

PH PSC 236

Healthcare & the Law Syllabus Summary

v. Tuesday, August 20, 2019

LEARNING OBJECTIVES

Upon completion of this course students will be able to:

- Participate in lawmaking by voting
- describe the **role** of governments and law in promoting and protecting health, including the functions of courts, legislatures, and administrative agencies in relation to health care law and policy;
- understand the **relationship** between the legal system, health care providers, and patients;
- identify and **analyze** legal issues in health care.

TEXTBOOK & OTHER MATERIALS

- New York Times: <https://search.proquest.com/nytimes/advanced?accountid=13567>
- STRONGLY RECOMMENDED Wilensky & Teitelbaum, Essentials of Health Policy & Law (NEW 4th edition) (4 chapters related to lectures)
 - NOTE #1: To save \$, you can read this **for free** either in print through the library's Reserve Desk or online through the library **at ##### {link to be provided by library IT}**
 - The supplement 2019 Annual Health Reform Update is available at <https://ebookcentral.proquest.com/lib/rochester/detail.action?docID=5709939>
 - NOTE #2: You can order the book directly from the publisher at a 25% discount plus free shipping: www.jblearning.com with coupon code **PassSave25**,
- Primary Law – statutes, regulations and cases, all of which are on Blackboard

TOPICS

LEGAL FOUNDATIONS

Overview of the course & syllabus. Hot topics in the news

Civic engagement and the law: voting.

What Is Health?

What Is Law? The law and government: The Constitution (Wilensky Chap 3)

Health-Harming Legal Doctrines (CH 1 in *Health Justice*)

Legal Skill: How to Read A Case

Intro to Common Law and the Police Power (Jacobson)

Legal Skill: How to Analyze A Case using rules of judicial interpretation (Katskee)

Legal Skill: How to Analyze Statutes (patient dumping statute)

Legislation and judicial review (James, & Lopez-Soto)

HEALTHCARE SYSTEM AND FINANCING

Overview of the US Healthcare System (Wilensky Chap 4)

Government Health Insurance Programs: Medicaid, Medicare and CHIP (Chap 11)

Health reform: An historical perspective (Dr Ted Brown) (Chap 10)

Patient Protection and Affordable Care Act ("Obamacare") (Sebelius)

HEALTHCARE ACCESS AND DISCRIMINATION

Patient Protection and Affordable Care Act & Freedom of religion (Hobby Lobby)
 Contraceptive Mandate: Hobby Lobby and Legal Responses
 Regulation of Abortion: Supreme Ct Decision (Whole Women’s Health)
 The Americans with Disabilities Act (Sutton)
 The Opioid Epidemic and Legal Responses (Heroin(e) video)
 LGBTQ issues in healthcare law (Guest Milo Primaeux, Esq.)

BIOETHICS AND THE LAW

The Doctrine of Informed Consent (Schloendorf et al.)
 Decision making in health care (Miller/BabyK) (Invited Guest Dr Margie Shaw PhD)
 Advance Directives (Guest Dr David Kaufman) [Confirmed 8/12]
 Review of Advance Directives
 Surrogate decision making in health care (Quinlan)[Confirmed 8/12 Guest Dr Rich Demme]

EVALUATIONS

In-class case briefs (3)

During three unannounced class sessions, each student will write and turn in answers to questions about the assigned material. These in-class assignments are worth 10% each. Students may drop one assignment during the semester to allow for unanticipated absences. Your total grade for the in-class assignments will be the sum of the **top 2 out of the 3** grades.

Case brief questionnaires (5)

Reading legal documents is a skill that requires practice. The 5 case brief questionnaires will provide you with questions to facilitate a close reading and understanding of the different components of primary material.

Advance Directives

Health care and the law intersect strongly at the end of life. Students will be asked to read the New York State advance directives law, and using a guided document from an insurance company, reflect on their own values and fill out a legally valid advance directive.

Voting

You will be required to identify your political typology via an online quiz, to research a national candidates position on a health care issue, and to register to vote. Instructions will be provided in class.

EVALUATION RUBRIC

In-class exercises (3) 10 points each; drop lowest)	20
Case brief questionnaire I	10
Case brief questionnaire II	10
Case brief questionnaire III	15
Case brief questionnaire IV	15
Case brief questionnaire V	15
Advance Directive (or alternative tbd)	5
Voting exercise	10
TOTAL	100