

**HS4500: Law, Values, and Health Care (HS 450)  
Winter 2018 CRN#: 10818**

**Oakland University  
School of Health Sciences**

**Room:** 5037 HHB

**Time & Day:** Tuesday & Thursday, 3:00 – 4:47 PM

**Instructor:** Rosemarie Chirco D'Angelo, Ph.D.  
**Email address:** rdangelo@oakland.edu  
**Office:** 3158 Human Health Bldg  
**Office Hours:** 2:00-3:00 PM (right before class) or by appointment  
**Telephone:** 248-364-8847

**Required Texts:**

Jones, G. E. & DeMarco J. P. (2016). *Bioethics in context: Moral, legal, and social perspectives*. Peterborough, Ontario: Broadview Press.

**Course Book Website:** We will be using the website for the book inside and outside of class. You will need an access code that comes with the book. The website will be used to go over case studies and legal cases for various topics throughout the semester.

[Bioethics in Context Student Website](#)

**Course (Catalog) Description:**

An examination of the ethical theories, legal concepts, and institutions that shape and control professional responsibility, licensure and related problems in the organization and delivery of health care services, along with the questions that are associated with maintaining and terminating life. Application of knowledge acquired in general education and core AHS/HS courses. Satisfies the University General Education Capstone Writing Requirement.

**Course Prerequisites:** *Senior standing, WRT 160.*

**General Education Learning Outcomes: After completion of this course, students will have:**

A. **Writing**

1. Knowledge of the elements, writing processes, and organizing strategies for creating analytical and expository prose.
2. Effective rhetorical strategies appropriate to the topic, audience, context, and purpose

B. **Integration Knowledge Area (Capstone)**

1. Appropriate uses of a variety of methods of inquiry and recognition of ethical considerations that arise.
2. The ability to integrate the knowledge learned in general education and its relevance to the student's life and career.

**Course Objectives** (After completion of this course, students will be able to):

1. Identify and understand key ethical and moral principles to apply in analyzing issues in medical ethics.
2. Describe the development of legal concepts and apply them to key subject areas in medical ethics.
3. Comprehend the attributes and limitations that the law brings to biomedical developments.
4. Identify and analyze the rights and responsibilities of health care providers and patients.
5. Apply ethical principles and legal concepts to common dilemmas in medical ethics in classroom discussion and through preparation of a written case analysis.
6. Describe decision-making forums for resolving dilemmas in medical ethics.
7. Identify future trends in medical ethics.
8. Understand the role of licensure and federal and state regulation of medical professionals.
9. Understand the role and influence of professional ethics in health care delivery.
10. Describe the elements of a malpractice claim and the impact of malpractice litigation on health care delivery.
11. Demonstrate appropriate use of a variety of methods of inquiry and recognition of ethical considerations that arise and the ability to integrate the knowledge learned in general education and its relevance to the student's life and career.
12. Successfully apply four cross-cutting generic capacities that are of the Oakland University General Education program, namely, critical thinking, social awareness, effective communications, and subject specific information literacy.
13. Demonstrate knowledge of the elements, writing processes, and organizing strategies for creating analytical and expository prose.

**Academic Integrity:**

The faculty of the School of Health Sciences believes that the conduct of a student registered or taking courses in the School should be consistent with that of a professional person. Courtesy, honesty, and respect should be shown by students toward faculty members, guest lecturers, administrative support staff, and fellow students. Similarly, students should expect faculty to treat them fairly, showing respect for their ideas and opinions and striving to help them achieve maximum benefits from their experience in the School.

Student academic misconduct refers to behavior that may include plagiarism, cheating, fabrication, falsification of records or official documents, intentional misuse of equipment or materials (including library materials), unauthorized collaboration, and aiding and abetting the perpetration of such acts. The preparation of reports, papers, and exams, assigned on an individual basis, must represent each student's own effort. Reference sources should be indicated clearly. The use of assistance from other students or aids of any kind during a written exam, except when the use of aids such as electronic devices, books or notes has been approved by an instructor, is a violation of the standard of academic conduct expected in this course. The Oakland University policy on academic conduct will be strictly followed with no exceptions. See catalog under Academic Policies and Procedures.

## **Communication and Office Hours**

Email is the best way to contact me outside of class (rdangelo@oakland.edu). However, it may take me up to 48 hours to respond (longer during weekends). If you don't get a response within this time frame, please feel free to gently remind me or follow-up. Expectations for professional conduct extend into electronic communications with your professor. When emailing me please place 'HS 4500 and your name' in the subject line. All e-mail communication must adhere to the following guidelines: E-mails must contain a salutation (e.g., Hello or Dear Dr. D'Angelo), a grammatically correct and structurally sound group of sentences, a complementary closing (e.g., Sincerely, Best), followed by your name. I will also adhere to these guidelines for e-mails sent to individual students or to the class.

Remember, you are responsible for your own learning and it is better to contact me early for help to resolve any potential problems or confusion with the course material. Office hours are listed or can be setup by appointment. For specific concerns, particularly related to course content, it is best to meet with me in person. If you have any questions about your grades, you **must** schedule a meeting or come to office hours. I do not discuss grades over e-mail.

## **Course Procedures and Expectations of Students:**

The format of this class will be presentation of theoretical, conceptual, and analytical information in a wide variety of areas of medical ethics and the law. The class will consist of lecture, interactive discussion, and small group activities that give a student the opportunity to practice using the material.

Readings associated with each topic are listed in the Topical Outline (below) and will be listed on Moodle under each subject area. **Students need to read these materials before each associated class session.** Class sessions will include activities where this material will be used for small group activities. Therefore, not only your own learning, but your peers' classroom experience is also dependent upon your being able to participate in these activities.

### **Exams:**

Students are expected to take all tests at the assigned time and on the assigned date. An exception due to illness or an emergency will be at the discretion of the instructor only. All requests for make-up exams must be made within 24 hours of the missed exam to discuss the possibility of taking a makeup exam. You must provide documentation of your illness or emergency, for example a note from your doctor. All students are only allowed one makeup exam. The exams may be taken in class or assigned as a take home exam.

There will be two exams consisting of short answer and/or essay questions. The exams will include material covered in class discussion, lecture, and required readings.

### **Writing Assignments:**

Every student will complete a short writing assignment, which is a two-page application of an ethical theory. Students will also complete an in-depth case analysis that consists of selecting a current dilemma in medical ethics, researching and analyzing peer-reviewed resources, and proposing a solution. The case analysis must be 5 pages of text in length. See Writing

Assignments for a more complete description of the short writing assignment and the case analysis below.

For the second half of the semester, students will be divided into problem-based learning (PBL) teams. Student teams will work collaboratively through a facilitated process to solve complex problems related to Laws, Values, and Healthcare that do not have a single correct answer. This project will take place during class time. Time will be provided in class to work on the project, though it is likely that time outside of class will also be required.

Changes may be made to this syllabus; any changes made will be communicated to the students through Moodle.

### **Attendance & Participation:**

Regular class attendance and participation in class discussions is required. (See **Grade Determination** below.) Students need to arrive on time for class and ready to engage in discussion/class session. Students are expected to be respectful of each other at all times. Students must be prepared for all classes, including having completed the reading assignments. Students need to turn communication devices that will disturb or distract attention from class to vibrate or off before entering the classroom and place devices out of sight. While it is OK to use laptops during class except during exams and finals, use of instant messaging, chat, social media (e.g. Facebook), on-line shopping is NOT acceptable during class. Being caught doing any of the above will result in a dramatic reduction in your class participation grade. Texting is also not permitted.

### **Add/Drops:**

The University add/drop policy will be explicitly followed. It is the student's responsibility to be aware of the University deadline dates for dropping the course.

### **Special Considerations:**

Students with disabilities who may require special considerations should make an appointment with campus Disability Support Services. Students should also bring their needs to the attention of the instructor during office hours as soon as possible.

## **Grade Determination**

The following table provides a breakdown of your final grade. Please note that failure for any one component of the course may result in failure for the course, regardless of calculated grade.

Graded component	Percent, each
Class Attendance/Participation	10%
Short Writing Assignment	10%
Exam 1	15%
Exam 2	15%
Case Analysis	30%
PBL project	20%
<b>TOTAL</b>	<b>100%</b>

\*Note: failure on any graded component may result in failure for the course

### Grading scale:

<b>A</b>	100%	4.0	<b>B</b>	89%	3.5	<b>C</b>	79%	2.9	<b>D</b>	69%	1.9
	99%	4.0		88%	3.5		78%	2.8		68%	1.8
	98%	4.0		87%	3.4		77%	2.7		67%	1.7
	97%	3.9		86%	3.4		76%	2.6		66%	1.6
	96%	3.9		85%	3.3		75%	2.5		65%	1.5
	95%	3.8		84%	3.3		74%	2.4		64%	1.4
	94%	3.8		83%	3.2		73%	2.3		63%	1.3
	93%	3.7		82%	3.2		72%	2.2		62%	1.2
	92%	3.7		81%	3.1		71%	2.1		61%	1.1
	91%	3.6		80%	3.0		70%	2.0		60%	1.0
	90%	3.6									
									<b>F</b>	≤59%	0.0

### Incomplete Grade (“I” grade):

Students who, for reasons beyond their control (illness, bereavement, accident) are unable to complete the work in HS 4500 by the end of the semester, may request an Incomplete grade from the professor. The student and the professor must complete the form “Request for an Incomplete Grade,” available from the professor or the Dean of Health Sciences office. The “I” grade must be approved at least one day before the final exam. It is the professor’s decision whether to allow an Incomplete grade. Procedures for completing the work in the course are spelled out on the “Request for an Incomplete Grade” form. An Incomplete grade must be converted to a numerical grade within the first 12 months after completing the “Request for an Incomplete Grade” form.

### Grading Criteria for written papers:

Writing assignments will be graded on the following general criteria:

1. The paper contains a concise description of relevant facts and clear definitions of terms.
2. The paper demonstrates a clear understanding of the applicable ethical and legal issues involved.
3. The paper contains a clear and concise analysis of the arguments.
4. The paper delineates support for any conclusions that you reach.
5. The typed paper contains structured writing, good organization, and proper grammar/punctuation. (Please be sure to review *Common Grammar and Punctuation Errors*, a link on Moodle, and be sure to avoid these errors in your submitted paper.)
6. The submitted paper follows the format of the instructions given.

### **Description of graded components:**

#### Exams:

There will be two exams during the course, each worth 15%. The exams will cover all course readings, lectures, and discussions for the designated topic areas as well as a cumulative method of analysis interrelating topic areas. The exam questions may consist of multiple choice, true/false, short answer, and essay questions. The short answer questions will seek a specific answer that can be provided in a few words up to a few sentences. The essay questions will require deliberation and a thoughtful response drawing on the methods of analysis learned in the

class. The exam questions will focus on: (a) knowledge of major concepts in medical ethics and law in the health sciences; (b) how dilemmas in medical ethics impact health care providers; (c) general knowledge of the legal impact on health care providers through litigation and regulation; and (d) application of legal and medical ethics knowledge to factual scenarios using methods of analysis learned in the course. Pre-approval must be obtained for an excused absence from taking either exam at the indicated time.

### **Writing Assignments:**

#### **Short Writing Assignment:**

There will be one short writing assignment in the semester. A draft of the Short Writing Assignment is due for peer review on **1/23/2018**. The due date for submission to the professor of the short writing assignment is **1/30/2018**. Assignment should be uploaded to Moodle before the start of class. Assignments will be **penalized 5% if uploaded after the start of class on the due date and 10% per day late** when submitted after due dates. The Short Writing Assignment is worth **10% of the final grade**.

The first writing assignment is designed for practicing ethical analysis and explaining that analysis in a clear and concise manner. The text of the paper should be no longer than 2 pages double spaced in length. Please include a cover page and have a separate page for references. Brevity is important, as it will force you to focus your thoughts. No additional research is required (or desirable) for this assignment. Select **one** of the following Decision Scenarios. (These Decision Scenarios are from “Intervention and Reflection: Basic Issues in Bioethics,” 9<sup>th</sup> Edition by Munson (you must use this reference). These scenarios will be available via PDF or PowerPoint on the course Moodle page.

Read the facts and identify an ethical dilemma. Ignore the questions at the end of each decision scenario. **Select either utilitarianism or Kantian deontology** (both are described in Chapter 1 of the Jones & DeMarco text). Define and then apply the ethical theory you have chosen to the ethical dilemma that you have selected from the Decision Scenarios and discuss the outcome that the ethical analysis that you have chosen dictates. Indicate at the top of the page which Decision Scenario you are discussing. When defining a theory you must add a reference to the Jones & Demarco textbook, not the class lecture notes.

#### **Case Analysis:**

The case-analysis is **worth 30% of your grade**. You will need to select a medical ethics topic of interest from a pre-selected list found on Moodle and search the informed literature for peer-reviewed journal articles on the legal and medical ethics issues involved. You will then prepare a typed report of five (5) pages that describes the dilemma and informs the reader of any necessary factual background. You also will discuss the alternative points of view on the dilemma using the medical ethics and legal principles learned in class and in your search of the informed literature on the topic. You will conclude with your resolution of the dilemma and discuss how you reached the conclusion. Your Case Analysis will contain two submission dates: the first submission is of a **draft** that will be reviewed (**due 2/15/2018**) and graded and the second submission is the final paper (**due 3/27/2018**). Formal directions for the case analysis will be listed on Moodle.

### **Problem-based learning project:**

For the second half of the semester, students will be assigned to problem-based learning (PBL) teams consisting of five to seven students per group. Student teams will work collaboratively through a facilitated process to solve complex problems that do not have a single correct answer. Each team will work on one complex problem, assigned by the professor related to one of the topics covered in class or a current dilemma in modern medical ethics.

This project will take place during class time over the second half of the semester. Each group will complete in-class activities and through these activities will prepare a portfolio that is due **4/19/2018 (last day of class)**. Each student will receive a grade for the PBL project that will constitute **20%** of their course grade. This grade will be based upon the (1) Group participation in activities throughout the semester, (2) portfolio, (3) group presentation, and (4) team member scores based, in part, upon peer evaluation. More details on this assignment will be posted on Moodle.

### **Class Participation and Writing to Learn:**

Attendance is essential to successful completion of the course. The class participation grade will be based on coming to class prepared as demonstrated by meaningful participation in small-group class discussions, classroom activities, and lecture. Students may also be asked at certain times throughout the course to write on their own about a specific topic in the course. The writing to learn assignments will not be graded, corrected, or edited. They are meant for you to practice getting your own thoughts out on paper. For this reason, please be prepared with paper or bring your laptop to the class. Please see Expectations of Students. Class participation is worth **10% of your final grade**.

## **Important notes for written assignments:**

### **Formatting requirements:**

Papers must be submitted in Microsoft Word format. Papers in Pages, PDFs, or other formats will NOT be accepted, and will result in a grade penalty. Papers should be in Times New Roman 12-point font, 1-inch margins (top, bottom, left, and right), in APA format. Your papers should have a cover page with your name, topic name or description, assignment name. This cover page will not count to your page limit. A reference page should be included, in correct APA format (see <https://owl.english.purdue.edu/owl/resource/560/01/> for help on this.) Neither a running header, nor an abstract are required for papers in this course.

### **Citing sources:**

All sources MUST be cited and included on your reference page. Your reference page should not include any sources that are NOT cited in your paper. If you do NOT cite a source used for the paper or for the PBL portfolio, this is plagiarism, and you will receive a grade of a zero for the assignment. Academic misconduct charges are also likely to be pursued.

### **Note on the importance of the draft:**

You MUST turn both the draft AND final version of the paper in order to receive a final grade. Failure to do either (initial draft and final paper) will result in a 0.0 grade on the written assignment. Drafts for the short writing assignment will not be accepted after the deadline. For the final case analysis, grades will receive a 5% penalty if submitted on the due date, but after the time the paper is due and 10% per day when submitted late after the due date.

For the case analysis, grades will receive a 5% penalty if submitted on the due date, but after the time the paper is due and 10% per day when submitted late after the due date. If the draft and/or the final paper are submitted late, the grade deduction will apply to the final grade.

### **Submission of work and penalties for lateness:**

The short writing assignment and case analysis must be submitted through Moodle. Assignments will be penalized **10% per day late** when submitted after due dates and **5% if uploaded after the time it is due on the due date**. This lateness penalty will be applied to the final grade if either the draft or the final analysis is submitted late.



## Class Schedule and Course Content Outline

\*Readings must be completed before the class for which they are listed.

\*\*The following schedule may be changed due to unforeseen circumstances, guest speaker availability, the pace of the course, or other factors as necessary.

Date	Topics and Reading & Videos	Assignment Due Dates/Case Studies/Legal Cases
<u>Week 1</u> Thurs 1/4/2018	Introduction to class Moral theory in bioethics <i>Reading: course syllabus</i> <i>Jones &amp; DeMarco, Chapter 1</i>	<i>Case Study: Mrs. Smith from Chapter 1</i>
<u>Week 2</u> Tues 1/9/2018	Practice with Moral Theories & Principles <i>Reading: Jones &amp; DeMarco, Chapter 1</i>	<i>Case Study: Dr. Mando from Chapter 1 and Euthanasia Case for Natural Law</i>
Thurs 1/11/2018	Basic Law <i>Reading: Jones &amp; DeMarco, Chapter 2</i> <i>Video: TED Talk on HIV Laws</i>	
<u>Week 3</u> Tues 1/16/2018	Justice & Right to Care: Other Moral theories <i>Reading: Jones &amp; DeMarco, Chapter 3</i> <i>Video: Breast Cancer Health Disparities</i>	
Thurs 1/18/2018	Affordable Care Act and the Future of Healthcare <i>Reading: Jones &amp; DeMarco, Chapter 3</i> <i>Video: Affordable Care Act (ACA)</i>	
<u>Week 4</u> Tues 1/23/2018	Duty to Treat <i>Reading: Jones &amp; DeMarco, Chapter 4</i> <i>Video: Pooling Medical Data Ted Talk</i>	<i>Legal Cases: Duty to Treat &amp; Standard of Care</i> <b><i>DUE: Draft Short Writing Assignment</i></b> <i>Bring to class 3 printed copies for peer review</i>
Thurs 1/25/2018	Privacy and confidentiality: HIPAA <i>Reading: Jones &amp; DeMarco, Chapter 8</i>	<i>Legal Case: Tarasoff Case (Duty to Warn)</i>
<u>Week 5</u> Tues 1/30/2018	Informed Consent <i>Reading: Jones &amp; DeMarco, Chapter 5</i> <i>Video: Chicago Hope Example</i> <i>Informed Consent Research Video (watch part of this)</i> <i>Video: Dax Cowart Story</i>	<b><i>DUE: Short Writing Assignment</i></b> <i>(Link on Moodle)</i>  <i>Legal Cases: Lane vs. Candura and Informed Consent Standards Cases</i>
Thurs 2/1/2018	Informed refusal and the discontinuation of treatment Types of Euthanasia <i>Reading: Jones &amp; DeMarco, Chapter 6</i> <i>Video: TED Talk on End of Life</i> <i>Video: Brittany Maynard, Tony Nicklinson, Dr. Jack Kevorkian</i>	<i>Case Study: Jahi McMath and other PVS cases</i>

<u>Week 6</u> Tues 2/6/2018	Euthanasia continued (Pro & Cons) Librarian Session <b>PBL Day 1:</b> Team assignment, Group Organizing Worksheet, and Contract (Subject to change based on availability)	
Thurs 2/8/2017	<b>Exam 1 (Ch. 1-6, 8)</b>	
<u>Week 7</u> Tues 2/13/2018	Research Ethics <i>Reading: Jones &amp; DeMarco, Chapter 12</i> <i>Video: Office Research Integrity: The Research Clinic and The Lab Interactive Videos</i> <i>Video: Polio Outbreak, Stanley Miligram Exp, Tuskegee Syphilis Study</i>	
Thurs 2/15/2018	Research Ethics: Clinical Trials <i>Reading: Jones &amp; DeMarco, Chapter 12</i> <i>Website: Good Clinical Practice Training</i> <i>Video: TED Talk on Clinical Trials Abroad</i>	<b>Due: Draft Case Study Analysis</b> (Link on Moodle)  <i>Case Study: Clinical Trial Consent Case</i>
<u>Week 8</u> Tues & Thurs 2/20-22/2018	<b>WINTER RECESS NO CLASS</b>	
<u>Week 9</u> Tues 2/27/2018	Cultural Competency <i>Reading: Jones &amp; DeMarco, Chapter 9</i> <i>Activity: Cultural Competency Quiz and Project Implicit Game</i>	<b>Case Studies:</b> <i>Amish Couple refuses treatment, Infant in PVS, and Three Wives Case</i>
Thurs 3/1/2018	Cultural Humility <i>Video: Examples of Cultural Humility</i>	
<u>Week 10</u> Tues 3/6/2018	<b>PBL Day 2:</b> Work on 3 Questions/Research Log/Databases	
Thurs 3/8/2018	Issues with Abortion <i>Reading: Jones &amp; DeMarco, Chapter 10</i> <i>Websites: Guttmacher Statistics and Pew Forum Public Opinion on Abortion</i>	<b>Case Studies:</b> <i>Central Arguments surrounding abortion: English, Thompsons, and Don Marquis</i>
<u>Week 11</u> Tues 3/13/2018	Abortion continued	<b>Legal Cases:</b> <i>Roe vs Wade 1973, Planned Parenthood vs Casey 1992, and Whole Women's Health vs. Hellerstedt 2015</i>
Thurs 3/15/2018	<b>PBL Day 3:</b> Examine a Source and Determine the Quality and Project Guidelines	

<u>Week 12</u> Tues 3/20/2018	Reproductive Control Issues <i>Readings: Jones &amp; DeMarco, Chapter 10</i> <i>Activity: Debate over reproductive issues</i>	<i>Case Studies: Baby M Surrogacy case and Three Parent Babies</i>
Thurs 3/22/2018	<b>PBL Day 4:</b> Work on Ethical Dilemma, Moral Theory and Principles for Project	
<u>Week 13</u> Tues 3/27/2018	Genetic Control Issues <i>Reading: Jones &amp; DeMarco, Chapter 10</i> Video: TED Talk on STEM Cell Research and Advances in Stem Cell Research	<b>Due: Final Case Study Analysis</b> (Link on Moodle)  <i>Case Studies: Diagnostic tests (BRCA1 &amp; Huntingtons)</i>
Thurs 3/29/2018	Scarce Medical Resources/Transplantation ethics <i>Reading: Jones &amp; DeMarco, Chapter 13</i> Video: <i>Organ Donation and Transplantation</i> <i>Activity: Organ Allocation Role Play</i>	<b>Case Studies:</b> Young Girl Lung Transplant, Alcoholics and Liver Transplants, and Drug Dealer and Heart Transplant
<u>Week 14</u> Tues 4/3/2018	<b>PBL Day 5:</b> Continue Working on Project, Address Questions, and Explain Presentation in detail	
Thurs 4/5/2018	<b>Exam 2 (Ch 9-10, 12-13)</b>	
<u>Week 15</u> Tues 4/10/2018	<b>PBL Presentations</b> (Submit as a group on Moodle)	
Thurs 4/12/2018	<b>PBL Presentations</b> (Submit as a group on Moodle)  <b>Due: Turn in Final PBL Portfolios</b>	
<u>Week 16</u> Tues 4/17/2018	<b>STUDY DAY NO CLASS</b>	
Thurs 4/19/2018	<b>If necessary final PBL Presentations overflow</b>  <b>NO FINAL EXAM</b>	