COURSE DESCRIPTION AND OBJECTIVES

The course will explore various issues and policies concerning the provision and regulation of health care. Among the topics to be discussed are the responsibilities and liabilities of health care professionals and institutions, access to health care, private vs. public health care systems, health care financing, and “life choice” issues such as reproductive technologies and life and death decisions.

This course has three primary objectives.

1. To engage you in a group discussion about various topics in health care law and policy in part using the textbook as a jumping off point for discussion, in part by reflecting on the readings and offering up your own ideas about this area of law. The readings are designed to get you thinking.

2. To provide practice in writing. While major papers may seem like yet one more law school hoop to jump through, they in fact serve a valuable purpose in helping you gain experience in synthesizing original ideas and arguments into a compelling written document, a valuable skill in any field of endeavor.

3. To give you practice in speaking. In law, there are two ways to convince others of the validity of your argument. One is in writing; the other is by oral argument. A lawyer who can write and speak, and who is armed with favorable facts and careful analysis is hard to beat.

TEXTBOOK


SUPPLEMENTAL MATERIALS

The TWEN system of Westlaw will be used to communicate any supplemental material and for the submission of written assignments. Any supplemental materials will be provided at least one week in advance of when they will be considered in the course.
ATTENDANCE

Attendance is mandatory. Consistent with College policy, students are expected to arrive on time and stay for the duration of each session. Late arrivals and/or early departures may result in the student being marked absent for the entire class. You should refer to the College of Law policy regarding absences in order to avoid being administratively dropped from the course.

CLASS PREPARATION AND PARTICIPATION

All students are expected to read the assigned materials prior to each class, and to come to each class prepared to participate in discussion of the material. Note that a significant part of your course grade will be based on class participation and students are expected to contribute to class discussions. Please also remember that quality is more important than quantity.

COURSE PAPERS

A major part of the credit for the course will be based on a paper in the area of Health Care Law and/or Policy, the topic of which will be the student’s choice. Papers must be an original contribution by the student and must comprise substantial analytical content. The paper must not have been previously submitted for course credit or publication elsewhere.

In order to satisfy the College’s Upper Division Writing Requirement, the paper must be at least 6,000 words in length, exclusive of the Table of Contents and footnotes. In addition, the paper must receive a minimum grade of 2.0, independent of the course grade. Please note there is no specific page limit, so long as the paper meets the 6,000-word standard established by the College.

Consistent with the principles of academic freedom, there are no specific restrictions as to topic, other than the obvious one that the paper must be in the general area of Health Care Law and/or Health Care Policy. However, prior to commencing to draft the paper, students must submit their topic choice for “approval”. This submission will consist of a brief one or two sentence description of your chosen topic. Approval will consist of a determination by the professor that the topic falls within the scope of the course, and that the scope of the planned paper is suitable to meet the College’s major writing requirement.

Prior to beginning to write the paper, each student must submit (a) a brief Summary of the topic (200 words or less) and (b) an Outline, of the topic and the issue(s) the student plans to discuss. A good format to follow in preparing the Summary would be that of an Abstract commonly found in academic papers. For the Outline, a useful format would be to provide a draft Table of Contents that you anticipate using. Please note, that as you do
your research, you are not bound by this preliminary outline and you may change the organization or issues as you see fit in order to do justice to your research topic.

You will be required to submit a preliminary draft of your paper by October 29, 2009, so that members of the class can review them prior to the start of the oral presentations, and so that I can briefly evaluate the progress you are making towards the final product of your research. The draft is not expected to be in final form, and so will not be graded. Please note that failure to submit the draft on time will result in a 10% penalty being applied against the final grade for the paper.

In terms of format, papers must be typewritten in a style and format typical for presenting legal research in an academic setting. The “Bluebook” is commonly accepted as the standard for submissions of academic works.

Please remember that while it is acceptable to use materials that are not the student’s original work in an academic work, such materials must be properly attributed. Plagiarism is contrary to the principles of academic honesty and as such work that appears to have been copied without proper attribution may subject the student to academic discipline.

Finally, it is expected that students will submit a polished and carefully edited paper. Consistent with your aspirations to become professionals in the law, it is expected that all papers will be carefully scrutinized for grammar and spelling prior to submission.

**ORAL PRESENTATIONS**

In Week 6 of the course (Sep. 24), students will be required to present a brief (5 minute summary) of their chosen paper topic to the class. Presentations are to be informal and no “slides” or handouts need be prepared. The purpose of the presentation will be to communicate to the class some background about the chosen topic, why the student believes it to be an issue worth study, how they plan to approach the topic, and to receive feedback from the class.

In Weeks 12-14 of the course (Nov. 5, 12, and 19), each student will give a more in depth presentation to the class that will be representative of their finished paper. These presentations will be 20 minutes in length, comprising in essence a mini-lecture to the class about your topic. Student should be prepared to answer questions from the class during a brief question period at the end of their presentation.
SUBMISSION OF ASSIGNMENTS

All submissions are due before midnight on the date on which they are listed as due. The following due dates apply:

<table>
<thead>
<tr>
<th>Topic Choice</th>
<th>Sep. 10, 2009</th>
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<tbody>
<tr>
<td>Topic Summary and Outline</td>
<td>Oct. 1, 2009</td>
</tr>
<tr>
<td>Draft Paper</td>
<td>Oct. 29, 2009</td>
</tr>
<tr>
<td>Final Paper for Grading</td>
<td>Dec. 6, 2009 (last day of Reading Period)</td>
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</tbody>
</table>

ALL assignments must be submitted electronically via the TWEN site established for the course. ALL assignments should be submitted via the “Assignment Drop Box” tab for professor review. In addition, draft papers are to be posted on TWEN via the “Draft Paper Tab” to allow members of the class to review the draft prior to the oral presentation of the paper.

LATE SUBMISSIONS

Late submissions will be assessed a -10% penalty for that assignment for the first 24-hour period beyond the due date and time, and an additional -5% penalty for every 24-hour period thereafter.

GRADING

The course grade will be determined as follows:

- 65% Research paper at least 6,000 words in length (exclusive of the Table of Contents and footnotes) that critically examines an issue in health care law and/or policy
- 15% Oral presentation of your research paper
- 20% Class Preparation and Participation
OFFICE HOURS & PROFESSOR CONTACT INFO

Dr. Rasmussen can be contacted by e-mail at ascusiplaw@sbcglobal.net; or by telephone at (909) 653-6607. For any issues that cannot be properly worked out by phone or e-mail, I am happy to arrange to meet with students at a mutually agreeable time.
# CLASS SCHEDULE

Health Care Law and Policy Seminar  
Fall 2009  
Professor Rasmussen

<table>
<thead>
<tr>
<th>Week / Date</th>
<th>Subject</th>
<th>Text Readings</th>
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<tbody>
<tr>
<td>1 Aug. 20</td>
<td>Introduction – The Professional / Patient Relationship</td>
<td>Chapter 3</td>
</tr>
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</table>
| 2 Aug. 27   | Regulation Of Health Care Professionals And Institutions | Chapter 1  
Chapter 2 |
| 3 Sep. 03   | Liability Of Health Care Professionals And Institutions | Chapter 4 (Parts I and II)  
Chapter 5 (Parts III, IV, and V) |
| 4 Sep. 10   | Who Pays for Health Care? – Private Health Insurance and Managed Care  
*Note: Deadline for submission of topics for “approval”* | Chapter 7 |
| 5 Sep. 17   | Who Pays for Health Care? – Public Health Care Programs | Chapter 9 |
| 6 Sep. 24   | Brief Presentations Of Research Paper Topics | None |
| 7 Oct. 1    | Is Health Care a Right?  
*Note: Deadline for submission of Summary and Outline* | Available on TWEN |
<p>| 8 Oct. 8    | Fraud and Abuse | Chapter 12 |
| 9 Oct. 15   | Public Health Issues | Chapter 16 |</p>
<table>
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<tr>
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<th>Text Readings</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 Oct. 22</td>
<td>Life and Death Decisions</td>
<td>Chapter 15</td>
</tr>
</tbody>
</table>
| 11 Oct. 29  | Class does not meet this week<br/>
<em>Deadline for submission of draft papers</em> | None                                              |
| 12 Nov. 5   | Student presentations                        | Draft papers posted on TWEN                        |
| 13 Nov. 12  | Student presentations                        | Draft papers posted on TWEN                        |
| 14 Nov. 19  | Student presentations                        | Draft papers posted on TWEN                        |
| 15 Nov. 30  | Open Discussion                              | None                                              |
| Dec. 6      | <em>Deadline for submission of finished papers</em> |                                                   |