

LAWS 3050 MEDICAL LAW

Credit Points 10

Legacy Code 200856

Coordinator Timothy Bowen ([https://directory.westernsydney.edu.au/search/name/Timothy Bowen/](https://directory.westernsydney.edu.au/search/name/Timothy%20Bowen/))

Description This unit aims to provide knowledge and understanding of Australian medical law, including some cutting edge legal and policy issues that arise in this field. Medical law is an exceptionally vibrant and challenging field, underpinned by the rapid pace of scientific and social developments that generate new issues for medicine and for the law. Many of the more challenging issues for the law are at the core of policy - birth and reproduction, choice and responsibility, life and death.

School Law

Discipline Legal Practice

Student Contribution Band HECS Band 4 10cp

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

Level Undergraduate Level 3 subject

Pre-requisite(s) LAWS 2013 AND
LAWS 3082 AND
LAWS 2008 AND
LAWS 2004 AND
LAWS 2003

Learning Outcomes

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

1. Identify and evaluate medico legal principles from primary and secondary legal sources.
2. Analyse and apply legal principles to specific medical fact situation.
3. Analyse and describe the relationship between law, medicine and ethics.
4. Evaluate recent and potential areas appropriate for medical law reform.
5. Communicate effectively, orally and in writing.
6. Identify and evaluate the key concepts and principles of medical law.

Subject Content

Privacy, confidence and medical record access.
Consent / trespass; consent / incapacity; Intentional act / harm claims
Negligence - Duty and breach, conflicting duties.
Civil liability legislation impacts
Limitation periods
Assessment of damages
Expert evidence and immunity.
Beginning and end of life
Discipline, mandatory reporting and crime
Coronial jurisdiction
Wrongful life and birth
Causation
Apportionment
Duties to third parties
Vicarious liability and non delegable duties
Mental harm claims
Contract and Australian Consumer Law claims

Medicare
Insurance
Alternative dispute resolution
Open disclosure

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
Multiple Choice Quiz	30 minutes	10	N	Individual
Case Study: Problem Question	3000 words including footnotes.	35	N	Individual
Short Answer Test	30 minutes	20	N	Individual
Assignment	3000 words including footnotes	35	N	Individual

Prescribed Texts

- William Madden and Janine McIlwraith, Australian Medical Liability (LexisNexis Butterworths, 2nd ed, 2013)

Teaching Periods

Spring Parramatta - Victoria Rd

Evening

Subject Contact Timothy Bowen ([https://directory.westernsydney.edu.au/search/name/Timothy Bowen/](https://directory.westernsydney.edu.au/search/name/Timothy%20Bowen/))

View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS3050_22-SPR_PS_E#subjects)