

NMED 3005 LEGAL ASPECTS OF HEALTHCARE

Course title	Code	Semester	Type of course	Course structure and volume (hours)			ECTS
Legal Aspects of Healthcare	NMED 3005	V	Mandatory	LECT	15	60	2
				SEMINAR	17		
				MIDTERM EX.	1		
				FINAL EX.	2		
				INDEP. WORK	25		
Faculty, the educational program and level of education	School of Dental Medicine One cycle (5-year duration) Higher Educational Program “Dentistry”						
Staff	Giorgi Tskhvediani, invited lecturer Giorgi.tskhvediani@bauinternational.edu.ge						
Duration	1,5 weeks						
Prerequisite	None						
Aim	The purpose of this course is to introduce to students the basic human rights in the field of health care, provisions under International Law, agreements, basic rights and obligations of patients and providers, modern approaches of international regulations in healthcare sector. Beside description of the fundamental rights and their executions, course aims to equip students with applicable knowledge of basic principles of regulation of healthcare system, as well as approaches to develop critical thinking abilities, comparing bioethical issues and their legislative regulations.						
Methods of Teaching/Learning	Interactive lectures, legal case discussions; Seminars, questions, discussion-debates						

Assessment System and Criteria	<p>The knowledge of the student is evaluated by 100 score-based evaluation system out of which 40 scores considered for the current assessment, 20 for midterm exam and 40 scores for the final exam.</p> <p>ASSESSMENT SYSTEM</p> <p>Verbal presentation (2 sessions, 2 points each) – 4 points, Testing (2 sessions, 5 points each) – 10 points; Discussion (5 sessions, 3 points each) – 15 points; Essay – 5 points; Presentation – 6 points; Midterm exam (MCQ, Open Questions) – 20 points; Final exam (MCQ, Open Questions) – 40 points.</p> <p>CURRENT ASSESSMENT:</p> <p>VERBAL PRESENTATION Demonstration of knowledge of theoretical topics, discussion over specific issues in the form of narration or answering questions. Assessment criteria 2 Points: The student is well prepared, thoroughly proficient in syllabus material. The answers to the questions are correct, justified and reasoned. The student is thoughtful and well versed in the problem area. 1 Points: The student knows only part of the syllabus topic, the answers to the questions are correct but incomplete / unreasonable. 0 Points: The student is completely unprepared. Does not have knowledge about syllabus topic, cannot answer any questions.</p> <p>TESTING Demonstration of theoretical knowledge, using simple multiple choice questions. Student gets 20 tests in each testing session. Every correct answer is awarded with point, incorrect, more than one or no answer – 0 point. Students gets share of 5 point evaluation based on the percentage of correct questions (100% equals 5 points, 50% - 2.5 points, etc.).</p> <p>DISCUSSION Demonstration the ability to interpret and argument the theoretical knowledge. Assessment criteria: Each discussion session is evaluated with 3 points regarding following criteria: 1 point: Argumentation; 1 point: Knowledge of factual material; 0.5 points: Engagement in the discussion; 0.5 points: Debating and listening culture.</p> <p>ESSAY Essay is oriented to demonstrate the ability to critically analyze the topic, demonstrate the ability of independent, critical thinking, identify the problem and, if necessary, suggest the personal opinion on how to solve them. Assessment criteria:</p>
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Essay is evaluated with 5 points regarding following criteria:

- 1 point:** Analysis;
- 1 point:** Problem identification;
- 1 point:** Argumentation of personal opinion;
- 1 point:** Novelty and independent thinking;
- 1 points:** Using appropriate language and terms;

All evaluation components are awarded as follows:

- Good – 1 point;
- Fair – 0.5 points;
- None/not acceptable – 0 points.

PRESENTATION

Students in pairs must prepare and present it in PPT format on given topic and present in front of a group.

Assessment criteria:

1.Demonstrations of theoretical knowledge - 3 points

- 1 point – fare
- 2 point – good
- 3 point - excellent

2.Academic level and design - 2 point;

- 1 point - visual and technical quality of the material - 1 point;
- 1 point - Review of the available materials related to the topic;

3.Presentation and communication skills - 1 point;

- Debating and listening culture - 0,5 point;
- Correct language and style - 0,5 point;

MIDTERM EXAM

Midterm exam is conducted in a test-based form (Multiple Choice Questions - MCQ). The test includes 50 questions and the value of each is 0.4 points. Every correct answer counts as 0.4 points, incorrect, more than one or no answer – o points. The highest possible score is 20.

FINAL EXAM - 40 points

Final exam is conducted in a written test form (Multiple Choice Questions – MCQ + short answer questions) MCQ. Exam test includes 50 MCQ questions with the value of each of 0.4 points and 20 short answer question with the value of each of 1 point.

Every correct answer in MCQ counts as 0.4 points, incorrect, more than one or no answer – o point. Fully correct answer in short-question test counts as 1 point, partial answer – 0.5 points, incorrect or no answer – o points.

The highest possible score is 40. Threshold is 50%

In summary, the student is awarded the credit in case he/she accumulates minimum 51% out of 100%.

POSITIVE SCORES:

	<ul style="list-style-type: none"> • (A) Excellent- 91 or more points; • (B) Very Good- 81-90 points; • (C) Good- 71-80 points; • (D) Satisfactory- 61-70 points; • (E) Enough- 51-60 points; <p>NEGATIVE SCORES:</p> <ul style="list-style-type: none"> • (FX) Failure - 41-50 points: the student needs more independent work and is granted a single attempt of exam retake; • (F) Fail - 40 points or less: the student's conducted work is not sufficient and needs to take the course again. <p>After the results of final exams are available, students with FX assessment have a right to retake an exam during an additional exam week in the same semester.</p> <p>An interval between a final and a corresponding additional exam must be at least 5 days after the results of a final exam become available</p>
The core literature	<ol style="list-style-type: none"> 1. Human rights in patient care. a practitioner guide – Georgia, 2011 Link 2. Health and human rights. Resource guide – FXB Center for health and human rights. Harvard school of public health, Harvard University, 2013 Link 3. Health-related issues in the case-law of the European Court of Human Rights, 2015 Link 4. Reader
The Legislative Sources	<ol style="list-style-type: none"> 1. Universal Declaration of Human Rights. UN. 1948 2. International Covenant on Civil and Political Rights. 1976 3. Convention on the Elimination of All Forms of Discrimination Against Women 4. Convention on the Rights of the Child 5. International Convention on the Rights of Persons with Disabilities 6. Universal Declaration on Bioethics and Human Rights 7. The World Medical Association's Declaration of Lisbon on the Rights of the Patient 8. European Convention on Human Rights and Biomedicine. 9. European Charter of Patients' Rights

Learning Outcomes

NQF*	COURSE LEARNING OUTCOMES	PROG LO-s	LEC TU RE	SEM INA R	TEAC HING IN SIMU LATIO N	MIDTE RM EX. I	FIN AL EXA M	ASSESSMENT METHODS
KNO WLED GE AND AWA RENE SS	<p>Student:</p> <ul style="list-style-type: none"> • Demonstrates knowledge of principles basic human rights, rights of patient and healthcare providers from the sources of international law; • Describes the principles of regulation of healthcare sector and functions of governance, executive and legislative bodies involved; • Explains the connection and differences between legal regulations of bioethical issues as well as public interests they derive from. 	3.1.	X	X		X	X	<p>MCQ</p> <p>Short Answer Questions</p> <p>Verbal Presentation</p> <p>Discussion</p> <p>Presentation</p>
SKILL S	<ul style="list-style-type: none"> • Applies knowledge of principles under the international law to comprehend legislation regulations of particular countries as well as to bind them with • Explains a case of the violation of the rights of the patient/healthcare provider. 	3.1. 7.1.		X				<p>Discussion</p> <p>Presentation</p>
RESP ONSI BILITY AND AUTO NOM Y	<ul style="list-style-type: none"> • Adapts to legal issues in working environment and reacts to challenges arising from a healthcare regulations in the professional work. <p>General Outcomes:</p> <ul style="list-style-type: none"> • Has the ability to manage information 	11.2. 11.3. 11.5.		X				<p>Discussion</p> <p>Essay</p>

	<ul style="list-style-type: none"> • Has the ability of problem solveing, critical thinking and decision making • Has the ability to renew learning / knowledge permanently 							
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Learning Course Content

Weeks	Topics	Lecture (Hrs.)	Seminar (Hrs.)
I	Lecture I: THE ESSENCE, CONCEPT AND PURPOSE OF THE LAW History of law. Sources of law. Methods of Law Literature: 4.	1	
	Lecture II: LAW SYSTEMS Continental European Law, Anglo-American Law. The main sources of medical law Literature: 4.	1	
	Seminar I: Discussion #1: Essence of law: “right” vs “legit”, effectiveness of law system for healthcare regulation		2
II	Lecture III-IV. THE BASIC HUMAN RIGHTS IN THE INTERNATIONAL LAW International Public Law system. Legal Documents of international law <i>Universal Declaration of Human Rights 1948 (UDHR)</i> <i>International Covenant on Civil and Political Rights (ICCPR)</i> <i>Convention on the Elimination of All Forms of Discrimination Against Women</i> <i>Convention on the Right of Child</i> <i>Convention on the Right of Persons with Disabilities</i> <i>Universal Declaration on Bioethics and Human Rights</i> <i>The World Medical Association’s Declaration on the Rights of the Patient</i> <i>European Convention on Human Rights and Biomedicine</i> <i>European Charter of Patients’ Rights</i> Literature: 1, 2	1	
		1	
	Seminar II. Verbal presentation #1 / Discussion #2 Challenges of the medical/healthcare law		2
III	Lecture V-VII. RIGHTS OF PATIENTS Overview of the Legal Documents in terms of the rights and obligations of patients <i>RIGHT OF LIBERTY AND SECURITY</i> <i>RIGHT OF PRIVACY</i> <i>RIGHT OF INFORMATION</i> <i>RIGHT TO BODILY INTEGRITY</i> <i>RIGHT TO LIFE</i> <i>RIGHT TO THE HIGHEST ATTAINABLE STANDART OF HEALTH</i>	1	
		1	

	<p><i>RIGHT FOR FREEDOM FROM TORTURE</i></p> <p><i>RIGHT TO PARTICIPATE</i></p> <p><i>RIGHT TO EQUALITY</i></p> <p>Literature: 1</p>	1	
	<p>Seminar III. Verbal presentation #2</p> <p>Case study – rights of the patients</p>		2
IV	<p>Lecture VIII-IX. RIGHTS OF HEALTH CARE PROVIDERS</p> <p>Overview of the historical Legal Documents of law in terms of the rights and obligations of health care providers</p> <p><i>RIGHT TO WORK</i></p> <p><i>RIGHT TO DECENT AND SEFA WORKING ENVIRONMENT</i></p> <p><i>RIGHT OF FREEDOM OF ASSOCIATION</i></p> <p><i>RIGHT OF BARGAIN AND RIGHT TO STRIKE</i></p> <p><i>RIGHT TO FAIR REMUNERATION</i></p> <p><i>RIGHT TO DUE PROCESS</i></p> <p><i>RIGHT TO EFFECTIVE REMEDY</i></p> <p><i>RIGHT TO INDEPENDENT JUDGMENT</i></p> <p><i>RIGHT TO REFUSE TREATMENTS</i></p> <p>Literature: 1</p>	1	
		1	
	<p>Seminar IV. Verbal presentation #3</p> <p>Cases on rights of the healthcare providers</p>		2
	Seminar V. Testing#1 Basic human rights		1
V	<p>Lecture X-XI. RESPONSIBILITIES OF HEALTHCARE PROVIDERS</p> <p><i>RESPONSIBILITY TO CONSIDER PATIENTS' INTERESTS</i></p> <p><i>RESPONSIBILITY TO PROVIDE CARE</i></p> <p><i>RESPONSIBILITY TO ENSURE QUALITY OF CARE</i></p> <p><i>RESPONSIBILITY TO INFORM PATIENTS/RELATIVES</i></p> <p><i>RESPONSIBILITY TO OBTAIN INFORMED CONSENT</i></p> <p><i>RESPONSIBILITY TO MAINTAIN CONFIDENTIALITY</i></p> <p><i>RESPONSIBILITY TO KEEP MEDICAL RECORDS</i></p> <p><i>RESPONSIBILITY TO SUBMIT REPORT/INFORMATION</i></p> <p><i>RESPONSIBILITIES AND DUTIES BEFORE COLLEAGUES AND PROFESSION</i></p> <p><i>RESPONSIBILITY TO UNDERGO MEDICAL EXAMINATION</i></p> <p>Literature: 1</p>	1	
		1	
	<p>Seminar V. Verbal presentation #4.</p> <p>Cases on responsibilities of the healthcare providers</p>		2
VI	<p>Lecture XII-XIII. LEGAL CASE OVERVIEW</p> <p>Health-related issues in the case-law of European Court of Human Rights</p> <p><i>Obligation to provide appropriate medical care</i></p> <p><i>Informed consent</i></p> <p><i>Protection of medical data</i></p>	1	

	<i>Medical negligence</i> <i>Medical assisted procreation</i> <i>Surrogacy</i> <i>Abortion</i> <i>Prenatal testing</i> <i>End-of-life situations</i> Literature: 1, 3,	1	
	Seminar VI. Discussion#3 – interpretation of patient and healthcare providers’ rights		1
	Seminar VII. Discussion#4: Right to Life & Right to Non-discrimination and Equality in the SARS COVID 19 treatment		1
VII	Lecture XIV. HEALTHCARE AND LEGISLATION Health related issues in other branches of law <i>Health related issues in civil law</i> <i>Health related issues in criminal law</i> <i>Health related issues in public law</i>	1	
	Lecture XV. FIELD SPECIFIC HEALTHCARE LAW Field specific healthcare issues in law Healthcare law for dentists Healthcare law for nurses Healthcare law for specific healthcare providers	1	
	Seminar VIII. Testing#2 Rights and responsibilities of patients and healthcare providers		1
	Seminar IX. Discussion#5 – Bioethics and legislation		1
VIII	Seminar XI. Group Presentation		2
	Midterm exam		1
XVII-XXII	Final Exam		2