HEALTH LAW

Law 233
Spring 2015

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Classes: Mon/Wed 2:00-3:20 PM

Description: This course provides an overview of health law and policy, a broadly interdisciplinary area with principles spanning tort, contract, regulation, and program evaluation. Throughout the course, we will familiarize ourselves with key topics in health care policy and we will explore the impacts of some laws from an economic perspective.

Office Hours: I am happy to meet with you at a mutually convenient time in my office, Room 312. Email me to confirm a time.

Required Texts:
- Medical Liability and Treatment Relationships, Hall, Bobinski, and Orentlicher, 3rd edition, 2013 (“CB” or “Course book”)
- Additional readings will be available on TWEN

Grading: Grades are based on the final exam, participation, and pop quizzes

Final Exam
The final exam will take place on Friday, May 8. It will be a 3-hour in-class exam. Commercial study guides, electronic devices, and e-books are not allowed during the exam.

Participation and Attendance
Participation is required. This includes attending class, being prepared to answer questions when asked, refraining from Internet and phone use during class, and being respectful of your classmates.

For one class session, you may be assigned to a small group to present or lead a debate on a specific topic in health law. More information will be distributed later.

Please consult the Academic Regulations regarding attendance. An attendance sheet will be circulated for you to sign at the beginning of each class. If you know you will be absent or unprepared for a class, send an email to me by 1 PM before the class meeting.

Final grades may be adjusted up or down by one-third (e.g., B+ becomes an A- or vice versa) based on your class participation.
Pop Quizzes
Pop quizzes may be administered at the beginning of class. Their content will be based on the assigned readings for the day, according to the most current schedule. Together, the pop quizzes will account for no more than 20% of your grade.

Laptop, Phone, and Internet Policy: Laptops in class are allowed only for note-taking. In-class messaging, emailing, facebooking, shopping, surfing, gaming, etc., may result in course grade deductions, at my sole discretion.

Assignments: Below is a preliminary outline of the semester’s reading assignments. These page numbers are subject to change, depending on the pace of the course. You should be prepared to discuss the readings for the day, as well as any readings that were assigned for the previous class meeting. Check your email and TWEN for updates regarding the reading assignments and syllabus.

Preliminary Schedule

I. Introduction

Jan 5 Introduction & Overview CB 30-57

II. The Provider-Patient Relationship

Jan 7 Duty to Provide Care CB 67-91
Jan 12 Duty to Provide Care CB 92-105
Formation of Relationship CB 105-23
Jan 14 Formation (continued) CB 105-23
Termination CB 123-30
Jan 19 No class
Jan 21 Confidentiality CB 169-97
Jan 26 Informed Consent CB 197-226
Jan 28 Informed Consent CB 227-46

III. Regulating Quality: Medical Malpractice and Provider Licensing

Feb 2 Professional Licensure CB 130-43 + Folland excerpt:


Feb 4 Medical Malpractice Overview CB 282-324
Feb 9 Standard of Care CB 324-58
Feb 11, 16 Alternative Theories of Liability CB 386-413
Feb 18 Causation and Defenses CB 414-46
Feb 23  No class
Feb 25  Vicarious & Institutional Liability  CB 464-86; skim CB 487-504
Mar 2  Medical Malpractice Reform  CB 511-529 and Zeiler article


_TBA: Readings for Units IV and IV_

**IV. Health Economics, Health Insurance, and Health Reform**

Mar 4  Health Care Costs

*Mar 9-15  Spring Recess*

Mar 16  Health Insurance Overview
Mar 18  Private Health Insurance
Mar 23  ERISA Preemption
Mar 25  Medicare and Medicaid
Mar 30  Comparative Health Systems
Apr 1  Health Reform

**V. Public Health Law and Other Issues**

Apr 6  Fraud and Abuse
Apr 8  State Emergency Response & Disease Eradication
Apr 13  Pharmaceutical Regulation
Apr 15  Obesity and Public Health
Apr 20  TBA
May 8  Exam