

**Western University:
Faculty of Law and School of Health Studies
Law 3101B /Health Sciences 3101B
Health Care Law**

Instructor:	Professor Erika Chamberlain	Course Co-ordinator:	Professor Andrew Botterell
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Office:		Office:	
Office Hours:	By appointment	Office Hours:	By appointment

Overview

This course surveys the law governing health care and counselling professionals and the provision of health services in Ontario. The legal principles discussed are relevant to all regulated health practitioners (*e.g.* physicians, nurses, psychologists, physiotherapists *etc.*), social workers, educational counsellors, and anyone else who works in a hospital, health clinic, or long-term care or retirement home. The topics covered include consent, capacity and substitute consent to treatment; end-of-life decision making; mental illness and the criminal justice system; the standard of care expected of health care and counselling professionals; and documentation, confidentiality, mandatory reporting, and the duty to warn.

On a broader level, the course addresses the legal relationship between users and providers of health care services. Consequently, the course will be of interest to individuals who want to understand their rights regarding treatment, counselling and care. For example, can physicians put a “do not resuscitate” order on a patient’s chart without the patient’s conse-1 (c)0 (c)05ar64 (ons) (ng)TJ-0.004 Tc94.002 Ta -6 (p)1

The reading schedule for each week is available online on the OWL course page and is set out later in this document.

Although the Coursebook is relatively short, it summarizes a broad range of legislation, common law principles, and leading cases that students will be expected to understand and apply. Students are strongly encouraged to carefully

Quiz Schedule – Winter Term 2024

	Available (12:30pm)	Due Date (11:30am)
QUIZ ONE Chapter I: Preliminary Issues Chapter II: Consent and Capacity (Competency)	Fri. Jan. 26	Mon. Jan. 29
QUIZ TWO Chapter III: Substitute Consent Chapter IV: Factors Negating Consent, Treatment Without Consent and End-of-Life Decision Making	Fri. Feb. 9	Thurs. Feb. 15

QUIZ THREE

Chapter V: Mental Health, Criminal Law and Civil Commitment

Week Six. Chapter V: Mental Health, Criminal Law and Civil Commitment

Tuesday, February 13: 1:30 - 3:30, NSC-145

Thursday, February 15: 1:30 – 2:30, NSC-145

WINTER READING WEEK: FEBRUARY 17TH – 25TH

Week Seven. Chapter VI: Principles of Negligence Liability

Tuesday, February 27: 1:30 - 3:30, NSC-145

Thursday, February 29: 1:30 – 2:30, NSC-145

Week Eight. Chapter VII: Duties of Affirmative Action

Tuesday, March 5: 1:30 - 3:30, NSC-145

Thursday, March 7: 1:30 – 2:30, NSC-145

Week Nine. Chapter VIII: Documentation and Related Issues

Tuesday, March 12: 1:30 - 3:30, NSC-145

Thursday, March 14: 1:30 – 2:30, NSC-145

Week Ten. Chapter IX: Confidentiality and Privilege

Tuesday, March 19: 1:30 - 3:30, NSC-145

Thursday, March 21: 1:30 – 2:30, NSC-145

Week Eleven. Chapter X: Disclosing Confidential Information and Related Issues

Tuesday, March 26: 1:30 - 3:30, NSC-145

Thursday, March 28: 1:30 – 2:30, NSC-145

Week 6

is also generally required for non-medical absences. Students should contact their faculty's Academic Counselling Office to determine what documentation is needed.

Whenever possible, students who require academic accommodation should provide notification and documentation in advance of due dates, exams, *etc.* Students must follow-up with their professors and their Academic Counselling office in a timely manner. Documentation for any request for accommodation shall be submitted, as soon as possible, to the appropriate Academic Counselling Office of the student's faculty of registration. BHSc students may go to the School of Health Studies Office in HSB room 222.

Scholastic Offences

Scholastic offences are taken seriously. Computer-marked, multiple-choice exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating. Students are directed to carefully read the definition of what constitutes a scholastic offence, at:

http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf.

Support Services

Students who are in emotional/mental distress should refer to Western's Health and Wellness website at <http://uwo.ca/uwocom/mentalhealth/> for a complete list of options about how to obtain help. The University offers a range of other support services, including:

1. Academic Support and Engagement – <http://www.sdc.uwo.ca/ssd/>
2. Student Health – <http://www.shs.uwo.ca/student/studenthealthservices.html>
3. Registrar's Office – <http://www.registrar.uwo.ca/>
4. Office of the Ombudsperson – <http://www.uwo.ca/ombuds/>