

# HLTH 3018 ETHICAL AND LEGAL ISSUES IN HEALTH CARE

**Credit Points** 10

**Legacy Code** 401408

**Coordinator** Elizabeth Atteya ([https://directory.westernsydney.edu.au/search/name/Elizabeth Atteya/](https://directory.westernsydney.edu.au/search/name/Elizabeth%20Atteya/))

**Description** From 2020 this unit replaces 400249 - Ethical and Legal Issues in Health Care. This unit enables students to explore and develop an understanding of the ethical and legal issues important within contemporary health care. Through the use of case studies students will analyse profound ethical and legal challenges facing current health care that are equally important to health professionals, patients/clients and society generally. Critical thinking about these issues will be encouraged. Students will also be encouraged to consider differing theoretical perspectives in their examination of ethical issues. Additionally, students studying to work within health care, including complementary medicine, will develop a comprehensive understanding of the requirements for ensuring that their practice conforms to legal doctrines and ethical standards.

**School** Health Sciences

**Discipline** Health, Not Elsewhere Classified.

**Student Contribution Band** HECS Band 2 10cp

Check your HECS Band contribution amount via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/fees/](https://www.westernsydney.edu.au/currentstudents/current_students/fees/)) page.

**Level** Undergraduate Level 3 subject

**Equivalent Subjects** JUST 3005 - Ethical and Legal Issues in Health Care

## Learning Outcomes

On successful completion of this subject, students should be able to:

- Critically evaluate the relationship between ethics and law and describe the key components of each.
- Critically analyse the legal and ethical context in which health care occurs and its importance in relation to risk management.
- Debate the inter-connection between the rights and responsibilities of patients/clients, health practitioners and the wider community within a health care systems.
- Debate and appraise legal principles and doctrines relevant to health care.
- Outline the process by which legal rules are determined and changed.
- Critically evaluate ethical decision-making frameworks in order to evaluate their effectiveness in justifying a response to ethical dilemmas.
- Critique and apply differing theoretical perspectives and legal principles in relation to ethical issues.
- Analyse the social and political context of health care and identify the differences between policy and practice in health care implementation.
- Appraise ethical and legal issues in relation to the practice of complementary and alternative medicine and its relationship with conventional medicine.

## Subject Content

1. Ethics:

- The relationship between ethics and Law
- A Definition of ethics and Ethical behaviour
- professional codes of ethics
- historical perspectives on The relationship between complementary and alternative medicine (CAM) and conventional medicine
- Ethics and morality: moral reasoning; morality and the law; the role of emotion
- Ethical theories/approaches and decision-making frameworks
- Ethical principles: autonomy; non-maleficence; beneficence; justice; and their applicability within health care
- Veracity in health care
- The ethics of medical expert testimony
- The ethics of child protection work in health care: mandatory reporting/difficulty of false accusations
- The contradictions between public health and individual rights
- Ethical Issues in current health debates: Vaccination, pesticides and fluoride
- globalisation, profit motives and The pharmaceutical industry
- Current issues in ethics and law: quality of life and sanctity of life issues; health care as a right; ethical aspects of health resource allocation; ethical research and experimentation
- Understanding evidence based medicine, its advantages and disadvantages, in mainstream medicine and complementary/ alternative medicine

2. Law:

- The relationship of ethics to Law
- how laws are made: statute Law and common Law
- Classifications of Law: substantive and procedural law; criminal and civil law and their relevance to health care
- Consent: legal requirements; potential actions in law; ethical underpinnings
- Negligence: Duty of care; Standard of Care; Damage and Litigation
- Professional and client relationships: foundational principles and characteristics; rights and responsibilities; privacy and confidentiality; complaints mechanisms
- Workplace issues: vicarious liability; OH&S requirements, privacy and freedom of information; EEO; New Industrial Relations Laws
- Specific legal requirements of professional practice: including poisons act and administration of drugs, including complementary medicines; Quarantine and Customs requirements and the Therapeutic Goods Administration; Registration and disciplinary proce
- The Importance of ensuring that practice conforms to legal Doctrine and Ethical Standards and its relationship to Risk management

## Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Item	Length	Percent	Threshold	Individual/ Group Task
Presentation	30 minutes	30	N	Group
Essay	2,000 words	40	N	Individual

Quiz	4	20	N	Individual
	questions/10			
	minutes per			
	quiz			

Participation	11 weeks	10	N	Individual
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#### Prescribed Texts

- Kerridge, I., Lowe, M., & Stewart, C. (2013). Ethics and law for the health professions (4th ed.). Annandale, NSW: The federation Press.

#### Teaching Periods

## Summer A

### Online

#### Online

**Subject Contact** Elizabeth Atteya ([https://directory.westernsydney.edu.au/search/name/Elizabeth Atteya/](https://directory.westernsydney.edu.au/search/name/Elizabeth%20Atteya/))

View timetable ([https://classregistration.westernsydney.edu.au/even/timetable/?subject\\_code=HLTH3018\\_22-SUA\\_ON\\_O#subjects](https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=HLTH3018_22-SUA_ON_O#subjects))

## Spring

### Campbelltown

#### Day

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View timetable ([https://classregistration.westernsydney.edu.au/even/timetable/?subject\\_code=HLTH3018\\_22-SPR\\_CA\\_D#subjects](https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=HLTH3018_22-SPR_CA_D#subjects))

### Online

#### Online

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## Sydney City Campus - Term 3

### Sydney City

#### Day

**Subject Contact** Andrey Zheluk ([https://directory.westernsydney.edu.au/search/name/Andrey Zheluk/](https://directory.westernsydney.edu.au/search/name/Andrey%20Zheluk/))

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