Course Information

Course: Patients’ Rights
Credits: 2
Classroom: TBA
Day: June 21, 22, 28, and 29, 2008
Time: 9:00 a.m. – 12:00 p.m.; 12:30 p.m. - 4:00 p.m.
Professor: Stacey A. Tovino, J.D., Ph.D.
Phone: (651) 523-2118
E-mail: stovino01@gw.hamline.edu
Office: 232 East
Office Hours: 4:00-5:00 p.m., June 21, 22, 28, and 29, 2008; or other times by appointment

Course Description and Objectives

Welcome to Patients’ Rights! This course examines the legal and ethical sources of patients’ rights as well as the duties of patient advocates, ombudspersons, ethics committees, and risk management departments as they relate to patients’ rights. Examples of issues that will be examined during class include, but certainly are not limited to, whether patients have the right to refuse to be examined and treated by medical and nursing students and residents; whether patients have a right to know their prognosis; whether patients have the right to know the HIV-status of their physicians; whether hospitals can prevent patients from leaving; whether patients have the right to videotape childbirth or other activities, treatments, or procedures in which they are involved; whether health care facilities such as nursing homes can videotape their residents’ activities; whether patients in all health care facilities have the right to receive visitors and to associate with other patients; whether pregnant women have the right to be informed of the option of genetic counseling and screening; whether pregnant women can refuse to be tested for illegal drugs; whether pregnant women can elect to give birth at home; and whether patients can refuse to consent to autopsy prior to death. Many other issues relating to patients’ rights will be introduced. The objectives of this course include understanding the legal and ethical sources of patients’ rights and the legal duties of hospitals and other health care providers as they relate to such rights.
Course Materials

The required text is GEORGE J. ANNAS, THE RIGHTS OF PATIENTS, 3rd edition (Carbondale: Southern Illinois University Press, 2004). Additional materials available through our LexisNexis Web Course include: (1) four PowerPoint presentations, which will include references and links to relevant federal, Minnesota, and other state statutes and regulations; and (2) the most current version of this syllabus. The PowerPoint presentations are designed to structure class discussions and assist you with class preparation.

I will post the PowerPoint presentations to our LexisNexis Web Course one week prior to the beginning of class so that you have ample time to download and use the presentations for class preparation. I will not distribute a paper copy of the PowerPoint presentations in class. To access the PowerPoint 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 (“2008 Patients’ Rights”) and click on the “Enroll” button. Once you have enrolled in our course, 2008 Patients’ Rights (and the 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.

If you are not a Hamline University School of Law student and cannot access our Web Courses, please email me at stovino01@gw.hamline.edu and I will email the PowerPoints to you.

Course Readings

Page numbers refer to GEORGE J. ANNAS, THE RIGHTS OF PATIENTS, 3rd edition (Carbondale: Southern Illinois University Press, 2004). PLEASE DO NOT BE THROWN BY THE LENGTH OF THE READINGS. THE TEXT IS A PAPERBACK AND IS A QUICK AND EASY READ. The author uses a very simple and straightforward ‘question and answer’ format to present and examine issues relating to patients’ rights, and I will follow this format in class.

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<thead>
<tr>
<th>Date</th>
<th>Chapters</th>
<th>Reading Assignment</th>
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<tbody>
<tr>
<td>Saturday, June 21, 2008</td>
<td>Preface; Patient Rights; The Patient Rights Advocate; Hospitals.</td>
<td>xv-xx; 1-27; 28-43; 63-88.</td>
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<tr>
<td>Date</td>
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<td>Pages</td>
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| Sunday, June 22, 2008 | Emergency Medicine  
Informed Choice;  
Choices about Surgery and Children’s Care;  
Reproductive Health. | 89-112; 113-140; 141-167; 168-193. |
| Saturday, June 28, 2008 | Research;  
Medical Records;  
Privacy and Confidentiality. | 194-223; 224-245; 246-272. |
| Sunday, June 29, 2008 | Care of the Dying;  
Suffering, Pain, and Suicide;  
Death, Organ Donation, and Autopsy. | 273-297; 298-315; 316-336. |

**Course Evaluation**

I will base course grades entirely on one self-scheduled, anonymous, final examination (which shall include one essay question and 35 objective questions) with the caveat that your grade may be adjusted one-half of a letter based on class preparedness in accordance with Academic Rules 1-107C5 and 1-110. More specifically, I reserve the right to raise your final examination grade by one-half of a letter if you participate substantially in class discussions.

The self-scheduled final examination period for this class will be posted on the Hamline University School of Law Registrar Web Site.

**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 eighty percent (80%) of our total in-class minutes, your absence will be treated as “excessive” in accordance with Academic Rule 1-110.

Last Revised December 14, 2007.