counsel for the Center for Hospice and Palliative Care of the Rockies, and for home health and rehabilitation agencies, provider networks, for medical, technology and service enterprises, nonprofit organizations, as well as for physicians, physical therapists, occupational therapists, dentists, veterinarians and other health care professionals, their practices and professional organizations.

I have represented clients in the formation, dissolution, operation, acquisition, sale and merger of professional practices, home health agencies and a variety of business and healthcare enterprises. I have made presentations on subjects that include or are related to business organizations, technology, regulatory matters, malpractice, risk management, antitrust, ethics, bioethics, purchase and sale of businesses and professional practices and mergers and acquisitions, among other topics, for health care professionals, attorneys, accountants, students, business owners and managers.

**OTHER APPOINTMENTS**

**University of Colorado Denver, Denver, CO Appointments**

Graduate Medical Education, Hearing Officer, 1993.

Graduate Medical Education, Special Counsel, 1993.

In these appointments, I acted as hearing officer for dismissal of a resident physician and as special counsel for the Dean, School of Medicine in a similar case.

**MEMBERSHIP IN SCIENTIFIC/PROFESSIONAL/HONORARY SOCIETIES**

American Bar Association (ABA), 1972-present.

Science and Technology Section, 1993-present.

Health Law Section, 1986-present.

Business Law Section, 1972-present.  
Senior Lawyer Section, 2005-present.

Colorado Bar Association, 1972-present.  
Continuing Legal Education in Colorado, Inc.  
Health Law Section, 1986-present.  
Transitions Committee, 2004-present.

Denver Bar Association, 1972-present.  
Cornell Law Club of Colorado, Inc., 1976-2016  
Co-Founder  
American Health Lawyers Association, 1986-present.  
American Association for the History of Medicine, 2012-present  
Colorado Association of Corporate Counsel, 1995-2010.  
American Society of Law, Medicine and Ethics, 1996-present.  
Home Care Association of Colorado  
Affiliate member, 1998-present.  
Healthcare Financial Management Association, 2000-present.  
Medical Group Management Association, 2000-present.  
Colorado Health Care Ethics Forum, 2000-present  
American Society of Bioethics and Humanities, 2005-present.  
Society for the Advancement of American Philosophy, 2007-present.  
Hastings Center, 2005-present  
Kennedy Institute of Ethics, 2007-present  
Center for Hospice and Palliative Care of the Rockies, 2010-present

## **POSITIONS IN SCIENTIFIC/PROFESSIONAL/ HONORARY SOCIETIES**

Colorado Healthcare Ethics Forum  
Member, Board of Directors, 2017-2022  
Treasurer, 2020-present

Colorado Bar Association, 1972-present.  
Fellow, Colorado Bar Foundation, 2000-2011; Emeritus, 2011-present  
Board of Governors, 1995-1999, 2004-2006.

Continuing Legal Education in Colorado, Inc.  
President, 1996-1997.  
Member, Board of Directors, 1994-2018

Health Law Section, 1986-present.  
Chair, 1998-1999.  
Executive Council, 1986-2005.

Denver Bar Association, 1972-present.  
Board of Trustees (Treasurer), 2004-2006.  
Board of Directors, Denver Bar Foundation, 2004-2006.  
Joint Management Committee, CBA and DBA, 2000-2006.  
Membership Services Committee, 1988-1994.

Cornell Law Club of Colorado, Inc. 1976-2016  
Secretary-Treasurer, 2000-2016.  
President, 1980-1984.  
Vice President, 1976-1980.  
Board of Directors, 1976-2016.

Colorado Association of Corporate Counsel, 1995-2010.  
Immediate Past President, 2005-2006.  
President, 2004-2005.  
Vice President, 2003-2004  
Board of Directors, 2003-2006.

## **SCHOLARLY ENDEAVORS**

### **Graduate Courses - Loyola University Chicago (LUC)**

#### **Selected Courses Completed:**

Doctoral Capstone II (Spring 2016)  
Doctoral Capstone I (Fall 2015)  
Writing and Scholarship Skills (Fall 2015)  
Christian Moral Theology (Spring 2015)  
Professionalism and Professional Ethics (Fall 2014)  
Narrative Bioethics (Summer 2014)  
Research and Ethics (Spring 2014)  
Public Health Ethics (Fall 2013)  
Catholic Bioethics and Social Justice (Spring 2013)  
Cultural Competence in Health Care (Summer 2013)  
History of Medicine and Bioethics (Fall 2012)  
Master's Research Capstone (Spring 2012)  
Clinical Topics in Bioethics (Fall 2011)  
Justice and Health Care (Fall 2011)  
Organizational Ethics II (Summer 2011)  
Biomedical Ethics and the Law (Spring 2011)  
Catholic Bioethics in Practice (Fall 2010)  
Organizational Ethics I (Summer 2010)  
Ethics Consultation (Summer 2010)  
Moral Theology and Catholic Bioethics (Spring 2010)  
Religion and Bioethics (Fall 2009)

### **Graduate Courses Completed - University of Colorado Denver**

Master's Thesis (Summer 2008 – Spring 2009)  
Philosophy of Religion (Spring 2008)  
Directed Research and Reading (Spring 2008)  
Ancient Political Philosophy (Fall 2007)  
Introduction to Phenomenology (Spring 2007)

Philosophical Foundations of Research Ethics (Spring 2007)  
Bioethics (Fall 2006)  
Kant (Fall 2006)  
Dewey (Spring 2006)  
Empiricism (Fall 2005)  
Philosophy of Death (Fall 2005)  
The Hero's Journey (Fall 2005)  
American Ethics (Spring 2005)  
Methods and Texts of the Humanities (Fall 2004)

## **Publications**

### **Textbook Chapter**

Smith, G.J. (2022). The butterfly case. Buchbinder, Sharon B., Shanks, Nancy H., Kite, Bobbie, & Buchbinder, Dale. (Eds). *Cases in Health Care Management*, 2nd Edition, (pp. 253-254). Jones & Bartlett.

### **Refereed journal articles**

Smith, GJ. "Method in Catholic Bioethics: ANH and PVS Patients," *Bioethics in Faith and Practice*: Vol 2: No.1, Article 4. DOI: 10.15385/jbfp.2016.2.1.4. Available at: [https://digitalcommons.cedarville.edu/bioethics\\_in\\_faith\\_and\\_practice/vol2/iss1/4/](https://digitalcommons.cedarville.edu/bioethics_in_faith_and_practice/vol2/iss1/4/)

Smith, GJ. Health Care by Category is Unjust. (in preparation).

Garchar K, Smith GJ. Refusal of Treatment by Incompetent Patients (in preparation).

Smith MB, Scherer S, Page RL. Physical therapists' knowledge and practice: NSAIDS, Analgesics and Nutritional Supplements. *American Journal of Health-System Pharmacy*. 2005; 62: 1440-41. (*Consultant*)

### **Non-refereed journal articles**

Smith GJ, *et al.* Annual Survey of Colorado Law—Health Law. *Annual Survey of Colorado Law*. Continuing Legal Education in Colorado, Inc. 2002-2015.

Smith GJ, Chung S. Vicarious Liability of Professional Service Corporations. *Colorado Bar Association Health Law Section Newsletter*, June, 2002.

Smith GJ. NAC and Room 46: A profitable duet. *Access*. Nov 1998.

Smith GJ. Contributor: Legal and Regulatory Topics for Physical Therapists. *Mile High Newsletter and News-In-Brief*, Colorado Chapter-APTA. 1988-present.

## **Published abstracts of presentations**

Smith MB, Scherer SA, Page RL, Smith GJ. Physical Therapist's Knowledge, Practice and Attitudes toward Non-steroidal Anti-inflammatory Drugs (NSAIDs), and Nutritional Supplements. *HPA Resource*. 2004; 4:1, 8-9, 14.

## **Theses and Dissertations**

### **Theses**

Thesis: Clinical Pragmatism and Bioethical Method. University of Colorado Denver, Denver, CO. 2009.

Thesis: Domestic Opposition to the Early Cold War Policies of the United States: 1945-1947. The Colorado College, Colorado Springs, CO. 1969.

## **Grant Activity**

University of Colorado Denver. Received grant in 2020 to develop an 8-week online bioethics course for upper division undergraduates and graduate students, revising an existing 16-week on-campus course with the same subject and target audience, with the course to commence in Spring, 2021

Physical Therapist's Knowledge, Practice and Attitudes toward Non-steroidal Anti-inflammatory Drugs (NSAIDs), Analgesics, and Nutritional Supplements/Herbal Medicine. PI: Smith MB, Co-PI: Scherer SA. Funded. Colorado Chapter APTA Bob Doctor Fund mini grant. \$300. 2003. (*Consultant*).

## **SELECTED PROFESSIONAL PRESENTATIONS/WORKSHOPS SINCE 1994**

### **Presentations**

Smith, GJ, *et al.* Informed Consent Panel. Annual Law Professors Conference, American Society of Law, Medicine and Ethics, Chicago, Illinois, June 5-7, 2019.

Smith, GJ. Legal and Ethical Issues for Hospital Ethics Committees, Swedish Hospital, Englewood, Colorado, November 2, 2016.

Smith, GJ. Business Structures and Legal Environment, DPT 716, Regis University, Denver, Colorado, September 28, 2015 and September 30, 2016.

Smith, GJ. Annual Law Update – Health Care. Englewood, Colorado and Boulder, Colorado, September 11-12, 2012, September 13-14, 2011 and September 14-15, 2010.

Smith, GJ. Professionalism and Ethics in Physical Therapy Practice, DPT 776, Regis University, Denver, Colorado, November 21, 2016, November 26, 2012, November 15, 2012, September 16, 2012, October 21, 2011 and September 14, 2008.

Smith, GJ. Current Topics, Catholic Moral Tradition, Catholic Medical Association, University of Colorado Denver – Anschutz Medical Campus, Denver, Colorado, February 15, 2012; December 14, 2011 and November 19, 2009.

Smith, GJ. Panelist, Graduate Interdisciplinary Studies in Humanities and Social Science, University of Colorado Denver – Auraria Campus, Denver, Colorado, April 9, 2011.

Smith, GJ. Business Organization and Ethics in Physical Therapy Practice, September 23, 2010. Regis University, Denver, Colorado.

Smith GJ. Physician Employment Agreements (Contract Negotiations – Reading Contract Language). American College of Osteopathic Family Physicians, March, 2008.

Smith GJ. Employment Agreements for Nurse Practitioners and Physician’s Assistants. Colorado Society of Dermatology Professionals, January 2008.

Smith GJ. Physical Therapy Practice – Keeping it Legal. Colorado Chapter-APTA. 2007. Teleconference: State of Colorado.

Smith GJ. Provider Networks. Colorado Bar Association, Health Law Section, February 2006. Denver, CO.

Smith GJ. Recent Developments in Compliance and the Corporate Practice of Physical Therapy. Colorado Chapter-APTA. 2005 and 2006. Teleconferences: State of Colorado.

Smith GJ. Tips on Win-Win Strategies for Managed Care Contracting. Home Care Association of Colorado Annual Conference. May 2005. Glenwood Springs CO.

Smith GJ. Compliance, Fraud and Abuse. Colorado Chapter-American Physical Therapy Association, 2004. Teleconference: State of Colorado.

Smith GJ. Keynote Speech, How Scholarships Make a Difference. The Colorado College, May 2002. Colorado Springs, CO.

Smith GJ. Compliance, Risk Management and Ethics for Physicians. Office Managers’ Association, Clear Creek Medical Society, 1999. Lakewood, CO.

Smith GJ. Compliance, Risk Management and Ethics for Medicare-Medicaid Providers. Colorado Foundation for Medical Care, 1998. Denver, CO.

Smith GJ. Compliance, Risk Management and Ethics for Physiatrists. American Academy of Physical Medicine and Rehabilitation Annual Conference, 1998. Seattle, WA.

Smith GJ. Compliance, Risk Management and Ethics for Home Health Agencies. Home Care Association of Colorado, 1996-present.

Smith GJ. Business Organizations for Entrepreneurs and Professionals. Continuing Legal Education of Colorado, Inc. 1994-present.



## **Workshops and Seminars Organized**

Conference Planning Committee, Annual Bioethics Conference, Colorado Healthcare Ethics Forum, 2017-present

Co-Chair, Planning Committee: Pulling the Plug: Lessons from Terry Schiavo. Continuing Legal Education in Colorado, Inc. and UCD, *et. al.*, Denver, CO. (in preparation)

Co-Chair, Planning Committee. Current Issues in Bioethics. Continuing Legal Education in Colorado, Inc. Denver, CO. March 17, 2005.

Co-Chair, Planning Committee. Advanced Legal Interviewing (Empathy and Ethics). In preparation.

## **CONSULTATIVE /ADVISORY POSITIONS**

General Counsel, Home Care Association of Colorado, 1994-present.

Counsel, Clear Creek Valley Medical Society, 1992-2010.

General Counsel, Colorado Chapter-American Physical Therapy Association (APTA), 1988-present. Counsel: Ethics Committee, Colorado-APTA.

Counsel, Center for Hospice and Palliative Care of the Rockies, 2010-present.

Counsel, Colorado Health Care Ethics Forum, 2015-2023 (member of Board of Directors, 2016-2022, Treasurer, 2020-present)

## **RECOGNITIONS AND AWARDS**

Outstanding Graduate School Educator, Medical College of Wisconsin (2020-2021)

Ten-Year Service Award, Regis University (2017).

Lloyd E. Worner Award, The Colorado College (2013).

Fellow Emeritus, Colorado Bar Foundation (2011).

William E. (Dick) Doyle Service Award, Continuing Legal Education in Colorado, Inc. (2010).

Best Poster Presentation. Health Policy and Administration. APTA Combined Sections Meeting, Nashville, TN (2004)

*Pi Gamma Mu* Honor Fraternity, Colorado College (1968).

## **TEACHING RESPONSIBILITIES AND EXPERIENCE IN EDUCATION**

### **Loyola University Chicago, School of Law.**

LAW 907. Law, Bioethics and Social Justice. Instructor, 2017-present

### **Loyola University Chicago, Neiswanger Institute**

BEHL 404. Biomedical Ethics and the Law. Instructor, 2020-present

### **University of Denver, University College, Health Care Management**

HC 4400. Legal Issues: Healthcare Providers and Facilities. Instructor, 2013 – present

HC 4410. Legal Issues: Research, Development and Entrepreneurism. Instructor, 2018 – present

HC 4220. Ethical Considerations in Healthcare. Instructor, 2021-present

### **Regis University, Department of Health Care Ethics**

HCE 430. Health Care Ethics (Nursing). Instructor, fall, 2006 – present.

HCE 709. Health Care Ethics (Physical Therapy). Co-Instructor, fall, 2006.

DPT 802. Health Care Ethics (Physical Therapy) in Advanced Clinical Practice.  
Instructor, summer 2022-present

### **University of Colorado Denver (Auraria Campus)**

PHIL 4242/5242. Bioethics. Instructor, 2020-present

### **Medical College of Wisconsin, Clinical and Translation Science Institute**

BIOE 10226. Regulatory Issues in Human Subject Research Protections. Course designed and instructed by me, first offered in Spring, 2021. Instructor, 2019-present

### **Rocky Vista University, College of Osteopathic Medicine**

OM 1040. Medical Ethics. Instructor, 2020-present

### **University of Colorado Denver.**

#### **School of Medicine and Center for Bioethics and Humanities**

Health Law in Clinical Ethics. Course Co-director: Bioethics topics, (e.g. Access to Care), 2002-2003.

PRMD 5000. Interdisciplinary Bioethics Course. Ethics in the Health Professions (Small Group Facilitator), 2000-2005, 2007-2008, 2010-2012.

Foundations of Doctoring. Tutor, Communications Program: Patient Communications, Empathy and Effective Treatment, 2000-2006.

Transition for Third Year. Lecturer and Small Group Facilitator: Compliance, Legal and Ethical Guidelines for Practice. 1998-2004.

Primary Care Program. Tutor, Problem-based Learning Course. 1994-2000.

Health Issues. Small Group Facilitator: Medical Ethics Topics (e.g. Physician-assisted suicide), 1992-1994.

### **Department of Surgery**

Third Year Surgery Clerkship Seminar. Small Group Facilitator, Informed Consent and Ethical duties to patients. 1998-2004, 2007.

### **Department of Ophthalmology**

Residency Program. Lecturer: Basics of Physician Employment Contracts. 1998.

## **University of Colorado—Colorado Springs Beth El College of Nursing and Health Sciences**

Lecturer: Compliance, Risk Management, Legal and Ethical Issues for Advanced Practice Nursing. 2002.

### **Arapahoe Community College Physical Therapist Assistant Program.**

Lecturer: Compliance, Risk Management, Legal and Ethical Issues for PTAs. 1999.

### **Denver Technical College Physical Therapist Assistant Program**

Lecturer: Compliance, Risk Management, Legal and Ethical Issues for PTAs. 1997-2002.

## **PROFESSIONAL/COMMUNITY SERVICE**

Chair, Tower Club, Cornell University Annual Fund (Colorado), 2002-2010.

Trustee, The Colorado College, 1997-2001.

Alumni Association Board, The Colorado College, 1995-2005  
President, 1997-1999

Regional Chair, Cornell Law School Fund, 1994-2010.

Good Shepherd Middle School, Development Committee, 1994-1995.

Cub Master, Pack 54, United Methodist Church, 1991-1993.

Metro Volunteer Lawyers, 1972-1993.

**MILITARY SERVICE**

Second Lieutenant, Adjutant General's Corps, U.S. Army Reserve, 1970-1973.

**REFERENCES**

Furnished upon request.