

Western University: Faculty of Law and School of Health Studies
Law 3101B 001/Health Sciences 3101B 001
Healthcare Law

Instructor:	Professor Robert Solomon	Course Co-ordinator:	Assistant Dean Mysty Clapton
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Office:	Law Building Room 25	Office Hours:	By appointment
Office Hours:	By appointment		

Overview

This course surveys the law governing the provision of treatment, counselling and care in Ontario. Topics covered include: consent, capacity to consent, end-of-life decision making, mental health and the law, negligence, documentation, confidentiality, disclosure, mandatory reporting, and health information privacy. The course is open to all Western undergraduates (other than law students enrolled in the J.D. program). There are no prerequisites.

Schedule

This winter-term course consists of three lecture hours per week. The classes are Tuesdays, 11:30 a.m.-1:30 p.m. and Thursdays, 11:30 a.m.-12:30 p.m., in Room 145 of the Natural Sciences Centre.

Readings

The required text is *Healthcare Law 3101: Course Materials*. Students are expected to attend the classes and prepare for them by reading the assigned pages. The reading schedule for each class is available online on the OWL course page and in the following pages of this document.

Course Co-ordinator

The course co-ordinator is Mysty Clapton (mclapton@uwo.ca). The course co-ordinator is available by email to answer questions about accommodations, enrolment, evaluations, OWL, and all other administrative matters. The course instructor is not able to answer these types of questions.

Teaching Assistants

There are two Teaching Assistants (TAs): Deborah Perkins-Leitman (dperkin5@uwo.ca) and Zohar Weinbrand (zweinbra@uwo.ca). The TAs are available by email to help with any problem related to the course content, and will be monitoring the class bulletin board (Discussions) on OWL. When you have specific questions about the course material please contact the TAs. For questions about Chapters I to VI contact Deborah and for questions about chapters VII to XIII contact Zohar.

Email

Email is the primary method used to communicate with students outside of class. Be sure to check your email regularly or you may miss important information. Email will be sent to your UWO email address. If you wish to forward your mail to some other address, make sure you set your UWO account to do so properly. Also, please ensure that your UWO mailbox (and the one being forwarded to) does not get so full that emails are rejected. **If you send an email to the instructor, course co-ordinator or TA, please include "Healthcare Law" at the start of the subject line. If you send an email to the instructor, include a telephone number at which you can be reached. The instructor will NOT provide detailed email responses to questions.**

OWL (powered by Sakai)

The course page for Healthcare Law 3101 is available on OWL. You can log into the course website at <https://owl.uwo.ca/portal>.

Evaluation

The grades in the course are based on three components: (a) a 55% multiple-choice final examination in April; (b) a 35% multiple-choice midterm examination in February; and (c) a 10% component based on the 12 short (15-20 minutes) weekly online quizzes. There are no other assignments or essays. As required by University rules, students are hereby informed that software will be used to check for unusual coincidences in answer patterns that may indicate cheating.

Component	Value	Date
Final Examination	55	April 2015, TBD
Midterm Examination	35	February 7, 2015
Weekly Quizzes (12)	10	Weekly (see schedule below)
Total	100	

Midterm Examination

The 90-minute, multiple choice midterm examination will take place on February 7 at 2 p.m. at a location to be confirmed by the Registrar's Office. The midterm examination will cover Chapters I to V inclusive of the coursebook and is worth 35% of your final grade in the course. The midterm examination is closed book.

Final Examination

The two-and-a-half hour multiple-choice final examination will take place in April at a date and time set by the Registrar's Office. The final examination is non-cumulative and will cover Chapters VI to XIII inclusive of the coursebook. The final examination is worth 55% of your final grade in the course. The final examination is closed book.

Final Grade

If necessary, the final grades in the course may be adjusted up or down to comply with the grading norms in the Faculty of Health Sciences.

Weekly Quizzes

The purposes of the quizzes are to: encourage you to do the readings and stay on top of the material; stay better "connected" to the course; reveal any misunderstandings you are having with the materials or lectures; and give you practice for the multiple-choice examinations you will be writing in February and April.

The quizzes are short (approximately 6 questions) and each should take approximately 15-20 minutes to complete. It is suggested that you check your quiz answers against the course materials before you submit your quiz. You can take as much time as you wish to complete the quiz once you start, but there is a fixed submission deadline for each weekly quiz. In other words, do not confuse the **unlimited time** allowed for completing the quiz with the **limited time period** within which you *must* submit your

completed quiz for academic credit (see Quiz Schedule below). No academic credit will be given for quizzes that are submitted after the deadline. The quizzes are located in the relevant weekly folder on OWL.

A new quiz will be available on a weekly basis and *must* be completed within a one-week period in order to receive marks. Note that you have **2 weeks** to submit the quiz (Chapter VI) that is released before Reading Week. Each quiz can be completed once only. Each quiz is weighted equally for a total of 10% of your final grade in the course. The quiz must be submitted by 11:30 a.m. on the due date. Problems or questions regarding the administration of the quizzes should be directed to the course co-ordinator, Mysty Clapton, not the instructor.

Academic Accommodation for Medical Illness or Non-Medical Absences

A student seeking academic accommodation for any work worth **less than 10%** (i.e. weekly quizzes) must contact the course co-ordinator, Mysty Clapton. A student seeking academic accommodation for any work worth **more than 10%** (i.e. midterm and final examinations) must contact the academic counsellor at his or her home Faculty.

To receive accommodation for any missed quiz, midterm or final examination, medical documentation will be required. This documentation should be obtained at the time of the initial consultation with the physician or walk-in clinic. A student medical certificate can be downloaded from the following website: <https://studentservices.uwo.ca/secure/index.cfm> (under the Medical Documentation heading). Medical documentation for work worth less than 10% must be submitted by the student to the course co-ordinator, Mysty Clapton. Medical documentation for work worth more than 10% must be submitted by the student directly to his or her Dean's office, and it will be the Dean's office that will make the determination whether accommodation is warranted. The Dean's office of the student will, in turn, notify the course co-ordinator.

Documentation is required for non-medical absences. Students should contact their Faculty Academic Counselling Office to determine what documentation is needed.

Whenever possible, students who require academic accommodation should provide notification and documentation in advance of due dates, examinations, etc. Students must follow up with their professors and their Academic Counselling office in a timely manner. Documentation for any request for accommodation shall be submitted, as soon as possible, to the appropriate Academic Counselling Office of the student's Faculty of registration. For BHSc students, you may go to the School of Health Studies Office in HSB room 222.

Use of Electronic Devices

The use of any electronic communication equipment or device (e.g., cell phones) is prohibited during the midterm or final examinations. Laptops may be used during the Tuesday and Thursday lectures for any course-related purpose (e.g. note-taking, OWL, viewing PPT, etc).

Scholastic Offences

Scholastic offences are taken seriously and students are directed to read the definition of what constitutes a Scholastic Offence, at the following website:

http://www.uwo.ca/univsec/handbook/appeals/scholastic_discipline_undergrad.pdf

Support Services

There are various support services around campus. These include, but are not limited to:

1. Student Development Centre – <http://www.sdc.uwo.ca/ssd/>
2. Student Health – <http://www.shs.uwo.ca/student/studenthealthservices.html>

3. Registrar's Office – <http://www.registrar.uwo.ca/>
4. Ombuds Office – <http://www.uwo.ca/ombuds/>

CLASS SCHEDULE AND READING LIST

WEEK ONE

Tuesday, January 6, 2015
Class 1: 11:30 a.m. – 1:30 p.m.
Overview of Course
Chapter I: Preliminary Issues

Thursday, January 8, 2015
Class 2: 11:30 a.m. – 12:30 p.m.
Completion of Chapter I
Review and Questions

WEEK TWO

Tuesday, January 13, 2015
Class 3: 11:30 a.m. – 1:30 p.m.
Chapter II: Consent and Capacity (Competency)

Thursday, January 15, 2015
Class 4: 11:30 a.m. – 12:30 p.m.
Completion of Chapter II
Review and Questions

WEEK THREE

Tuesday, January 20, 2015
Class 5: 11:30 a.m. – 1:30 p.m.
Chapter III: Substitute Consent

Thursday, January 22, 2015
Class 6: 11:30 a.m. – 12:30 p.m.
Completion of Chapter III
Review and Questions

WEEK FOUR

Tuesday, January 27, 2015
Class 7: 11:30 a.m. – 1:30 p.m.
Chapter IV: Factors Negating Consent,
Treatment Without Consent, and End-of-Life
Decision Making

Thursday, January 29, 2015
Class 8: 11:30 a.m. – 12:30 p.m.
Completion of Chapter IV
Review and Questions

WEEK FIVE

Tuesday, February 3, 2015
Class 9: 11:30 a.m. – 1:30 p.m.
Chapter V: Mental Health, Criminal
Justice and Civil Commitment

Thursday, February 5, 2015
Class 10: 11:30 a.m. – 12:30 p.m.
Completion of Chapter V
Review and Questions

MIDTERM EXAM

Saturday, February 7, 2015 @ 2 p.m. – Location TBD
(the midterm exam covers Chapters I to V of the coursebook)

WEEK SIX

Tuesday, February 10, 2015
Class 11: 11:30 a.m. – 1:30 p.m.
Chapter VI: General Principles of Negligence

Thursday, February 12, 2015
Class 12: 11:30 a.m. – 12:30 p.m.
Completion of Chapter VI
Review and Questions

WEEK SEVEN: READING WEEK

Monday, February 16, 2015 – Friday, February 20 2015
(no classes)

WEEK EIGHT

Tuesday, February 24, 2015
Class 13: 11:30 a.m. – 1:30 p.m.
Chapter VII: Standard of Care and Its Breach

Thursday, February 26, 2015
Class 14: 11:30 a.m. – 12:30 p.m.
Completion of Chapter VII
Review and Questions

WEEK NINE

Tuesday, March 3, 2015
Class 15: 11:30 a.m. – 1:30 p.m.
Chapter VIII: Duties of Affirmative Action

Thursday, March 5, 2015
Class 16: 11:30 a.m. – 12:30 p.m.
Completion of Chapter VIII
Review and Questions

WEEK TEN

Tuesday, March 10, 2015
Class 17: 11:30 a.m. – 1:30 p.m.
Chapter IX: Documentation and Related Issues

Thursday, March 12, 2015
Class 18: 11:30 a.m. – 12:30 p.m.
Completion of Chapter IX
Review and Questions

WEEK ELEVEN

Tuesday, March 17, 2015
Class 19: 11:30 a.m. – 1:30 p.m.
Chapter X: Confidentiality and Privilege

Thursday, March 19, 2015
Class 20: 11:30 a.m. – 12:30 p.m.
Completion of Chapter X
Review and Questions

WEEK TWELVE

Tuesday, March 24, 2015
Class 21: 11:30 a.m. – 1:30 p.m.
Chapter XI: Disclosure of Confidential
Information and Related Issues

Thursday, March 26, 2015
Class 22: 11:30 a.m. – 12:30 p.m.
Completion of Chapter XI
Review and Questions

WEEK THIRTEEN

Tuesday, March 31, 2015
Class 23: 11:30 a.m. – 1:30 p.m.
Chapter XII: Mandatory Reporting and
the Duty to Warn

Thursday, April 2, 2015
Class 24: 11:30 a.m. – 12:30 p.m.
Completion of Chapter XII
Review and Questions

WEEK FOURTEEN

Tuesday, April 7, 2015
Class 25: 11:30 a.m. – 1:30 p.m.
Review Class

Thursday, April 9, 2015
Class 26: 11:30 a.m. – 12:30 p.m.
Review Class

FINAL EXAMINATION: Date, Time and Place TBA

Quiz Schedule - Winter Term 2015

Chapter(s)	Available (12:30 p.m.)	Credit Ends (11:30 a.m.)
Chapter I: Preliminary Issues	Thur. Jan. 8	Thur. Jan. 15
Chapter II: Consent and Capacity (Competency)	Thur. Jan. 15	Thur. Jan. 22
Chapter III: Substitute Consent	Thur. Jan. 22	Thur. Jan. 29
Chapter IV: Factors Negating Consent, Treatment Without Consent, and End-of-Life Decision Making	Thur. Jan. 29	Thur. Feb. 5
Chapter V: Mental Health, Criminal Justice and Civil Commitment	Thur. Feb. 5	Thur. Feb. 12
Chapter VI: General Principles of Negligence	Thur. Feb. 12	Thur. Feb. 26 *2 weeks*
Chapter VII: Standard of Care and Its Breach	Thur. Feb. 26	Thur. Mar. 5
Chapter VIII: Duties of Affirmative Action	Thur. Mar. 5	Thur. Mar. 12
Chapter IX: Documentation and Related Issues	Thur. Mar. 12	Thur. Mar. 19
Chapter X: Confidentiality and Privilege	Thur. Mar. 19	Thur. Mar. 26
Chapter XI: Disclosure of Confidential Information and Related Issues	Thur. Mar. 26	Thur. Apr. 2
Chapter XII: Mandatory Reporting and the Duty to Warn	Thur. Apr. 2	Thur. Apr. 9