Law and Bioethics Syllabus

Fall 2007 (Weekday)
Professor Tovino
Hamline University School of Law

General Course Information

Course: Law and Bioethics
Credits: 2
Classroom: LAW 04
Day: Monday
Time: 9:00 – 10:50 a.m.
Professor: Stacey A. Tovino, J.D., Ph.D.
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Office: 232 East
Office Hours: Monday, 10:50-11:50 a.m.; Wednesday, 2:00 – 4:00 p.m.

Course Description and Objectives

Welcome to Law and Bioethics! This course examines the legal, ethical, and policy aspects of current controversies in health care and human subjects research. Special attention is given to issues relating to the physician-patient relationship, informed consent to treatment, informed consent to human subjects research, confidentiality, death and dying, organ and tissue donation and transplantation, reproduction, abortion, assisted reproduction, intersex conditions, and neuroethics. Objectives of this course include: (1) learning how to apply traditional principles of bioethics, including autonomy, beneficence, nonmaleficence, and justice; (2) understanding other approaches to bioethics, including casuistry, virtue ethics, and feminist ethics; and (3) learning how to approach issues in health care and human subjects research from both legal and ethical perspectives.

Course Materials

The required text is Mark A. Hall, Mary Anne Bobinski, and David Orentlicher, Health Care Law and Ethics, 6th edition (Aspen 2003). I also have prepared a PowerPoint presentation for each class that students may access through our LexisNexis Web Course, as discussed in the paragraph below. The PowerPoint presentations are designed to structure class discussions and assist on-call students with class preparation. Additional material available through our LexisNexis Web Course includes: (1) a list of students who will be on call for each class; and (2) the most current version of this syllabus.
I will post each week’s PowerPoint to our LexisNexis Web Course by the preceding Tuesday so that students have ample time to download and use the material for class preparation. I will not distribute paper copies of the PowerPoint presentations in class. To access the PowerPoints and other course materials through our Web Course: (1) Go to your LexisNexis Web Course home page (http://www.lexisnexis.com/lawschool/webcourses/); (2) click on the light gray “Launch Web Courses” button near the top of the page; (3) click on the red “Courses” tab at the top of the page; (4) click on the “Browse Course Catalogue” link on the right hand side of the page; (5) click on the “Hamline University” link; (6) scroll down and locate our class (“Law and Bioethics/Fall 2007”) and click on the “Enroll” button. Once you have enrolled in our course, “Law and Bioethics/Fall 2007” (and any other Web Courses in which you have enrolled) will show up under the “My Courses” box that appears after you enter the LexisNexis Web Course home page.

Course Evaluation

Subject to the caveat* set forth in the next sentence, I will base 95% of your final course grade on one self-scheduled, anonymous, final examination (which shall include essay and objective questions) and 5% of your final course grade on one quick homework assignment that is due by midnight on Monday, October 8, 2007, to stovino01@gw.hamline.edu. The caveat is that your final 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 final examination 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 final examination grade by one-half of a letter if you are not prepared when called on. Again, the on-call list will be posted to our LexisNexis Web Course. For the final examination, you are permitted to bring in and use two 8.5”x11” pages with notes in any size writing or font on both sides of each page, or four 8.5”x11” pages with notes in any size writing or font on only one side of each page. You shall not bring in or use any other textbooks, PowerPoints, outlines, commercial materials, or other material during the examination.

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.

Class Break

Class generally runs from 9:00 to 10:50 a.m. every Monday; however, we will take a few minutes break at or around 10:00 a.m. so that you can rest and refuel. If I forget to break, just remind me (or offer me food).
Course Schedule

Unless otherwise noted, all readings are from our required text, MARK A. HALL, MARY ANNE BOBINSKI, AND DAVID ORENTLICHER, HEALTH CARE LAW AND ETHICS, 6th edition (Aspen 2003).

Aug. 27: An Introduction to Bioethics
The Treatment Relationship: Legal and Ethical Boundaries
Pages 101-106
Pages 108-118
Pages 142-162

Sept. 3: No Class: Labor Day!

Sept. 10: A Legal or Ethical Right to Treatment?
Pages 118-128

Sept. 17: Informed Consent to Treatment
Pages 185-228

Sept. 24: Applying Informed Consent Principles to the Treatment of Individuals with Intersex Conditions
Read six very short pdf. articles posted to the Sept. 24 entry on our Lexis Nexis Web Course

Oct. 1: Confidentiality
Pages 163-185

Oct. 8: Informed Consent to Research
Watch the Belmont Report Educational Video; Hand in Homework (5% of grade)

Oct. 15: Death and Dying
Pages 491-552

Oct. 22: Advance Directives
Pages 552-564

Oct. 29: Organ and Tissue Donation and Transplantation
Guest Lecture: No reading; attendance required.

Nov. 5: Organ and Tissue Donation and Transplantation, continued
Pages 625-641

Nov. 12: Reproduction and Abortion
Pages 663-708
Nov. 19: Assisted Reproduction
Pages 738-777

Nov. 26: Neuroethics
Read the notes embedded within the PowerPoint slides posted to the Nov. 26 entry on our Lexis Nexis Web Course.

Dec. 3: Catch-Up: Exam Review
No reading

Dec. 8 - 20: Self-Scheduled Final Examination Period

Dec. 20 - Jan. 13: Have a GREAT Winter Break!

Last Updated: May 21, 2007