

LW6186E: MEDICAL LAW AND ETHICS

Effective Term

Semester B 2024/25

Part I Course Overview

Course Title

Medical Law and Ethics

Subject Code

LW - Law

Course Number

6186E

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

3

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

LW5603 Law of Tort, LW6565E Law of Tort or LW6165E Law of Tort

Precursors

LW6165E or LW5603 Law of Tort

Equivalent Courses

LW5668 Medical Law

Exclusive Courses

LW6586E Medical Law and Ethics

Part II Course Details

Abstract

This course aims to

- Provide students with the basic knowledge of medical law and ethics, and familiarise students with legal principles and rules on the core issues within the field of medical law and ethics.
- Prepare students to think analytically and critically on important and advanced topics relating to medical law and acquire problem-solving skills and effective research skills necessary to solve practical and academic problems regarding medical law.

Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Describe and explain the substantive rules of medical law regarding the topics to be covered in the syllabus	50	x	x	
2	Analyse and critically assess major issues and concerns in the field of medical law in the social, legal and ethical context	30	x	x	x
3	Apply the principles and rules of medical law to solve practical and research problems in the Medico-Legal area	20	x	x	x

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Learning and Teaching Activities (LTAs)

LTAs		Brief Description	CILO No.	Hours/week (if applicable)
1	Lectures	The lectures are designed to explore the major issues and cases and to address some of the theoretical underpinnings of various topics. The reading materials, power point documents and tutorial questions will be given to students beforehand.	1	Two and half hours

2	Tutorials	The tutorials will focus primarily on more difficult issues and cases deriving from the lectures and the reading materials. Students are instructed to discuss and answer the tutorial questions given to them beforehand.	2	Half an hour
3	Tutorials	Each student is instructed to choose a research topic within the field of medical law and carry out the research independently. An independent research paper should be submitted to their teacher at the end of week ten.	3	

Assessment Tasks / Activities (ATs)

ATs	CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)
1 Research essay Students' skills of legal research, critical analysis, organization and ability to express themselves coherently, clearly and concisely in English will be tested	1, 2, 3	40	The use of Generative AI tools is not allowed.
2 Participation and in-class performance both in lectures and tutorials	2, 3	10	The use of Generative AI tools is not allowed.

Continuous Assessment (%)

50

Examination (%)

50

Examination Duration (Hours)

3

Additional Information for ATs

Examination: The use of Generative AI tools is not allowed.

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

Students must obtain a minimum mark of 50% in both coursework and examination and an overall mark of 50% in order to pass the course.

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter

Students must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass the course.

When University facilities and resources are available, students are required to take a computer-based examination in computer labs. During the examination, students are blocked from access to files, programs and the Internet.

Assessment Rubrics (AR)

Assessment Task

Research essay (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

Familiarity with the subject matter; understanding of the subject; extensive knowledge base; critical capacity and analytic ability; original thinking; good organization.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair

(C+, C, C-) Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Participation and in-class performance (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

Familiarity with the subject matter; understanding of the subject; ability to solve problems; good organization.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair

(C+, C, C-) Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Examination (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

Familiarity with the subject matter; understanding of the subject; ability to solve problems; analytic capacity, good organization.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

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(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Research essay (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

Familiarity with the subject matter; understanding of the subject; extensive knowledge base; critical capacity and analytic ability; original thinking; good organization.

Excellent

(A+, A, A-) High

Good

(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Assessment Task

Participation and in-class performance (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

Familiarity with the subject matter; understanding of the subject; ability to solve problems; good organization.

Excellent

(A+, A, A-) High

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(B+, B) Significant

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Assessment Task

Examination (for students admitted from Semester A 2022/23 to Summer Term 2024)

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Familiarity with the subject matter; understanding of the subject; ability to solve problems; analytic capacity, good organization.

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(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Part III Other Information

Keyword Syllabus

Access to Health Care, Medical Negligence, Prenatal Negligence, Informed Consent, Patient Privacy, Assisted Reproduction, Surrogacy, Abortion, Medical Research, Human Tissue, Organ Transplantation, End of Life Medical Decision, Euthanasia

Detailed Syllabus

1. Introduction to medical law and medical ethics
2. Access to health care
3. Medical negligence
4. Prenatal negligence
5. Informed consent
6. Patient privacy
7. Assisted reproduction and surrogacy
8. Contraception and abortion
9. Medical research
10. Human tissue and organ transplantation
11. End of life and euthanasia

Reading List**Compulsory Readings**

Title	
1	Nil

Additional Readings

Title	
1	Main reference book(s)
2	Shaun D. Pattinson, Medical Law and Ethics (3rd ed.) (London: Sweet & Maxwell, 2011)
3	Jonathan Herring, Medical Law and Ethics (5th ed.) (Oxford: Oxford University Press, 2014)
4	Kenyon Mason and Graeme Laurie, Mason and McCall Smith's Law and Medical Ethics (9th ed.) (Oxford: Oxford University Press, 2013)
5	Emily Jackson, Medical Law: Text, Cases, and Materials (3rd ed.) (Oxford: Oxford University Press, 2013)
6	Margaret Brazier and Emma Cave, Medicine, Patients and the Law (5th ed.) (Penguin Books, 2011)
7	Online Resources
8	In order to keep track of new developments on Medical Law worldwide, students are expected to use various library electronic resources on law including databases like LEXIS.com, Westlaw International and HK Law Databases.