

HEALTH CARE ETHICS AND THE LAW SYLLABUS

Fall 2003

COURSE DESCRIPTION

The purpose of this class is to develop an understanding of health law and health care ethics and of the relationship between law and ethics. Topics covered will include reproduction, research involving humans, confidentiality, novel genetic technologies, privacy, public health, disability and community, resource allocation, and death and dying. Each issue will be examined to determine what the law is and what the law ought to be.

FORMAT

The course will be conducted in a seminar format. In general, I will take some time at the beginning of each class to situate the specific issue of the day in its broader context. I will then facilitate discussion. Videos and breakout small-group exercises will also be used.

OBJECTIVES

Upon successful completion of the course, the students will be able to:

- articulate the current legal status of a range of core and contemporary issues in health law;
- participate in and facilitate a respectful and constructive discussion of controversial health care issues with individuals holding contrary views;
- clearly express and defend positions on a range of issues at the intersection of health care ethics and law;
- articulate the major arguments about one particular issue at the intersection of health care ethics and law and take and thoroughly defend a position on that issue.

REQUIRED READING

Health Care Ethics and the Law Casebook (Fall 2003). **Please note that the order of the readings will be as set out in the course schedule not the Casebook.**

STUDENT EVALUATION

Major Paper 70%

- topic of your choice (to be cleared with me in advance)
- not less than 25 pages
- an outline must accompany the paper (samples are on reserve in the library)
- feel free to consult with me about your paper at any stage
- drafts will be read and commented on if received by Friday, November 21st at 4:30 p.m.
- final papers are due by Friday, December 19th at 4:30 p.m.

Faculty guidelines re: major papers, plagiarism, and late submission of papers/assignments will be followed. Relevant guidelines are in the reserve collection for this course in the library.

Reaction Papers 20%

Students must write at least five reaction papers on assigned readings. Reaction papers should be 1-2 pages long. As the name suggests, I am interested in your reactions to the readings so, for example, you can discuss what you see as some strengths and/or weaknesses of the arguments presented in the readings and/or reflect on a controversial aspect of the issues of the day. Do not simply summarize the readings. Samples are available on reserve and I will give feedback after the first three opportunities to write reaction papers.

Please submit your reaction papers to Barbara Carter in Room 330 by 12 p.m. on Monday and pick up the class set of reaction papers after 9 a.m. on Tuesday.

Each student must select his/her top five reaction papers and submit a list of the five with his/her major paper. Reaction papers not submitted on time (i.e., by the weekly Monday deadline) are not eligible for inclusion on this top five list. If you have fewer than five eligible reaction papers, 4% will be deducted from your final grade for every reaction paper missing from the top five list.

As your papers are photocopied for everyone in the class, it is very important for us to have good originals. If, for any reason, you cannot provide a good original, please see Barbara to make special arrangements.

Class Participation 10%

CONTACT INFORMATION

Jocelyn Downie
Room 329
494-6881
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Barbara Carter
Room 330
494-6881
e-mail barbara.carter@dal.ca

By appointment: please see me or Barbara to arrange

By chance: please feel free to drop by my office

SPECIAL NOTES

Scented products

Please be aware that there are students in the Law School who suffer from chemical sensitivities (sometimes known as environmental illness). Scented products can adversely affect their health as well as their ability to participate fully in class. Please do not use perfume, cologne, aftershave, hairspray, scented shaving cream, scented shampoo, scented deodorant, scented soap, scented laundry soap, or scented fabric softeners. There are many unscented products now readily available in local stores. Just look on the label for an indication that the product is unscented/fragrance free. A little effort on your part can make a big difference to the health and educational experience of your classmates.

Students with disabilities

Students with permanent or temporary disabilities who would like to discuss classroom or paper accommodations are asked to come and see me as soon as possible.

SCHEDULE OF CLASSES AND READING ASSIGNMENTS

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| September 9 | Overview of course and introduction to health care ethics Chapter One |
| September 16 | Reproduction II: State intervention into the lives of pregnant women Chapter Three |
| September 23 | Resource Allocation: IVF Funding Chapter Nine |
| September 30 | Privacy: Appropriate Uses of Personal Health Information Chapter Six |
| October 7 | Research Involving Humans: International Trials Chapter Four |
| October 14 | Conjoined Twins: The Ethics of Separation Chapter Twelve Research and Writing No readings |
| October 21 | Public Health: Challenges from SARS Chapter Seven |
| October 28 | Novel Genetic Technologies: Cloning and Stem Cell Research Chapter Five |
| November 4 | Contested Concepts: Disability and Community Chapter Eight |
| November 11 | Remembrance Day – University closed |
| November 18 | Death I: Unilateral Withholding/Withdrawal of Life-Sustaining Treatment Chapter Ten |
| November 25 | Death II: Assisted Suicide and Euthanasia Chapter Eleven |