



## 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, Specialization: 222 “Medicine”, second (Master’s) level of higher education, full-time
<b>Academic year</b>	2023-2024
<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 Law, 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> )	7 <sup>th</sup>
<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> )	Lesya Katynska, Candidate of Law, <a href="mailto:lesya.katynska@gmail.com">lesya.katynska@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 – competence,</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>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>ПП-18</i>
<i>Kn-2</i>	Knowledge of current legislation on health care of Ukraine	<i>ПП-18</i>
<i>Kn-3</i>	Knowledge of trends of rule-making and public policy in the health care sector	<i>ПП-18</i>
<i>Kn-4</i>	Knowledge of conceptual-categorical apparatus of medical law	<i>ПП-18</i>
<i>Kn-5</i>	Knowledge of rights and obligations of medico-legal relations participants	<i>ПП-18</i>
<i>Kn-6</i>	Knowledge of mechanisms and procedures for rights protection	<i>ПП-18</i>
<i>Kn-7</i>	Knowledge of types and reasons of legal liability for professional offenses	<i>ПП-18</i>
<i>Kn-8</i>	Knowledge of legal conditions for certain types of medical practice	<i>ПП-18</i>
<i>Ab-1</i>	Ability to abstract thinking, analysis and synthesis	<i>ПП-18</i>
<i>Ab-2</i>	Ability to apply in practice the knowledge and skills received during the course of the study	<i>ПП-18</i>
<i>Ab-3</i>	Ability to create the conditions and reasons for patients' rights enforcement	<i>ПП-18</i>
<i>Ab-4</i>	Ability to observe and respect patients' rights	<i>ПП-18</i>
<i>Ab-5</i>	Ability to comply with deontological principles in doctor-patient relations	<i>ПП-18</i>
<i>C-1</i>	Knowledge and understanding of the subject area and understanding of professional activity	<i>ПП-18</i>
<i>C-2</i>	Ability to conduct research at the appropriate level	<i>ПП-18</i>
<i>C-3</i>	Ability to learn and master modern knowledge	<i>ПП-18</i>
<i>AR-1</i>	Ability to identify, pose and solve problems	<i>ПП-18</i>
<i>AR-2</i>	Independent work with the legislation of Ukraine and international standards in health care	<i>ПП-18</i>
<i>AR-3</i>	Ensurance the implementation of human rights, and compliance with obligations guaranteed by the legislation	<i>ПП-18</i>

## 6. Discipline format and scope

Discipline format ( <i>full-time / part-time</i> )	Full-time	
Type of classes	Number of hours	Number of groups
lectures	10	1, 2
practical classes	12	
seminars	-	
self-reliance	25	

## 7. Topics and scope of the discipline

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	Kn-2, Kn-3, Kn-4, Ab-1, C-1, C-3, AR-2	Lesya Katynska

L-2	International standards in the field of health care and human rights	answers to questions.	Kn-1, Ab-1, C-1, C-3, AR-2	Lesya Katynska
L-3	Regional standards in the field of health care and human rights		Kn-1, Ab-1, C-1, C-3, AR-2	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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		<ol style="list-style-type: none"> <li>1. Checking the mastering of the list of questions from the class plan.</li> <li>2. Discussion of issues for self-control.</li> <li>3. Solving situational problems.</li> <li>4. Clarification of problematic issues.</li> <li>5. Summarizing the class.</li> </ol>	Kn-2, Kn-3, Kn-4, Ab-1, Ab-2, C-1, C-2, C-3, AR-1, AR-2
P-2	International and regional standards in the field of health care and human rights	Kn-1, Ab-1, Ab-2, C-1, C-2, C-3, AR-1, AR-2		Lesya Katynska
P-3	Legal status of medico-legal relations participants	Kn-5, Ab-1, Ab-2, Ab-3, Ab-4, Ab-5, C-1, C-2, C-3, AR-1, AR-2, AR-3		Lesya Katynska
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		Lesya Katynska
P-5	Defects of medical care. Medical examination and control over the quality of medical care under the legislation of Ukraine	Kn-6, Kn-7, Ab-1, Ab-4, Ab-5, C-1, C-2, C-3, AR-1, AR-2, AR-3		Lesya Katynska
P-6	Legal liability in the field of health care.	Kn-6, Kn-7, Ab-1, Ab-2,		Lesya Katynska

	Procedures and mechanisms for the rights protection of medico-legal relations participants		Ab-5, C-1, C-2, C-3, AR-1, AR-2, AR-3	
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
SRW -10	Legal regulation of prophylactics and treatment of infectious diseases. Legal regulation of sanitary and epidemiological welfare 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	Lesya Katynska

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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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	Lesya Katynska
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-4, C-1, C-2, C-3, AR-1, AR-2, AR-3	Lesya Katynska

## 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 method	Enrollment criteria
<i>Kn-1</i>	L-2, L-3, P-2, SRW-2, SRW-3	Attending lectures and practical classes. Execution of written tasks on the topic (questions for	To enroll in the study of the discipline it is necessary: • to comply with the
<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	self-control and creative tasks). Participation in discussions, discussion of issues submitted for independent study.	requirements of the curriculum; • to solve tasks both in class and those offered for independent study correctly.
<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		

### Final control

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	<i>The maximum number of points is 200.</i> <i>The minimum number of points is 120</i>

	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”.	
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**Criteria for assessing the exam / differentiated test**

Exam	Exam	Exam
Differentiated test	Differentiated test	Differentiated test

*The maximum number of points* that a student can score for the current academic activity for admission to the test is 200 points.

*The minimum number of points* that a student must score for the current academic activity for admission to the test is 120 points.

*The calculation of the number of points* 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:

$$X = \frac{CA \times 200}{5}$$

**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 No. 125-2013. Available at SSRN:<http://ssrn.com/abstract=2209796>
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>

8. Health and Human Rights: A Resource Guide. Available at: <http://fxb.harvard.edu/health-and-human-rights-resource-guide/>
9. Klick, Jonathan and Stratmann, Thomas, Medical Malpractice Reform and Physicians in High-Risk Specialties (January 28, 2010). *Journal of Legal Studies*, Vol. 36, p. S121, 2007. Available at SSRN:<http://ssrn.com/abstract=870492> or <http://dx.doi.org/10.2139/ssrn.453481>
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>
12. Mastaneh, Zahra and Mouseli, Lotfollah, Patients Awareness of Their Rights: Insight from a Developing Country (July 11, 2013). *International Journal of Health Policy and Management*, Vol. 1, 2013. Available at SSRN:<http://ssrn.com/abstract=2293270>
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>
16. Peebles, Ralph A. and Harris, Catherine T. and Metzloff, Thomas B., The Process of Managing Medical Malpractice Cases: The Role of Standard of Care. *Wake Forest Law Review*, Vol. 37, p. 877. Available at SSRN:<http://ssrn.com/abstract=347760> or <http://dx.doi.org/10.2139/ssrn.347760>
17. P.-L. Chau, Jonathan Herring *Emergent Medicine and the Law* Publisher: Palgrave Macmillan; 2021. 330 pages
18. Shepherd, Lois L., Asking Too Much: Autonomy and Responsibility at the End of Life (2009). *Journal of Contemporary Health Law and Policy*, Vol. 26, p. 72, 2009. Available at SSRN: <http://ssrn.com/abstract=1553228>
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>
20. Teninbaum, Gabriel H., Medical Apology Programs & the Unauthorized Practice of Law (December 5, 2011). *New England Law Review*, Forthcoming; Suffolk University Law School Research Paper No. 11-57. Available at SSRN: <http://ssrn.com/abstract=1968484>
21. Senyuta I. *Compendium of Case Law Related to HIV/AIDS and Tuberculosis in Ukraine*. Available at SSRN: [https://www.ua.undp.org/content/ukraine/en/home/library/hiv\\_aids/compendium-of-case-law-related-to-hiv-aids-and-tuberculosis-in-ukraine.html](https://www.ua.undp.org/content/ukraine/en/home/library/hiv_aids/compendium-of-case-law-related-to-hiv-aids-and-tuberculosis-in-ukraine.html)

#### **Additional literature**

1. Beermann, Jack Michael, Government's Obligation to Provide for the Health, Safety and Welfare of Its Citizens (March 18, 2014). Boston Univ. School of Law, Public Law Research Paper No. 14-15. Available at SSRN:<http://ssrn.com/abstract=2410978> or <http://dx.doi.org/10.2139/ssrn.2410978>
2. Bogdanoski, Tony, Medical Negligence Dispute Resolution: A Role for Facilitative Mediation and Principled Negotiation? (2009). *Australasian Dispute Resolution Journal*, Vol. 20, No. 2, pp. 77-87, 2009. Available at SSRN: <http://ssrn.com/abstract=1438472>
3. Bourne, Richard W., Medical Malpractice: Should Courts Force Doctors to Confess Their Own Negligence to Their Patients? (2009). *Arkansas Law Review*, Vol. 61, No. 4, 2009; University of Baltimore School of Law Legal Studies Research Paper No. 2009-24. Available at

SSRN: <http://ssrn.com/abstract=1393895>

4. Bowman, Matthew S. and Schandavel, Christopher P., The Harmony Between Professional Conscience Rights and Patients' Right of Access (February 2, 2012). Available at SSRN: <http://ssrn.com/abstract=1998363> or <http://dx.doi.org/10.2139/ssrn.1998363>
5. Burris, Scott, From Health Care Law to the Social Determinants of Health: A Public Health Law Research Perspective (February 14, 2011). University of Pennsylvania Law Review, Vol. 159, No. 6, pp. 1649-1667, 2011; Temple University Legal Studies Research Paper No. 2011-15. Available at SSRN: <http://ssrn.com/abstract=1761425>
6. Caterina Milo. Informed consent: an empty promise? A comparative analysis between Italy and England, Wales, and Scotland. (June 16, 2022) Medical Law International. 2022. Available at Sage journals: <https://journals.sagepub.com/doi/full/10.1177/09685332221103557>
7. Chandler, Jennifer A., Does a Patient Have a Constitutional Right to the Freedom of Medical Research? Regenerative Medicine and Therapeutic Cloning Research in Canada (June 29, 2012). McGill Journal of Law & Health, Vol. 6, No. 2, 2012. Available at SSRN: <http://ssrn.com/abstract=2096344>
8. Chima, Sylvester C., Global Medicine: Is it Ethical or Morally Justifiable for Doctors and Other Healthcare Workers to Go on Strike? (December 19, 2013). 3rd Ethics, Human Rights and Medical Law Conference, Africa Health Congress 2013 Johannesburg, South Africa. 7-9 May 2013; Chima BMC Medical Ethics 2013, 14(Suppl 1):S5 doi:10.1186/1472-6939-14-S1-S5. Available at SSRN: <http://ssrn.com/abstract=2400438>
9. Cortez, Nathan, A Medical Malpractice Model for Developing Countries? (June 12, 2011). Drexel Law Review, Vol. 4, p. 217, 2011; SMU Dedman School of Law Legal Studies Research Paper No. 91. Available at SSRN: <http://ssrn.com/abstract=2010576>
10. Cortez, Nathan, Patients without Borders: The Emerging Global Market for Patients and the Evolution of Modern Health Care. Indiana Law Journal, Vol. 83, 2008; SMU Dedman School of Law Legal Studies Research Paper No. 00-24. Available at SSRN: <http://ssrn.com/abstract=982742>
11. Erdman, Joanna N., Access to Information on Safe Abortion: A Harm Reduction and Human Rights Approach (2011). Harvard Journal of Law & Gender, Vol. 34, pp. 413-462, 2011. Available at SSRN: <http://ssrn.com/abstract=1884387>
12. Golynger, Oxana, Patient Mobility and Healthcare in the EU (November 24, 2014). University of Leicester School of Law Research Paper No. 14-33. Available at SSRN: <http://ssrn.com/abstract=2529941> or <http://dx.doi.org/10.2139/ssrn.2529941>
13. Griet Verhenneman The patient, data protection and changing healthcare models. publishing house: Intersentia. 2021. 405 p
14. Hunter, Nan D., Rights Talk and Patient Subjectivity: The Role of Autonomy, Equality and Participation Norms (November 2, 2010). Wake Forest Law Review, Vol. 45, pp. 1525-1549, 2010; Georgetown Public Law Research Paper No. 10-71. Available at SSRN: <http://ssrn.com/abstract=1702013>
15. Himani Bhakuni. Informed consent to clinical research in India: A private law remedy. (September 23, 2020) Medical Law International. 2020. page(s): 256-283 Available at Sage journals: <https://journals.sagepub.com/doi/full/10.1177/0968533220958185>
16. Jonsen A. R. Clinical Ethics: A Practical Approach to Ethical Decisions in Clinical Medicine, Eighth Edition. A. R. Jonsen, M. Siegler, W. J. Winslade. USA: McGraw-Hill Education, 2015. 256 p.
17. Leonard, Elizabeth Weeks, The Public's Right to Health: When Patient Rights Threaten the Commons (August 18, 2008). Washington University Law Review, Vol. 86, p. 1335, 2009. Available at SSRN: <http://ssrn.com/abstract=1234542>
18. Mastaneh, Zahra and Mouseli, Lotfollah, Patients Awareness of Their Rights: Insight from a Developing Country (July 11, 2013). International Journal of Health Policy and Management, Vol. 1, 2013. Available at SSRN: <http://ssrn.com/abstract=2293270>
19. Matei, Emanuela, Economic and Social Patients' Rights in Cross Border Health Services: The Either or Fallacy (June 3, 2011). Lund Student EU Law Review, 2011. Available at SSRN: <http://ssrn.com/abstract=2296897>
20. Meier, Benjamin Mason and Bhattacharya, Dhruvajyoti, U.S. Health Care Reform as a Means

- to Realize the International Human Right to Health (2012). Debates on U.S. Health Care (Jennie Jacobs Kronenfeld, Wendy E. Parmet & Mark A. Zezza, eds.), (Sage, NY), 2012 Forthcoming. Available at SSRN:<http://ssrn.com/abstract=2095191>
21. 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>
  22. Nnamuchi, Obiajulu, Consent to Medical Treatment as a Fundamental Human Right: The Law and Ethics in Nigeria (August 6, 2013). Available at SSRN: <http://ssrn.com/abstract=2306504>
  23. Paul Snelling. Oliver Quick. Confidentiality and public interest disclosure: a framework to evaluate UK healthcare professional regulatory guidance. (March 8, 2022) Medical Law International. 2022. Available at Sage journals: <https://journals.sagepub.com/doi/full/10.1177/09685332221079124>
  24. Perez, Jose, Jehovah's Witnesses: Between Patient Autonomy and Paternalism (April 2010). InDret, Vol. 02, 2010. Available at SSRN: <http://ssrn.com/abstract=1639028>
  25. Philosophical foundations of medical law. Andelka Matija Phillips; Thana Cristina de Campos; Jonathan Herring. Oxford, United Kingdom: Oxford University Press, 2019. 352 p.
  26. Sawicki, Nadia N., Mandating Disclosure of Religious Limitations on Medical Practice (July 23, 2015). Loyola University Chicago School of Law Research Paper No. 2015-016. Available at SSRN:<http://ssrn.com/abstract=2635093> or <http://dx.doi.org/10.2139/ssrn.2635093>
  27. Spronk, Sarah I., The Right to Health of the Child in International Health and Human Rights Law (June 8, 2012). Available at SSRN: <http://ssrn.com/abstract=2080018> or <http://dx.doi.org/10.2139/ssrn.2080018>
  28. Terry, Nicolas, Protecting Patient Privacy in the Age of Big Data (September 27, 2012). Indiana University Robert H. McKinney School of Law Research Paper No. 2013-04; University of Missouri-Kansas City Law Review, Vol. 81, No. 2, 2012. Available at SSRN: <http://ssrn.com/abstract=2153269> or <http://dx.doi.org/10.2139/ssrn.2153269>
  29. Tiwari, Daya Shankar, Medical Negligence in India: A Critical Study (November 4, 2013). Available at SSRN:<http://ssrn.com/abstract=2354282> or <http://dx.doi.org/10.2139/ssrn.2354282>
  30. Senyuta I. The emerging public health legislation in Ukraine. – Access mode: <http://www.seejph.com/index.php/seejph/article/view/141>.
  31. Terry, Nicolas, What's Wrong with Health Privacy? (May 19, 2009). Journal of Health & Biomedical Law, Vol. V, pp. 1-32, 2009 ; Saint Louis U. Legal Studies Research Paper No. 2009-04. Available at SSRN:<http://ssrn.com/abstract=1407054>
  32. B., Sreya, Consumer Rights and Medical Negligence (May 8, 2013). Available at SSRN:<http://ssrn.com/abstract=2290846> or <http://dx.doi.org/10.2139/ssrn.2290846>
  33. Luntz, Harold, Loss of Chance in Medical Negligence (January 19, 2011). U of Melbourne Legal Studies Research Paper No. 522. Available at SSRN: <http://ssrn.com/abstract=1743862> or <http://dx.doi.org/10.2139/ssrn.1743862>
  34. Raz, Joseph, Human Rights in the Emerging World Order (November 14, 2009). (2010) 1 Transnational Legal Theory 31–47. Columbia Public Law Research Paper No. 09-219; Oxford Legal Studies Research Paper No. 47/2009. Available at SSRN: <http://ssrn.com/abstract=1497055> or <http://dx.doi.org/10.2139/ssrn.1497055>
  35. Women's Health and the Limits of Law: Domestic and International Perspectives. Edited by Irehobhude O. Iyioha. – London, Routledge. 322 p.
  36. Yaroshenko, O., Steshenko, V. Tarasov, O., Nurullaiev, I., & Shvartseva, M. (2022). Right to Health Care: The Practice of the ECHR and the Case of Ukraine. The Age of Human Rights Journal, (18), 239–256. <https://doi.org/10.17561/tahrj.v18.6496>
  37. Maydanyk, Roman, André. Exter, and Iryna Izarova. Ukrainian Healthcare Law in the Context of European and International Law. P. 276. 2022.
  38. Talukdar, Sougata. Right to Health in India: Law, Policy and Practice. SAGE Publishing India, 2022.
  39. Senyuta I. Human Autonomy in the Field of Medical Care: National Regulations, Foreign Experience and Case Law. 2022, Springer, Cham. Scopus. URL: <https://doi.org/10.1007/978-3-031->

05690-1\_5

40. Senyuta I., Litinska Y. The Empowerment and Protection of Vulnerable Adults Ukraine. Family Law in Europe: Academic Network. 2023. URL: [https://www.academia.edu/105489370/THE\\_EMPOWERMENT\\_AND\\_PROTECTION\\_OF\\_VULNERABLE\\_ADULTS\\_UKRAINE](https://www.academia.edu/105489370/THE_EMPOWERMENT_AND_PROTECTION_OF_VULNERABLE_ADULTS_UKRAINE)

41. Senyuta I. Y. The Convention on Human Rights and Biomedicine: Fundamental principles and the ratification value for Ukraine. The collection of articles of the XI International Research-to-Practice Conference. 2023. P. 198-201.

42. Senuyta I., Lytvynenko A. and others. A Comparative Analysis of Informed Consent Legislation in Ukrainian and Latvian Legislation and Case Law. International Comparative Jurisprudence 2022 Volume 8 Issue 2 ISSN 2351-6674 (online). Scopus. DOI: <http://dx.doi.org/10.13165/j.icj.2022.12.004> P. 167-177.

43. Senyuta I. Public health law and the war in Ukraine: Present and lessons for the future. Zdrowie Publiczne i Zarządzanie 2022; 20 (1): 3–7 [www.ejournals.eu/Zdrowie-Publiczne-i-Zarzadzanie](http://www.ejournals.eu/Zdrowie-Publiczne-i-Zarzadzanie), DOI: 10.4467/20842627OZ.22.002.16428. P 3–7.

### **Information resources**

#### **International and regional standards**

1. Active Citizen Network, European Charter of Patients' Rights (2002). [www.eesc.europa.eu/self-and-coregulation/documents/codes/private/085-private-act.pdf](http://www.eesc.europa.eu/self-and-coregulation/documents/codes/private/085-private-act.pdf)
2. Africa Commission on Human and Peoples' Rights, Protocol to the African Charter on Human and Peoples' Rights: Rights of Women in Africa (November 7, 2003). <http://www.achpr.org/instruments/women-protocol/>.
3. African Commission on Human and Peoples' Rights, African Charter on the Rights and Welfare of the Child (July 1, 1990). <http://www.achpr.org/instruments/child/>.
4. African Commission on Human and Peoples' Rights, Protocol to the African Charter on Human and Peoples' Rights: Establishment of the African Court on Human and Peoples' Rights (June 10, 1998). <http://www.achpr.org/instruments/court-establishment/>.
5. Council of Europe, Convention for the Protection of Human Rights and Fundamental Freedoms. [conventions.coe.int/Treaty/en/Treaties/Html/005.htm](http://conventions.coe.int/Treaty/en/Treaties/Html/005.htm).
6. Council of Europe, Convention for the Protection of Human Rights and Dignity of the Human Being with Regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine (1997). <http://conventions.coe.int/Treaty/EN/Treaties/Html/164.htm>.
7. Council of Europe, European Social Charter (1996 revised edition). [conventions.coe.int/Treaty/EN/Treaties/Html/035.htm](http://conventions.coe.int/Treaty/EN/Treaties/Html/035.htm).
8. Council of Europe, Framework Convention for the Protection of National Minorities (1995). [conventions.coe.int/treaty/en/Treaties/Html/157.htm](http://conventions.coe.int/treaty/en/Treaties/Html/157.htm).
9. European Court of Human Rights. Case Arskaya v. Ukraine. Available at: <http://hudoc.echr.coe.int/eng?i=001-138590>
10. European Court of Human Rights. Case Csoma v. Romania. Available at: <http://hudoc.echr.coe.int/eng?i=001-115862>
11. European Court of Human Rights. Case G.B. and R.B. v. Moldova. Available at <http://hudoc.echr.coe.int/eng?i=001-115395>
12. European Court of Human Rights. Case of Mehmet Senturk and Bekir Senturk v. Turkey (2013). Available at: <http://hudoc.echr.coe.int/eng?i=001-118722>
13. European Court of Human Rights. Case of V.C. v. Slovakia. Available at: <http://hudoc.echr.coe.int/eng?i=001-107364>
14. European Court of Human Rights. Case of Z. v. Finland. Available at: <http://hudoc.echr.coe.int/eng?i=001-58033>
15. European Court of Human Rights. Case VO v. France. Available at: <http://hudoc.echr.coe.int/eng?i=001-61887>
16. Organization of American States: Department of International Law, Additional Protocol to the

- American Convention on Human Rights in the Area of Economic, Social, and Cultural Rights: 'Protocol San Salvador' (November 17, 1998). <http://www.oas.org/juridico/english/treaties/a-52.html>.
17. Organization of American States: Department of International Law, American Convention on Human Rights: 'Pact of San Jose, Costa Rica.' [http://www.oas.org/dil/treaties\\_B-32\\_American\\_Convention\\_on\\_Human\\_Rights.htm](http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm).
18. Organization of American States: Department of International Law, Charter of the Organization of American States (1948). [http://www.oas.org/dil/treaties\\_A-41\\_Charter\\_of\\_the\\_Organization\\_of\\_American\\_States.htm](http://www.oas.org/dil/treaties_A-41_Charter_of_the_Organization_of_American_States.htm).
19. Organization of American States: Department of International Law, American Convention on Human Rights: 'Pact of San Jose, Costa Rica.' [http://www.oas.org/dil/treaties\\_B-32\\_American\\_Convention\\_on\\_Human\\_Rights.htm](http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm).
20. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation). – Access mode: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R0679>
21. UN General Assembly, Convention on the Rights of the Child, Resolution 44/25, A/RES/44/25 (November 20, 1989). <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.
22. UN General Assembly, International Covenant on Civil and Political Rights, A/RES/21/2200 (December 16, 1966). <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>.
23. UN General Assembly, International Covenant on Economic, Social, and Cultural Rights, A/RES/21/2200 (December 16, 1966). <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>.
24. UN General Assembly, Convention of the Rights of Persons with Disabilities, Resolution 61/106, A/RES/61/106 (December 13, 2006). <http://www.un.org/disabilities/convention/conventionfull.shtml>.
25. UN General Assembly, Convention on the Elimination of all Forms of Discrimination Against Women, Resolution 34/180, A/RES/34/180 (December 18, 1979). <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>.
26. UN General Assembly, International Convention on the Elimination of all forms of Racial Discrimination, Resolution 2106 (XX), A/RES/20/2106 (December 21, 1965). <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>.

### **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/>

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