



## PUBLIC HEALTH LAW (LAW 668) SYLLABUS<sup>1</sup> - SPRING 2021

### FIRST WEEK

**CLASS TIMES:** Tu & Th 1:30 – 2:45 pm (online – see TWEN home page for zoom link)

**CONTACT:** Prof. Jennifer Brobst (Office Rm. 244, [jbrobst@siu.edu](mailto:jbrobst@siu.edu), 618-453-8702)

**OFFICE HOURS:** By appointment

**COURSE DESCRIPTION:** This three-credit seminar course will provide students with an understanding of the legal, theoretical, and practical sources and aspects of public health law. Students will learn to identify the balance between private and public interests in health, safety, and privacy. An in depth analysis of constitutional, regulatory, and other legal frameworks will include discussion of police power, municipal law, and preemption. Major substantive topics will focus primarily on current American local, state and federal concerns, such as zoning, product labeling, vaccination, disaster relief, food security, quarantine, water safety, public health surveillance, and access to health care. A smaller focus on international and comparative public health policy will familiarize students with the diversity of public health needs and approaches, as well as international approaches to global risks to health and safety.

**LEARNING OBJECTIVES:** Students will learn to identify and interpret the intersection of local, state, national, and international law (e.g., quarantine or toxic spills), as well as modern regulatory regimes that may create tension with common law doctrines such as police power and *parens patriae*.

**ATTENDANCE.** For this course to be successful, it relies on thoughtful preparation and regular attendance for a vibrant exchange of ideas. According to the SIU School of Law Rules of Attendance, the *maximum* number of absences permitted in our course is four 75 minute classes.

**BOOKS AND READING MATERIALS.** All materials will be assigned each week and available online. There is no required book. We may use the following (free) collaborative work site: <https://writer.zoho.com/signup>

**WORKLOAD PREPARATION EXPECTATIONS.** According to ABA Standard 310(b)(1), a credit hour is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time. Our class is a 3-credit class meeting twice a week, *which means that you should prepare approximately three hours for every class*.

**EMAIL CORRESPONDENCE & TWEN.** Students must regularly check and be responsive to email communications with faculty. According to law school rules, students must use their assigned siu.edu email address for law school related business. This course will use the TWEN platform and emails will often be sent through this site.

**GRADED ASSIGNMENTS:** *Writing Across the Curriculum (WAC) Assignment*, which will include a white paper on a public health law topic of choice, as might be produced by a government or nonprofit agency to inform the public (20%) and an accompanying class presentation (5%); Final Exam (75%), which will be an open book take-home exam with short answer questions and an MPT (multistate performance test).

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<sup>1</sup> For additional university policies common to all classes, see <https://law.siu.edu/academics/semester-info/syllabi/sp-21.html> (Law School Syllabus and Provost's Syllabus Attachments)

DATE	SUBJECT	READING ASSIGNMENT (see TWEN Course Materials to find listed readings and prep questions for reading)
INTRODUCTION TO PUBLIC HEALTH LAW & POLICY		
<u>Week 1</u> T 1/19	Overview	<ol style="list-style-type: none"> <li>1) Article (2010) “The Ethics of Controlling Population Growth in the Developing World”</li> <li>2) <i>People v. Barrett</i> (Cal. 2012) excerpt on involuntary commitment rights</li> </ol>
Th 1/21	Guest presenter for first half of class – Prof. O’Neil	<ol style="list-style-type: none"> <li>1) <i>Antietam Battlefield KOA v. Hogan</i> (D. Md. 2020)</li> <li>2) <a href="https://www.npr.org/sections/goatsandsoda/2020/12/03/942303736/how-rich-countries-are-hoarding-the-worlds-vaccines-in-charts">https://www.npr.org/sections/goatsandsoda/2020/12/03/942303736/how-rich-countries-are-hoarding-the-worlds-vaccines-in-charts</a></li> <li>3) Skim added materials for guest presenter (involuntary commitment)</li> </ol>