**MED 326 - MEDICAL LAW / Syllabus**
Curriculum offered by Atılım Univ. Medical School
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For : Phase 3, as an elective course for the academic year 2022-23, Spring semester

**Main Subjects**

1. ***Introduction to medical law and ethics***
2. ***Introduction to ethical theories***
3. ***Confidentiality***
4. ***Resource allocation***
5. ***Medical negligence***
6. ***Consent, capacity and information disclosure***
7. ***Consent and the incompetent patient***
8. ***Mental health law***
9. ***Assisted conception***
10. ***Abortion***
11. ***Organ donation***
12. ***End of life decisions (1): Assisted suicide and euthanasia***
13. ***End of life decisions (2) : DNR and others***
14. ***Medical Malpractice***

 **Course description :**
Medical law and ethics is a relatively new area of law that is growing in complexity by the day. Controversial and contemporary, medical law and ethics often acts as a reflection of our own society, as it is hoped the lectures in the this Course. Throughout the Course, the medical professional is referred to as ‘he’ and the patient as ‘she’. While the stereotypical nature of the analogy is regretted, the descriptions are accepted and commonplace.

The Course begins with an introduction to **Ethical concepts** in order that the reader gains an understanding of the issues that arise in following lectures. Then the area of **Confidentiality** is examined, a fundamental principle in the physician / patient relationship. Thereafter we move on to ***Resource Allocation*** and consider the Health and Social Care from financial point of view before moving on to a more detailed consideration of medical **Negligence**. Followingly **Consent** is explored before a part devoted to children and the law from a number of different perspectives. **Mental health** is a large and complex area in itself and it is hoped that the related 2 hour lecture will encourage the enquiring mind to read further. The currıiculum then moves on to ***bioethical issues*** from **birth to death**, with a lecture on ***assisted conception***, in which Pre-implantation Genetic Diagnosis (PGD), sex selection, ‘saviour siblings’ and surrogacy are discussed. These issues are contemporary, ongoing and steeped in ethical argument. After the lecture on abortion we examine ***organ transplantation***, an area brought to life by the question of whether it is ethically acceptable to sell a kidney. The Human Transplantation Act of Turkiye is considered as is the issue of presumed consent, as these are topical issues for the foreseeable future that are likely to directly concern many of us. ***End of life decisions*** and ***assisted suicide*** are never far from the gaze of the press and the assisted suicide lecture discusses the current legislation and ethics in as much depth as the time allows. It is hoped that the students will find this area of the law fascinating and the Course truly engaging.

 **Learning Objectives

By the end of this course students should be able to :**

• gain a basic understanding of the nature of medical law and ethics
• demonstrate an understanding of where to locate the law
• appreciate the importance of reading primary sources

* understand the relevance of ethical theories within bioethics
* appreciate different ethical theories
* demonstrate an ability to recognise ethical dilemmas & apply ethical theories in an attempt to solve them
* appreciate the ethical basis for the role of confidentiality and be able to appreciate the role of professional guidance
* understand the exceptions to the principle that medical records remain confidential
* demonstrate an understanding of the role of confidentiality in the competent child
* appreciate the reality of resource allocation
* understand the relevance of the daly & QALY
* understand the judicial approach towards cases of judicial review
* appreciate the application of the exceptionality criteria
* understand when a duty of care is established between the patient and the medical professional
* appreciate when a breach of duty of care arises
* appreciate the rules of causation / causality
* demonstrate a thorough understanding of medical negligence
* appreciate the importance of consent and identify the key elements
* appreciate the importance of informed consent
* demonstrate some understanding of advance decisions
* appreciate the circumstances in which a minor can consent to medical treatment
* understand the court’s approach to a child’s refusal of medical treatment
* develop an appreciation of the complexities of the issues
* understand the provisions of the Turkish Population Planning Act 1983
* understand the legal status of a foetus
* consider whether the body is property and understand the issues surrounding organ donation
* understand the difference between euthanasia and assisted suicide
* appreciate the statutory definition of assisted suicide & understand the ethical arguments
* understand issues relating to withholding or withdrawing treatment from a patient
in a persistent vegetative state
* conceive *Medical Malpractice* as a legal concept and its legal basis within the judicary

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**References** (selected) :Beginning Medical Law. C. Carr, 1st published 2015 by Routledge, NY, ISBN: 978-1-138-01301-8 (hbk)
Medical Ethics and Law, A curriculum for the 21st Century. D. Wilkinson, J. Herring, J. Savulescu, 3rd Ed., 2019, eBook ISBN: 9780702075971, Paperback ISBN: 9780702075964

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