

*Version dated August 9, 2022
(Subject to updating with notice)*

**Vermont Law School
Fall 2022**

**HEALTH LAW
SYLLABUS**

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Class Times: T, Th 9:55-11:10
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Course Description

This course will provide an intensive but high-level introduction to health law – the broad body of laws governing the provision, organization and financing of health care in the United States. We will focus on the subjects most applicable to lawyers representing health care providers and regulators in a challenging and dynamic regulatory environment.

The course will have roughly six parts, following the Furrow casebook described below. First, the course will develop the context for our studies, the highly fragmented health care “system,” which is not really a coordinated system at all. This section will focus on the four recurring themes that pervade health law and policy: cost, quality, access, and choice. (Furrow, Chapters 1 and 7).

Second, we’ll study the common approaches to quality control, looking closely at regulation and licensure of health care professionals (Furrow, Chapter 2).

Third, we’ll examine the legal framework of the patient-provider relationship, the basic principles of professional liability claims involving health professionals, and issues of health care discrimination and unequal treatment. (Furrow, Chapters 4-6).

Fourth, the course will review the regulatory fundamentals of health care reimbursement, revisiting the ongoing debate on health reform (Chapter 7) and reviewing the laws governing private, commercial health insurance, public health insurance, principally Medicare and Medicaid, and the controversies surrounding the Affordable Care Act. (Furrow, Chapters 9-10).

Fifth, we will explore the laws governing the complex laws governing health care providers, including those involving hospital-physician relationships (Chapter 11), corporate structure and taxation (Chapter 12), fraud and abuse (Chapter 13), and antitrust.(Chapter 14).

Sixth, we will focus on several current issues: reproductive rights and women’s health issues arising from Supreme Court cases (Furrow, Chapters 15) and public health questions arising from the pandemic (Chapter 18).

The span of our studies will necessarily be wide but not deep, providing a fast-paced survey of the key issues in a health lawyer's practice.

Course Materials

Most required readings are from Clark, *et al*, HEALTH LAW, CASES MATERIALS AND PROBLEMS (*Abridged*, 9th ed. 2022). We will use the paperback abridged edition because it covers all of the essential materials in the full edition, is less expensive, lighter than a concrete block, and easier to transport. Assume the readings listed are from this casebook unless otherwise noted. The authors cite to many additional sources throughout the text. None of those cited materials are required reading. Additional required or optional readings will be noted in the syllabus.

Format

The course will be generally be taught in person but occasionally may be taught remotely. Advance notice of remote classes will be provided with links.

Class Preparation & Participation

Reading assignments for each class are included in the Syllabus below and any updates will be posted on TEAMS (and distributed by email) with an expectation that all assigned materials will be read thoughtfully in advance and that good preparation will be a foundation for lively classroom discussions. Individual students will be asked to lead the class discussion of specific issues.

Problem Exercises/Essays

There will be 3-4 written assignments either in the form of problem exercises or short essays.

Final Exam

There will be a take-home, open-book final exam but no mid-term.

Grading

The final grade will be a combination of grades on the problem exercises/essays (1/3rd), the final exam (1/3rd) and classroom preparation, attendance and participation (1/3rd).

Overall Course Objectives

The objective of the course is to provide an introduction to the broad range of laws that impact lawyers who represent health care providers in the United States or government agencies that regulate providers. The course description outlines the focus of the course studies.

Learning Outcomes

Upon completion of this course, students should be able to identify and analyze on at least a preliminary basis the health law issues to be covered.

This schedule of readings and assignments is subject to changes as the semester proceeds, but students will be given at least one-week advance written notice of the changes.

Scheduled Class Readings, Discussion Topics and Assignments

<u>Weeks</u>	<u>Advance Readings</u>	<u>Discussion Topics in Class</u>	<u>Assignments</u>
Late Summer Reading/Listening (Optional)			
<p>For an entertaining and sobering introduction to the American medico-legal system, listen to the <u>first six episodes</u> of Season 1 of the podcast “Dr. Death” by Wondery, available from any podcast source. Each episode is about 35-45 minutes – ideal for short trips in the car or a quiet moment on the couch. The podcast is engaging entertainment – focusing on Dr. Chris Duntch, a Texas neurosurgeon who killed or seriously injured 33 patients in his short medical career - and also introduces some of the topics we’ll explore more seriously later in the course. It shows physicians and lawyers interacting in the health system – often at their very worst and occasionally at their very best. Recommended (as the podcast will be a point of reference in the first class and throughout the semester) but not required.</p>			
Week 1			
Tues. Aug 30	Chapter 1, Cost, Quality, Access and Choice (pp. 1-20).	Orientation to the semester, review of the syllabus and introduction to the key themes that pervade health law and policy.	<p>Consider and be prepared to explain in class why you are taking this course and what you hope to learn.</p> <p>Also ee prepared to discuss in class the questions raised by the Commonwealth Fund report (pp. 16-18)(why is the US doing so poorly compared other wealthy countries?), and the questions in the note on pp. 19-20).</p>
Thur. Sept 1	<p>Chapter 7 – Health Care Reform: The Policy Context, Sections I, II.A, II.B, and III (pp. 313-19 and 327- 339); and</p> <p>Gawande, <i>The Cost Conundrum</i> (The New Yorker, 2009) https://www.newyorker.com/magazine/2009/06/01/the-cost-conundrum. (Available in Files on Teams Health Law Fall 2022)</p>	Why is the cost of health care in the US so high, while the quality is comparatively low, and access is so limited to many?	<p>Be prepared to articulate in class the principal drivers of the comparatively high costs, limited access and low quality of health care in the United States.</p> <p>And consider this: What is wrong in McAllen, Texas?</p>
Week 2			
Tues. Sept 6	Chapter 7 – Section IV (pp. 339-). Also read:	Health reform, tools, policies, dilemmas and challenges.	Consider and be prepared to discuss in class what you think is the most critical problem or

	<p><i>Berwick on Triple Aim</i> https://www.healthaffairs.org/doi/full/10.1377/hlthaff.27.3.759</p> <p><i>Mirror, Mirror 2017: International Comparison Reflects Flaws and Opportunities for Better U.S. Health Care</i> https://interactives.commonwealthfund.org/2017/july/mirror-mirror/ Both available in Files on Teams Health Law Fall 2022</p>		<p>challenge facing the US health care system. Is it the high cost, the poor quality, the low level of access, or something else? Why?</p> <p>And look at other international health systems and be prepared to address what you consider to be a good model for the future direction of the US health system, putting politics aside.</p>
Thurs. Sept 8	<p>Read Chapter 1 Section V, including <i>Katskee v. Blue Cross/Shield of Nebraska</i> (pp. 20-31).</p> <p>Also, read profiles of US, English, Swiss, and Swedish health systems in <i>International Profiles of Health Systems</i>, https://www.commonwealthfund.org/sites/default/files/2020-12/International_Profiles_of_Health_Care_Systems_Dec2020.pdf. (Available in Files on Teams Health Law Fall 2022)</p>	Continued discussion of health policy challenges and reform initiatives, and comparative review of health systems of other nations.	<p>Consider the questions posed in Section V, and what in particular is or should be reimbursed by health insurance.</p> <p>Also be prepared to discuss which of the health systems reviewed in the Commonwealth Fund article (US, England, Switzerland or Sweden) appears to offering the most promising approach to address issues of cost, quality and access.</p>
Week 3			
Sept 13	Chapter 2, Quality Control Regulation, Licensing of Health Care Professionals, Sections I, II, IV and V (pp. 33-45 and 52-65). Omit Section III.	Licensing and regulation of health professionals – is it effective as a means of regulating health care quality?	Be prepared to discuss the rationale of the four cases assigned in the materials on Discipline (<i>Williams</i> and <i>Hoover</i>); Unlicensed Practice (<i>Ruebke</i>); and Scope of Practice (<i>Sermchief</i>) and the related notes.
Sept 15	Chapter 4, The Professional-Patient Relationship, Sections I-	When do providers have legal “duties” to patients? Can they avoid or narrow these duties?	Compare <i>Lection v. Dill</i> (pp. 96-101), <i>Esquivel v. Watters</i> and <i>White v. Harris</i> . Be prepared to

	<p>IV (pp.95-126).</p> <p>Also read, excerpted portions of <i>Esquivel v Watters</i>, 154 P.3rd 1184 (Kansas, 2007) and <i>White v. Harris</i>, 190 Vt. 647 (2011) (Available in Files on Teams Health Law Fall 2022).</p>	<p>What must providers disclose to patients to lawfully obtain their consent to treatment?</p> <p>How do gifts from vendors to physicians or other financial incentives impact treatment decisions?</p>	<p>discuss the different outcomes.</p> <p>And be prepared to discuss and analyze the legal standards for “informed consent” articulated in <i>Canterbury</i> (pp109-119).</p> <p>Consider whether you think physicians should be required to disclose potentially conflicting financial interests to patients, when recommending treatment.</p>
Week 4			
Sept 20	<p>Chapter 4 –Section V (pp. 133-156) (Omit <i>Humphers v. First Interstate Bank of Oregon</i>. Instead read <i>Lawson v. Halpern-Reiss</i>, 2019 VT38, (Available in Files on Teams Health Law Fall 2022).</p>	<p>The common law and federal requirements under HIPAA protecting the confidentiality and privacy of provider-patient communications.</p>	<p>Be prepared to discuss the <i>Doe</i> and <i>Lawson</i> cases and provider common law duties of patient confidentiality.</p> <p>Review and be prepared to discuss the HIPAA privacy requirements and what additional duties the federal law they imposes.</p> <p>Also consider the implications of <i>Lawson</i> for Vermont hospitals and whether the case alters hospital duties of privacy and confidentiality to patients.</p>
Sept 22	<p>Read remaining pages of Chapter 4 Section V (pp. 156-163) Excerpts from <i>Tarasoff v. Regents of University of California</i>, 17 Cal. 3d 425, 551 P.2d 334, 131 Cal. Rptr. 14 (Cal. 1976); and <i>Kuligoski v. Brattleboro Retreat</i>, 2016 VT 54 No. 2014-396 (Available in Files on Teams Health Law Fall 2022).</p>	<p>Continued discussion of HIPAA and confidentiality and analysis of HIPAA problems.</p> <p>Patient Privacy v. Public Safety - Discussion of Duty to Warn issues</p>	<p>Be prepared to discuss and analyze the problems on pp. 161-163 and the two cases assigned.</p> <p>Essay– a short essay may be assigned based on recent readings for submission prior to start of next class</p>
Week 5			
Sept 27	<p>Chapter 4 – Medical Malpractice, Section VI (pp. 163-176, through</p>	<p>What are the legal standards of care applicable to physicians and other providers and how are they</p>	<p>Submit Essay assigned in last class.</p>

	<p>note 6)</p> <p>Also read:</p> <p>12 V.S.A. § 1908; 10 VSA Section 1042; and <i>Senesac v. Assoc. in Obstetrics Gynecology</i> 141 Vt. 310 (Vt. 1982) (Available in Files on Teams Health Law Fall 2022).</p>	<p>established in a professional liability case?</p> <p>How do medical malpractice cases actually proceed and what is the role of expert witnesses?</p>	<p>Consider and be prepared to comment on the rationale and outcome of the Mississippi court decision in <i>Hall</i>. Compare the standards articulated in <i>Hall</i> to those in Vermont expressed in <i>Senesac</i>.</p> <p>Consider the pros and cons of Vermont’s requirement of a Certificate of Merit.</p>
Sept 29	<p>Chapter 4 – Medical Malpractice, Section VI (pp. 176-180).</p> <p>Also read, 12 VSA§521; 12 V.S.A. § 519. <i>Ostrowski v. Azzara</i>, 111 N.J. 429 (1988); <i>Herskovits v. Group Health Cooperative of Puget Sound</i>, 99 Wash. 2nd 609 (1983); <i>Smith v. Parrott</i>. 175 VT 375 (2003); and the Problems entitled “The Difficult Patient” and “Missing the Diagnosis”</p> <p>(Available in Files on Teams Health Law Fall 2022).</p>	<p>What defenses are available to health care providers facing claims of professional liability? What may they do to avoid or mitigate the risks of liability?</p>	<p>Consider and be prepared to comment on <i>Ostrowski</i> and the potential defenses available in claims brought by unhealthy or uncooperative patients.</p> <p>Compare the results in <i>Herskovitz</i> (pp.199-204) and <i>Smith v. Parrott</i>.</p> <p>Be prepared to respond to the questions posed by the “Difficult Patient and “Missing the Diagnosis” problems. Will your response to the Missed Diagnosis problem depend on what state Jane Rogers was living in?</p>
Week 6			
Oct 4	<p>Chapter 5 – Liability of Health Care Institutions, Sections I-III (pp. 181 – 207).</p>	<p>What are the range of relationships between hospitals and physicians in the US? In what circumstances, may hospitals be liable for physician misconduct that occurs in the hospital?</p>	<p>Review text and cases: <i>Scott</i> (p.183); <i>Burless</i> (p.187); <i>Darling</i> (p.95); and <i>Thompson</i> (p. 200).</p> <p>Consider and be prepared to discuss in class the two problems “Cascading Errors” and “Proctoring Peers” on pp. 206-7.</p>
Oct 6	<p>Chapter 6 – Discrimination and Unequal Treatment in Health Care, Sections I-III (pp. 219-243) and the overview of Section IV pp. 243-246.</p>	<p>What are the common law obligations of hospitals and doctors to treat patients?</p> <p>How does EMTALA change the common law, and what are the specific obligations of hospital</p>	<p>Develop clear understanding of EMTALA obligations and differences from common laws.</p> <p>Consider the EMTALA impact on (1) mental health crisis and (2) State abortion law restrictions</p>

	<p>“South Carolina Hospital Settles With OIG Over Alleged EMTALA Violations Involving Psychiatric Emergencies JULY 17, 2017”. Available in files on Teams and at: https://www.arentfox.com/perspectives/health-care-counsel-blog/south-carolina-hospital-settles-oig-over-alleged-emtala</p> <p>Readings on impact of state abortion restrictions on provider EMTALA obligations. (to be assigned).</p>	<p>ER’s under EMTALA?</p> <p>How does EMTALA impact the growing crisis of mental health patients in emergency rooms?</p> <p>How can recent State abortion restrictions be reconciled with provider EMTALA obligations.</p>	<p>Consider the <i>Miller</i> and <i>Liles</i> problem (pp. 242-3) and be prepared to answer the questions presented.</p> <p>Essay– a short essay may be assigned based on recent readings for submission prior to start of class on Oct 13.</p>
Week 7			
Oct 11	No class or assigned readings. Fall Recess.		
Oct 13	<p>Review the sections of Chapter 7 read earlier in the semester - Sections I, II.A, II.B, and III (pp. 313-19 and 327- 339).</p> <p>Read Chapter 7 Section IV “Tools of Health Reform” (pp. 339-359</p> <p>Also Read: Chapter 9 – The Regulation of Insurance, Sections I and II.A.1 (pp. 403-443)</p>	<p>Review of the basic tools available to address the interconnected challenges of cost, access and quality.</p> <p>Understanding the basic structure of the Patient Protection and Affordable Care Act and how it uses the health reform tools discussed in Chapter 7.</p> <p>Analysis of the initial constitutional challenge to the ACA in <i>Sebelius</i></p>	<p>Submit Essay if assigned on October 6.</p> <p>Be prepared to explain in class the three legs of the ACA stool in terms that a layperson could understand.</p> <p>Be prepared to explain and critique Chief Justice Robert’s opinion in <i>Sebelius</i>.</p>
Week 8			
Oct 18	<p>Chapter 9 – Legal and Political Challenges Following the ACA, Sections II.A.2 and II.B, II.C and II.D (pp. 443-457)</p> <p>Also read condensed opinions in <i>California v. Texas</i>, 593 U.S. ____ (2021) and <i>King v. Burwell</i>, 576 U.S. 473 (2015) (Available in Files</p>	<p>Discussion or the ongoing discussion of legal and political challenges to the ACA, particularly the Supreme Court decisions in <i>King v. Burwell</i> and <i>California v Texas</i></p>	<p>Be prepared to explain the rationale of the decisions in <i>Burwell</i> and <i>California v Texas</i> and whether you believe the constitutional analysis in each case is sound and defensible.</p> <p>Consider whether you think the political and legal challenges to the ACA are now over.</p>

	on Teams Health Law Fall 2022).		
Note: Classes on October 20 and 25 will focus on the Medicare and Medicaid, the major federal reimbursement programs. The syllabus indicates a roughly equal allocation of time between the programs, but this may be modified (and the Medicare readings may be condensed, to allow for a greater allocation of time to Medicaid, which has a more complex set of legal issues.			
Oct 20	Chapter 10 – Public Health Financing Programs, Sections I-II (Medicare)(pp. 465-496;	Basics of eligibility, coverage and payment for Medicare Parts A, B and D.	Be prepared to address the policy questions in the three “critical thinking” exercises and to discuss the Problem on IPPS on pp. 479-480. Be prepared to evaluate the merits and success of the Medicare Shared Savings Program for ACO’s (pp. 487-491)
Week 9			
Oct 25	Chapter 10 – Public Health Financing Programs, Sections III (Medicaid)(pp.496-536) “Where Are States Today? Medicaid and CHIP Eligibility Levels for Children, Pregnant Women, and Adults” Available online at: https://www.kff.org/medicaid/fact-sheet/where-are-states-today-medicare-and-chip/	Overview of eligibility and benefits issues under the joint federal-state Medicaid program, the distinctions between “traditional” Medicaid and the expanded Medicaid under ACA, and the interplay of federal and state power under the Medicaid program. Discussion of legal remedies available to challenge state limitations on Medicaid funding that may violate federal law.	Be prepared to explain and comment on the excerpted portion of <i>Sebelius</i> and the impact of this decision. Be prepared to explain Medicaid eligibility levels in your home state and compare them to those in Vermont. Be prepared to respond to the problems on Medicaid Eligibility (p. 513) and Benefits (520). Consider what remedies are legal remedies are available to redress violations of the federal Medicaid Act after <i>Westside Mothers</i> and <i>Armstrong v Exceptional Child Center</i> .
Oct 27	Chapter 11 – Professional Relationships in Health Care, Section I (pp. 537-554 and first part of Section II (pp. 555-561).	Overview of Hospital-physician relationships, including medical staff membership and physician employment. Internal and judicial review processes for decisions on clinical privileges of physicians. Impact of HCQIA on physician rights to recover damages. Doctrine of “at will’ employment	Be prepared to describe the processes for assigning clinical privileges to physician members of a hospital’s medical staff and the internal and judicial review processes for limiting or terminating those privileges in light of the <i>Sokol</i> and <i>Mateo-Woodburn</i> decisions. Also be prepared to comment on the “public policy” exception to at will termination as articulated in

		and its limits.	<i>Turner</i> . Consider whether whistleblower legislation (p. 560) would have assisted Turner’s claim.
Week 10			
Nov 1	Chapter 12 – The Structure of Health Care Enterprises, Section I pp. 569-578 Review following posted on Teams in Course Materials: 1. Sample Bylaws of a University Hospital 2. Sample Articles of Incorporation of a University Hospital or another Nonprofit health care corporation. 3. Sample organizational Board resolutions 4. Problem Exercise: <i>Establishing a Vermont Nonprofit Corporation for a Federally Qualified Health Center</i> . (Available in files on Teams)	Overview of organizational structures of healthcare providers, with a focus on the structure of a non-profit tax-exempt hospital that is a member of a health care system. Discussion of the Problem Exercise and related background materials.	Review the sample corporate organizational documents and be prepared to discuss them in class. The <i>Problem Exercise</i> may be assigned as a project that will be due on November 8.
Nov 3	Chapter 12 – The Structure of Health Care Enterprises, Federal Tax-Exemption Under Section 501(c)(3) (Section II.A; II.C (<i>omit</i> II.B); II.D. (pp. 578-598 and 607-620)	Overview of the federal tax laws and principles applicable to tax exempt hospitals and other health care providers or related organizations, with particular attention to “community benefit” standards and the principles of “private benefit,” “private inurement,” and “excess benefit.”	Be prepared to describe the legal and functional differences between tax-exempt hospitals and for-profit hospitals. Analyze and be prepared to respond to the problems on Excess Benefit Transactions (pp.619)
Week 11			
Nov 8	Chapter 13 – Fraud & Abuse, Section I (False Claims Act)(pp. 633-668)	Overview of Federal False Claims Act, one of the underpinnings of the federal fraud & abuse laws, and its enforcement provisions, including authorization of <i>qui tam</i> (whistleblower) proceedings by private persons in the name of federal government	Submit Problem Exercise response, if assigned on November 1. Be prepared to discuss and explain elements of False Claims and the requirements for private <i>qui tam</i> actions. Review closely the <i>Krizek</i> cases. Consider and be prepared to respond to the questions about the

			case on pp.652-653. Be prepared to discuss the <i>Escobar</i> case (pp. 657-665) and its implications for establishing false claims.
Nov 10	Chapter 13, Fraud & Abuse, Section II, Anti-Kickback (pp. 668-691)	Overview of the federal Anti-Kickback (AKB) statute, its intent requirements, the legal protections provided by selected AKB “safe harbors,” and the “gainsharing” and “beneficiary inducement” prohibitions of Civil Monetary Penalties law.	Review and be prepared to: explain the elements of a violation under the AKB; and analyze the intent requirement of the AKB statute in light of <i>Greber</i> . Be prepared to discuss the Problem on Dr. Lee’s Lease (p.691)
Week 12			
Nov 15	Chapter 13, Fraud and Abuse, Section III and IV (Stark and ACO waivers)(pp. 691-729)	Overview of the Ethics in Patient Referrals Act (“Stark”), its legal prohibitions and elements, the Stark law exceptions, and the fraud and abuse law waivers available to ACO’s.	Review and be prepared to: - Explain the policy, purposes and prohibitions of the Stark statute and regulations and how these prohibitions differ from the AKB. - Explain the legal effect of the Stark exceptions and how they differ from the AKB safe harbors. Discuss the updated problem on Dr. Lee’s Lease (p.711) - Analyze <i>Tuomey</i> (p. 712) and its implications for hospital-physician compensation arrangements. - Explain the ACO waivers (pp. 738-740 and the policy rationale that underlies them.
Nov 17	Read these documents related to <i>US v. Halifax Hospital</i> : -Stark decision (Nov. 2013) -AKB decision (Nov. 26, 2013) -Announcement of Settlement (March	Continued discussion of Stark, AKS, FCA, and essay	Read materials and be prepared to discuss physician compensation arrangements under AKS and Stark in light of <i>Tuomey</i> and <i>Halifax</i> .

	2014)(Available in Files on Teams Health Law Fall 2022). Review prior readings on Fraud and Abuse		
Week 13			
Nov 22	Chapter 14 – Antitrust, Sections I and II (pp. 731-744)	Antitrust Part I: Overview of antitrust laws and interpretive principles applicable to health care providers and transactions.	Read all assigned materials. Be prepared to discuss in class: - The federal statutory anti-trust framework and the defenses The <i>per se</i> and “rule of reason” analytical approaches - In re Michigan State Medical Society (p.747) - Fast Stop Clinics Problem (p. 756)
Nov 24	No class (Thanksgiving)		
Week 14			
Nov 29	Chapter 14, Antitrust, Section III(A), (B)and (D)(2) (pp.744-758 and pp. 775-783)	Antitrust Part II: Continued overview of antitrust laws and interpretive principles applicable to health care providers and transactions.	Read all assigned materials. Be prepared to discuss in class: - <i>Arizona v. Maricopa County Medical Society</i> (p.745); - FTC Statements of Antitrust Enforcement in Health Care (p. 750) - Antitrust policies on Medicare ACOs (p.755-758) - <i>St. Luke’s Health System case</i> (pp. 775-782)
Dec 1	Chapter 15, Reproduction and Birth, Section I, II and III (pp. 785-823) Also: Opinion of court in <i>Dobbs v. Jackson Women’s Health Organization</i> , (Available in Files on Teams Health Law Fall 2022).	Review of <i>Roe v. Wade</i> and <i>Casey</i> decisions that set constitutional boundaries of state laws regulating abortion and the Court’s recent decision in <i>Dobbs</i> .	Be prepared to discuss in class the evolution of the SCOTUS opinions on abortion and a woman’s right to reproductive choice.
Week 15			
Dec 6	Chapter 18 Population	What are the limits of federal, state	Read the assigned materials

	<p>Health and Public Health Law (Sections I, III and IV, pp. 1015-1017; 1032-1068)</p> <p>Also read: <i>NFIB v. OSHA</i>, 595 U. S. ____ (2022);</p> <p><i>Biden v. Missouri</i>, 595 U. S. ____ (2022);</p> <p><i>DeMarco v. Christiana Health Care</i>, (Refusing to order Hospital to administer ivermectin);</p> <p>“What Can Employers Do to Require or Encourage Workers to Get a COVID-19 Vaccine?” Pollitz, KFF (August 2021) (Available in Files on Teams Health Law Fall 2022).</p>	<p>and private employer authority powers to address the public health crisis created by the COVID-19 pandemic.</p>	<p>and be prepared to address in class</p> <ul style="list-style-type: none"> - The authority of the federal and state governments to address the COVID-19 crisis - The authority of private employers to impose and enforce restrictions on employees related to COVID.
<p>Dec 8</p>	<p>No additional readings</p> <p>Review your class notes, class outlines and past reading materials</p>	<p>We will use this class to review the semester, address your questions, and plan for final exams. Time will also be allowed in class to complete your evaluations</p>	
<p>Final Exam: Will be open-book, and take-home, consisting of a set of problem questions distributed with instructions at the start of the exam period. Responses will be due at the end of the exam period.</p>			