



# LAWS8021

## Health Law

Session 1, Special circumstances 2021

*Macquarie Law School*

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### Disclaimer

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### Notice

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group activities on campus, and most will keep an online version available to those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

## General Information

Unit convenor and teaching staff

Senior Lecturer

George Tomossy

[george.tomossy@mq.edu.au](mailto:george.tomossy@mq.edu.au)

Credit points

10

Prerequisites

(Admission to JD and 80cp in LAWS units) or (admission to LLM)

Corequisites

Co-badged status

Unit description

As a result of increased globalisation, technological change and social transformations, domestic and global health issues and challenges have become increasingly interconnected. This unit examines how domestic and international law serve as important tools in the quest to prevent injury and disease by lowering health risks among populations. Students will learn about the principal domestic and international legal instruments, regulatory strategies, and enforcement approaches that exist to improve health and wellbeing in a variety of critical contemporary health related contexts. Consideration will also be given to the important role other actors, such as intergovernmental organisations, business and civil society, may play in promoting and protecting health.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

**ULO1:** Identify, evaluate, critique and apply fundamental doctrines, concepts, principles in health law

**ULO2:** Analyse governance frameworks and their relationship to legal frameworks in health systems

**ULO3:** Carry out advanced research, synthesis and integration of knowledge to generate appropriate responses to contemporary socio-legal problems in health law

**ULO4:** Produce an independent research report at an advanced level of written expression in accordance with formal writing conventions

## General Assessment Information

The Faculty of Arts Late Submission Policy requires that: "Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests." Applications for a special consideration are made electronically via [ask.mq.edu.au](https://ask.mq.edu.au) and should be accompanied by supporting documentation.

Word limits will be strictly applied and work above the word limit will not be graded. Footnotes and bibliographies are not included in word counts; however, footnotes are primarily to be used for referencing.

Assessments must be submitted in the format prescribed in detailed instructions provided on the unit iLearn page. All assessments in the unit are to be submitted electronically via Turnitin. Plagiarism detection software is used in this unit.

All assessments must be appropriately referenced, applying the *Australian Guide to Legal Citation* (4th ed).

Further instructions and marking rubrics for each of the assessments in the Unit will be provided on the unit's iLearn page.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Research Plan</a>	20%	No	5 April 2021 (10:00 am)
<a href="#">Research Report</a>	50%	No	7 June 2021 (10:00 am)
<a href="#">Oral Examination</a>	30%	No	7/6/21 to 18/6/21

### Research Plan

Assessment Type <sup>1</sup>: Presentation

Indicative Time on Task <sup>2</sup>: 20 hours

Due: **5 April 2021 (10:00 am)**

Weighting: **20%**

Students will submit a pre-recorded oral report with PowerPoint presentation on the topic area they plan to address in their research report. Further instructions will be provided on the unit's iLearn page.

On successful completion you will be able to:

- Identify, evaluate, critique and apply fundamental doctrines, concepts, principles in health law
- Analyse governance frameworks and their relationship to legal frameworks in health systems
- Carry out advanced research, synthesis and integration of knowledge to generate appropriate responses to contemporary socio-legal problems in health law

## Research Report

Assessment Type <sup>1</sup>: Report

Indicative Time on Task <sup>2</sup>: 50 hours

Due: **7 June 2021 (10:00 am)**

Weighting: **50%**

Students will apply their understanding of fundamental doctrines, concepts, principles and values in health law through an independent research report (max. 4,000 words) on a topic provided by the unit convenor. Further instructions will be provided on the unit's iLearn page.

On successful completion you will be able to:

- Identify, evaluate, critique and apply fundamental doctrines, concepts, principles in health law
- Analyse governance frameworks and their relationship to legal frameworks in health systems
- Carry out advanced research, synthesis and integration of knowledge to generate appropriate responses to contemporary socio-legal problems in health law
- Produce an independent research report at an advanced level of written expression in accordance with formal writing conventions

## Oral Examination

Assessment Type <sup>1</sup>: Viva/oral examination

Indicative Time on Task <sup>2</sup>: 20 hours

Due: **7/6/21 to 18/6/21**

Weighting: **30%**

Through online (Zoom) interviews scheduled during the examination period, students will respond to questions and provide verbal clarification of arguments presented in their research reports. Students will also be expected to demonstrate their understanding of related concepts covered in the unit. Further instructions will be provided on the unit's iLearn page.

On successful completion you will be able to:

- Identify, evaluate, critique and apply fundamental doctrines, concepts, principles in health law
- Analyse governance frameworks and their relationship to legal frameworks in health systems

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<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

All Lectures for this unit are pre-recorded and can be accessed via the unit iLearn page at: <http://ilearn.mq.edu.au>

This unit will be delivered on an intensive basis online (via Zoom) on the dates and times specified at: <http://timetables.mq.edu.au> Instructions for online tutorials via Zoom will be provided on the unit's iLearn page.

Computer and stable Internet access are **required** in order to successfully complete this unit. Basic computer skills (e.g., internet browsing) and skills in word processing are also a requirement. All written assessments are to be submitted electronically via Turnitin.

### PRESCRIBED MATERIALS

The required textbook for this unit is:

- (1) Anne-Maree Farrell, John Devereux, Isabel Karpin and Penelope Weller, *Health Law: Frameworks and Context* (Cambridge University Press, 2017).
- (2) Further readings will be identified on the unit's iLearn page.

## Unit Schedule

Unit Schedule

#	Topic
1.	Global Health Law
2.	Patients' Rights and Health Governance
3.	The Therapeutic Relationship
4.	Capacity and Consent to Treatment
5.	Refusal of Treatment
6.	Health Information, Privacy and Confidentiality
7.	Genetics and Reproductive Technologies
8.	Law and the Human Body
9.	Special Topic 1 - Whistleblowers in Public Health Systems
10.	Special Topic 2 - Clinical Trials and Globalisation

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies) (<https://students.mq.edu.au/support/study/policies>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>) and use the [search tool](#).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of

Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

## Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](http://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.

## Changes from Previous Offering

Assessment regime and focus of unit has been significantly revised since the previous offering.