

**Health Law: Liability (Law 7239)**

Georgia State University College of Law

Professor Leslie Wolf

Fall 2009

Mondays 6:00-8:45 pm, Urban Life, Room 652

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**Course Description and Syllabus**

This course examines laws affecting the relationships among patient, health care providers and practitioners, and health care payers. Emphasis is placed on tort liability, contractual and other professional arrangements, and bioethics. Topics include medical malpractice, informed consent, hospital privileges, managed care, and various contemporary issues in bioethics, such as medical decision making at the beginning and end of life.

**ATTENDANCE & PARTICIPATION POLICY:**

You will be a member of a learning community that depends upon each member to be present and fully prepared. Accordingly, I will take attendance and participation into consideration in determining your final grade.

**METHOD OF EVALUATION:** Your final grade will be determined based on the following:

*Final Exam* – 80% of Final Grade

*Class Participation* - 20% of Final Grade:

Standard weekly preparation includes the baseline assumption that students will have read the assigned materials, complete assigned problems, and will be prepared to participate accordingly.

**ASSIGNMENTS:**

**Text:** Furrow et al., HEALTH LAW: CASES, MATERIALS AND PROBLEMS (6<sup>th</sup> edition, 2008)

Date	Topic	Chapter	Assignment
<b>Aug. 17</b>	Introduction: Medical Error;	1	41-71
	The professional-patient relationship	4	195-219
<b>Aug. 24</b>	The professional-patient relationship: exculpatory	4	219-230; problem at p. 230; analyze indemnity

	clauses Informed consent		contract 230-258; problems at 258
<b>Aug. 31</b>	Informed consent; confidentiality	4	258-296
<b>Sep. 14</b>	Confidentiality; HIPAA privacy;	4	296-326; problems at 325-6
	Liability of health care professionals	5	327-357; problem at 355-357
<b>Sep. 21</b>	Malpractice, other theories and defenses	5	357-404
<b>Sep. 28</b>	Affirmative defenses, causation and damages	5	404-436; problem at 434-435
<b>Oct. 5</b>	Liability of health care institutions: vicarious liability and direct liability	6	437-476
<b>Oct. 12</b>	Credentialing decisions	6	476-504; problem at 503-4
<b>Oct. 19</b>	Managed care and corporate liability	6	504-538; problem at 538-9
<b>Oct. 26</b>	Access to health care	7	560-595; problem at 594-5
		8	596-609
<b>Nov. 2</b>	Access to care: EMTALA, ADA, Title VI	8	609-637; prepare handout
<b>Nov. 8</b>	Insurance and managed care	9	638-687; problem at 670-1
<b>Nov. 15</b>	ERISA	10	688-746
<b>Nov. 23</b>	Watch "Sicko"		Discuss and review