

HEALTH CARE ETHICS AND THE LAW

Fall 2002
Law 599: A2
Course Outline
Professor Erin Nelson

General Description and Objectives

In this course, students will develop an understanding of health law and health care ethics, and of the relationship – and tensions – between law and ethics in the health care context. Topics covered will include allocation of health care resources, physician assisted suicide and euthanasia, human genetics, pregnancy and reproductive technologies, and research involving humans. Throughout the course, students' attention will be directed to the tension between autonomy and paternalism that informs many of the issues that we will consider throughout the course.

By the end of this course, students will be able to:

- understand and explain the current legal status of a variety of contemporary issues in health law;
- state and defend positions on a range of issues in health care ethics and law;
- participate respectfully in discussions on controversial issues in health care ethics; and
- articulate the major arguments about one specific issue in health care ethics and law, and adopt and thoroughly defend a position on that issue.

Teaching / Learning Resources

There is no required commercial text book or casebook for this course. Required readings are available from the Duplication Centre on the main floor of the Law School.

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/>.

Format

We will meet Monday afternoons, from 1:00 to 3:50 pm. The course will be conducted in a seminar format, which means that I will introduce the context for the class discussion and then facilitate

discussion. In order for the seminar to be effective as a learning experience, it is essential that students come to class prepared to discuss the assigned readings.

Guest speakers will occasionally be invited to class, and the format of the class may be modified to accommodate the speaker.

Evaluation Method

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

Major research paper, 80%

- Topic of your choice (topics must be cleared with me in advance). Bear in mind when selecting your topic that the paper must involve consideration of both legal and ethical issues. This means that you need to select a topic that will allow you to consider both. It does not mean that every paper must be devoted 50% to law and 50% to ethics – the appropriate balance will depend on the topic.
- Papers must be no longer than 30 pages (including foot / endnotes), in double-spaced type, in a 12-point font, on pages with 1 inch margins. There is no minimum length, but your topic should be treated in an appropriate amount of detail. In my experience, it is difficult to do this in a paper that is less than 25 pages in length.
- Footnotes must follow the *Canadian Guide to Uniform Legal Citation*. Proper references are essential. 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. For further information about the University's rules governing academic offences, consult the Code of Student Behaviour. If you have questions about how to cite a particular source, please speak to me before your paper is handed in.
- In accordance with GFC policy, any research that will involve human subjects, (eg. interviews, surveys, observations, etc.) must be approved by the Arts, Science and Law Research Ethics Committee **prior** to the research being commenced. All inquiries about and applications for human research ethics approval should be made to the Associate Dean (Graduate Studies and Research). **Failure to obtain prior approval may result in the instructor being unable to consider the relevant information.**
- Final papers are due no later than **December 4, 2001 at 12:00 noon**. This deadline is firm and **10% 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.

Please feel free to consult with me about your paper at any stage.

Class participation, 20%

- Students are expected to contribute regularly to classroom discussions and to participate in in-class exercises.
- Effective, thoughtful and constructive participation is grounded in regular attendance, preparation (by completion of assigned readings), self-motivation and respect for fellow participants.
- Students should remember that effective participation also depends upon effective listening.

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: