

Contemporary Issues in Health Law: Seminar Series

Law 599: B13
Course Outline
Winter 2006

I. General Description

Each year, a seminar series is organized by the Health Law Institute dealing with a wide range of issues in health law from a variety of perspectives. This course has been developed to allow students an opportunity to receive credit for attending, participating in and writing papers relating to the seminars and the subject matter covered by them.

Course Objectives:

- to learn to prepare for participation in a seminar through research in advance and through critical listening
- to encourage students to actively participate by asking the speaker to clarify remarks, or posing questions about the lecture
- to conduct further research as necessary around the arguments made in the seminar
- to learn to write papers critiquing the arguments made in the seminar and/or on that topic generally

II. Instructor and Contact Information

Ms. Tracey Bailey, LLB
Executive Director, Health Law Institute
email: tbailey@law.ualberta.ca
phone: 492-6127
office: room 470, Law Centre

Due to other commitments, I do not have set office hours. However, I am happy to meet with you and an appointment can be set up at a mutually convenient time. Please see me, or email me, to set up a meeting as required.

III. Course Format

The course is being conducted around the seminar series, details of which are included in this course outline. At least three additional meetings as a group will be set up to discuss expectations, work in progress and/or to summarize issues covered. If students would like to meet with me, I am happy to do so at any point in the course. Please do not hesitate to contact me to set up a mutually convenient time.

IV. Required Reading Materials

There are no required readings. As a course focused on student research in addition to participation in the seminars, students are expected to conduct research, to find appropriate and on-point literature to read for each seminar, as well as for the papers they are writing.

Students who require accommodations in this course due to a disability affecting mobility, vision, hearing, learning, or mental or physical health are advised to discuss their needs with Specialized Support and Disability Services, 2-800 SUB, 492-3381 (phone) or 492-7269 (TTY), <http://www.ualberta.ca/~ssd/>.

Evaluation Methods

The final grade for the course is based on the marks assigned for the following:

- two papers (12 - 16 text pages each) on issues raised in two of the seminars (or on arguments/issues related to two seminar topics) (**85%**)
- participation in the seminars and meetings (**15%**).

Further guidelines regarding the papers

Please do not hesitate to talk with me about your papers at any stage.

- Please start each paper with an introduction, setting out the thrust of your critique. The body of your paper should then proceed to critique arguments made, either by the lecturer, or in the literature you have found in researching the issue. It should not merely describe the arguments made but should involve an analysis and critique of them. That does not necessarily mean that you will find fault with the arguments. Whether you are criticizing them or supporting them, please back that up with sound reasoning and research. Each paper should end with a conclusion summing up the important issues raised and your conclusions about that. You do not have to come up with a solution to the problems posed. If you have identified the arguments and the strengths and/or weaknesses of them, you have done what you are striving to do.
- Formatting requirements: page length applies to the text only, not the footnotes. Papers must be double-spaced, with a 12 point font, maximum of 1 inch margins all around. Please use indented paragraphs, not blank lines, to separate your paragraphs.
- References: proper and complete references/footnoting are essential to scholarly, credible work; marks will be deducted if references are not accurate and complete. All sources of ideas, words, phrases, statistics, etc must be properly cited. Failure to do so is plagiarism and will result in proceedings being taken against you. Please refer to the section below on academic integrity. If you have questions about how to cite a particular source, please speak to me before your paper is handed in.
- Research ethics approval: In accordance with GFC policy, any research that will involve human subjects (e.g. Interviews, surveys, observations, etc.) must be

approved by the appropriate University Research Ethics Committee prior to the research being commenced. The committee will differ for law students and students in the health sciences. Failure to obtain prior approval may result in the instructor being unable to consider the relevant information.

- Criteria considered in marking papers:
 - o Comprehensiveness of research – students are expected to make effective use of relevant and up-to-date sources in their research.
 - o Organization and writing – students are expected to submit well-organized, clear and coherently argued papers.
 - o Analysis – students are expected to analyze the relevant arguments, rather than simply describing the arguments made in the seminar or the existing literature, and must demonstrate an understanding of the issues and arguments.
 - o Articulation of the major arguments about the topic, and adoption and defence of a position(s) on the topic.

Papers which are purely descriptive, or which are poorly written and/or organized will receive inferior marks.

- **Deadlines:** papers must be received by the me no later than 3p.m. two weeks after the seminar that it is based upon; with the exception of the first seminar (J Bovenberg on January 12th) which will be due three weeks after the seminar. For example, a paper based on J. Bovenberg’s seminar or related issues will be due by 3p.m. on Thursday, February 2nd. **These deadlines are firm and 5% per day (including weekends and holidays) will be deducted for late submissions.** Extensions may be granted, at the instructor’s discretion, in circumstances similar to those for which the Associate Dean would grant a deferral of a final exam.

Assignment of grades for undergraduate students in law

Grades will be assigned on the basis of the University of Alberta four-point grading system. Word descriptions for the numeric grades are as follows:

Descriptor	Letter Grade	Grade Point
Excellent	A+	4.0
Excellent	A	4.0
Excellent	A-	3.7

Good	B+	3.3
Good	B	3.0
Good	B-	2.7
Satisfactory	C+	2.3
Satisfactory	C	2.0
Satisfactory	C-	1.7
Poor	D+	1.3
Minimal Pass	D	1.0
Failure	F	0.0

My approach in grading is as follows: the highest and lowest grades (i.e. A+ and F) are based on absolute standards. The top set of marks in the class does not necessarily receive an A+; nor does the lowest set of marks necessarily receive an F. Grades in the middle ranges tend to be based more on a relative assessment. Based on law guidelines, the class average in this course must fall between 2.3 and 3.3 (C+ to B+), unless we have five or less students in which case there is not a recommended distribution.

VI. Academic Integrity

All University rules governing academic offences apply to this course.

The University of Alberta is committed to the highest standards of academic integrity and honesty. Students are expected to be familiar with these standards regarding academic honesty and to uphold the policies of the University in this respect. Students are particularly urged to familiarize themselves with the provisions of the Code of Student Behavior (online at www.ualberta.ca/secretariat/appeals.htm) and avoid any behavior which could potentially result in suspicions of cheating, plagiarism, misrepresentation of facts and/or participation in an offence. Academic dishonesty is a serious offence and can result in suspension or expulsion from the University.

VII. Schedule

Universal Biobanking: the Collaborative Research Enterprise
 Jasper Bovenberg, practitioner & Research Fellow, E.M. Meijers Institute of Legal Studies, Law Faculty of Leiden University
 Thursday, January 12, 2006, 12-1, Law Centre, room 237
 Implantable Human Micro-chips in the Hospital Setting
 Dr. Ian Kerr, Professor, Faculty of Law, University of Ottawa & Canada Research Chair Ethics,

Law and Technology

Monday, February 13, 2006, 12-1, Law Centre, room 237

Whither Regenerative Medicine?

Dr. Abdallah Daar, Professor of Public Health Sciences and of Surgery at the University of Toronto; Director of Applied Ethics and Biotechnology Program at the University of Toronto Joint Centre for Bioethics; and Director of Ethics and Policy at the University of Toronto McLaughlin Centre for Molecular Medicine.

Tuesday, February 28, 2006, 12-1, Law Centre, room 231 and/or 237

Picard Lecture: Tales of the Genome: Can we tell when patents foster or impede innovation?

Dr. Robert Cook-Deegan, Director, Centre for Genome Ethics, Law & Policy, Duke University
Thursday, March 23, 2006, Reception 4pm Foyer, Telus Centre; Lecture 5pm, Auditorium, Telus Centre

A note regarding the schedule: it is possible for a seminar to be cancelled or rescheduled as our speakers are traveling here from across or outside of Canada. If you have a conflict with a newly scheduled time, please speak to me as soon as you are able.

Policy about course outlines can be found in §23.4(2) of the University Calendar.