

**Course description
The Law of Patient Care
Spring 2025**

Tuesday and Thursday; 4:00-5:30 PM

Michael S. Ewer, MD, LLM, PhD

Room 211

Required textbook:

10th (latest) edition of Hall, Orentlicher, Bobinski, Bagley & Cohen *Health Care Law and Ethics*

(Note: If you use an older version, much of the material is unchanged from the 9th edition but check for some of the newer cases and readings; page numbering is different. You are responsible for the material as assigned in the newest edition.)

Optional pre-course reading: Barash RF: *For Better or Worse: Lurching from Crisis to Crisis in America's Medical Morass*

PLEASE NOTE THE FOLLOWING: (Required Wording for Syllabus)

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the "Let's Talk" program, a drop-in consultation service at convenient locations and hours around campus.

http://www.uh.edu/caps/outreach/lets_talk.html.

The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. For more information, please refer to the University System's Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy

SAM 01.D.08. Please be aware that under the sexual misconduct policy, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note that the reporting obligations under the sexual misconduct policy reach to employees and students. Also, as a required reporting party, Law Center employees and faculty members are not a confidential resource.

Grading will be by a final exam that will include multiple choice questions and one or more essays. Further details will be provided during the first class session. The exam will be open book. You may bring your notes, your textbook, an outline you or your group created. You may not bring commercial outlines or outlines of other students where you did make a substantial contribution about the contents of the outline.

Provisional Syllabus—subject to revision will be distributed before the first day of class

Major topics to be discussed:

Formation and ending of the physician-patient relationship

Medical malpractice

Informed consent

Government regulation of health care

EMTALA

ERISA

Privacy and HIPAA overview

End of life and ethical considerations

Reproductive rights

Public health considerations

Organ transplantation and organ donorship

NOTE: As a new edition of the Hall textbook will be available, a more detailed outline with specific cases and page numbers will be provided at or before the first day of class.

COURSE GUIDELINES AND POLICIES

Video Recordings: Any asynchronous lectures and recorded class lectures will be available on Canvas. These recordings are for the sole educational purposes of allowing students to review asynchronous lectures and class recaps. Your contributions to class discussion, whether voluntary or while on call, will be included in the recording. Your continued registration in this class indicates your acquiescence to any such recording for the purposes described above.

Recording of Class by Students: Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of Professor Mantel. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use the instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Course Communications: All communications from the professors will be either posted on Canvas or sent to your official UH email address. Faculty use the Cougarnet email to respond to course-related inquiries such as grade queries or progress reports for reasons related to compliance with FERPA. To access your Cougarnet email, login to your Microsoft 365 account with your Cougarnet credentials. Visit University Information Technology (UIT) for instructions on how to connect your Cougarnet e-mail on a mobile device.

Webcams: Access to a webcam is required for students participating remotely in this course. Webcams must be turned on (state when webcams are required to be on and the academic basis for requiring them to be on). (Example: Webcams must be turned on during exams to ensure the academic integrity of exam administration.)

Syllabus Changes: Please note that the professors may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through email and Canvas.

Honor Code: The UHLC Honor Code applies to all aspects of the class. *You are responsible for knowing all Honor Code provisions and for complying with the Honor Code.* Please ask

Professor Mantel if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to the course. *It is an Honor Code violation to review the graded or ungraded assignments distributed to, or written by, any of students from prior years.* Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

OTHER INFORMATION

Chosen Names/Preferred Pronouns: We will gladly honor requests to use alternate names or gender pronouns—including non-binary ones such as they/them/theirs. Please advise us of your preference early in the semester so that we may make appropriate changes to our records.

Inclusive Learning Space This is an inclusive learning space. At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed. In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran's status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status and other diverse identities that we each bring to class. Our class is richer for this diversity.

Inclusive learning spaces facilitate the innovation and creative thought that enhance student success. This success arises from the participation, support, and understanding of you and your colleagues. We encourage you to speak up and to share your views, but also understand that you are doing so in a learning **Mental Health and Wellness Resources:** The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The Texas Lawyers' Assistance Program ("TLAP") also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

Reasonable Academic Adjustments/Auxiliary Aids: The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

Accessibility and Accommodations: UHLC is committed to ensuring that all students enjoy equal access and full participation. If you anticipate or experience barriers based on a disability (including any chronic or temporary medical or mental health condition), please feel free to reach out to us so that we may discuss options. If you require any support services, you may contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary is located in room 44A TU-II in the Office of Student Services suite, and she can be reached at sary@central.uh.edu or 713-743-7466. Requests for accommodation that involve graded assignments **must be directed to Ms. Ary** and should be made as soon as possible to allow adequate time to document and to process the request. If you observe religious or cultural holidays that will coincide with synchronous class sessions or conferences, please let us know as soon as possible, so that we may make arrangements.

Resources for Online Learning: The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website. Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, and Canvas; requesting a laptop through the Laptop Loaner Program; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

Academic Enrichment Program: The Academic Enrichment Program (AEP) is designed to provide academic support, counseling, and advice to first year students. In order to assist new students with developing the skills necessary for successful completion of law school, AEP offers open tutorial programs in the fall and spring. Second and third year law students with strong academics serve as Academic Enrichment Tutors, for first year fall classes. The tutors meet regularly, with first year students in the open sessions, to assist them with enhancing their law school study skills.

Security Escorts and Cougar Ride: UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called “Cougar Ride” that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Other Helpful Information:

Coogs Care: <https://uh.edu/dsa/coogscare/>

Student Health Center: <https://www.uh.edu/healthcenter/>
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