



FALL 2026 COURSE SYLLABUS

Course Number: 427-001

Course Title: Health Law Seminar

Credit Hours: 2

Grading Mode: Letter graded

Meeting Day(s)/Time(s): MON 6:05P-8:05P

Meeting Mode: Hybrid

Exam Day(s)/Time(s): N/A

Final Exam Mode: PAPER

Prerequisite(s): N/A

Corequisite(s): N/A

Instructor(s): Sean Weiss & Ken Randall

Contact Information: TBA

Office Hours: By appointment. Office hours are available for discussion of:

- assigned readings
- research topics
- paper development
- presentation preparation
- health law careers
- questions raised by guest sessions

Students are encouraged to use office hours early, particularly in connection with the seminar paper.

Course Overview

Health law is an interdisciplinary field at the intersection of administrative law, federalism, statutory interpretation, regulatory compliance, public health, bioethics, and institutional governance. This seminar introduces students to the legal architecture of

the U.S. health care system while emphasizing how law functions as a tool of policy design, implementation, and reform.

The course is structured as a discussion-based seminar rather than a lecture survey. Students will engage with statutes, regulations, judicial opinions, agency guidance, enforcement materials, policy analyses, and practice-based simulations. Throughout the semester, the course will examine how legal rules allocate authority, structure incentives, and shape the conduct of providers, payors, suppliers, regulators, and patients.

The course approaches health law as a field in which doctrine, regulation, compliance, and policy are closely intertwined. Statutes and regulations establish legal obligations and institutional design; compliance systems translate those obligations into organizational practice; and policy analysis evaluates how those legal choices affect access, cost, quality, equity, and accountability.

Course Learning Outcomes

By the end of the semester, students should be able to:

1. Explain the structure of the U.S. health care system and the respective roles of federal and state governments, private payors, providers, suppliers, and patients.
2. Identify and interpret the principal legal sources governing health care financing, delivery, and oversight, including statutes, regulations, agency guidance, and case law.
3. Analyze recurring legal and policy questions involving access to care, reimbursement, provider regulation, fraud and abuse, privacy, public health authority, and emerging technologies.
4. Assess the compliance obligations of regulated health care entities and evaluate the legal and operational consequences of noncompliance.
5. Evaluate how legal doctrine, institutional design, and policy choices interact in shaping health system outcomes.
6. Communicate legal analysis effectively through class discussion, professional short-form writing, oral presentation, and sustained research-based scholarship.
7. Engage professionally with practitioners and policymakers working at the intersection of health law and policy.

Reading(s) & Supplement(s):

Required materials will be posted or distributed by the instructor. Unless otherwise noted, assigned materials may include:

- judicial opinions
- statutory and regulatory excerpts
- agency guidance
- enforcement resolutions and advisory materials
- scholarly articles
- policy briefs
- short news or industry background materials
- instructor-authored hypotheticals and simulations

There is no required casebook unless the instructor announces otherwise.

Grading Policies

Final grades will be based on the following components:

Component	Weight
Attendance, preparation, and informed participation	20%
Weekly reading responses or discussion posts	10%
Guest-session response memoranda (2 x 5%)	10%
Research topic proposal and annotated source plan	5%
In-class presentation	5%
Final seminar paper	50%

Written Work Requirements

1. Weekly Reading Responses or Discussion Posts

Students will submit short responses for designated weeks. These submissions should identify a legal issue, regulatory tension, policy conflict, implementation problem, or ethical question raised by the assigned materials.

2. Guest-Session Response Memoranda

Students will submit two short professional memoranda responding to issues raised in guest sessions. Depending on the assignment, a memorandum may take the form of:

- a compliance-risk analysis
- a short client advisory
- a policy recommendation
- a regulator-facing issue assessment
- a governance memorandum

3. Research Topic Proposal and Annotated Source Plan

Each student must submit a topic proposal identifying:

- the proposed topic
- the precise research question
- a tentative thesis
- key primary and secondary sources
- the doctrinal, practical, and policy significance of the issue

4. In-Class Presentation

Each student will deliver a presentation on the final paper topic. Presentations should explain the governing legal framework, the student's argument, relevant counterarguments, and the practical or policy implications of the issue.

5. Final Seminar Paper

Students will submit a substantial research paper on an approved health law or health policy topic. The final paper should demonstrate:

- careful legal research
- rigorous analysis
- engagement with statutory and regulatory text
- attention to relevant cases and administrative materials
- awareness of practical and policy implications
- proper citation form

The instructor will provide length expectations and due dates at the start of the semester.

Additional Information:

Course Format

This is a discussion-based seminar. Class sessions will typically combine some or all of the following:

- focused doctrinal lecture
- discussion of assigned readings
- statutory and regulatory interpretation
- case analysis
- structured policy debate
- problem-solving exercises
- compliance simulations
- guest-led presentations and question-and-answer sessions
- student presentations

The course places particular emphasis on connecting doctrine to policy implementation and professional practice.

Special Guest Series

A recurring feature of LAW 427 is the Health Law and Policy Speaker Series. Invited speakers will help students examine how health law and policy operate in practice across government, provider organizations, compliance functions, and enforcement settings. These sessions are designed to connect doctrinal study with policy implementation, regulatory strategy, and professional judgment.

Depending on availability, speakers may include current or former government officials, legislative or executive-branch policy advisors, health care regulatory counsel, public health officials, compliance officers, hospital or health-system counsel, privacy professionals, reimbursement specialists, and attorneys involved in investigations, enforcement, or health care litigation.

Guest sessions may include moderated discussions, case studies, policy workshops, simulation exercises, and student-led question-and-answer segments. Because speaker schedules may change, the timing and sequencing of guest sessions may be adjusted during the semester.

Accessibility, Religious Observance, and Student Support

Students seeking academic accommodations should work through the university's designated accommodations process and are encouraged to communicate with the instructor early in the semester. Students with foreseeable religious observances or other significant scheduling issues should notify the instructor promptly so that reasonable planning can occur.

Communication Policy

Course announcements, reading assignments, and assignment instructions will be distributed through Canvas and university email. Students are responsible for checking both regularly.

The instructor will ordinarily respond to email within [24-48] business hours. Questions about major assignments should be raised sufficiently in advance of the deadline.

Classroom Policies

Attendance: Per AR 3-1.4, "maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student's program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements."

Regular attendance is required. This is a hybrid course: six class sessions will be held in person and seven will be conducted remotely. Because this is a small seminar built around discussion, workshop participation, and guest engagement, attendance is a significant component of the course.

Students are expected to:

- attend every class session
- arrive on time
- remain for the full class
- notify the instructor in advance of any anticipated absence when possible

Absences: Per AR 4-1.1, "if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session."

Unexcused absences, repeated lateness, early departures, or inadequate preparation may reduce the participation grade and may affect eligibility to receive credit consistent

with applicable law school academic policies. Any student who anticipates an extended absence should promptly consult both the instructor and the appropriate law school administrator.

Students are responsible for all material covered during any absence, including guest presentations, workshops, and in-class exercises.

Participation:

High-quality participation requires more than attendance. Students should:

- complete all assigned reading before class
- be prepared to discuss legal authorities and policy questions
- participate constructively in discussion
- engage respectfully with classmates and guests
- contribute to simulations and workshops in good faith

The quality of participation matters more than the quantity of comments.

Professional Conduct

This course addresses contested issues involving access to care, public health powers, reproductive health, end-of-life decision-making, disability, health equity, technology, reimbursement, and enforcement. Students must engage these topics professionally, respectfully, and with careful attention to legal reasoning and institutional context.

Professional conduct in this course includes:

- civility in discussion
- respect for differing views
- honest engagement with legal authority
- responsible listening
- professional interactions with guest speakers
- punctual submission of assignments

Use of Technology & AI:

Laptops and tablets may be used for class-related purposes. Students should refrain from using devices in ways that distract from class participation. The instructor may impose additional technology restrictions during guest sessions, simulations, or presentations.

No class session may be recorded, photographed, or redistributed without the instructor's express permission and any additional approval required by law school policy.

Moderate Use Policy: Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to brainstorm, outline or edit, but may not use AI as the primary source for research, as the primary source for text of written assignments, during any quiz or exam, during Socratic dialogue. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

Course Schedule & Assignments (Tentative)

Week 1: Introduction to Health Law and the U.S. Health Care System

Topics

- What health law encompasses as a field of legal study and public policy
- The structure of the U.S. health care system and its principal institutional actors
- How law allocates authority, shapes incentives, and mediates competing values
- Persistent reform pressures involving access, cost, quality, and equity

In-Class Activities

- course roadmap
- systems-mapping exercise
- discussion of current health law and policy flashpoints

Special Guest

- health policy advisor or former agency counsel

Week 2: Sources of Health Law, Federalism, and the Administrative State

Topics

- Federal and state allocation of authority in health care governance
- The relationship among statutes, regulations, sub regulatory guidance, and enforcement
- Administrative agencies as policymakers in health care financing and delivery
- The legal and practical significance of agency interpretation, discretion, and implementation

In-Class Activities

- source hierarchy workshop
- agency interpretation exercise

Week 3: Access to Care, Insurance Markets, and Coverage Design

Topics

- Employer-sponsored insurance and the role of private coverage
- Individual market design and the Affordable Care Act's regulatory framework

- Coverage exclusions, affordability barriers, and underinsurance
- Policy tradeoffs in benefit design, risk pooling, and access to care

In-Class Activities

- access-to-care policy debate
- insurance design problem

Week 4: Medicare Fundamentals

Topics

- Structure and purposes of the Medicare program
- Parts A, B, C, and D as distinct legal and policy frameworks
- Payment systems, reimbursement incentives, and program administration
- Medicare reimbursement as a mechanism of regulatory and policy control

In-Class Activities

- reimbursement simulation
- statutory framework review

Special Guest

- reimbursement counsel or current/former Centers for Medicare & Medicaid Services official

Week 5: Medicaid, CHIP, and the Federal-State Partnership

Topics

- Medicaid eligibility, benefits, and state variation
- CHIP and coverage design for low-income populations
- Waivers, demonstrations, and state experimentation
- Equity, long-term care, and the policy consequences of federal-state program design

In-Class Activities

- waiver analysis exercise
- state-comparison workshop

Week 6: Provider Regulation, Licensure, Accreditation, and Patient Safety

Topics

- Professional licensure, scope of practice, and state regulatory authority
- Institutional oversight of hospitals and other health care entities
- Accreditation, quality measurement, and patient safety governance
- The relationship among regulation, organizational accountability, and care quality

In-Class Activities

- credentialing and governance scenario
- quality and oversight discussion

Special Guest

- health policy or market-reform expert

Week 7: Fraud, Abuse, and Compliance Systems

Topics

- The statutory and regulatory framework governing fraud and abuse
- Referral, compensation, billing, and documentation risks
- False Claims Act exposure and enforcement priorities
- Compliance program design as a means of legal risk management and institutional governance

In-Class Activities

- mock compliance committee meeting
- enforcement risk ranking

Special Guest

- enforcement attorney or chief compliance officer

Week 8: Privacy, HIPAA, Health Information, and Data Governance

Topics

- Privacy and security obligations in the collection, use, and disclosure of health information
- Business associate relationships and data-sharing arrangements
- Breach response, enforcement, and organizational accountability

- Policy tensions among privacy, interoperability, data liquidity, and secondary uses of health data

In-Class Activities

- privacy incident tabletop
- issue-spotting exercise

Special Guest

- privacy counsel or health information security leader

Week 9: EMTALA, Emergency Care, and Hospital Duties

Topics

- Medical screening, stabilization, and transfer obligations
- EMTALA's role in the legal architecture of emergency access
- Hospital operations, emergency department pressures, and uncompensated care
- The interaction between emergency care duties and broader access-to-care policy concerns

In-Class Activities

- emergency department case study
- hospital obligations analysis

Week 10: Public Health Law and Emergency Powers

Topics

- Public health authority, police powers, and institutional competence
- Vaccination, quarantine, isolation, and emergency response tools
- Constitutional and administrative constraints on public health action
- Legitimacy, implementation, and public trust in crisis governance

In-Class Activities

- public health emergency simulation
- liberty versus population health debate

Special Guest

- public health official or attorney with emergency-response experience

Week 11: Bioethics, Reproductive Health, and End-of-Life Decision-Making

Topics

- Informed consent, refusal of treatment, and decisional authority
- Surrogate decision-making and institutional ethics processes
- Regulation of reproductive health and contested questions of constitutional and statutory interpretation
- The relationship among legal doctrine, bioethical analysis, and institutional policy

In-Class Activities

- ethics consultation exercise
- case discussion

Week 12: Telehealth, Digital Health, and Emerging Technologies

Topics

- Telehealth regulation, licensure, and cross-jurisdictional practice
- Reimbursement policy and the legal infrastructure of remote care
- Artificial intelligence, algorithmic decision-making, and governance of digital health tools
- Innovation policy, patient safety, and accountability in emerging technologies

In-Class Activities

- digital health compliance workshop
- AI governance discussion

Week 13: Student Presentations and the Future of Health Law

Topics

- Student presentations of final research projects
- Current reform pressures in health care financing, delivery, and oversight
- The future of regulation, reimbursement, public health, and digital health governance
- Professional pathways in health law and policy

In-Class Activities

- student presentations
- capstone roundtable
- closing synthesis discussion

Assignment Timeline

Week 3: Initial topic interests due

Week 5: Topic proposal and annotated source plan due

Weeks 6-10: Guest-session response memoranda due on assigned dates

Weeks 11-13: Student presentations

Exam/Final Period: Final seminar paper due

Specific deadlines will be announced on the course calendar.

Sample Paper Topics

Illustrative topics include:

- Medicare reimbursement reform
- False Claims Act trends in health care
- physician compensation and referral risk
- HIPAA and health data commercialization
- telehealth licensure and interstate care
- emergency care obligations and access
- reproductive health regulation after recent doctrinal shifts
- public health emergency powers
- health equity and anti-discrimination in care delivery
- AI-enabled clinical decision-making
- pharmaceutical pricing and access policy

Reservation of Rights

The instructor may revise readings, assignments, guest appearances, and scheduling as necessary to respond to speaker availability, legal developments, and pedagogical needs. Any material changes will be announced in class and through the course management platform.

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-993-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[University Life](#)