

# HEALTH CARE ETHICS AND THE LAW SYLLABUS

Winter 2009

## COURSE DESCRIPTION

The purpose of this class is to develop an understanding of health law and health care ethics and of the relationship between law and ethics. Topics covered will include reproduction, novel technologies, pluralism and multiculturalism in health care, and death and dying. Each issue will be examined to determine what the law is and what the law ought to be.

## FORMAT

The course will be conducted in a seminar format. In general, I will take some time at the beginning of each class to situate the specific issue of the day in its broader context. I will then facilitate discussion. Videos and breakout small-group exercises will also be used. In addition, the final classes will be used for student presentations. Students will also be encouraged to participate in the Health Law and Policy Seminar Series (however, such participation is optional).

## OBJECTIVES

Upon successful completion of the course, the students will be able to:

- articulate the current legal status of a range of core and contemporary issues in health law;
- participate in and facilitate a respectful and constructive discussion of controversial health care issues with individuals holding contrary views;
- clearly express and defend positions on a range of issues at the intersection of health care ethics and law;
- articulate the major arguments about one particular issue at the intersection of health care ethics and law and take and thoroughly defend a position on that issue.

## REQUIRED READING

Regular handouts (made available in advance in the Materials Room).

## **STUDENT EVALUATION**

### **Major Paper 80%**

- topic of your choice (to be cleared with me in advance of the in-class presentation)
- not less than 25 pages
- an outline must accompany the paper
- a bibliography must accompany the paper
- feel free to consult with me about your paper at any stage
- drafts will be read and commented on if received by March 30 at 4:30 p.m.
- final papers are due by April 20 at 4:30 p.m.

Faculty guidelines re: major papers, plagiarism, and late submission of papers/assignments will be followed.

### **Presentation (preparation and in-class) 20%**

Students will be required to make presentations on their paper topics (having provided readings to a subsection of the class one week in advance of the class). These presentations will take the form of a conference-style presentation followed by questions from the class and discussion facilitated by the presenter.

## **CONTACT INFORMATION**

Jocelyn Downie  
Room 320  
494-6883  
e-mail [jocelyn.downie@dal.ca](mailto:jocelyn.downie@dal.ca)

By appointment: please see me to arrange

By chance: please feel free to drop by my office

## **SPECIAL NOTES**

### Scented products

Please be aware that there are students in the Law School who suffer from multiple chemical sensitivities (sometimes known as environmental illness). Scented products can adversely affect their health as well as their ability to participate fully in class. Please do not use perfume, cologne, aftershave, hairspray, scented shaving cream, scented shampoo, scented deodorant, scented soap, scented laundry soap, or scented fabric softeners. There are many unscented products now readily available in local stores. Just look on the label for an indication that the product is unscented/fragrance free. A little effort on your part can make a big difference to the health and educational experience of your classmates.

### Students with disabilities

Professor Dianne Pothier is the Faculty Advisor to students with disabilities. Students with disabilities must self-identify to Professor Pothier if they have any in-class or study concerns or needs. Students with disabilities who wish to request accommodation regarding exam writing or other aspects of evaluation must make the request in writing to the Studies Committee. For information about accommodation, students should speak to Professor Elizabeth Hughes or Associate Dean Michael Deturbide. Material for the Studies Committee can be given to Tiffany Coolen-Jewers.

### Plagiarism:

All students in this course must read:

- the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the [plagiarism.dal.ca](http://plagiarism.dal.ca) website, and
- the Law School policy on plagiarism, as set out in:
  - the law school regulations (available in hard copy from the Associate Dean's office and online at [http://law.dal.ca/Current\\_Students](http://law.dal.ca/Current_Students)) or
  - the First Year Handbook (provided to all first year students and available from Associate Dean's Office).

Any paper or assignment submitted by a student at Dalhousie Law School may be

checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above.

Ignorance of the policies on plagiarism will not excuse any violation of those policies.



March 30 Drafts due (optional) 4:30 pm

April 3 3 Student Presentations

April 20 Papers due 4:30 pm

## **Related Events on Campus**

**Wed., Jan.14, 2009 (7:00 PM)**

**QEII Royal Bank Theatre, Halifax Infirmary, 1796 Summer St.**

- MICHAEL CLAYTON: film and panel discussion
- Panellists: Marika Warren (Bioethicist), Susan Kilbride Roper (Patient/Community rep.), Claire O'Donovan (Psychiatrist), Sheila Wildeman (Health Lawyer)
- Topics: Bi-polar disorder, Anxiety/Stress, Addiction, Family dysfunction

**Wed., Jan.21, 2009 (7:00 PM)**

**QEII Royal Bank Theatre, Halifax Infirmary, 1796 Summer St.**

- THE SAVAGES: film and panel discussion
- Panellists: Marika Warren (Bioethicist), Marilyn Martineau (Patient/Community rep.), Maureen Gorman (Psychologist), Joan Harbison (School of Social Work)
- Topics: Aging & dying, Dementia, Parkinson's disease, Family relationships, Caregiving

**Wed., Jan.28, 2009 (7:00 PM)**

**QEII Royal Bank Theatre, Halifax Infirmary, 1796 Summer St.**

- MUSIC WITHIN: film and panel discussion
- Panellists: Marika Warren (Bioethicist), Judy MacDonald (School of Social Work), Josh Dunn (Patient/Community rep.), Scott Theriault (Psychiatrist)
- Topics: Disability Rights, Cerebral Palsy, Hearing loss, Alcoholism, PTSD, Veteran's Issues

**Wed., Feb.4, 2009 (7:00 PM)**

**QEII Royal Bank Theatre, Halifax Infirmary, 1796 Summer St.**

- CHARLIE BARTLETT: film and panel discussion
- Panellists: Marika Warren (Bioethicist), Richard MacNeil (Teacher/Community rep.), Michael Unger (School of Social Work), Wade Junek (Psychiatrist)
- Topics: ADHD, Drug abuse, Teen identity Issues, Family Dynamics

**Mon., Feb.16, 2009 (7:30 PM)**

**Uncommon Grounds, 1030 South Park St., Halifax**

- AUTISM – RESEARCH PRIORITIES AND THE PUBLIC PURSE: Café Scientifique
- Panellists: Susan Bryson (Psychologist), Andrew Fenton (Ethicist), Michael Price (Autism Program Director)
- Moderator: Françoise Baylis (Philosopher & Bioethicist)
- Online registration required at [http://www.noveltechethics.ca/site\\_events.php?page=394](http://www.noveltechethics.ca/site_events.php?page=394) or call 494-2873.

**Wed., Feb.18, 2009 (7:30 PM)**

**Uncommon Grounds, 1030 South Park St., Halifax**

- AUTISM – RESEARCH PRIORITIES AND THE PUBLIC PURSE: Café Scientifique
- Panellists: Susan Bryson (Psychologist), Andrew Fenton (Ethicist), Michael Price (Autism Program Director)
- Moderator: Françoise Baylis (Philosopher & Bioethicist)

- Online registration required at [http://www.noveltechethics.ca/site\\_events.php?page=394](http://www.noveltechethics.ca/site_events.php?page=394) or call 494-2873.

**Mon., Mar.16, 2009 (7:00 PM)**

**QEII Royal Bank Theatre, Halifax Infirmary, 1796 Summer St.**

- THE DIVING BELL & THE BUTTERFLY – film and panel discussion
- Panellists: Shawn Jennings (MD & author of Locked In, Locked Out), Lynette Reid (Bioethicist), Gord Gubitza (Neurologist), Maureen Merchant (Speech Pathologist), Diane Mackenzie (Occupational Therapist)
- Topics: Stroke, Locked-in Syndrome, Intensive Care & Long Term Care

**Wed., Apr.29, 2009 (7:30 PM)**

**QEII Royal Bank Theatre, Halifax Infirmary, 1796 Summer St.**

- FUNDING FOR NEUROSCIENCE RESEARCH – WHO SHOULD PAY? HOW? WHY?
- A public talk by Jason Scott Robert, Bioethicist, Arizona State University

**Wed., June 10, 2009 (7:30 PM)**

**QEII Royal Bank Theatre, Halifax Infirmary, 1796 Summer St.**

- PATIENTS' VOICES MATTER – WHAT DOCTORS CAN LEARN FROM TALKING WITH PATIENTS
- A public talk by Mark Bernstein, Neurosurgeon, University of Toronto

**For more information on these and other events, see [www.noveltechethics.ca](http://www.noveltechethics.ca)**