

# HEALTHCARE & THE LAW

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**NOTE:**

26 August 2021

Instructor	<b>Prof. Molly McNulty, J.D.</b> ( <a href="#">LinkedIn</a> )
Office	Morey 206 (enter suite through center door)
E-mail	<a href="mailto:m.mcnulty@rochester.edu">m.mcnulty@rochester.edu</a>
Office hours	Thursdays 10:00 am – 12:00pm
TA	Mr. Brian McKinsey
	<a href="mailto:bmckinse@u.rochester.edu">bmckinse@u.rochester.edu</a>
	Monday 4:00 – 5:00 pm Rush Rhees Library iZone
	Wednesday 10:00 – 11:00 – Zoom TA -
	<a href="https://rochester.zoom.us/j/6269229931?pwd=Vy9HNnptdHpHbjZsYUN6ZnpZSzgyZz09">https://rochester.zoom.us/j/6269229931?pwd=Vy9HNnptdHpHbjZsYUN6ZnpZSzgyZz09</a>
	*Last year's TA, Astghik Baghinyan, will be standing in on Thursdays for Brian.
Credit hours	4 credit hours
Time	Tuesdays and Thursdays 2:00 – 3:15 pm
Location	Morey 525
Zoom Note:	This course is <b>in-person only</b> , unless you have received prior permission to use the Zoom link for specific classes.

## Course Description

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This course introduces the legal foundations of healthcare in America. The course covers a broad range of legal issues in an introduction to legal thinking, and judicial review. The course covers specific legal issues in the health law and policymaking universe including immunizations, health care reform including the Affordable Care Act, Americans with Disabilities Act, abortion, the doctrine of informed consent, and end-of-life advance directives. The course also covers

skills in healthcare and law and explores the various legal solutions reached by legislatures and the courts.

The course is divided into modules.

**Module 1:** This first part of this course covers identification of personal values, the role of individuals, community and government, healthcare law issues in the news, and definitions of health and law.

**Module 2** addresses legal foundations, such as fundamental legal concepts and how they relate to healthcare. You will obtain the skills necessary to find, read, understand, and analyze primary legal documents (legislation and legal opinions). The content will include the structure of government, the foundations of health law, and an introduction to legal thinking.

**Module 3** covers key aspects of health care financing and legal reform efforts; topics may include an overview of the U.S. health care system, and the Affordable Care Act.

**Module 4** will cover health equity and discrimination and other access barriers to health care, such as discrimination on the basis of religion, disability, and sex (including access to contraception and abortion).

**Module 5** will cover ethics and the law, kTd[(w-4.9 3 (s)-4.3 )Tj-0.001J-0.00 d[(w- k)8.3 (e)-3 3 T6Ht 10r.326 0 T.4 (,)9

## Academic Integrity Affirmation (1 point quiz)

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At Rochester, we are committed to academic excellence, which depends on academic honesty. Academic honesty means being truthful in our academic pursuits, maintaining ownership of our own work, and acknowledging our debt to the work of others. All assignments and activities associated with this course--including, but not limited to, collaboration, citation, and use of outside resources--must be performed in accordance with the University of Rochester's [Academic Honesty Policy](#). You must write the magic sentence on all your case brief questionnaires and other assignments: **"I affirm that I will not give or receive any unauthorized help on this assignment, and that all work will be my own, " and sign it.** In addition, there is a quiz you must take (worth 1 point) on the Course Home Page before class starts.

## Late Assignments

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Written case questionnaires are due the day before the class starts at 11:59pm (e.g. Monday at midnight for Tuesday's class). Late assignments will be marked down 1 point daily for the first week after the deadline. Assignments handed 1+ week late will not be accepted; you will receive a failing grade of zero for that assignment, unless you have arranged something different with me before the initial deadline.

## Help

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**CARE** Overwhelmed students (you are not alone!) are encouraged to contact the University's CARE team, <https://www.rochester.edu/care> I make liberal use of the CARE network and will refer you if you are missing a lot of classes, have failed to hand in homework, or are consistently failing assignments. An important life skill is recognizing when you need help, and asking for it.

## Grading

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Grades for assignments for this course are assigned a percent of the final grade. Note that, for the unannounced open-case, in-class questionnaires, only 3 of the 4 grades will be included. The lowest questionnaire score will get dropped to allow for unexpected class absences.

ASSIGNMENT	DUE DATE	PERCENT
Attendance/Participation	12/7/2021	5
Academic Honesty Affirmance	8/31/2021	1
Course Information Quiz	8/31/2021	1
Pew Political Typology Quiz (in class)	8/31/2021	3
Case Questionnaire Ungraded	9/13/2021	0
Case Questionnaire #1 (Jacobson)	9/23/2021	10
Case Questionnaire #2 (Lochner)	10/18/2021	10
Case Questionnaire #3 (Hobby Lobby)	10/27/2021	15
Case Questionnaire #4 (Baby K)	11/15/2021	15

3 In-class

**Values Identification: Pew Political Typology Quiz (3 points)**

You will take this quiz in class.

**News Presentation (5 points)**

The last 3 classes, students will research the news as a group exercise, and prepare a class presentation addressing the nature of the problem, the laws involved, and predict the outcome of the legal debate.

**In-class Open-case Brief Questionnaires (3 15-point assignments – lowest grade will get dropped – 30 points total)**

During three unannounced sessions, each student will