

Syllabus for Health Care Reform and the Legislative Process
Professor Mary Foarde
Spring 2009

Course: Health Care Reform and the Legislative Process

Credits: 3

Classroom: Law 240A

Time: Monday 1:00-2:50
Thursday 1:00-1:50

Professor: Mary Foarde
Office 233E Law Grad Building
Office Hours: one hour before and after class
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I will have office hours one hour before and after each class. I will be on campus Mondays and Thursdays most weeks, so feel free to call and set up an appointment to meet at other times.

The best way to reach me for scheduling purposes is e-mail. Feel free to e-mail me with any question you may have; if I believe an in-person or telephone discussion would be better, I will let you know.

COURSE DESCRIPTION AND OBJECTIVES:

Welcome to Health Care Reform and the Legislative Process! This course is intended to examine one of the most important issues of our time: the need for affordable, high quality health care in the United States. We will examine efforts to improve the health care system through legislation, with a particular focus on actions of the Minnesota Legislature and Gubernatorial Administrations over the past 20 years. The Minnesota focus is helpful both because many students may ultimately practice health law here, and because Minnesota has been a national leader in health care reform efforts. Students will examine the characteristics of the legislative process that both promote and inhibit the adoption of transformative health care reform. The class will study the MinnesotaCare legislation of the early 1990s and compare it to the state's most recent health reform legislation adopted in 2008. Students will track the progress of Minnesota's recently enacted reform, both by following the work delegated in statute to the Commissioners of Health and Human Services and its related task forces, and by monitoring any

subsequent modifications contemplated during the 2009 legislative session. We will also look at the most recent federal developments as the Obama administration begins to address health care reform at the federal level. The objectives of the class are to give students a working understanding of the principal issues in health care reform and the major tactics used to address them, and to prepare students to become participants in the legislative process that must be used to facilitate reform.

Course Materials:

There are two assigned texts for the course: *The Dance of Legislation* by Eric Redman (paperback edition: University of Washington Press, 2001) and *The Politics of Health Legislation, an Economic Perspective* by Paul J. Feldstein (Third Edition, Health Administration Press, 2006). In addition, a number of articles, bills and statutes will be assigned and posted on TWEN, as will any power point presentations I or any of the guest speakers use during class. I will post the power points after the presentation to which they relate.

Use of Technology in Class:

You are free to bring your computers to class to facilitate note taking. I will assume that you are the best judge of your ability to keep up in class should you choose to use your computer for other purposes during class time. If your computer use is obviously interfering with your ability to participate in class, I will ask that you close your computer. Please do not plan on text messaging or using BlackBerrys or similar devices during class--cell phones and similar devices must be powered off completely during class to avoid distraction.

Course Evaluation:

Subject to the caveat below regarding class participation, sixty percent of your course grade will be based on one self-scheduled, 72-hour take-home final examination, which will involve drafting proposed legislation and providing a supporting document that explains your proposals and analyzes the forces that may affect its passage. Thirty percent of your grade will be based on a mid-term examination to be given on March 17, 2009 during regularly scheduled class time; it will be an objective and short-answer test. Ten percent of your grade will be based on two short research reports, both dealing with follow-up to legislation. The caveat referred to above is that your course grade may be adjusted one-half of a letter (up or down) based on class preparedness in accordance with Hamline University Academic Rules 1-107C5 and 1-110. More specifically, I reserve the right to: 1) raise your course grade by one-half of a letter if you participate substantially when not called on or distinguish yourself when called on; or 2) lower your grade by one-half of a letter if you are not prepared when called on. Your active participation in small group exercises will be assessed as part of your class preparedness.

Course Attendance:

At the beginning of each class, I will distribute a class roster for you to sign. If you are absent for more than three classes, your absences will be treated as "excessive" in accordance with

Hamline University Academic Rule 1-110 unless you have approval from me in advance, which be granted in my discretion based on the reason for your proposed absence.

A NOTE ABOUT ASSIGNMENTS AND THE SYLLABUS IN GENERAL:

While I am providing this syllabus as an overview of the materials and topics to be covered, my main focus is on keeping the class relevant and current. You will notice that I have reserved time in the semester to examine developments at the federal level, which are impossible to predict at this time. Consequently, the syllabus may be updated/changed frequently, and you should refer to TWEN frequently to remain apprised of any changes. In addition, I expect to bring many guest speakers to class, some of whom will be elected officials whose schedules are difficult to predict. Guest speakers may change frequently, and with advance notice we may schedule class meetings at the State Capitol to take advantage of legislators’ availability. Again, I will provide as much advance notice as possible.

**HEALTH CARE REFORM AND THE LEGISLATIVE PROCESS
Topics and Assignments**

Monday (M) Classes=2 hours

Thursday (R) Classes=1 hour

| Date | Topic | Assignment |
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| January 22-R WEEK 1 | Introductions <ul style="list-style-type: none"> • Class Expectations, Grading and Ground Rules • Discussion of movie “Sicko” | Watch the movie <i>Sicko</i> before 1 st class Complete student information form to be posted on TWEN |
| January 26-M WEEK 2 | Lecture: Basic Health Care Reform Concepts <ul style="list-style-type: none"> • Cost • Quality • Access • Prevention/Wellness Role of government in health care Guest Speaker | Ezekiel Emanuel- <i>Guaranteed Health</i> Chapters 1-3—to be posted on TWEN |
| January 29-R WEEK 2 | Discussion: Factors that Influence Legislative Process | <i>Dance of Legislation: Chapters I, II and III</i> |
| February 2-M WEEK 3 | Lecture: Legislative Rules/Process Flow Guest Speaker | Article: <i>Legislative Process in Minnesota</i> -to be posted on TWEN |
| February 5-R | Discussion: Legislative Process in Action | <i>Dance of Legislation: Chapters IV-VI</i> |

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| WEEK 3 | | |
| February 9-M WEEK 4 | Lecture: History of Minnesota Health Care Reform Legislation Guest Speaker | <i>Dance of Legislation: Chapters VII-X</i> |
| February 12-R WEEK 4 | Lecture: The MinnesotaCare Legislation: A Staffer's Perspective Guest Speaker | <i>Dance of Legislation: Chapters XI-XII</i> |
| February 16-M WEEK 5 | Lecture: Provider Perspective on Health Care Reform Guest Speaker | <i>Politics of Health Legislation</i> Chapters 1: <u>Introduction</u> - & 2: <u>An Economic Version of the Interest Group Theory of Government</u> |
| February 19-R WEEK 5 | Discussion: MinnesotaCare Law: What problem was it trying to solve? | 1992 Health Right (MinnesotaCare) Legislation-Session Law Version- posted on TWEN Segments of the legislation will be assigned to students for a short research report due 3/2 |
| February 23-M WEEK 6 | Lecture: Payor Perspective on Health Care Reform Guest Speaker | Continue reading 1992 Bill Work on research report due 3/2 |
| February 26-R WEEK 6 | Discussion: MinnesotaCare Insurance as an example of Redistributive Legislation | <i>Politics of Health Legislation</i> Chapter 8: <u>Redistributive Programs</u> Article by Julie Sonier: <i>MinnesotaCare: Key Trends and Challenges</i> -posted on TWEN |
| March 2-M WEEK 7 | Discussion: MinnesotaCare Success & Failures Case Studies and Issues: <ul style="list-style-type: none"> • Radiation Therapy • Repealed Sections | Research reports due and to be presented |
| March 5-R WEEK 7 | Discussion: Federal Health Reform Initiatives | Sen. Baucus' - <i>Call to Action: Health Reform 2009</i> -Posted on TWEN |
| March 9-M | Lecture: A Case Study in Public Health Legislation-- Passing the Freedom to | Freedom to Breathe Legislation-posted on TWEN |

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| WEEK 8 | Breathe Act Guest Speaker | <i>Politics of Health Legislation</i> Chapter 7: <u>The Control of Externalities: Medical Research, Epidemics and the Environment</u> |
| March 12-R WEEK 8 | Discussion: Role of Various Associations in Health Legislation | <i>Politics of Health Legislation</i> Chapters 3: <u>The Relative Success of Health Associations</u> and 4: <u>The Demand for Legislation by Health Associations</u> |
| March 16-M WEEK 9 | MIDTERM EXAM | |
| March 19-R WEEK 9 | OPEN: Check in on Federal Developments | TBD |
| SPRING BREAK | MIDTERM BREAK | |
| March 30-M WEEK 10 | Lecture: The Lead-up to the 2008 Legislation Guest Speaker | <i>Transformation Task Force Report</i> -posted on TWEN |
| April 2-R WEEK 10 | Discussion: Similarities and Differences between Health Care Access Commission Report and Transformation Task Force Report | <i>Health Care Access Commission Report</i> -posted on TWEN |
| April 6-M WEEK 11 | Lecture: Key Themes and Provisions of the 2008 legislation Guest Speaker | Initial House Version of 2008 Health Care Reform Legislation—posted on TWEN |
| April 9-R WEEK 11 | Discussion: 2008 Legislation Review House & Senate versions Compare & contrast | Initial Senate Versions of 2008 Bill—posted on TWEN Segments of the legislation will be assigned to students for a short research report due April 20 |
| April 13-M WEEK 12 | Lecture: The 2008 Legislation-Compromises that Led to Final Law Guest speaker | Final 2008 Bill as Passed-posted on TWEN |
| April 16-R WEEK 12 | OPEN: Check on Federal Developments | TBD |
| April 20-M WEEK 13 | 2008 Legislation-Follow Up | Research reports due and to be presented |

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| April 23- R WEEK 13 | Discussion: Benefits and disadvantages of competition in health care | <i>Politics of Health Legislation</i> Chapter 6: <u>The Emergence of Competition in the US Healthcare System</u> |
| April 27- M WEEK 14 | Lecture: Principles of Legislative Drafting Guest Speaker | <i>Politics of Health Legislation</i> Chapters 12: <u>National Health Insurance: Has its Time Come and Gone?</u> and 13: <u>The Self-Interest Paradigm and the Politics of Health Legislation</u> |
| April 30- R WEEK 14 | OPEN: Federal Developments | TBD |
| May 4-M WEEK 15 | Review & Wrap-Up | |