

Course Outline

COURSE:	LAWS 3508A – Health Law
TERM:	Fall 2023
PREREQUISITES:	1.0 credit in LAWS at the 2000 Level
CLASS:	Day & Time: Mondays, 11:35 am – 2:25 pm Room: Please check Carleton Central for current Class Schedule Online (combined synchronous/asynchronous); Brightspace
INSTRUCTOR:	Dr. Nadine Ijaz
CONTACT:	Office: D495LA (Loeb Building) Office Hrs: <i>By appointment, via Teams</i> Email: nadine.ijaz@carleton.ca ; please include the course code, LAWS3508A (Health Law) in the subject line of all course-related emails, which should be addressed as follows (or similar): “Dear Dr. Ijaz: ...” or “Hello Professor Ijaz:...”

CALENDAR COURSE DESCRIPTION

Legal/ethical issues in health care regulation. Topics may include: regulation of health professions; economics of health care; informed consent/choice; regulation of drugs, devices and research; medical malpractice and other liability; mental health issues; patient/client records.

COURSE DESCRIPTION

This course will provide a critical overview of selected aspects of Canada’s health care system, focused on three primary themes: a) access to health (including the Canada Health Act, what constitutes medically necessary care, debates around national Pharmacare and dental care, and notable health access gaps); b) the governance of medicines (including drugs, natural health products, and psychoactive substances such as cannabis and psilocybin); and, c) the governance of health care workers (including conventional biomedical as well as ‘traditional and complementary medicine’ practitioners).

REQUIRED TEXTS: *All required materials for this course are available on Brightspace / Ares.*

EVALUATION

Standing in a course is determined by the course instructor, subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Evaluation	Weight	Due
Quizzes 1 & 2	30% (15% each)	Quizzes take place on Monday 25 September 2023 (Quiz 1) and Monday 16 October 2023 (Quiz 2), opening at 11.35 am and closing at 12.35 pm
Reflections (500 words each)	30% (5% each, best 6 of 7)	Due Wednesdays 11.59 pm, the week of each session <u>Session 5</u> : Due 18 October, 11.59 pm <u>Session 6</u> : Due 1 November, 11.59 pm <u>Session 7</u> : Due 8 November, 11.59 pm <u>Session 8</u> : Due 15 November, 11.59 pm <u>Session 9</u> : Due 22 November, 11.59 pm <u>Session 10</u> : Due 29 November, 11.59 pm <u>Session 11</u> : Due 6 December, 11.59 pm
Final Essay (2500 words)	40%	Due Friday 8 December, 11.59 pm

Both Quizzes and the Final Essay, along with a minimum cumulative grade of 50% for six submitted Reflections, must be successfully completed in order to get a passing course grade.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late submissions (Reflections and Essays): A late penalty of 10% of the assignment grade per calendar day will be levied, regardless of how many 'hours' or 'minutes' late the assignment may be. As such, prepare yourself to submit all course reflections and the final essay in advance of the 'last minute'.

Extensions / make-up quizzes: The granting of extensions on reflections / essays or accommodation for a legitimate inability to write a quiz at the scheduled time, is determined by the instructor, who will confirm whether an extension is granted (and the length of the extension), and/or whether a make-up quiz is possible. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor **prior to the assignment due date or scheduled quiz date**: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

<p>Session # Date Format</p> <p>Topic</p>	<p>Required Readings and Other Materials</p>
<p><u>Session 1</u> 11 Sept. 2023 <i>Synchronous</i></p> <p>Introduction</p>	<p>Required readings: Course Syllabus</p> <p>Supplementary: TBA</p>
<p><u>Session 2</u> 18 Sept. 2023 <i>Asynchronous</i></p> <p>Health Governance in Canada I</p>	<p>REQUIRED</p> <p>Library of Parliament 2020. The <i>Canada Health Act: An Overview</i>. Ottawa: Library of Parliament.</p> <p>Chowdhury, M. Z. I., & Chowdhury, M. A. (2018). Canadian Health Care System: Who Should Pay for All Medically Beneficial Treatments? A Burning Issue. <i>International Journal of Health Services</i>, 48(2), 289–301.</p> <p>First Nations Health Authority. About Us. https://www.fnha.ca/Documents/FNHA_AboutUS.pdf</p> <p>Video: National Film Board 2011 (Shandel 1983). Bitter Medicine, Part One: The Birth of Medicare. (On Ares.)</p> <p>SUPPLEMENTARY</p> <p>Government of Canada, Canada Health Act (1984). https://laws-lois.justice.gc.ca/PDF/C-6.pdf</p>
<p><u>Session 3</u> 25 Sept. 2023 <i>Synchronous</i></p> <p><i>Quiz,</i> <i>Asynchronous</i> <i>Lecture</i></p> <p>Health Governance in Canada II</p>	<p>REQUIRED</p> <p>Marchildon, G., & Jackson, A. (2019). <i>Charting the path to national pharmacare in Canada</i>. Broadbent Institute.</p> <p>Quiñonez, C., & Figueiredo, R. (2010). Sorry Doctor, I Can't Afford the Root Canal, I Have a Job: Canadian Dental Care Policy and the Working Poor. <i>Canadian Journal of Public Health</i>, 101(6), 481–485.</p> <p>Government of Canada (2023). Canada Dental Benefit Factsheet. Access at: https://www.canada.ca/content/dam/hc-sc/documents/services/health/healthy-living/dental-oral/canada-dental-benefit-multilingual-resources/dental-benefit-factsheet-en.pdf</p> <p>Read the article and view the documentary here:</p>

	<p>Canadian Broadcasting Corporation 2017. <i>The High Cost of Pharmaceuticals: Canada's Drug Problem</i>. https://www.cbc.ca/news/fifthestate/the-high-cost-of-pharmaceuticals-canada-s-drug-problem-1.4248120</p>
<p><u>Session 4</u> 2 Oct. 2023 Synchronous</p> <p>Health Professional Governance</p>	<p>Guest Speaker: Christelle Money Penny, MSc</p> <p>REQUIRED</p> <p>Leslie, K., Moore, J., Robertson, C., Bilton, D., Hirschhorn, K., Langelier, M. H., & Bourgeault, I. L. (2021). Regulating health professional scopes of practice: Comparing institutional arrangements and approaches in the US, Canada, Australia and the UK. <i>Human Resources for Health</i>, 19(1), 15.</p> <p>MacFarlane, M. M. (2021). When a Canadian is not a Canadian: Marginalization of IMGs in the CaRMS match. <i>Canadian Medical Education Journal</i>.</p>
<p>NO CLASS (HOLIDAY) 9 Oct. 2023</p>	<p>Take a break!</p>
<p><u>Session 5</u> 16 Oct. 2023 Synchronous Quiz and Lecture</p> <p>Governing Pharmaceuticals</p>	<p>Guest Speaker: Joshua Kell, MA</p> <p>REQUIRED</p> <p>Sismondo, S. (2007). Ghost Management: How Much of the Medical Literature Is Shaped Behind the Scenes by the Pharmaceutical Industry? <i>PLoS Medicine</i>, 4(9), e286.</p> <p>Gagnon, M.-A., Herder, M., Graham, J., Fierlbeck, K., & Danyliuk, A. (2021). 5 Clinical Trial Data Transparency in Canada: Mapping the Progress from Laggard to Leader. In K. Fierlbeck, J. Graham, & M. Herder (Eds.), <i>Transparency, Power, and Influence in the Pharmaceutical Industry</i> (pp. 114–128). University of Toronto Press.</p>
<p>NO CLASS (FALL BREAK) 23 Oct. 2023</p>	<p>Take a break!</p>
<p><u>Session 6</u> 30 Oct. 2023 Synchronous</p> <p>Governing Natural Health Products</p>	<p>Guest Speaker: Professor Heather Boon BScPhm PhD</p> <p>REQUIRED</p> <p>World Health Organization. (2013). <i>WHO Traditional Medicine Strategy 2014-2023</i>. pp. 14 – 24. https://www.who.int/publications/i/item/9789241506096</p> <p>Rojas, P., Jung-Cook, H., Ruiz-Sánchez, E., Rojas-Tomé, I. S., Rojas, C., López-Ramírez, A. M., & Reséndiz-Albor, A. A. (2022). Historical Aspects of Herbal Use and Comparison of Current Regulations of Herbal Products between Mexico, Canada and the United States of America. <i>International Journal of Environmental Research and Public Health</i>, 19(23), 15690.</p> <p>Hammond, D., & Reid, J. L. (2016). If it looks like a duck and quacks like a duck...: Energy “shots” should be regulated as energy drinks in Canada. <i>Canadian Journal of Public Health</i>, 107(1), e133–e135.</p>

	<p><u>SUPPLEMENTARY</u></p> <p>Health Canada / Government of Canada 2022. <i>Natural Health Products</i>. https://www.canada.ca/en/health-canada/services/drugs-health-products/natural-non-prescription.html</p> <p>World Health Organization. (2019). <i>WHO global report on traditional and complementary medicine 2019</i>. World Health Organization. https://apps.who.int/iris/handle/10665/312342</p> <p>Zhong, L. L. D., Lam, W. C., Lu, F., Tang, X. D., Lyu, A., Bian, Z., & Boon, H. (2021). A Comparative Study for License Application Regulations on Proprietary Chinese Medicines in Hong Kong and Canada. <i>Frontiers in Medicine</i>, 8, 617625.</p>
<p><u>Session 7</u> 6 Nov. 2023 <i>Synchronous</i></p> <p>Governing Traditional and Complementary Medicine Practitioners</p>	<p>Ijaz, N., & Boon, H. (2018). Safety as ‘boundary object’: The case of acupuncture and Chinese medicine regulation in Ontario, Canada. In C. Brosnan, P. Violanto, & J.-A. Danell (Eds.), <i>Complementary and alternative medicine: Knowledge production and social transformation</i>. Palgrave Macmillan.</p> <p>Ijaz, N., Steinberg, M., Flaherty, T., Neubauer, T., & Thompson-Lastad, A. (2021). Beyond Professional Licensure: A Statement of Principle on Culturally-Responsive Healthcare. <i>Global Advances in Health and Medicine</i>, 10, 216495612110430.</p> <p>Video: <i>A Place to Breathe</i>. (Underexposed Films, 2020). (On Ares.)</p>
<p><u>Session 8</u> 13 Nov. 2023 <i>Synchronous</i></p> <p>Universal Basic Income</p>	<p>Guest Speaker: Career-on-Campus Team, <i>Preparing for a Job Interview</i></p> <p>Ferdosi M, McDowell T, Lewchuk W, Ross S 2020. Southern Ontario’s Basic Income Experience. Hamilton Community Foundation. https://labourstudies.socsci.mcmaster.ca/documents/southern-ontarios-basic-income-experience.pdf</p>
<p><u>Session 9</u> 20 Nov. 2023 <i>Synchronous</i></p> <p>Health Care for Migrant Workers</p>	<p>Guest Speaker: Gabriel Allahdua.</p> <p>Allahdua G & Dunsworth E 2023. Harvesting freedom: the life of a migrant worker in Canada. Toronto: Between the Lines. Chapters 13 and 20.</p> <p>Hennebry, J., McLaughlin, J., & Preibisch, K. (2016). Out of the Loop: (In)access to Health Care for Migrant Workers in Canada. <i>Journal of International Migration and Integration</i>, 17(2), 521–538.</p>
<p><u>Session 10</u> 27 Nov. 2023 <i>Asynchronous</i></p> <p>Governing Cannabis</p>	<p>Podcast: https://cannabislaw.ca/pages/russell-bennett-podcast Ted Talk: The Untapped Promise of Cannabis Legalization</p> <p>Owusu-Bempah, A. (2021). Where Is the Fairness in Canadian Cannabis Legalization? Lessons to be Learned from the American Experience. <i>Journal of Canadian Studies</i>, 55(2), 395–418.</p> <p>Wiese, J. L., Watson, T. M., Owusu-Bempah, A., Hyshka, E., Wells, S., Robinson, M., Elton-Marshall, T., & Rueda, S. (2023). Overpoliced and Underrepresented: Perspectives on Cannabis Legalization From Members of Racialized Communities in Canada. <i>Contemporary Drug Problems</i>, 50(1), 25–45.</p>

<p><u>Session 11</u> 4 Dec. 2023 <i>Asynchronous</i></p> <p>Governing Psychedelics</p>	<p>Celidwen, Y., Redvers, N., Githaiga, C., Calambás, J., Añaños, K., Chindoy, M. E., Vitale, R., Rojas, J. N., Mondragón, D., Rosalío, Y. V., & Sacbajá, A. (2023). Ethical principles of traditional Indigenous medicine to guide western psychedelic research and practice. <i>The Lancet Regional Health - Americas, 18</i>, 100410.</p> <p>Haden, M., Emerson, B., & Tupper, K. W. (2016). A Public-Health-Based Vision for the Management and Regulation of Psychedelics. <i>Journal of Psychoactive Drugs, 48</i>(4), 243–252.</p>
<p><u>Session 12</u> 8 Dec. 2023 <i>Synchronous</i></p> <p>Concluding Class</p>	<p>No required materials.</p>

Fall 2023 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
September 6, 2023	Fall term begins.
September 19, 2023	Last day for registration and course changes (including auditing) in fall and fall/winter courses.
September 30, 2023	Last day to withdraw from full fall and fall/winter courses with a full fee adjustment.
October 9, 2023	Statutory holiday. University closed.
October 23-27, 2023	Fall break, no classes.
November 15, 2023	Last day for academic withdrawal from full fall courses.
November 24, 2023	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in fall term or fall/winter undergraduate courses, before the official December final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
December 8, 2023	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule.
	Last day for final take-home examinations to be assigned, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.
	Last day that can be specified by an instructor as a due date for term work for full and late fall courses.
	Last day for receipt of applications for undergraduate degree program transfers for winter term.
December 10-22, 2023	Final examinations in full fall and late fall courses and mid-term examinations in fall/winter courses will be held. Examinations are normally held all seven days of the week.
December 22, 2023	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

University and Departmental Policies

DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

PLAGIARISM

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows.

Pregnancy Obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation Form that can be found at:

<https://carleton.ca/equity/contact/form-pregnancy-accommodation/>

Religious Obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>

Academic Accommodations for Students with Disabilities

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. Read more here:

<https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit:

<https://students.carleton.ca/services/accommodation/>.