

Health Care and the Law: PSC236 and PH236

Course Syllabus

University of Rochester
Political Science Department

Spring 2011

Instructor: Margie Hodges Shaw, JD, MA (philosophy), candidate for
Ph.D. (education)
Office: TBD
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Office hours: Tuesdays and Thursdays 11:20 – 12:20
Or by appointment.

Credit hours:
4 credit hours

Time:
Tuesdays and Thursd

The instructor will return assignments that are poorly written (e.g., incorrect grammar, spelling, sentence structure, format, etc.) to the students neither read nor graded. Under those circumstances, students are expected to resubmit a revised readable document for evaluation on a set date. If the set date is after the original due date, the policy on late assignments will apply.

Late Assignments:

The late assignment policy does not apply to in class assignments. Students must complete in class assignments in class and hand them in before leaving the room. If an assignment will be late, the student must notify the instructor at least one day before the date that the assignment is due, explain the reason for lateness, and negotiate a new due date. In all other cases, late

2 points: Papers that contain grammatical errors, have a structure that wanders, and contains some relevant content.

1 point: Papers that contain grammatical errors, little structure, and little relevant content.

3. Case brief (10%) due February 1, 2011.

Assignment:

Brief *Lochner v. New York*, 198 U.S. 45; 25 S. Ct. 539; 49 L. Ed. 937; 1905 U.S. LEXIS 1153.

10 points: Briefs that are free of grammatical errors, include a comprehensive list of briefing categories as well as

4 points: Briefs that contain grammatical errors, include some briefing categories, and incomplete information in each category.

1 point: Briefs that contain grammatical errors, do not utilize briefing categories and little accurate information.

6. Final (25%) May 4th, 7:15 pm

Schedule of topics and readings:

The schedule is tentative. Readings are available on Blackboard.

Part I: Introduction and definitions

January 13: Introduction: Administrative matters

January 18-20: Foundations of Health Law

Sanitary Commission of Ma

16. Stop at footnote 16. Scroll through the rest of the document. Read the enumerated recommendations, but you are not required to read the accompanied text for each recommendation: 72-163.

of

& Policy 10 (1) (2007): 1-12.

Katskee v. Blue Cross/Blue Shield of Nebraska, 245 Neb. 808, 515 N. W.2d 645

January 25-27: Governance Overview: duties and powers

Assignment: People v. Lochner, 177 N.Y. 145; 69 N.E. 373; 1904 N.Y. LEXIS 918.

February 1-3: Health and the Legal System

Assignment: Brief Lochner v. New York, 198 U.S. 45; 25 S. Ct. 539; 49 L. Ed. 937; 1905 U.S. LEXIS 1153

February 8-10 Public health and protections of individual rights: physical and biological interventions to control infectious disease

	Assignment: Jacobson v. Massachusetts, 197 U.S. 11, 12 (1905).
February 15-17	Public health regulation of property and the professions Assignment: Village of Euclid v. Ambler Realty, 272 U.S. 365 (1926).
February 22-24	Medical professionals: licensure, certification and accreditation Assignment: Look online for physician profiles.
	Approved by the House of Delegates of the Federation of State Medical Boards of the United States, Inc., as policy April 2003.
March 1-3	Medical malpractice and liability and MIDTERM Assignment: Pike v. Honsinger, 155 N.Y. 201, 209, 49 N.E. 760; 1898 N.Y. LEXIS 860.
March 8-10	SPRING BREAK
March 15-17	The operation and regulation of hospitals and health care facilities Assignment: Commission on Health Care Facilities in the 21 st Century, December, 2006.
March 22-24	Institutional liability Assignment: Darling v. Charleston Community Memorial Hospital, 33 Ill.2d 326, 211 N.E.2d 253, 14 A.L.R.3d 860 (Ill. Sep 29, 1965).
March 29-31	Access, discrimination and the right to health care, including public and private insurance

Assignment: Brief 16
F.3d 590; 1994 U.S. App. Lexis 2215; 3 Am.
Disabilities Cas. (BNA) 128.

April 5-7

Public and private insurance

Assignment: Isory
Medical Care Insurance, 1910-