

Employment

- **June 1999-Present: MedicaLogic/Medscape, Inc. (New York, NY): General Counsel and Executive Vice President, Government and Regulatory Affairs; Secretary of the Corporation.**
Executive officer of the company and member of the Executive Committee, which has ultimate responsibility and authority for all products and services of the company at the highest management level. Responsible for all legal matters at publicly traded healthcare technology and information services company, including management of the legal department and the privacy officer and healthcare compliance functions.
 - *Legal experience includes initial public offering of Medscape, Inc., merger of Medscape, Inc. and MedicaLogic, Inc., other mergers, acquisitions, financing rounds, and commercial transactions; supervision of the intellectual property position of company and related licensing and technology matters; coordination with human resources on employee and immigration issues; handling of active litigation; oversight of public company compliance and SEC filings.*
 - *Compliance/privacy officer experience includes serving as the company's representative to self-regulatory groups such as the Health Internet Ethics Group ("Hi-Ethics"), participating in the drafting of self-regulatory codes relating to privacy and ethics online, supervising the company's implementation of self-regulatory codes and compliance with applicable healthcare regulations (including the proposed HIPAA regulations), and frequent speeches and writings on ethical, privacy, and healthcare regulatory matters.*
 - *Government relations/policy experience includes drafting congressional testimony and background materials for the Chairman and Board members, meeting with Congressional and Executive Branch staff, and providing materials and responding to media requests for information on the company's position on sensitive matters such as privacy of medical information and use of technology in healthcare.*
- **May 1998-June 1999: Long Aldridge & Norman LLP (Washington, DC Office): Partner.**
Law firm practice in healthcare law, regulation of healthcare goods, services, and information online, food and drug law (pharmaceuticals, medical devices, dietary supplements, food and food additives, cosmetics and cosmeceuticals, biologics), biotechnology, regulation of medical information and processes, privacy of medical information, computer law, web development, software and IP licensing, equity financing, products liability. Representative clients included American Red Cross, America Online, Haemotronic, Cybercapital, and World Travel Partners.
- **June 1991-April 1998: Fox, Bennett & Turner (Washington, DC): Partner and Associate.**
Law firm practice in food, drug, and medical device law, biotechnology, information regulation, computer law, software and IP licensing, equity financing, products liability. Consulting work for affiliate Incenter Strategies, Inc. in the areas of software engineering, applications development, online transactions, medical information and managed care information systems. Representative clients included Antigenics, Bristol Myers-Squibb, Creative Biomolecules, and Elsevier Scientific Publishers.
- **September 1989-May 1991: White & Case (New York): Associate.**
Law firm practice in general corporate transactional law, including mergers and acquisitions, issuance of debt and equity securities, SEC compliance, equipment leasing; general corporate and products liability litigation.

Education

- J.D., *cum laude*, University of Michigan Law School, 1989. Senior Judge (taught first year writing class); 2d place, Henry M. Campbell Moot Court Competition

- Boston University graduate program in Archaeology, 1984-85 (withdrew before degree). University Graduate Fellowship.
- B.A. in Archaeology, *cum laude*, Yale University (1983). National Merit Scholar; Michigan Legislative Merit Award; Freshman Counselor.

Associations/Boards

- Admitted to practice law in Washington, DC, New York, Southern and Eastern Districts of New York, District of Columbia District and Circuit.
- **Advisory Board, Cybermedicine Project.** A research project to assess the legal, ethical and policy issues posed by the practice of medicine online (funded in part by a grant from the Robert Wood Johnson Foundation). Investigators Tracy Miller, J.D., Vice President of Regulatory Affairs, Greater New York Hospital Association, and Arthur Derse, M.D., J.D., Associate Clinical Professor, Medical College of Wisconsin.
- **American Bar Association.** Member, Business Law, Science and Technology Sections; Member, Cyberspace Law Committee, and Co-Chair of Internet Law Subcommittee 1997-2000.
- **Internet Healthcare Coalition.** Secretary, founding member of the Board of Directors of independent 501(c)(3) corporation dedicated to improving the quality of healthcare information online.
- **Health Internet Ethics (1999-2001).** Treasurer and Board member of association of eHealth companies created to promote consumer trust in Internet healthcare services through the development of self-regulatory mechanisms in the area of privacy and ethics.
- **eHealth Initiative,** founding Board member and Secretary of trade association focused on promoting the use of technology to improve healthcare.
- **Medicine on the Net,** Editorial Board Member.
- **Electronic Frontier Foundation,** Member (since 1991).

Selected Publications

- David Reiter, Elizabeth Blumenfeld, and Mark E. Boulding (eds.), *Internet Law for the Business Lawyer*, Section of Business Law, American Bar Association (2001).
- Mark E. Boulding, "Self-Regulation: Who Needs It?," 19 *Health Affairs* 132 (November/December 2000).
- Mark E. Boulding and Jeffrey W. Short, "Legal Issues Concerning Health Care and the Internet," in *1999 Guide to Health Care Resources on the Internet*, John W. Hoben, ed., Faulkner & Gray (1998).
- Mark E. Boulding, "Collection of Information Online," American Bar Association, Cyberspace Law Committee/Interactive Services Subcommittee Liability Report #2 (May 1998).
- Mark E. Boulding and John Mack, "Promoting the Benefits of the Web: The Internet Healthcare Coalition," *Medical Marketing & Media* (February 1998).
- Contributing author, *Web-Linking Agreements: Contracting Strategies and Model Provisions*, Section of Business Law, American Bar Association (1997)
- Mark E. Boulding, "The Statutory Basis for FDA Regulation of Scientific and Educational Information," 4 *J. of Pharmacy and Law* 123 (1995).

Selected Presentations

- Plenary Session Speaker, "Online Health Information: No Rules for the Weary," at the National Conference of the Medical Marketing Association and The Healthcare Marketing Communications Council, May 25, 2001, Chicago, IL.

- Panelist, "Legal Implications of Risk Management," at the Drug Information Association's The New Age of Risk Management, April 2, 2001, Washington, DC.
- Presenter, "Self-Regulatory Efforts and HIPAA," at the 2d National HIPAA Summit, March 1-2, 2001, Washington, DC.
- Presenter, "HIPAA and E-Health: Legal Issues," at the American Health Lawyers Association pre-conference meeting in connection with the 2d National HIPAA Summit, February 28, 2001, Washington, DC.
- Presenter, "eHealth Legal Issues," at the Tennessee Bar Association's 12th Annual Health Law Forum, October 12, 2000, Nashville, TN.
- Presenter and Panelist, "HIPAA Confidentiality," at the Healthcare Compliance Associations' Annual Compliance Institute, September 24-27, 2000, New Orleans, LA.
- Lecture, "Privacy Online: Special Issues for Health Care," at The Medscape Forum, September 8-10, 1999, Carlsbad, CA.
- Presenter and Panelist, "Hi-Ethics and Self-Regulation/Ethics Of The Healthcare Internet," at The E-Health Colloquium, August 24, 2000, Harvard University, Cambridge, MA.
- Instructional Lecture, "Privacy Policies for Web Sites: Development and Implementation," at the Symposium On Healthcare Internet And E-Commerce: Legal, Regulatory And Ethical Issues (Health Care Compliance Organization), March 26-29 2000, Washington, DC.
- Tutorial Chairperson, "FDA Online: Legal and Regulatory Resources on the Internet," at the 1999 Annual Meeting, Food and Drug Law Institute, December 15, 1999, Washington, DC (fourth year in a row).
- Panel Moderator, "Consumers and Physicians," at the 2nd Annual Meeting of the Internet Healthcare Coalition: "Quality Healthcare Information on the 'Net '99/Healthcare Professionals and Consumers Online: Fixing the Broken Link," October 13, 1999, New York, NY.

Additional information, publications and materials available online at www.boulding.com