NB: This field has a rich and fascinating range of interdisciplinary material. If the readings are too long for you, do what you can. I thought some of you might want a wider array of citations for some or all topics. I've also pulled excerpts from many sources. Enjoy!

Important General Instructions: You need never read footnotes – cases or articles. They are often present, so you can read if you want to. Do not read “Headnotes” in case opinions (numbered sections at beginning of opinion). Don’t worry about citations of administrative/procedural matters within the text. Just read for substance.

I. Division of Authority between Health Professionals and Patients/Families; Mistakes

Informed Consent & Exceptions: Theory and Actual Use
Difficult cases: Refusal (Truman), Alternatives, COI (Kokemoor)
Malpractice & Medical Mistakes (Reporting, Apology Laws)
Parental Decisions (HCA v. Miller).

Readings: Remember, you may skip footnotes or citations in the text here and in all readings.

- Cobbs v. Grant, 502 P.2d 1 (1973) (Focus on Part III)

- In the matter of Baby K, 16 F.3d 590 (1994).

- Institute of Medicine, To Err is Human (1999), Executive Summary pp. 1-4

Recommended Reading:

II. Decisions at the Margins of Life and Death: Definitions

A. Definitions of Death
Cardio Pulmonary v Brain Death Definitions & Terminology; Higher brain death v whole brain death; Critiques of brain death definition; Pressure from transplant potential: “Dead Donor Rule” changing?; Pregnant brain dead women.

B. Parallel to debates over abortion and contraception
“Personhood” v. “Alive”; Clashes recently mostly on state level. Status of anencephalic babies (T.A.C.P.); Different stance for abortion & non-treatment of neonate.

Readings:
A. Billings et al, Severe Brain Injury and the Subjective Life, Hastings Center Rep’t (May-June 2010) 17.
J. Fins, Rethinking Disorders of Consciousness, Hastings Center Rep’t (March-April 2005) 22.

Recommended Readings:
Check out the website for Not Dead Yet <www.notdeadyet.org>.

III. End of Life Care
Capacity to decide; Expansion of right to refuse treatment, but not to Demand; Physician Assisted Suicide (PAS); Hospice and palliative care; Advance Directives: (Living Will, Health Care PoA, POLST etc.);
Difference between before and after - courts unwilling to overturn and/or punish docs after they have acted.(e.g., Wanglie).
Readings:


In Re Bouvia, 179 Cal.App.3d 1127 (1986).

Copies of various Health Care Directives (POLST, CA Form for Power of Attorney for Health Care, Five Wishes, Values Form, etc.). [Flip through these per your interest].


P. Span, “Complexities of Choosing an End Game for Dementia,” *NYT* (1/19/2015)

Recommended Readings:

Physician Assisted Suicide WA statute §70.245.020 *et seq* (2008).


ABA Commission on Aging, “Myths and Facts about Advanced Health Care Directives.”

IV. Body as Property?


Readings:

Summary.

Recommended Reading:


V. Assisted Reproduction (ART)

Methods (AI, AID, IVF, surrogacy, ICSI, PGD, gamete & embryo donation and transfer, uterine transplant, ectogenesis); effects of ARTs on parenthood and family structure; problems of decisional authority; Brain dead pregnant women.

Readings:


Recommended Readings:

VI. Issues in Medical and Pharmaceutical Research

Regulation of Research on Human Subjects: Consent; Conflicts of Interest 
DCA Ads; Compassionate Use (Abigail Alliance); Cost v Value of Drugs. 
Pricing.

Readings:

A. Pollack, “Harvoni, a Hepatitis C Drug from Gilead, Wins F.D.A. 
A. Harmon, “Indian Tribe Wins Fight to Limit Research of Its DNA,” NYT, 
April 21, 2010. 
Kennedy Krieger, and Public Health Research Involving Children,” 
Am J. of Public Health. 2002 July; 92(7): 1073–1076. PMCID: 
PMCID:1447191. 
Law, Med. & Ethics 50 (2002). 
A Pollack, “Court Rejects Right to Use Drugs Being Tested,” NYT Aug 8, 
2007 and L. Greenhouse, “Supreme Court Won’t Hear Appeal on 
Drugs,” NYT, Jan 15, 2008. 
Patricia Zettler, “Compassionate Use of Experimental Therapies: Who 
Should Decide?” EMBO Molecular Medicine Aug. 2015, p. 1-2

Recommended Readings:
D. McNeil Jr., “Panel Hears Grim Details of Venereal Disease Tests,” 
NYT, August 30, 2011. 
Drugs,” 23 Health Affairs 34, Jan/Feb 2004.