ETHICAL AND LEGAL ISSUES IN PUBLIC HEALTH

HSMP 6608

Mondays – 5:30 p.m. to 7:20 p.m.

Faculty: Patrick O’Rourke
Office of University Counsel
1800 Grant Street
Suite 800
Denver, Colorado 80203

Patrick.orourke@cu.edu

I will be teaching most of the classes, but anticipate that I will be helped by others on occasion.

Office Hours: I will generally be available after class to meet with students, but will also schedule office hours by appointment. Because I am a practicing attorney, I may not immediately be available, but will make every effort to meet with you as soon as possible.

Text: Public Health Law and Ethics: A Reader edited by Lawrence O. Gostin

I will be supplementing the course materials with additional readings that I will distribute from time-to-time by e-mail.

Objectives: By the end of this course, you should be able to: (1) Identify the major ethical issues in Public Health; (2) Identify and apply the core legal principles that govern public health; (3) Identify the values and principles in the APHA Code of Ethics; and (4) Apply a process of ethical decision making to issues in public health.

The readings in this course are somewhat law intensive. Knowing that you are not law students, I will be using the first few classes to familiarize you with some important legal principles. The legal terminology may seem daunting, but understanding the legal landscape is a vital component when working in the field of public health.
**Student Evaluation:** Grades will be based on 20% for attendance and participation; and 80% for final paper.

**Attendance and Class Participation: 25%**

Students will be evaluated according to the following criteria:

**Attendance:**
Students are expected to attend all classes. All absences must be explained to one of the instructors. Because class discussion is such a vital part of this course, a student with three or more unexcused absences will receive a half letter grade deduction in the grade since it represents a loss of almost a third of the effort.

**Familiarity with the Readings:**
Students are expected to prepare all the assigned readings in preparation for class discussion. A student who consistently is unfamiliar with the readings will receive a lower score on the contributions to class discussion.

**Contributions to Discussion:**
Students will receive a letter grade based on their preparation of the readings, their volunteering comments on the cases, their asking important questions that advance the discussion, their active listening, and their respectful response to contributions by others.

(A) always well prepared. Makes frequent comments based on the assigned readings. Actively and respectfully listens to the comments by others. Is familiar with the case analysis format and makes frequent contributions to the case analysis. Asks frequent questions.

(B) sometimes prepared. Makes occasional comments, but usually not based on the readings. Actively and respectfully listens to the comments by others. Is somewhat involved in the case analysis; is less familiar with the case analysis format. Asks occasional questions.

(C) usually not prepared for class. Rarely makes comments; comments are rarely based on the readings. Does not actively listen to the discussion. Is rarely involved in case analysis; is not familiar with the case analysis format. Does not ask questions.

(F) Never prepared for class. Never comments; is not familiar with readings. Does not actively listen to the discussion; is disrespectful of the comments of others. Is never involved in case analysis; is not familiar with case analysis format.
**Identification Paper: 10%**

By mid-semester, I will be asking you to identify and provide a two page overview of the topic that will constitute your final paper.

**First Draft: 15%**

Shortly before the Thanksgiving holidays, I will be asking you to provide an initial draft of not to exceed 7 pages of your final paper. The draft is intended to be a fairly comprehensive outline of the direction in which you will be taking your final paper. I will provide comments and direction based on the draft.

**Final Paper: 50%**

The final written paper is an individual effort by each student. The papers should be at least 15 pages in length. The final written paper is due on **December 8**.

The papers should incorporate the following elements:

- Identification of a public health law problem
- Identification of the legal and ethical issues raised by the dilemma
- Identification and discussion of underlying factual information and/or data
- Identification and discussion of ethical values
- Appropriate use and documentation from scholarly literature

**Conduct:**

This is a course where I will ask you to adopt partisan positions. As all of you know, health care policy part of an important political discussion currently occurring in Colorado and throughout the United States. Vigorous debate leaves room for civility, however, and I expect you to treat your classmates with dignity.

Part of professional training is learning to engage others in a professional manner. Professional courtesy and sensitivity are especially important in dealing with issues of race, culture, religion, politics, sexual orientation, gender, gender identity, and nationality. While some of our discussions may include discussions of these issues, particularly as they impact the health care system, I will attempt to address these issues respectfully and request that you do the same.

The University of Colorado policies on discrimination and sexual harassment apply to this class. Please familiarize yourself with these policies. Any student who believes that he or she has been subjected to discrimination or harassment should contact Regina Kilkenny at 303-724-8070 or regina.kilkenny@ucdenver.edu.
All students are responsible for knowing and adhering to the academic integrity policies of the University of Colorado. Violations of this policy include cheating, plagiarism, aid of academic dishonesty, fabrication, lying, and threatening behavior. All incidents of academic misconduct shall be reported for investigation and possible discipline.

**Computers:** I understand that many of you use laptops to take notes and conduct research. I will try not limit your use of laptop computers during class, but recognize the distractions that computers offer. If necessary, I may ask you to shut down your computers for certain exercises, and, be warned, you may not be able to keep up with the classroom discussions if you’re checking your e-mail or surfing the internet.

**Cell Phones:** Cell phones are an entirely different story. Please shut them off during class.

**Assistance:** If you qualify for accommodations because of a disability, please submit a letter from Disability Services so that I can properly address your needs. Disabilities Services determines appropriate accommodations based upon documented disabilities. If you need assistance, please contact Disability Services at [http://www.ucdenver.edu/student-services/resources/disability-resources-services/Pages/disability-resources-services.aspx](http://www.ucdenver.edu/student-services/resources/disability-resources-services/Pages/disability-resources-services.aspx)

### Schedule

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**Identification Paper Due**
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