

PubH 7730
Public Health Laws, Rules and Regulations
Spring 2018

Credits: 1

Meeting Days: January 4 – May 13, 2018*, with on-campus dates as follows:

- Thursday, January 4, 2018, 9:15-12:00
- Friday January 5, 2018, 8:30-12:00, 1:00-4:45
- Saturday, January 6, 2018, 8:30-12:00

*Although students complete course work early in the semester, their grades will not be posted to the University system until the end of the semester.

Meeting Place: TBN

Instructor: Anne M. Barry, MPH, JD

Office Address: TBN Mayo Building

Cell Phone: 612-743-7183

E-mail: barr0369@umn.edu

Office Hours: available upon request

I. Course Description

This course will address basic concepts of public health law and the legal bases for the existence and administration of public health programs. Balancing the legal aspects of current public health issues, controversies, individual rights and the regulatory role of government in health service systems will be considered.

II. Course Prerequisites

None required.

III. Course Goals and Objectives

Upon completion of this course, students will be able to:

- Understand the principles of public health law, rules, and regulations and the basic constitutional and regulatory powers in public health law.
- Critically analyze various public health activities by balancing the rights of individuals and the legal powers and duties to assure optimum population health.

IV. Methods of Instruction and Work Expectations

Assigned Readings, Group Exercises

The course will closely follow assigned readings. Generally class will be divided into two portions. The first section will be a review of the assigned reading materials. The second portion will be a classroom group exercise. All students will be required to participate in in-class group exercises.

Exams

There will be two written examinations. One you will take while on campus and one will be sent when you complete the sessions for our class. The midterm and final exams will be written exams. Class participation and attendance are also part of the course grade. The total points available will be 200 points.

V. Course Text and Readings

There is no textbook for this course. The following readings from a series by Lawrence Gostin will be assigned. In addition, there will be a few cases assigned for class.

- Gostin, L.O. (2000). Public Health Law in a New Century Part I: Law as a Tool to Advance the Community's Health. JAMA. Vol. 283. No 21. pp. 2839-2841.
- Gostin, L.O. (2000) Public Health Law in a New Century Part II: Public Health Powers and Limits. JAMA. Vol 283. No 22. pp. 2979-2984.
- Gostin, L.O. (2000) Public Health Law in a New Century Part III: Public Health Regulation: A Systemic Evaluation. JAMA Vol. 283. No 23. pp. 3118-3122
- Gostin, L.O. (2002) Public Health Law: Rethinking Individual Rights and Common Goods. Law & Terrorism. Vol. 21. No 6. pp. 79-93
- Richards, E. P., O'Brien, T.O., Rathbun, K.C. (2002). Bioterrorism and the Use of Fear in Public Health. The Urban Lawyer. Vol. 34. No 3. pp. 685-726.

Cases:

- *Jacobson v. Massachusetts*
- *US v. Westinghouse*
- *Central Hudson*

VI. Course Outline/Weekly Schedule

Date	Class Work	Readings
Thursday, 1/4/18	<ul style="list-style-type: none">• Introduction to Course/Defining Public Health Law• Public Health and the	Reading: Public Health in a New Century Parts I and II.

	Constitution and Individual Rights	Case: <i>Jacobson v. Massachusetts</i>
Friday, 1/5/18	<ul style="list-style-type: none"> Public Health Regulation Public Health Information and Privacy Laws Health Communication 	Readings: Public Health Law in a New Century Part III Cases: <i>US v. Westinghouse</i> , <i>Central Hudson</i>
Saturday, 1/6/18	<ul style="list-style-type: none"> Restrictions on Individuals/Emergency Preparedness Economic Behavior and Public Health Public Health in the Future 	Readings: Gostin and Richards on Emergency Preparedness The Model Emergency Powers Act
Saturday, 1/6/18	Midterm Examination	
Sunday, 1/14/2018, due by 10:00 pm	Final Examination	
Tuesday, 1/17/2018 7-8pm CST	Telephone Conference call to discuss Final Exam	

VII. Evaluation and Grading

Grading is determined by the following point distribution:

The following points will be assessed for each part of class.

Activity	Points
Class attendance/participation	50
Midterm exam	50
Final exam	100
Total	200

A letter grade will be determined based on total effort as follows:

		B+	174-179 points	C+	154-159 points		
A	190-200 points	B	166-173 points	C	146-153 points	D	120-139 points
A-	180-189 points	B-	160-165 points	C-	140-145 points	F	<120 points

S: Achievement that is satisfactory will be based on completion of all assignments and receiving a minimum of 70 points.

F (or N): Failure (or no credit) signifies that the work was either (1) completed but at a level of achievement that is not worthy of credit or (2), not completed and there was no agreement between the instructor and the student that the student would be awarded an “incomplete” grade.

Attendance: Because this class only provides for 3 days during which you will be on campus and taught in person, no unexcused absences from class are permitted before you will be penalized for participation. For each day missed, your class participation grade will be reduced 1% (up to 10%).

Late Policy: This course covers a large amount of material in a short time. The group and class activities depend on the active and timely participation of all students. Therefore late assignments or make up exams quizzes will not be accepted absent a showing of unforeseeable circumstances.

Academic Integrity Policy: The goal of this course is to enable students to read and interpret public health laws and regulations, as well as to interpret relevant case law. I expect that students will complete the midterm and final exam INDEPENDENTLY, without assistance from any other people. If I have any reason to suspect that a student gave assistance on exam to another student or received assistance on an exam from another student or a person outside the class, I will file a claim with the Office of Student Conduct and Academic Integrity.

The University utilizes plus and minus grading on a 4.000 cumulative grade point scale in accordance with the following:

A	4.000 - Represents achievement that is outstanding relative to the level necessary to meet course requirements
A-	3.667
B+	3.333
B	3.000 - Represents achievement that is significantly above the level necessary to meet course requirements
B-	2.667
C+	2.333
C	2.000 - Represents achievement that meets the course requirements in every respect
C-	1.667
D+	1.333
D	1.000 - Represents achievement that is worthy of credit even though it fails to

	meet fully the course requirements
S	Represents achievement that is satisfactory, which is equivalent to a C- or better.

For additional information, please refer to:

<http://policy.umn.edu/Policies/Education/Education/GRADINGTRANSCRIPTS.html>.

Course Evaluation

The SPH will collect student course evaluations electronically using a software system called CourseEval: www.sph.umn.edu/courseeval. The system will send email notifications to students when they can access and complete their course evaluations. Students who complete their course evaluations promptly will be able to access their final grades just as soon as the faculty member renders the grade in SPHGrades: www.sph.umn.edu/grades. All students will have access to their final grades through OneStop two weeks after the last day of the semester regardless of whether they completed their course evaluation or not. Student feedback on course content and faculty teaching skills are an important means for improving our work. Please take the time to complete a course evaluation for each of the courses for which you are registered.

Incomplete Contracts

A grade of incomplete “I” shall be assigned at the discretion of the instructor when, due to extraordinary circumstances (e.g., documented illness or hospitalization, death in family, etc.), the student was prevented from completing the work of the course on time. The assignment of an “I” requires that a contract be initiated and completed by the student before the last official day of class, and signed by both the student and instructor. If an incomplete is deemed appropriate by the instructor, the student in consultation with the instructor, will specify the time and manner in which the student will complete course requirements. Extension for completion of the work will not exceed one year (or earlier if designated by the student’s college). For more information and to initiate an incomplete contract, students should go to SPHGrades at: www.sph.umn.edu/grades.

University of Minnesota Uniform Grading and Transcript Policy

A link to the policy can be found at onestop.umn.edu.

VIII. Other Course Information and Policies

Grade Option Change (if applicable):

For full-semester courses, students may change their grade option, if applicable, through the second week of the semester. Grade option change deadlines for other terms (i.e. summer and half-semester courses) can be found at onestop.umn.edu.

Course Withdrawal:

Students should refer to the Refund and Drop/Add Deadlines for the particular term at onestop.umn.edu for information and deadlines for withdrawing from a course. As a courtesy, students should notify their instructor and, if applicable, advisor of their intent to withdraw.

Students wishing to withdraw from a course after the noted final deadline for a particular term must contact the School of Public Health Office of Admissions and Student Resources at sph-ssc@umn.edu for further information.

Student Conduct Code:

The University seeks an environment that promotes academic achievement and integrity, that is protective of free inquiry, and that serves the educational mission of the University. Similarly, the University seeks a community that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the University; and that does not threaten the physical or mental health or safety of members of the University community.

As a student at the University you are expected adhere to Board of Regents Policy: *Student Conduct Code*. To review the Student Conduct Code, please see: http://regents.umn.edu/sites/default/files/policies/Student_Conduct_Code.pdf.

Note that the conduct code specifically addresses disruptive classroom conduct, which means "engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or student learning. The classroom extends to any setting where a student is engaged in work toward academic credit or satisfaction of program-based requirements or related activities."

Use of Personal Electronic Devices in the Classroom:

Using personal electronic devices in the classroom setting can hinder instruction and learning, not only for the student using the device but also for other students in the class. To this end, the University establishes the right of each faculty member to determine if and how personal electronic devices are allowed to be used in the classroom. For complete information, please reference: <http://policy.umn.edu/Policies/Education/Education/STUDENTRESP.html>.

Scholastic Dishonesty:

You are expected to do your own academic work and cite sources as necessary. Failing to do so is scholastic dishonesty. Scholastic dishonesty means plagiarizing; cheating on assignments or examinations; engaging in unauthorized collaboration on academic work; taking, acquiring, or using test materials without faculty permission; submitting false or incomplete records of academic achievement; acting alone or in cooperation with another to falsify records or to obtain dishonestly grades, honors, awards, or professional endorsement; altering, forging, or misusing a University academic record; or fabricating or falsifying data, research procedures, or data analysis. (Student Conduct Code: http://regents.umn.edu/sites/default/files/policies/Student_Conduct_Code.pdf) If it is determined that a student has cheated, he or she may be given an "F" or an "N" for the course, and may face additional sanctions from the University. For additional information, please see: <http://policy.umn.edu/Policies/Education/Education/INSTRUCTORRESP.html>.

The Office for Student Conduct and Academic Integrity has compiled a useful list of Frequently Asked Questions pertaining to scholastic dishonesty: <http://www1.umn.edu/oscai/integrity/student/index.html>. If you have additional questions, please clarify with your instructor for the course. Your instructor can respond to your specific questions regarding what would constitute scholastic dishonesty in the context of a

particular class-e.g., whether collaboration on assignments is permitted, requirements and methods for citing sources, if electronic aids are permitted or prohibited during an exam.

Makeup Work for Legitimate Absences:

Students will not be penalized for absence during the semester due to unavoidable or legitimate circumstances. Such circumstances include verified illness, participation in intercollegiate athletic events, subpoenas, jury duty, military service, bereavement, and religious observances. Such circumstances do not include voting in local, state, or national elections. For complete information, please see:

<http://policy.umn.edu/Policies/Education/Education/MAKEUPWORK.html>.

Appropriate Student Use of Class Notes and Course Materials:

Taking notes is a means of recording information but more importantly of personally absorbing and integrating the educational experience. However, broadly disseminating class notes beyond the classroom community or accepting compensation for taking and distributing classroom notes undermines instructor interests in their intellectual work product while not substantially furthering instructor and student interests in effective learning. Such actions violate shared norms and standards of the academic community. For additional information, please see:

<http://policy.umn.edu/Policies/Education/Education/STUDENTRESP.html>.

Sexual Harassment:

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment in any University activity or program. Such behavior is not acceptable in the University setting. For additional information, please consult Board of Regents Policy:

<http://regents.umn.edu/sites/default/files/policies/SexHarassment.pdf>

Equity, Diversity, Equal Opportunity, and Affirmative Action:

The University will provide equal access to and opportunity in its programs and facilities, without regard to race, color, creed, religion, national origin, gender, age, marital status, disability, public assistance status, veteran status, sexual orientation, gender identity, or gender expression. For more information, please consult Board of Regents Policy:

http://regents.umn.edu/sites/default/files/policies/Equity_Diversity_EO_AA.pdf.

Disability Accommodations:

The University of Minnesota is committed to providing equitable access to learning opportunities for all students. The Disability Resource Center Student Services is the campus office that collaborates with students who have disabilities to provide and/or arrange reasonable accommodations.

If you have, or think you may have, a disability (e.g., mental health, attentional, learning, chronic health, sensory, or physical), please contact DRC at 612-626-1333 or drc@umn.edu to arrange a confidential discussion regarding equitable access and reasonable accommodations.

If you are registered with DS and have a current letter requesting reasonable accommodations, please contact your instructor as early in the semester as possible to discuss how the accommodations will be applied in the course.

For more information, please see the DS website, <https://diversity.umn.edu/disability/>.

Mental Health and Stress Management:

As a student you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance and may reduce your ability to participate in daily activities. University of Minnesota services are available to assist you. You can learn more about the broad range of confidential mental health services available on campus via the Student Mental Health Website: <http://www.mentalhealth.umn.edu>.

The Office of Student Affairs at the University of Minnesota:

The Office for Student Affairs provides services, programs, and facilities that advance student success, inspire students to make life-long positive contributions to society, promote an inclusive environment, and enrich the University of Minnesota community.

Units within the Office for Student Affairs include, the Aurora Center for Advocacy & Education, Boynton Health Service, Central Career Initiatives (CCE, CDes, CFANS), Leadership Education and Development –Undergraduate Programs (LEAD-UP), the Office for Fraternity and Sorority Life, the Office for Student Conduct and Academic Integrity, the Office for Student Engagement, the Parent Program, Recreational Sports, Student and Community Relations, the Student Conflict Resolution Center, the Student Parent HELP Center, Student Unions & Activities, University Counseling & Consulting Services, and University Student Legal Service.

For more information, please see the Office of Student Affairs at <http://www.osa.umn.edu/index.html>.

Academic Freedom and Responsibility: *for courses that do not involve students in research:*

Academic freedom is a cornerstone of the University. Within the scope and content of the course as defined by the instructor, it includes the freedom to discuss relevant matters in the classroom. Along with this freedom comes responsibility. Students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Students are free to take reasoned exception to the views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.*

** Language adapted from the American Association of University Professors "Joint Statement on Rights and Freedoms of Students".*

Student Academic Success Services (SASS): <http://www.sass.umn.edu>:

Students who wish to improve their academic performance may find assistance from Student Academic Support Services. While tutoring and advising are not offered, SASS provides resources such as individual consultations, workshops, and self-help materials.

Template update 9/2014