BIOETHICS & THE LAW
Law 598 §001, Fall Semester 2022
Southern Illinois University School of Law
Wednesdays from 4 to 6:30 p.m., Lesar Law Building Room 164

Professor Marsha G. Ryan, M.D., J.D.
Dean Camille Davidson

Course Materials:

➤ Casebook & Additional Reading

➤ Other Required Materials
  Additional materials that students are responsible for will be posted on the course
  TWEN page from time to time. All students are expected to regularly check the TWEN
  page for additional assignments, additional reading material, and announcements.

Course Description and Objectives:

Students who successfully complete this course will:
➤ Understand the fundamental ethical/legal considerations in the health care environment,
  including those related to reproduction and birth, organ transplantation, the determination
  of death, life and death decisions, medically assisted dying, regulation of research, and
  population and public health law.

➤ Appreciate the policy issues underlying basic ethical questions that arise in the health care
  environment.

➤ Be able to identify and analyze ethical/legal problems arising in the health care
  environment using the IRAC methodology.

Course Outline:

➤ An outline of dates and assignments for the course can be found beginning on page 3 of
  this Syllabus. This outline, while generally accurate, is subject to change as circumstances
  may require. The official outline of dates and assignments will be found on the TWEN
  Page for the course.

➤ The readings for the class will be substantial, but they are necessary in order to promote
  analysis and discussion.

➤ We plan to meet with each student individually at the beginning of the semester to have a
  brief conversation about course expectations, both yours and ours.
Grading

▸ **Midterm Examination – 20% – Due October 12, 2022**

The midterm exam is a three (3) page, take-home written analysis of a hypothetical bioethical problem / issue of the student’s choice. Eighty percent (80%) of the mid-term grade will be based on subject-matter knowledge, the ability to analyze the problem, and apply the law to the problem presented. The remaining twenty percent (20%) will be based on grammar, punctuation, and other style elements. The mid-term assignment will constitute 20% of the final grade. The mid-term exam must be turned in electronically to Professors Davidson and Ryan not later than 4:00 p.m. on October 12, 2022.

▸ **Final Examination – 80% – Due by the regularly scheduled final exam period for this class, established by the Associate Dean and the Registrar.**

The final exam will be a 12-page scholarly paper that is an original work on a preapproved topic, carefully edited and properly referenced. The exam will be graded solely on demonstrated knowledge, analysis, and application of the relevant legal principles and public policies underpinning ethical issues in health care. It will account for 80% of the class grade.

Attendance

▸ This course meets on Wednesdays from 4 to 6:30 p.m. Class starts promptly at 4, so please be on time and ready to go. As specified in the *Rules of the Southern Illinois University School of Law*, “[r]eregular attendance to class meetings in all courses is expected and required of all students…. Attendance will be taken in class and attendance records will be kept. Violation of this rule shall subject the student to penalties....” Since ours is a small class, roll will be taken at the beginning of each class.

▸ Students may have no more than a maximum of three (3) unexcused absences. Students with more than three (3) absences will be referred to the Associate Dean and will be given the lowest possible grade – a failing grade – for the course.

▸ In addition, students will be called on in class and are expected to be prepared. Being “prepared” means being ready and able to intelligently discuss all facets of the assigned materials. Students found to be unprepared by the Professors will be marked absent for the day. If for some good, verifiable reason (in the view of the instructors) you are unprepared for class, please let both of us know by 2 p.m. the day of class. You may still be counted as absent, depending on your excuse, but you will not be called on and humiliated. Do not abuse this privilege. The penalty for abuse is to take required, public dance lessons from Professor Brittingham.

▸ Students may **NOT** “Note Out” of this class.
Faculty Availability Outside of Class

➢ Professors Ryan and Davidson: Professors Ryan and Davidson are available by email and telephone for brief questions or to make in-person appointments to discuss matters related to the class. You can email Dr. Ryan at marshagryan@siu.edu, or you may call her at 618.528.4897. Dean Davidson can be reached by email at camille.davidson@siu.edu or by telephone at 618.453.8761.

Class Assignments & Schedule

➢ The readings are assigned by week.

➢ News of the Day (NOTD) will be a requirement of each student at some point in the semester.

➢ NOTD is a brief oral presentation made by an individual student on an ethical issue relevant to the course. The presentation should summarize and analyze a current article, podcast, or other presentation/publication from the news which touches on a topic relevant to class content.

➢ In addition, students can expect one or two evening sessions to hear a guest speaker, to watch a film relevant to the course, and/or to engage in an evening exercise on death and dying.

Week 1 (Aug 24): Furrow 105-178/TWEN material

• Intro to the course
• Review of syllabus
• Intro of faculty and students
• Expectations
• Abortion

Week 2 (Aug 31): Furrow 178-219

• Abortion (cont.)
• Never Rarely Sometimes Always (watch before class)
• Contraception
• Sterilization
• Maternal-Fetal Conflict
• NOTD: Davidson/Ryan

Week 3 (Sept 7): Furrow 219-274/Johnson 79-123

• Maternal-Fetal Conflict (cont.)
• Assisted Reproductive Technologies
• Cloning
• NOTD
**Week 4 (Sept 14): Furrow 275-316/Johnson 143-163**
- Cloning (cont.)
- Transplantation/
- Definition of Death
- NOTD

**Week 5 (Sept 21): Furrow 317-338/Johnson 53-79**
- Definition of Death (cont.)
- Life and Death Decisions
- NOTD

**Week 6 (Sept 28): Furrow 338-419/Johnson 123-143**
- Life and Death Decisions (cont.)
- Health Care Decision-making for Those With and Without Capacity
- NOTD

**Week 7 (Oct 5): Furrow 419-433/Johnson 9-25/Materials on TWEN**
- Health Care Decision-making for Those With and Without Capacity (cont.)
- Futility
- Informed Consent
- NOTD

**Week 8 (Oct 12):**
- Mid-Term Due by 4:00 p.m.
- Informed Consent (cont.)
- Midterm Oral Presentations
- NOTD

**Week 9 (Oct 19): Furrow 433-483**
- Death With Assistance
- Death Over Dinner (6 p.m. CT)

**Week 10 (Oct 26): Furrow 483-536**
- Death With Assistance (cont.)
- Human Subjects Research
- Movie: *3 Identical Strangers* (watch before class)
- NOTD

**Week 11 (Nov 2): Furrow 537-567/Johnson 163-187**
- Human Subjects Research (cont.)
- Public Health/Pandemic
- NOTD

**Week 12 (Nov 9)**
- Public Health/Pandemic (cont.)
- Overflow
- NOTD
**Week 13 (Nov 16):**
Final Exam Oral Presentations

**Week 14 (Nov 23): Thanksgiving Break**

**Week 15 (Nov 30):**
Final Exam Oral Presentations
Final Exams Due by 4:00 p.m.

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**Notice of Recording Policy**

Classes and lectures may not be recorded. Given this prohibition on recording, any student who “accesses, creates or disseminates audio or visual recording of a class session or assigned course-related activity[,] ... when the instructor has prohibited such recording[,]” “shall be guilty of an Honor Code violation.”

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The remaining statements are required by university policy to be included in each syllabus:

**Emergency Procedures**

We ask that you become familiar with Emergency Preparedness @ SIU. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and though text and email alerts. To register for alerts, visit: [http://emergency.siu.edu/](http://emergency.siu.edu/).

**Disability Policy**

SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to assure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreements for each course to the School of Law Registrar’s Office to ensure the School of Law provides the proper classroom and examination accommodations. Accommodation request and renewal forms can be found here: [https://law.siu.edu/academics/](https://law.siu.edu/academics/).
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SALUKI CARES. The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students, and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or siucares@siu.edu, https://salukicares.siu.edu/. Assistant Dean Judi Ray is available at the School of Law to help students access university resources. Please email her at judiray@siu.edu, or call 618-453-8135.

COVID-19. SIUC’s policy on face masks and social distancing is consistent with the guidance from the Centers for Disease Control and Prevention and the Illinois Department of Public Health. For up-to-date information, students, faculty, and staff should visit SIUC’s COVID website (https://siu.edu/coronavirus), which includes the Saluki Safety Plan. People can also send email to pandemicinfor@siu.edu.
Syllabus Attachment
Fall 2022

IMPORTANT DATES
Semester Classes Begin: 08/22/2022
Last day to add full-term course (without Dean’s signature): 08/28/2022
Last day to withdraw from the University with a full refund: 09/02/2022
Last day to drop a full-term course for a credit/refund: 09/04/2022
Last day to drop a full-term course (W grade, no refund): 10/30/2022
Final examinations: 12/12-16/2022

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at http://registrar.siu.edu/calendars. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at http://registrar.siu.edu/schedclass/index.php.

FALL SEMESTER HOLIDAYS
Labor Day 09/05/2022
Election Day 11/08/2022
Veteran’s Day 11/11/2022
Thanksgiving Break 11/19-11/27/2022

DIVERSITY
Southern Illinois University Carbondale’s goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: http://diversity.siu.edu. Additional informational flyer.

DISABILITY SUPPORT SERVICES
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MILITARY COMMUNITY
There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at http://veterans.siu.edu/.

STUDENT MULTICULTURAL RESOURCE CENTER
The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at: http://smrc.siu.edu/

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SAFETY AWARENESS FACTS AND EDUCATION
Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: http://safe.siu.edu

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WITHDRAWAL POLICY ~ Undergraduate only
Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar’s office. For the proper procedures for follow when dropping courses and when withdrawing from SIU visit: http://registrar.siu.edu/students/withdrawal.php.

SIU’S EARLY WARNING INTERVENTION PROGRAM (EWIP)
Students enrolled in courses participating in SIU’s Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the Core Curriculum’s webpage: https://corecurriculum.siu.edu/for-faculty/

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CATALOGS
catalog.siu.edu
gradcatalog.siu.edu
Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

CENTER FOR LEARNING AND SUPPORT SERVICES
Tutoring: http://tutoring.siu.edu/
Math Labs: http://math.siu.edu/courses/course-help.php

WRITING CENTER: http://write.siu.edu/

PLAGIARISM
See the Student Conduct Code: http://arr.siu.edu/student-conduct-code/

INCOMPLETE POLICY~ Undergraduate only
http://registrar.siu.edu/grades/incomplete.php

REPEAT POLICY
http://registrar.siu.edu/students/repeatclasses.php

MORRIS LIBRARY HOURS: http://library.siu.edu/hours

ADVISEMENT: https://advise.siu.edu/

SIU ONLINE: https://online.siu.edu/

Need help with an issue? Visit SALUKI SOLUTION FINDER at http://solutionfinder.siu.edu/