CALENDAR DESCRIPTION:

This course is designed to allow the students to develop an understanding of the origin and sources of the law as it applies to the Canadian health care system.

The course will stimulate an appreciation for legal terminology, reasoning, and processes as well as the basic principles of law which apply to and govern the delivery of health care services in Canada.

It is also designed to develop an ability to identify the legal aspects of health care practice, governance and administration as well as an ability to determine when and how to use legal counsel effectively.
LEARNING OBJECTIVES / GOALS / OUTCOMES / LEARNING OUTCOMES:

Upon completion of this course, students will possess an understanding of:

1. Basic legal principles, the legal process and a broad overview of the implications of the Canadian Charter of Rights and Freedoms for the health care field;
2. Contract and tort law;
3. The legal relationships between patient/clients and the health care providers and institutions caring for them as well as the governmental agencies involved, including governance of health care institutions, relationships between boards, physicians and employees, powers of government, licensure and registration of professionals and the coroner’s system;
4. Law relating to patients’ rights and patient care, including statutory duties, contractual duties and tort duties and a detailed discussion of negligence, personal and corporate liability, products liability, risk management and quality assurance as well as insurance;
5. Consent to health care and the roles of physicians and other health care workers as well as the rights and responsibilities of patients, including mentally incapable and minor patients;
6. Bioethical issues such as death and dying, advance directives, “do not resuscitate” and “degree of intervention” orders, abortion, sterilization, the new reproductive technologies, organ donation and transplantation and HIV/AIDS;
7. Health records: maintenance, contents, retention and destruction, ownership of information, duty of confidentiality and mandatory disclosure of information, liability for unauthorized disclosure, access to information and records by patients/residents, incident reports and peer review documentation;
8. Legal aspects of mental incapability and the treatment of mentally disordered patients.

METHODS:

Lecture, discussion, group work

PRIOR LEARNING ASSESSMENT RECOGNITION (PLAR):

Credit can be awarded for this course through PLAR (Please check :)

Yes  No

METHODS OF OBTAINING PLAR:

To be determined

TEXTBOOKS, REFERENCES, MATERIALS:


Required Case and Statute Materials as compiled within the course package.

**Recommended References**

(only for those who want to do follow-up reading)


Health Law in Canada (Journal)

SUPPLIES / MATERIALS:

none

STUDENT EVALUATION:

Course assignment (40%) (To be written and handed in after classes are over. Due date to be announced)

Exam (60%) (Open Book)

Grading as per UCFV grading system.
COURSE CONTENT:

I. Introduction
II. Implications of the Charter of Rights and Freedoms for health care workers.
III. Health Care Providers
IV. Relationship between the patient/resident and the health care provider
V. Negligence and the allocation of liability
VI. Consent to health care
VII. Mental incapability
VIII. Mental disorder
IX. Reproductive issues
X. Other bioethical issues