

PUBLIC HEALTH LAW
Fall 2011
Professor Ikemoto

SYLLABUS

Course description: 2-unit seminar addressing legal and social issues arising from the use of government power to address health on a population basis. Discussion-based classes based on intensive reading. The course requires a research-based paper that, if completed, will satisfy the advance writing requirement.

When and Where

Class meetings: Mondays and Wednesdays, 2:10 – 3:00 p.m., room 2040

Except: Monday, Sept. 5 – Labor Day; Wednesday, Nov. 23

Thursday, Oct. 27, Noon: special guest speaker, Dr. Anita Allen, Kalamanzowitz
Appellate Courtroom – required attendance as make-up for Wed., Nov. 23.

Office: Room 2110

Telephone: 530/754-6463

Email: lcikemoto@ucdavis.edu

Office hours:

Tuesdays, 1:00 – 2:30 p.m.

Wednesdays: 3:00 – 4:00 p.m.

Reading Materials

Textbook: Kenneth Wing et al., Public Health Law (2007).

Other materials will be distributed in class or will be made otherwise available.

Course Requirements

Reading and class participation: Students are expected to have read and considered the readings before class and to contribute regularly to class discussion. The professor may reduce the final grade for failure to participate in class discussion, for failure to turn in written assignments on-time, and for failure to provide substantive comments on assigned works-in-progress. The professor may also reduce the final grade or dis-enroll a student for failure to attend class regularly and consistently.

Research Paper Topic: Due Wednesday, September 14, at the beginning of class

1-3 sentences in writing.

You must meet with Professor Ikemoto and receive pre-approval of your topic *before* September 14.

Research Paper Outline: Due Wednesday, October 5, at the beginning of class

2-5 pages in writing – must include major headings, sub-headings, and a one paragraph description of each major section of the paper; and a preliminary thesis statement.

Research Paper – Draft: Due ONE WEEK BEFORE your Work-in-Progress Presentation. Work-in-Progress Presentations will take place from November 9 to November 30.

Works-in-Progress Comments: You will have primary responsibility for providing written and oral comments on two works-in-progress by classmates. Your comments will be due in class when the relevant work-in-progress is presented. Criteria for comments will be distributed mid-semester, in class.

Research Paper – Final Paper: Due **Thursday, December 22, at NOON**. You may deliver a hard copy to me in my office or my mailbox, or you may email a copy to me at lcikemoto@ucdavis.edu

Reading Assignments

Page numbers listed below refer to the Wing et al. textbook, unless otherwise indicated.

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|---|--|
| I. An Introduction to Public Health in the United States | |
| A. Organization and structure of the textbook | vii – xi |
| B. American public health – present and future | 25-40 |
| C. American public health – past | 1-25, 40-50 |
| II. Basic Constitutional Principles Applicable to the Exercise of State Authority Relating to Public Health | |
| A. Introduction | 51-52 |
| B. Constitutional principles: state regulation of risks to public health and safety | 52-102 |
| C. Constitutional principles: the right to privacy | 102-125 |
| D. Constitutional principles: state regulation of “immoral” behavior | 125-150 |
| III. Contagious Diseases: Quarantine and Other Liberty Restricting Responses | |
| A. Introduction | 151-153 |
| B. Case study: tuberculosis | 153-187 |
| C. Case study: HIV/AIDS | 188-199 |
| D. Case study: SARS | 199-217 |
| E. Case study: Influenza | 217-234 |
| F. Emergency preparedness for bioterrorism and epidemics | 234-278,
Annas article
(handout) |
| IV. Public Health Surveillance and Medical Information Privacy | |
| A. Introduction | 279-280 |
| B. Overview of public health surveillance | 280-288 |
| C. Compulsory reporting of medical information | 288-310 |
| D. Contagious disease surveillance | 310-327 |
| E. Public health surveillance and research | 327-340 |

F. Environmental diseases: cancer & other chronic diseases	340-368
G. Genetic testing and DNA- or bio-banking	368-379, update (handout)
V. Tobacco Smoking, and the Public's Health	
A. Introduction	381-389
B. The health consequences of smoking and tobacco	389-407
C. The constitutional authority to regulate smoking and tobacco use	407-442
D. Litigation and its effect on public policy concerning smoking and tobacco use	442-472
E. The impact of shifting norms on the concept of "private" conduct	472-484, <i>The Insider</i> (movie)
VI. Health Promotion and Education: Encouraging Healthy Personal Behavior	
A. Introduction	485-487
B. Defining risks to public health and justifications for their control	487-521
C. Case study: obesity	558-623
VII. (Bio)terrorism	
A. Introduction	701-702
B. 9/11	702-711
C. The anthrax attacks	711-721
D. The smallpox vaccination program	721-726
E. Bioterrorism preparedness and research	727-742
F. Federal preparedness	742-757
G. Global health	757-793
VIII. Works-in-Progress -- November 9 – November 30	