



## Syllabus on the discipline «Medical Law»

<b>1. General information</b>	
<b>Faculty</b>	Faculty of Post-graduate Education
<b>Educational program</b> ( <i>field, specialty, level of higher education, form of education</i> )	22 Healthcare, 228 Pediatrics, second (Master's) level of higher education, full-time
<b>Academic year</b>	2022-2023
<b>Discipline name, code</b> ( <i>electronic identification at the Danylo Halytskyi Lviv National Medical University website</i> )	Medical Law
<b>Department</b> ( <i>name, address, phone, e-mail</i> )	Dpartment of Medical Law FPGE 79005, Lviv, 12 Zelena street
<b>Chair of the Department</b> ( <i>e-mail</i> )	Iryna Senyuta, Doctor of Laws, Professor kaf_medlaw_FPGE@meduniv.lviv.ua
<b>Educational year</b> ( <i>year of the discipline study</i> )	4th
<b>Semester</b> ( <i>semester of the discipline study</i> )	7th
<b>Type of the discipline/module</b> ( <i>mandatory / optional</i> )	Mandatory
<b>Teaching staff</b> ( <i>names, surnames, scientific degrees and titles, of the teaching staff, e-mails</i> )	Rostyslav Lemekha, Doctor of Laws, Professor, <a href="mailto:roslemekha@gmail.com">roslemekha@gmail.com</a> Lesia Katynska, Candidate of Laws, <a href="mailto:lesya.katynska@gmail.com">lesya.katynska@gmail.com</a> Yuliia Koval, assistant, <a href="mailto:julaska.shuk@gmail.com">julaska.shuk@gmail.com</a>
<b>Erasmus yes/no</b> ( <i>availability of discipline for students within the program Erasmus+</i> )	-
<b>Person, responsible for syllabus</b> ( <i>the person to whom comments on the syllabus should be given, e-mail</i> )	Khrystyna Tereshko, head teacher, <a href="mailto:kristereshko@gmail.com">kristereshko@gmail.com</a>
<b>Number of ECTS credits</b>	1,5
<b>Number of hours</b> ( <i>lectures / practical classes / self-reliance work</i> )	45 (lectures – 10, practical classes – 12, self-reliance work – 23)
<b>Language</b>	English
<b>Information on the consultations</b>	Consultations are held in accordance with the schedule approved by the Chair of the department
<b>Address, telephone and rules of operation of the clinical base, office...</b> ( <i>if necessary</i> )	-

### 2. Short resume of the discipline

**Medical Law** is a body of laws, which regulates social relations arising in the course of healthcare provision, used for diagnostic, preventive, therapeutic and rehabilitation purposes as well as in connection with pregnancy and childbirth, to ensure the right to healthcare. Teaching the course “Medical Law” provided by professionals with higher legal education, who have a scientific PhD/Doctorate degree, with professional research focus on medical law. Having medical education as second higher education is desirable.

### 3. Objective and tasks of the discipline

**1. Objective** of the discipline is professional training of medical students in order to create and develop their competence in medical law aimed at getting the required amount of theoretical medical and legal knowledge, gaining practical skills in the health sector, the mastery of a sufficient level of legal culture and legal consciousness to maintain a balance of the relations between medico-legal relations participants and respecting human rights in the field of health care.

**2. Tasks of the discipline** are the following: studying the course “Medical Law” is a necessary component to ensure comprehensive training and qualifications of doctors so that they can be competitive and ready for the challenges generated by practical medicine, regulatory and reformist changes in health care.

**3. Competencies and results of studying**, the formation of which provides the study of the discipline (general and specific competencies).

*General:*

1. Ability to abstract thinking, analysis and synthesis.
2. Ability to apply knowledge in practical situations.
3. Knowledge and understanding of the subject area and understanding of professional activity.
4. Ability to conduct research at the appropriate level.
5. Ability to learn and master modern knowledge.
6. Ability to identify, pose and solve problems.

*Specific (professional, subject):*

The student shall:

*Know:*

- international legal standards of human rights in the field of patient care;
- current legislation of Ukraine on health care;
- trends of rule-making and public policy in the health care sector;
- conceptual-categorical apparatus of medical law;
- rights and obligations of medico-legal relations participants;
- mechanisms and procedures for rights protection;
- types and reasons of legal liability for professional offenses;
- legal conditions for certain types of medical practice.

*Be able to:*

- apply in practice the knowledge and skills received during the course of the study;
- create the conditions and reasons for patients’ rights enforcement;
- observe and respect patients’ rights;
- comply with deontological principles in doctor-patient relations.

*Autonomy and responsibility:*

- independent work with the legislation of Ukraine and international standards in health care;
- ensure the implementation of human rights, and compliance with obligations guaranteed by the legislation.

### 4. Prerequisites of the discipline

To successfully study and master the competencies of this discipline, it is advisable to obtain knowledge in such disciplines as: “Law”, “Philosophy and Bioethics”, “Deontology in Medicine”.

### 5. Program results of study

#### List of the results of study

Code of the result of study	Content of the result of study	Link to the code in the matrix of competencies
<i>Code is created while filling out the syllabus (categories: Kn – knowledge, Ab – ability, C –</i>	<i>Results of study determine that the student must know, understand and be able to perform, after completing the discipline. Results of study follow from the set learning goals. To enroll in the discipline, it is necessary to confirm the achievement of each result of study.</i>	Symbol of the Program Result of study Code in the Higher Education

<i>competence, AR – autonomy and responsibility)</i>		Standard		
<i>Kn-1</i>	Knowledge of international legal standards of human rights in the field of patient care	<i>PIP-18</i>		
<i>Kn-2</i>	Knowledge of current legislation on health care of Ukraine	<i>PIP-18</i>		
<i>Kn-3</i>	Knowledge of trends of rule-making and public policy in the health care sector	<i>PIP-18</i>		
<i>Kn-4</i>	Knowledge of conceptual-categorical apparatus of medical law	<i>PIP-18</i>		
<i>Kn-5</i>	Knowledge of rights and obligations of medico-legal relations participants	<i>PIP-18</i>		
<i>Kn-6</i>	Knowledge of mechanisms and procedures for rights protection	<i>PIP-18</i>		
<i>Kn-7</i>	Knowledge of types and reasons of legal liability for professional offenses	<i>PIP-18</i>		
<i>Kn-8</i>	Knowledge of legal conditions for certain types of medical practice	<i>PIP-18</i>		
<i>Ab-1</i>	Ability to abstract thinking, analysis and synthesis	<i>PIP-18</i>		
<i>Ab-2</i>	Ability to apply in practice the knowledge and skills received during the course of the study	<i>PIP-18</i>		
<i>Ab-3</i>	Ability to create the conditions and reasons for patients' rights enforcement	<i>PIP-18</i>		
<i>Ab-4</i>	Ability to observe and respect patients' rights	<i>PIP-18</i>		
<i>Ab-5</i>	Ability to comply with deontological principles in doctor-patient relations	<i>PIP-18</i>		
<i>C-1</i>	Knowledge and understanding of the subject area and understanding of professional activity	<i>PIP-18</i>		
<i>C-2</i>	Ability to conduct research at the appropriate level	<i>PIP-18</i>		
<i>C-3</i>	Ability to learn and master modern knowledge	<i>PIP-18</i>		
<i>AR-1</i>	Ability to identify, pose and solve problems	<i>PIP-18</i>		
<i>AR-2</i>	Independent work with the legislation of Ukraine and international standards in health care	<i>PIP-18</i>		
<i>AR-3</i>	Ensurance the implementation of human rights, and compliance with obligations guaranteed by the legislation	<i>PIP-18</i>		
<b>6. Discipline format and scope</b>				
Discipline format ( <i>full-time / part-time</i> )	Full-time			
Type of classes	Number of hours	Number of groups		
lectures	10			
practical classes	12			
seminars	-			
self-reliance	25			
<b>7. Topics and scope of the discipline</b>				
Code of the class type	Topic	Scope of study	Code of the result of study	Teaching staff
L-1 ( <i>lecture 1</i> )	Medical law in the system of law and system of legislation. Legal regulation of the health care system in Ukraine	Presentation of lecture material using multimedia support. Outlining problematic issues. Providing answers to questions.	Kn-2, Kn-3, Kn-4, Ab-1, C-1, C-3, AR-2	Y.Koval
L-2	International standards		Kn-1, Ab-1,	Y.Koval

	in the field of health care and human rights		C-1, C-3, AR-2	
L-3	Regional standards in the field of health care and human rights		Kn-1, Ab-1, C-1, C-3, AR-2	Y.Koval
L-4	Legal status of medico-legal relations participants		Kn-5, Ab-1, Ab-3, Ab-4, Ab-5, C-1, C-3, AR-2, AR-3	Y.Koval
L-5	The system of human rights in patient care. Personal non-proprietary rights. Defects of medical care. Medical examination and control over the quality of medical care under the legislation of Ukraine. Legal liability in the field of health care. Procedures and mechanisms for the rights protection of medico-legal relations participants		Kn-5, Kn-6, Kn-7, Ab-1, Ab-3, Ab-4, Ab-5, C-1, C-3, AR-2, AR-3	Y.Koval
P-1 ( <i>practical class 1</i> )	Medical law in the system of law and system of legislation. Legal regulation of the health care system in Ukraine	1. Checking the mastering of the list of questions from the class plan. 2. Discussion of issues for self-	Kn-2, Kn-3, Kn-4, Ab-1, Ab-2, C-1, C-2, C-3, AR-1, AR-2	Y.Koval
P-2	International and regional standards in the field of health care and human rights	control. 3. Solving situational problems. 4. Clarification of problematic issues.	Kn-1, Ab-1, Ab-2, C-1, C-2, C-3, AR-1, AR-2	Y.Koval
P-3	Legal status of medico-legal relations participants	5. Summarizing the class.	Kn-5, Ab-1, Ab-2, Ab-3, Ab-4, Ab-5, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
P-4	The system of human rights in patient care. Personal non-proprietary rights.		Kn-5, Ab-1, Ab-2, Ab-3, Ab-4, C-1, C-3, AR-2, AR-3	Y.Koval
P-5	Defects of medical care. Medical examination and control over the quality of medical		Kn-6, Kn-7, Ab-1, Ab-4, Ab-5, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval

	care under the legislation of Ukraine			
P-6	Legal liability in the field of health care. Procedures and mechanisms for the rights protection of medico-legal relations participants		Kn-6, Kn-7, Ab-1, Ab-2, Ab-5, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW-1 ( <i>self-reliant work 1</i> )	Medical law in the system of law and system of legislation	List of questions to the topic processing. Preparation of answers to self-control questions. Preparation of creative tasks to the topic.	Kn-2, Kn-3, Kn-4, Ab-1, C-1, C-2, C-3, AR-1, AR-2	Y.Koval
SRW -2	International standards in the field of health care and human rights		Kn-1, Ab-1, C-1, C-2, C-3, AR-1, AR-2	Y.Koval
SRW -3	Regional standards in the field of health care and human rights		Kn-1, Ab-1, C-1, C-2, C-3, AR-1, AR-2	Y.Koval
SRW -4	Legal regulation of the health care system in Ukraine		Kn-2, Kn-3, Ab-1, C-1, C-2, C-3, AR-1, AR-2	Y.Koval
SRW -5	The system of human rights in patient care. Personal non-proprietary rights		Kn-5, Ab-1, Ab-3, Ab-4, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -6	Legal status of medico-legal relations participants		Kn-5, Ab-1, Ab-3, Ab-4, Ab-5, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -7	Defects of medical care. Medical examination and control over the quality of medical care under the legislation of Ukraine		Kn-2, Kn-6, Ab-1, C-1, C-2, C-3, AR-1, AR-2	Y.Koval
SRW -8	Legal liability in the field of health care		Kn-7, Ab-1, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -9	Legal regulation of family medicine in Ukraine. Folk medicine (healing) under the laws of Ukraine		Kn-2, Kn-5, Kn-8, Ab-1, Ab-3, Ab-4, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -10	Legal regulation of prophylactics and treatment of infectious diseases.		Kn-2, Kn-5, Kn-8, Ab-1, Ab-3, Ab-4, C-1, C-2, C-3,	Y.Koval

	Legal regulation of sanitary and epidemiological welfare in Ukraine		AR-1, AR-2, AR-3	
SRW -11	Donation under the laws of Ukraine. Legal regulation of reproductive health and reproductive technologies in Ukraine. Gender adjustment		Kn-2, Kn-5, Kn-8, Ab-1, Ab-3, Ab-4, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -12	Legal regulation of carrying out pharmaceutical activity and providing the population with medicines and medical equipment in Ukraine. Intellectual property in the field of health care		Kn-2, Kn-5, Kn-8, Ab-1, Ab-3, Ab-4, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -13	Legal regulation of psychiatric care. Legal regulation of providing medical care to the vulnerable groups of the population		Kn-2, Kn-5, Kn-8, Ab-1, Ab-3, Ab-4, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -14	Legal regulation of palliative care. Legal organization of hospices functioning in Ukraine		Kn-2, Kn-5, Kn-8, Ab-1, Ab-3, Ab-4, C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval
SRW -15	Legal regulation of cosmetology and sports, and fitness activity (sports medicine). Sanatorium and spa activity. Medical tourism		Kn-2, Kn-5, Kn-8, Ab-1, Ab-3, Ab-4C-1, C-2, C-3, AR-1, AR-2, AR-3	Y.Koval

## 8. Results of study verification

### Current control

is carried out during the training sessions and aims to check the assimilation of educational material by students (it is necessary to describe the forms of current control during the training sessions). Forms of assessment of current educational activities should be standardized and include control of theoretical and practical training. The final grade for the current educational activity is set on a 4-point (national) scale

Result of study code	Code of the class	Result of study verification	Enrollment criteria
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		method	
<i>Kn-1</i>	L-2, L-3, P-2, SRW-2, SRW-3	<p>Attending lectures and practical classes.</p> <p>Execution of written tasks on the topic (questions for self-control and creative tasks).</p> <p>Participation in discussions, discussion of issues submitted for independent study.</p>	<p>To enroll in the study of the discipline it is necessary:</p> <ul style="list-style-type: none"> <li>• to comply with the requirements of the curriculum;</li> <li>• to solve tasks both in class and those offered for independent study correctly.</li> </ul>
<i>Kn-2</i>	L-1, P-1, SRW-1, SRW-4, SRW-7, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>Kn-3</i>	L-1, P-1, SRW-1, SRW-4		
<i>Kn-4</i>	L-1, P-1, SRW-1		
<i>Kn-5</i>	L-4, L-5, P-3, P-4, SRW-5, SRW-6, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>Kn-6</i>	L-5, P-5, P-6, SRW-7		
<i>Kn-7</i>	L-5, P-5, P-6, SRW-8		
<i>Kn-8</i>	SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>Ab-1</i>	L-1, L-2, L-3, L-4, L-5, P-1, P-2, P-3, P-4, P-5, P-6, Srw-1, SRW-2, SRW-3, SRW-4, SRW-5, SRW-6, SRW-7, SRW-8, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>Ab-2</i>	P-1, P-2, P-3, P-4, P-5, P-6		
<i>Ab-3</i>	L-4, L-5, P-3, P-4, SRW-5, SRW-6, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>Ab-4</i>	L-4, L-5, P-3, P-4, P-5, SRW-5, SRW-6, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>Ab-5</i>	L-4, L-5, P-3, P-5, P-6, SRW-6		
<i>C-1</i>	L-1, L-2, L-3, L-4, L-5, P-1, P-2, P-3, P-4, P-5, P-6, Srw-1, SRW-2, SRW-3, SRW-4, SRW-5, SRW-6, SRW-7, SRW-8, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>C-2</i>	P-1, P-2, P-3, P-4, P-5, P-6, Srw-1, SRW-2, SRW-3, SRW-4, SRW-5, SRW-6, SRW-7, SRW-8, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>C-3</i>	L-1, L-2, L-3, L-4, L-5, P-1, P-2, P-3, P-4, P-5, P-6, Srw-1, SRW-2, SRW-3, SRW-4, SRW-5, SRW-6, SRW-7, SRW-8, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>AR-1</i>	P-1, P-2, P-3, P-5, P-6, Srw-1, SRW-2, SRW-3, SRW-4, SRW-5, SRW-6, SRW-7, SRW-8, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>AR-2</i>	L-1, L-2, L-3, L-4, L-5, P-1, P-2, P-3, P-4, P-5, P-6, Srw-1, SRW-2, SRW-3, SRW-4, SRW-5, SRW-6, SRW-7, SRW-8, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<i>AR-3</i>	L-4, L-5, P-3, P-4, P-5, P-6, SRW-5, SRW-6, SRW-8, SRW-9, SRW-10, SRW-11, SRW-12, SRW-13, SRW-14, SRW-15		
<b>Final control</b>			

General evaluation system	Participation to the classes during the semester - 100% on a 200-point scale	
Evaluation scales	traditional 4-point scale, multi-point (200-point) scale, ECTS rating scale	
Conditions of admission to the final control	The student attended all practical (laboratory, seminar) classes and received at least 120 points for current performance	
Type of final control	Methods of final control	Enrollment criteria
Credit	It is necessary to enroll all topics submitted for current control. Grades from the 4-point scale are converted into points on a multi-point (200-point) scale in accordance with the Regulation “Criteria, rules and procedures for evaluating the results of students’ learning activities”.	<i>The maximum number of points is 200.</i> <i>The minimum number of points is 120</i>

#### Criteria for assessing the exam / differentiated test

Exam	Exam	Exam
Differentiated test	Differentiated test	Differentiated test
<p><i>The maximum number of points</i> that a student can score for the current academic activity for admission to the test is 200 points.</p> <p><i>The minimum number of points</i> that a student must score for the current academic activity for admission to the test is 120 points.</p> <p><i>The calculation of the number of points</i> is based on the grades obtained by the student on a 4-point (national) scale during the study of the discipline, by calculating the arithmetic mean (CA), rounded to two decimal places. The resulting value is converted into points on a multi-point scale as follows:</p> $X = \frac{CA \times 200}{5}$		

#### 9. Policy of the discipline

**Academic Integrity:** Students’ work is expected to be their original research or reasoning. Lack of references to sources used, fabrication of sources, copying, interference in the work of other students, etc. are examples of possible academic dishonesty. Identification of signs of academic dishonesty in the student’s work is the basis for non-enrollment by the teacher, regardless of the extent of plagiarism or deception. Sources of training: the source base can be provided by the teacher exclusively for educational purposes without the right to transfer it to third parties. Students are encouraged to use other literature that is not listed in available thematic plans.

#### 10. Literature

##### Basic literature

1. Ayoub, Ahmed Yahya, Do Not Resuscitate: An Argumentative Essay (April 30, 2013). Available at SSRN: <http://ssrn.com/abstract=2258603> or <http://dx.doi.org/10.2139/ssrn.2258603>
2. Barnett-Rose, Rita, Informed Consent, Psychotropic Medications, and a Prescribing Physician’s Duty to Disclose Safer Alternative Treatments (June 2, 2014). 16.1 DePaul J. Health Care L. 67 (2014); Chapman University, Fowler Law Research Paper No. 14-9. Available at SSRN: <http://ssrn.com/abstract=2445244> or <http://dx.doi.org/10.2139/ssrn.2445244>
3. Beletsky, Leo and Ezer, Tamar and Overall, Judith and Byrne, Iain and Cohen, Jonathan, Advancing Human Rights in Patient Care: The Law in Seven Transitional Countries (January 31, 2013). Open Society Foundations, 2013; Northeastern University School of Law Research Paper



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4. Byrne I., Ezer T. Cohen J. Overall. J, Senyuta I. Human Rights in Patient Care: A Practitioner Guide/ Under scientific editing of Senyuta I. – Lviv. LOBF Publisher’s “Medicine and Law, 2012 – 497 pages.
  5. Cohen, I. Glenn, Medical Tourism, Access to Health Care, and Global Justice (September 13, 2011). Virginia Journal of International Law, Vol. 52, 2011; Harvard Public Law Working Paper No. 11-23. Available at SSRN:<http://ssrn.com/abstract=1926880> or <http://dx.doi.org/10.2139/ssrn.1926880>
  6. David Orentlicher and Tamara K. Hervey The Oxford Handbook of Comparative Health Law: New York. publishing house: Oxford University Press 2021. 1136 Pages
  7. Foley, Elizabeth Price, The Evolution of Health Care Decision-Making: The Political Paradigm and Beyond (January 14, 2010). Tennessee Law Review, Vol. 65, No. 619, 1998; Florida International University Legal Studies Research Paper No. 10-14. Available at SSRN: <http://ssrn.com/abstract=1536328>
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  10. Law and Ethics in Medical Practice an Overview// <http://www.fmshk.org/article/746.pdf>
  11. Martinsen, Dorte Sindbjerg and Vasev, Nikolay, A Difficult Encounter: National Healthcare Models and the European Union (May 18, 2015). Social Policy and Administration, Vol. 49: 4, Forthcoming. Available at SSRN:<http://ssrn.com/abstract=2607553>
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  13. Miola, José and Foster, Charles, Who's in Charge? The Relationship between Medical Law, Medical Ethics and Medical Morality (November 7, 2014). University of Leicester School of Law Research Paper No. 14-28. Available at SSRN: <http://ssrn.com/abstract=2520488> or <http://dx.doi.org/10.2139/ssrn.2520488>
  14. Moncrieff, Abigail R., The Freedom of Health (January 6, 2011). University of Pennsylvania Law Review, Vol. 159, 2011. Available at SSRN: <http://ssrn.com/abstract=1736175>
  15. O'Grady, Mary Josephine, The Right to Know and the Right Not to Tell: The Ethics of Disclosure of HIV Status (2009). Available at SSRN: <http://ssrn.com/abstract=1771632> or <http://dx.doi.org/10.2139/ssrn.1771632>
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  19. Shrivastava, Saurabh and Shrivastava, Prateek and Ramasamy, Jegadeesh, Exploring the Dimensions of Doctor-Patient Relationship in Clinical Practice in Hospital Settings (May 14, 2014). IJHPM International Journal of Health Policy & Management 2014; 2: 159-160, DOI: 10.15171/ijhpm.2014.40. Available at SSRN: <http://ssrn.com/abstract=2437078>
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### Additional literature

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### **11. Equipment, logistics and software of the discipline / course**

Lecture presentations, guidelines for practical and self-reliant work are posted on the distance learning service MISA and are available for students.

### **12. Additional information**

The classes take place at the address: Lviv, 12 Zelena street, 2nd floor

Department at the Social Media: <https://www.facebook.com/kafedramedprava/>

Syllabus complier

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