

Prof. Janet Dolgin
lawjld@hofstra.edu
(516) 463-5873
Room: 231 law school

Maurice A. Deane School of Law at Hofstra University

Bioethics and the Law

Syllabus and Class Information

Required casebook: *Bioethics and the Law* (Dolgin and Shepherd) (Third edition 2013)
Supplementary materials may be assigned during the semester. These materials may include cases, law review, or other journal, articles, or current news stories that relate to bioethics. Attendance is required. Students will be allowed two unexcused absences during the semester.

This course is a seminar. Students are expected to do all of the assigned reading and to participate actively in classroom discussion.

Please note the following requirements for the course:

All students are required to write a paper of about 20 pages in length. The paper's footnotes must follow "Blue Book" form.

A topic statement is due on Wednesday September 11. A first draft or detailed outline is due on Wednesday November 6. Each student must meet with me about his or her paper during November. The final draft of the paper is due on Wednesday December 4.

Plagiarism at any stage of the process will result in a grade of "F" for the course.

Each student will also prepare an oral presentation, describing the major findings of his or her research. These presentations will be given in the seminar, in the last weeks of the semester.

During the first month of the course, short summaries (up to one page in length) of four assignments (noted below, with due dates) should be prepared and

submitted on the day on which the class will begin discussion of the relevant materials. (Specific dates are noted below.) Each summary should provide an overview (rather than details about) the materials assigned.

During each of any three weeks (consecutive or not) each student is expected to find and distribute to the class a news article related to bioethics issues. (That is, each student must find and provide a total of at least 3 articles.) At least one of the three must be submitted by Sept. 23, and at least two of the three must be submitted by Oct. 23). Each article should be accompanied by a short summary that can be distributed to the class. All of the articles will be made available to everyone in the seminar.

Grading:

The long paper will count for 55% of your grade in the course. The oral presentation will count for 15% of your grade. Seminar participation (plus finding, summarizing, and presenting 3 news articles; and submitting 4 summaries of course assignments) will count for 30% of the course grade.

The seminar will focus on the issues noted in the following assignments. Supplemental reading may be assigned during the semester.

PART I: Introduction (August 21-26)

A. Introduction

The Belmont Report (available at <http://www.hhs.gov/ohrp/humansubjects/guidance/belmont.html>)

B. Law, Medicine, and Philosophy, pp. 3-44

PART II: Basic Concepts (Aug. 28-Sept. 9)

Summary Assignment ONE (summary of section A, due Aug. 28)

A. Autonomy and Bodily Integrity

1. Informed Consent, pp. 44-70
2. Dialogue between Dax Cowart and Robert Burt, "Confronting Death: Who Chooses, Who Controls?" Hastings Center Report, Jan.-Feb. 1998

Summary Assignment TWO (summary of Sections B and C, due on Sept. 9):

- B. Privacy and Confidentiality, pp. 91-108
- C. Anatomical Gifts, pp. 109-119

September 11: topic statement due

PART III: Privacy, Essentialism, and Enhancement (Sept. 16-Sept. 23)

Summary Assignment THREE (summary of section A, due on Sept. 16)

- A. Genetics and Genomics, pp. 181-221
- B. Neuroimaging, pp. 221-235
- C. Altering Identity, pp. 235-245

PART IV: Assisting Reproduction (Sept. 25-Oct 7)

Summary Assignment FOUR (due on Sept. 25)

Assisting Reproduction, pp. 323-395

PART V: Death and Dying (Oct. 9-Oct. 21)

- A. Dying: Withholding or Terminating Life-Sustaining Treatment, pp. 417-475 (Oct. 9-14)
- B. Physician Aid in Hastening Death, pp. 475-512 (Oct. 23)

Oct. 16 – Conference: “Affordable Healthcare’s Next Act”

PART VI: Public Health (Oct. 23)

- A. Introduction, pp. 753-755
- B. Control and Prevention of Infectious Disease, pp. 761-779

PART VII: Discrimination in Health Care (Oct. 28-Oct. 30)

- A. Class, Race, and Ethnicity, pp. 615-629
- B. Gender and Gender Identity, pp. 629-632; 635-637
- C. Children Who Are Sick or Disabled, pp. 644-655
- D. Elderly People, pp. 655-669

Part VIII: Social Justice (Nov. 4)

- A. Health Care as a Right, pp. 938- 944
- B. Access to Care: The Patient Protection and Affordable Care Act, pp. 944-959

Nov. 6 – First draft of paper due

Week of Nov. 11 – individual meetings with professor

Students’ seminar presentations: begin on Nov. 18