Syllabus for Heath Law Seminar - Fall 2012 - Subject to Change

Topics for Classes 1-3, August 20, 27, September 10

Defining health, health care, and illness, public health, practice of medicine, licensure and discipline, ancillary providers, alternative medicine, quality and regulation, accreditation

Reading and Study Assignments for Classes 1-3


Topics for Classes 4-5, September 17, 24

Medicare, Medicaid

Reading and Study Assignments for Classes 4-5

Pp. Pp. 767-796 Bellevue, 810-821 Lankford, and outside readings to be assigned

Topics for Classes 6-7, October 1, 9 (Tue)

Patients, entitlement to health care, informed consent, malpractice, liability, standards of care, reimbursement versus professional obligation, patient behavior

Reading and Study Assignments for Classes 6-7


Topics for Classes 8-9, October 15, 22

Structure of hospitals, medical staff and provider and institutional relationships including governance, responsibility, remuneration, investment, contracting
including employment versus independent contractor, peer review and discipline

Reading and Study Assignments for Classes 8-9

Pp. 909-965 Stern, Caremark, Manhattan Eye, Berlin, 849-871 Sokol, Mateo-Woodburn, Mahan, 878-884 Wright

Topics for Classes 10-11, October 29, November 5

Enforcement and adjudication, including state oversight and federal oversight, anti-kickback, Stark, false claims, and differences between civil and criminal matters and various liability implications including regarding intent, motive, knowledge, recklessness, preponderance versus beyond a reasonable doubt, and strict liability

Reading and Study Assignments for Classes 10-11

Pp. 1023-1054 Krizek, Straus, 1058-1070 Greber, Starks

Topics for Classes 12-14, November 12, 19, 26

Health information technology including HIPAA, HITECH Act, ARRA, GINA 2008, life sciences, and FDA devices including software, mHealth, genetics/genomics, and telemedicine

Reading and Study Assignments for Classes 12-14

Pp. 130-131, 289-325 Humphers, Doe, Herman, Acosta, and outside readings to be assigned