

RESUME

Joel L. Nitzkin, MD, MPH, DPA

Principal Consultant, JLN, MD Associates, L.L. C.

4939 Chestnut Street, New Orleans, LA 70115-2941

phone: (504) 899-7893 or (800) 598-2561; fax: (504) 899-7557

jlnitzkin@gmail.com http://jln-md.com

Biographical Sketch

I am a public health physician with a doctorate in public administration, a master's degree in public health, and board certification in Preventive Medicine.

As a public health physician, I deal with health issues on a group or population basis, with primary focus on how illness, injury and medical complications can best be prevented. I do this with a physician's knowledge of the causation and natural history of disease, effectiveness of preventive and therapeutic measures with the skill of an epidemiologist and the tools of a manager and finance officer. As both consultant and expert witness, I deal with prevention, emergency preparedness and response, infectious and communicable diseases and quality of healthcare delivery in hospital, nursing home, prison and high risk occupational settings. Since 2007, I have devoted much of my time and energy to tobacco policy issues at the national level.

I was attracted to public health, while still in medical school, when I experienced the power of a simple community intervention to eliminate a major health problem. After hospital internship, I spent two years as a communicable disease control officer for the Centers for Disease Control, then secured a Master's Degree in Public Health. In the early 1970's, I broadened my focus to the full range of preventive services provided by a local health department, secured a Doctorate in Public Administration, and Board Certification in Preventive Medicine. For the next 13 years, I served as Director of an urban health department (Rochester, NY). While local health director, I was an active member of boards of directors in health insurance, hospital, long term care and mental health entities. In 1989, I came to Louisiana as State Health Officer and Director of the Louisiana Office of Public Health. This was my second politically appointed job, and the second time I had been hired to "fix" a "broken" public health agency. Over the next 27 months, until the inauguration of the next governor, I energetically and successfully did the job I was hired to do. At that point, having fallen in love with New Orleans, I decided to stay, and started my career as a consultant. Since then, I have taken on a number of short-term full time assignments dealing with correctional health, leprosy, healthcare quality, telemedicine, and home care. In 1997, I incorporated as JLN, MD Associates, LLC, and have served in that capacity ever since.

I have served on multiple national advisory committees and commissions since the mid 1980s. I was President of the National Association of County and City Health Officials (NACCHO), 1988-89 and President of the American Association of Public Health Physicians (AAPHP), 1996-1998.

I have been actively involved in professional education and mentoring for my entire career. While in Miami in the early 1970's I directed a Preventive Medicine Residency program. From the early 1970's through 1992, I supervised an unbroken string of Epidemic Intelligence Service (EIS) assignees. This role continued while in Rochester and New Orleans. Miami and Rochester were two of only a very few local health departments with EIS assignees, with the assignments based on CDC's perception of the quality of the mentoring I could provide. Everywhere I have been located; I have been active in the teaching and research agendas of local medical schools and schools of public health. Since working as a consultant, I have maintained an assortment of academic affiliations, and have developed and implemented two educational curricula; one having to do with the early symptoms of heart disease and stroke, and the other relating to teaching policy, management and advocacy skills to doctors, nurses and other health professionals. During this period I have also made one or more educational and research presentations almost every year at state and national meetings.

On a personal basis, I am married, have two grown children, and enjoy jazz, scuba diving, travel, genealogy, and a lead role within a Mardi Gras krewe.

Experience

Health Policy Consultant:

JLN, MD Associates, L.L.C.

New Orleans, LA

1992-1994, and 1997 to Present

Tobacco Control Policy: Beginning in 2007, on a voluntary basis, as co-chair of the Tobacco Control Task Force of the American Association of Public Health Physicians, I played a lead role in exploring policy options for reducing tobacco-attributable illness, death and addiction in the USA. That exploration focused my attention on tobacco harm reduction as a potential life-saving measure, and on other problematic aspects of current American tobacco control policy. In 2012, I was advised by federal authorities that their commitment to a tobacco-free-

society was such that they would not support any research or policy development considering the possibility that adding a tobacco harm reduction component to current tobacco control programming using e-cigarettes and smokeless products to reduce tobacco-related addiction, illness and death. To continue my work in this arena, I structured a relationship with the R Street Institute (www.rstreet.org) as a consultant with the title Senior Fellow for Tobacco Policy. R Street is a right-of-center free market think tank in Washington DC. It recognizes and respects the role of government in regulating the marketplace to address honesty, health and environmental issues, but is concerned when governments impose restrictions on the market not so justified. R Street became interested in tobacco harm reduction when, in 2010, FDA attempted to remove e-cigarettes from the market as unlicensed drug-device products. My role at R Street is that of a consultant, with a modicum of financial support to cover travel and other costs.

- Faculty appointment at the level of Associate Clinical Professor, Virginia Commonwealth University, School of Medicine, Department of Epidemiology and Community Health (Richmond, VA). This appointment is to enable me to function as part-time clinical faculty for purposes of providing both **on-site** and distance-based instruction in policy and management skills and help develop a translation research agenda. September 2007 through June 2010.
- Principal Investigator on federally funded (CDC) project to develop and present seminar/workshops for clinicians and healthcare administrators on how best to expand and create new preventive services in healthcare settings and how best to partner with health departments and community groups to encourage and enable community-based preventive services. This was supported by CDC for over four years, from September, 2005 through December 2009.
- Principal Investigator on a locally funded project to develop Needs Assessment and Strategic Plan for the New Orleans Health Department, 2003.
- Principal Investigator on federally funded (SAMHSA) project to review the literature on preventive mental health services that should be implemented in healthcare settings. The final report includes over 500 bibliographic references and the evidence base, description of interventions and guidelines for planning and evaluation of 15 clinical preventive behavioral health services, covering all age groups. 2002 to 2004. This report was published as a 180 page “clinical update” monograph. It is accessible on the Internet and is now in its second printing.
- Consultant to Ochsner Health Plan, New Orleans for disease management and quality assurance in preparation for NCQA site visit. All materials generated by JLN secured “full” acceptance by the NCQA review team. 2001.
- Principal Investigator on four federally funded projects, on behalf of Engineering Management & Economics, Inc.: Interactive Guide to Community Preventive Services, Centers for Disease Control, September 2000; Geographic Information System Enhancement of Community Planning for Cardiovascular Diseases, Centers for Disease Control, June 1999; Listen to Your Heart Project (computer and web-based educational materials and administrative decision-support simulator to get patients experiencing symptoms suggestive of a heart attack into definitive medical care more rapidly) National Library of Medicine/NIH, November 1998; Automated Simulation Analysis Platform for Health Care Project (computer simulation program to project costs and benefits of implementation of preventive programming for adult onset diabetics) Centers for Disease Control, September 1997.
- Policy consultant to Merck & Co. relative to development of innovative risk assessment based wellness programming for selected municipal and corporate clients, 2000
- Policy advisor for development of integrated set of management information systems for the El Paso County Department of Health, Colorado Springs, CO, 2000
- Medical Director, LifeStyle Directions, Inc., Monaca, PA, 1996 to 2000 – provision of medical, epidemiological and policy guidance to LDI relative to their family of health risk assessment questionnaires, report forms and program components.
- Medicare quality assurance - helped develop Health Care Quality Improvement **Initiative** for Louisiana Health Care Review (Louisiana’s Peer Review Organization)
- Hansen’s Disease Center, Carville, LA - program evaluation, strategic planning and successful advocacy for addition of \$1.4 million for 1993 budget and \$3 million for 1994 budget
- Correctional Health Liaison- development of new medical and mental health policies and procedures within the Louisiana State prison system, and improved communications with the Charity Hospital system

Expert Witness:

JLN, MD Associates, L.L.C.

New Orleans, LA

1992-1994, and 1997 to Present

I have served as a substantive or expert witness for most of my career, with many depositions and a handful of court appearances. Much, but not all of this, was in the context of my public health work, or voluntary activities in the field of tobacco control. From 1992 through May 31, 2017, I served as expert witness in 133 cases. Of these, 21 were food poisoning cases, 23 nosocomial (hospital related) infections, and 43 prison/jail health. 19 related to other community-acquired infections, 10 to other aspects of health care quality, 10 to deaths in critically ill patients who were not evacuated

for Hurricane Katrina, 5 were tobacco-related, 1 drug related and 1 employment discrimination. I served the plaintiff in 93 of these cases, defense in the other 40. During this period, in addition to record review and related research, I provided 23 depositions and 14 court appearances. As an expert witness, I see my goal as the elimination of ambiguity, seeking out-of-court settlements wherever possible. While I have not tracked the numbers, I estimate that I decline about one third of the cases brought to my attention on the basis of an initial impression that the opposing party should prevail.

Associate Professor:

Louisiana State University School of Medicine *New Orleans, LA* *1994-1997*

- Principal Investigator, Louisiana TELEMEDicine Research Project. This involved initial development of LSU telemedicine program, development of a management information system, and working with stakeholders to expand the system. 1993-1996
- Medical Director, University Home Care. 1994-1997
- Consultant to Medical Center of Louisiana at New Orleans (Charity and University hospitals) on disease and demand management, continuity of care, and compliance with JCAHCO and HCFA guidelines 1995-1997
- Medical Director and Management Consultant to, Daughters of Charity Neighborhood Health Partnership (DCNHP) 1995-1996

State Health Director:

Louisiana Office of Public Health *New Orleans, LA* *1989-1992*

Medical Director, Health Officer (official responsible for enforcement of State Sanitary Code), and Chief Executive Officer of the state public health agency with headquarters, nine regional offices, 62 local health departments and three laboratories. I was hired to “fix” a “broken” and demoralized public health agency that had drifted for 18 months without top-level leadership. During that 18 months there had been major cuts and no enhancements. With “fix” as a mandate, I provided the administrative and political leadership that resulted in agency growth from 1,800 to 2,100 staff positions and from \$136 million to \$172 million annual budget during my 27 month tenure. Of the \$36 million in new annual revenues, \$25 million was in recurring federal funding, most of which has continued to this day. One major political victory resulted in six million dollars in new funding (also annual and recurring) was from a single act of the state legislature to dramatically upgrade the safe drinking water program. Another legislative victory was adoption of Louisiana’s first clean indoor air (anti-smoking) legislation.

County Health Director:

Monroe County Health Department *Rochester, NY* *1976-1989*

Medical Director, Health Officer and Chief Executive Officer of local government agency with 450 staff and a \$12 million budget. Major accomplishments included the following:

Developed and implemented new data systems.

Quadrupled home health agency revenues in first three years.

Played major role in Emergency and Disaster Planning relative to Ginna Nuclear Plant, bomb threats and possible bioterrorist attacks.

Played major leadership roles on the Boards of Directors of health insurance, hospital, long term care and mental health entities

Served as President of one local, one state, and one national organization.

Worked closely with the Monroe County Jail and the Jail Health Project of the American Medical Association in the initial development of the health standards that later became the National Commission on Correctional Health Care (NCCHC) standards for accreditation of prison and jail health programs.

Supervised a continuous string of EIS Officers assigned to the MCHD under my supervision. Prior to my arrival, there had never been an EIS assigned to this local health department. After my departure, no others were assigned.

Chief, Office of Consumer Protection:

Dade County Health Department *Miami, FL* *1970-1976*

Directed communicable and chronic disease control programs, immunization, tuberculosis and sexually transmitted disease clinics, vital records and nursing home inspection.

Supervised a public health residency program and a continuous string of federally-assigned physician Epidemic Intelligence Service officers.

Played lead role in designing and managing health-related anti-terrorism programming for 1972 Democratic and Republican National Conventions in Miami Beach.

My most dramatic accomplishments were investigation and control of a large outbreak of typhoid fever in a migrant labor camp and development of an innovative childhood immunization program that eliminated local transmission of diseases preventable by routine childhood immunization for the final four and a half years of my six-year tenure in Miami.

Epidemic Intelligence Service Officer:

US Public Health Service,

(assigned from the Centers for Disease Control to Kentucky Department of Health, Frankfort, KY) 1967-1969

- Trained by CDC in epidemiology, biostatistics, surveillance, communicable disease control, bioterrorism and in family planning program design
- Communicable disease investigation and control – this included investigation and control of multiple outbreaks, including a large epidemic of infectious hepatitis, rebuilding state surveillance systems, and rewriting much of the state sanitary code
- Sixty-day assignment to Northern Nigeria to assist and help assess the regional smallpox eradication program

Post Sophomore Fellow:

Jerusalem and Kiryat Shmoneh, Israel

1963-1964

This experience, between my sophomore and junior years of medical school, diverted my career from clinical medicine to public health. I started as a hematology research fellow studying an “epidemic” of megaloblastic anemia of pregnancy in a small town in northern Israel. With assistance and mentoring from Professor Sidney Kark (Social Medicine), I determined the behavioral determinants of this illness and recommended that a huge lunch served at the Hebrew language school for these Moroccan immigrants. This simple, but previously not considered, intervention eliminated the anemia.

Formal Education

Public Health Leadership Institute, Berkeley, CA, Participating Scholar, 1991-1992

Nova University, Fort Lauderdale, FL, Doctor of Public Administration, 1977-1978

Nova University, Fort Lauderdale, FL, Master of Public Administration, 1975-1977

Dade County Health Department (Miami, FL) Residency in Public Health/General Preventive Medicine 1970-1974

University of California, Berkeley, CA, Master of Public Health, 1969-1970

Centers for Disease Control; Epidemic Intelligence Services: Basic and specialized training in prevention and control of infectious and other diseases, bioterrorism and family planning; 1967-1969

Parkland Memorial Hospital, Dallas, TX, Internship, 1966-1967

Wayne State University, Detroit, MI, School of Medicine, Medical Doctor, 1961-1966

Wayne State University, Detroit, MI, School of Liberal Arts, 1958-1961

Certification and Licensure

American Board of Preventive Medicine, since 1974

I have been licensed to practice medicine since 1967 and have held licenses in Michigan, California, Kentucky, Florida, New York and Louisiana at various stages in my career. None of my licenses have ever been challenged or suspended. At this point, all are in inactive mode on the basis of discontinuing payment of annual license fees.

Professional Affiliations

American Association of Public Health Physicians American College of Preventive Medicine

American Public Health Association

American Medical Association

Publications and Presentations

Over 90 publications. One to five presentations at major national meetings almost every year since the mid-1980's. Since affiliating with the R Street Institute in 2012, I have generated 50 publications, presentations to legislative bodies, letters to the editor and policy documents. These are listed on the R Street web site at <http://www.rstreet.org/tag/tobacco-harm-reduction/?author=jnitzkin>

More complete curriculum vitae with current and past academic and other appointments, awards, publications and presentations available on request.