

HPAA 810
Leadership in Health Law and Ethics
Fall 2007

(Ethics segment, Oct. 30 to Nov. 27)

Coordinator: Suzanne Havala Hobbs, DrPH, MS, RD
Clinical Assistant Professor
Director, Doctoral Program in Health Leadership
Department of Health Policy and Administration
Office: 1103D McGavran-Greenberg Hall
E-mail: suzanne_hobbs@unc.edu
Phone: 919-843-4621 (office)
Fax: 919-966-6961 (office)

Teaching Assistant: Leah Masselink
Leah_masselink@unc.edu

Secretary: Melissa Burns
burnsml@email.unc.edu
919-966-7371

Class Meetings: August 14, 15 (in Chapel Hill)
October 30
November 13, 20, 27

Office Hours: By appointment

Course URL: <http://blackboard.unc.edu>

Course Overview:

This 2.0 credit course is designed to provide students with an introduction and overview of critical issues relating to law, ethics, and public health. While a goal of government is to protect and support the health of the public, implementation of health policies may infringe on the rights and liberties of individuals, including businesses. This conflict is sometimes characterized as “private interest versus public good.” This course examines the legal foundations of the American public health system and resulting ethical dilemmas that must be reconciled when the interests of the larger community are at odds with those of individuals.

The course is broken into two components, each coordinated by a different faculty member. Though health law and ethics are inextricably linked, the emphasis of the first half of the course will be on public health ethics, and the second half will focus on issues

pertaining to public health law. Throughout the course, discussion will center on conceptual foundations of health law, ethics and human rights and issues relating to these fields. From there, we will explore ways in which government actions on behalf of the public's health may conflict with the Constitutional rights of individuals and businesses. This includes recognition of the scope and limitations of authority of health organizations, regulation of professions and tort litigation for the public's health. We will discuss current controversies in public health law and practice, including such topics as surveillance and privacy rights, and issues relating to health promotion, regulation of commercial speech, and First Amendment rights to freedom of expression. The course concludes by examining future issues and emerging problems in public health, including those related to infectious diseases, bioterrorism, and public health genetics.

Course Objectives:

By the end of this course, learners will be able to:

1. Describe the structure and functions of the public health system;
2. Define public health as explained in theory and practice;
3. Review the roles of government, community, and individuals in determining the health of the public;
4. Discuss and evaluate conflicts between private interests and the public good or individual liberty versus governmental and community interests in the health of the public.
5. Recognize principles of cultural competence and apply them in a variety of public health settings.
6. Increase awareness of and sensitivity to issues of race, culture, ethnicity and other issues pertaining to public health law and ethics

Grading and Assignments:

Ethics Segment

There is a two-tiered grading scheme for the ethics segment of this course. Satisfactory completion of all required course components with a total score of 70% or greater earns a P grade. Completion of all components of the course with a total score of 85% or greater plus satisfactory completion of an additional reading assignment earns an H grade.

<u>Assignment</u>	<u>% of Grade</u>
Reaction papers	25%
Exercises (PH Ethics modules 1-4)	25%
Level and quality of class preparation and participation	50%
Total	100%

Reaction papers: Weekly readings or other activities are assigned. After completing the work, students will by the day of class for which the work is assigned submit a brief, informal reaction to the material (not more than one single-spaced page – a paragraph or two will suffice). Reaction papers should be reflective and may address such points as what you learned that surprised you, what you agreed or disagreed with, how you might apply what you've learned to a work situation, how the information may have influenced your view on the topic, etc. Papers should not simply summarize or reiterate what the author wrote. Papers should be deposited in the digital dropbox on the course web site.

*[Those working toward an H grade will read: Fadiman, Anne. **The Spirit Catches You and You Fall Down: A Hmong Child, Her American Doctors, and the Collision of Two Cultures** (Farrar, Straus and Giroux, 1998) and write a reaction paper not to exceed two single-spaced pages. The paper is **due by 9 am on Wednesday, December 5th** and late papers cannot be accepted. Space will be available on the Blackboard course site for an optional book "book chat" discussion forum for those reading the book who would like to participate in an ongoing discussion of the book with other cohort members.]*

Exercises/PH Ethics modules 1-4: Completion of four short online tutorials is required. Written responses to discussion questions at the end of each module should be deposited in the digital drop box on the course web site. Please label your files with your name and the module number.

Class Attendance/Participation: Students are expected to come to class prepared to participate in discussions with faculty, fellow learners and guest discussants, when present. Credit for this part of the course is divided into two aspects: attendance and participation. Scores for attendance are simply based on number of online class days attended. Credit for participation is earned by active involvement in discussions with faculty, fellow students and guest discussants.

Attention: Required Human Subjects Training

The University now requires that all faculty, staff and students who are engaged in the planning, conduct or analysis of research at UNC-Chapel Hill involving human subjects complete an online training module. *This training must be completed before you can begin work on your dissertation.* We recommend that you complete this module during your first semester in the Doctoral Program.

The **Office of Human Research Ethics (OHRE)** is responsible for ethical and regulatory oversight of research at UNC-Chapel Hill that involves human subjects. The OHRE administers, supports, and guides the work of the Institutional Review Boards (IRBs) and all related activities. Any research involving human subjects proposed by faculty, staff, or students must be reviewed and approved by an IRB before research may begin, and before related grants may be funded. OHRE and the IRBs are critical components of the coordinated Human Research Protection Program, which serves to protect the rights and welfare of human subjects.

A link to the online training module and details about the module can be found at <http://ohre.unc.edu/educ.php>. The [Collaborative IRB Training Initiative \(CITI\)](https://www.citiprogram.org/default.asp) at <https://www.citiprogram.org/default.asp> (direct link to the sign-in page for the module) is a web-based training package on issues relating to human subjects research. The CITI web site is maintained by the University of Miami, with content developed by a national consortium. CITI contains modules on topics like informed consent, vulnerable populations, ethical principles and IRB regulations. Each module has a short quiz at the end to assess understanding. Over 400 institutions are using CITI for their mandatory training.

Required Reading:

Gostin, Lawrence O (Ed). *Public Health Law and Ethics: A Reader*, Berkeley and Los Angeles: University of California Press, 2002.

Texts may be ordered online via Amazon.com, Barnes & Noble, or the University of California Press at <http://www.ucpress.edu/books/pages/9593.html>.

The author maintains a “*Reader* web site” at <http://www.publichealthlaw.net/reader> where learners will find supplementary information, cases, and updates to the *Reader* text.

Links to supplementary readings will be sent to learners via email or posted on the course web site at <http://blackboard.unc.edu>.

For those working toward an H grade:

Fadiman, Anne. *The Spirit Catches You and You Fall Down: A Hmong Child, Her American Doctors, and the Collision of Two Cultures* (Farrar, Straus and Giroux, 1998).

Read about the book at <http://www.spiritcatchesyoud.com/>

Space will be available on the Blackboard course site for an optional book “book chat” discussion forum for those reading the book who would like to participate in an ongoing discussion of the book with other cohort members.

Also Highly Recommended:

There are many excellent resources related to the material in this course. Among them:

Gostin, Lawrence O. *Public Health Law: Power, Duty, Restraint*, Berkeley and Los Angeles: University of California Press, 2000.

Goodman, Richard A, Rothstein, Mark A., Hoffman, Richard E., Lopez, Wilfredo and Matthews, Gene W. (Eds). *Law in Public Health Practice*, Oxford, New York: Oxford University Press, 2003.

Danis, Marion, Clancy, Carolyn, and Churchill, Larry (Eds). *Ethical Dimensions of Health Policy*, Oxford, New York: Oxford University Press, 2002.

Mann, Jonathan, Gruskin, Sofia, Grodin, Michael, and Annas, George (Eds). *Health and Human Rights: A Reader*, New York and London: Routledge, 1999.

The Centers for Disease Control and Prevention Public Health Law Program (resources and links on various topics) <http://www.phppo.cdc.gov/od/phlp/index.asp>

Looking for More?

Check out the HealthLawProf Blog at http://lawprofessors.typepad.com/healthlawprof_blog/

UNC HONOR CODE

The principles of academic honesty, integrity, and responsible citizenship govern the performance of all academic work and student conduct at the University as they have during the long life of this institution. Your acceptance of enrollment in the University presupposes a commitment to the principles embodied in the Code of Student Conduct and a respect for this most significant Carolina tradition. Your reward is in the practice of these principles.

Your participation in this course comes with the expectation that your work will be completed in full observance of the Honor Code. Academic dishonesty in any form is unacceptable, because any breach in academic integrity, however small, strikes destructively at the University's life and work.

If you have any questions about your responsibility or the responsibility of faculty members under the Honor Code, please consult with someone in either the Office of the Student Attorney General (966-4084) or the Office of the Dean of Students (6-4042).

Class Schedule:

Week of August 12, 2006

Chapel Hill, NC

Welcome to HPAA 810

- Course overview and review of syllabus
- Guest discussion by Stuart Rennie, PhD, Research Assistant Professor, Department of Dental Ecology. See <http://bioethics.unc.edu/>.
- Guest lecture and discussion on cultural competency by Peggy Dilworth-Anderson, PhD, Professor of Health Policy and Administration, UNC-Chapel Hill.
- Distribute U.S. Department of Health and Human Services, Office of Minority Health *National Standards for Culturally and Linguistically Appropriate Services in Health Care (Executive Summary)*, Washington, D.C., 2001.

October 30, 2007

In class:

- Discussion of Rennie and Dilworth-Anderson sessions from August
- Discussion of Public Health Ethics Module 1 (see below)
- Guest Discussant, Nicole Bates, Director of Government Relations, Global Health Council (on the topic of “Cracks in the System: An Examination of One Tuberculosis Patient’s International Public Health Threat”)

Prior to today’s class, please listen to a short online public health ethics lecture at <http://www2.sph.unc.edu/oce/phethics/modules.htm> and answer the exercise questions that follow it. Deposit written responses in the digital drop box on the course web site. Be prepared to discuss your responses in class.

Public Health Ethics Module 1: Distinguishing Public Health Ethics from Medical Ethics

Additional readings for this week:

- Public Health Law and Ethics: A Reader. Preface and Chapters 1-2
- Written testimony of Nils Daulaire, MD, MPH, President & CEO, Global Health Council (reading is posted on course site)
- (Optional) Review U.S. Department of Health and Human Services, Office of Minority Health *National Standards for Culturally and Linguistically Appropriate Services in Health Care (Executive Summary)*, Washington, D.C., 2001.
- (Optional) Review information available at these sites:

Compendium of Cultural Competence Initiatives in Health Care

Kaiser Family Foundation
<http://www.kff.org/uninsured/6067-index.cfm>

Also see:

http://www.kaisernetwork.org/health_cast/hcast_index.cfm?display=links&hc=350&linkcat=61

DiversityRx

<http://www.diversityrx.org/HTML/MOCPT1.htm>

Administration on Aging

http://www.aoa.gov/prof/adddiv/cultural/addiv_cult.asp

Due: Reaction paper

Note that this week's reaction paper can cover in-person discussions from orientation week with Stuart Rennie and Peggy Dilworth-Anderson, the online PH module, as well as the required and optional readings for this week.

November 13th

In class:

- Discussion of previous week's guest discussion
- Discussion of Public Health Ethics Module 2 (see below)
- Guest discussant (TBA)

Prior to today's class, please listen to a short online public health ethics lecture at <http://www2.sph.unc.edu/occe/phethics/modules.htm> and answer the exercise questions that follow it. Deposit written responses in the digital drop box on the course web site. Be prepared to discuss your responses in class.

Public Health Ethics Module 2: Values and Beliefs Inherent to a Public Health Perspective

Additional readings for this week:

Public Health Law and Ethics: A Reader. Chapters 3-5

Due: Reaction paper

Note that this week's reaction paper can cover the previous week's guest discussion, the online PH module, as well as the required readings for this week.

November 20, 2006

In class:

- Discussion of previous week's guest discussion

- Discussion of Public Health Ethics Module 3 (see below)
- Guest discussant (TBA)

Prior to today's class, please listen to a short online public health ethics lecture at <http://www2.sph.unc.edu/oce/phethics/modules.htm> and answer the exercise questions that follow it. Deposit written responses in the digital drop box on the course web site. Be prepared to discuss your responses in class.

Public Health Ethics Module 3: The Public Health Code of Ethics

Due: Reaction paper

Note that this week's reaction paper can cover the previous week's guest discussion and the online PH module.

November 27, 2007

In class:

- Discussion of previous week's guest discussion
- Discussion of Public Health Ethics Module 4 (see below)
- Guest discussant (TBA)

Prior to today's class, please listen to a short online public health ethics lecture at <http://www2.sph.unc.edu/oce/phethics/modules.htm> and answer the exercise questions that follow it. Deposit written responses in the digital drop box on the course web site. Be prepared to discuss your responses in class.

Public Health Ethics Module 4: Law and Ethics in Public Health

Due: Reaction paper

Note that this week's reaction paper can cover the previous week's guest discussion and the online PH module.

Week of January 6, 2008

- Guest lecture and discussion by Gene Matthews, JD on the CDC and Kimberly Bergalis HIV/AIDS case in Florida

End of Ethics Segment