COMPARATIVE PUBLIC HEALTH LAW SEMINAR
Professor Dayna Bowen Matthew
Fall 2009

Required Text: Readings in Comparative Health Law & Bioethics (“Jost”)  
Timothy Stoltzfus Jost (2nd ed.)

Reference Texts:  
Lawrence O. Gostin

Public Health Law and Ethics: A Reader (“Reader”)  
Lawrence O. Gostin (ed.)

International Law and Public Health (“Fidler”)  
David P. Fidler

Supplemental Readings: See TWEN “Course Materials”

Grading
Final Paper (25 page minimum) 70%
Class Participation 30%
   Oral Report, Critique (15%)
   Class Discussion (15%)

Important Dates: Oral Reports Due¹ – November 4, 11, 18, December 2²
Final Paper Due – December 17, 2009

Final Paper and Oral Report Requirements

Each student will select a single topic for both the oral presentation and final paper. Professor Matthew must approve the topic selected by October 7, 2009. Your oral report should be 30 - 45 minutes in length, including time for classroom discussion. You should regard the oral report as both a presentation of an interesting aspect of your final paper topic, and an opportunity to receive feedback from your classmates concerning your “work in progress.” The oral report is intended to follow the format of an academic workshop or colloquium. You must post a draft copy of your paper on TWEN to provide a basis for discussion of your topic by 5:00 p.m. on the Monday before your presentation. You will be responsible for presenting your topic to the class, and leading a 15-20 minute discussion with the class. After discussion, each of your classmates will submit a written critique of your paper and arguments, on a form I will provide. Each student’s written critique constitutes a graded assignment.

Your final paper must address a public health law issue that arises in two countries. In order to have your topic approved, you must submit a one page summary of your paper which

¹ A draft copy of your final paper provides the reading for your oral report. The draft must be posted on TWEN by 5:00 p.m. on the Monday before the date of your scheduled presentation.
² If the class is able to reach mutual agreement, I will reschedule this class to meet earlier during the week of December 3rd.
includes 1) the thesis or theme of your paper; 2) a brief outline of your approach to the topic you have selected; and 3) an annotated bibliography that demonstrates you will have sufficient resources to address your chosen topic. This approval is due in class on October 7, 2009.

Assigned Readings

August 26, 2009 – Introduction to Public Health Law

1. NO ASSIGNED READINGS – INTRODUCTION TO PUBLIC HEALTH LAW


September 2, 2009 -- The Right to Health Care and Its International Implementation

2. Readings, Chapter 1
Application, Access to Transplant Organs Jost pp. 8-98

3. TWEN – Why is Law Important to Public Health?
TWEN – Provisions for Health Care in the Constitutions Of the Countries of the World
37 Cornell Int’l L.J. 285

September 7, 2009 – Confidentiality, and Self-Determination

4. Readings, Chapter 2 -3
Application, Global Review of Abortion Jost pp. 176 -255

5. TWEN – The Public Health Issues and Current American Health Reform

6. TWEN - The World Health Organization and the Politics of Public Health Fidler, pp.67-74, pp.87-127

September 16, 2009 -- The AIDS Pandemic: Individual v. Communal Rights

7. Readings, Chapter 4 Jost, pp. 341-35

Application: *Intellectual Property Rights and Developing Nations’ Access To AIDS Pharmaceuticals*


*Recommended Readings on TWEN But Not Assigned*


*September 23, 2009 – Public Health Regulation and Individual Rights*

12. Readings, Chapter 4 Application: *SARS* Jost, pp. 355 – 368

Readings, Chapter 4 Application, *Human Subject Research* Jost pp. 390-406
13. Rothstein, et al., “Quarantine and Isolation: Lessons Learned From SARS”
http://www.louisville.edu/medschool/ibhpl/images/pdf/SARS%20REPORT.pdf

14. TWEN - Quarantine and Isolation International Case Studies For: Vietnam, Taiwan, PRC

**Recommended Readings on TWEN But Not Assigned**

(1) The Global Crisis in Infections Diseases and the Role of International Law
Fidler, pp 127-178

September 30, 2009 -- Tobacco Regulation and Litigation In Japan and the USA

15. Reader, Chapter 4
Jost, pp. 369-390

16. TWEN – Non-Communicable Diseases
The Global Tobacco Pandemic and International Law
Fidler 179-184


**Recommended But Not Assigned**


October 7, 2009 – Country Topics and Themes: Public Health Law and Ethics in Brazil


20. TWEN - Barnes, “A History of Health Care Reforms and Decentralization Efforts in Brazil


October 14, 2009 – Country Topics and Themes: Africa and its Environmental Health


October 21, 2009 – War, Weapons, and Public Health: The Case of the Rwandan Genocide

26. TWEN – International Humanitarian Law and Public Health Fidler, pp. 373-423

October 28, 2009 – Economic Development and Public Health

27. CHILE: Montero et al., “A Market-Based Environmental Policy Experiment in Chile” 45 J.L. & Econ. 267 (2002)


November 4, 2009 – Oral Reports

November 11, 2009 - Oral Reports

November 18, 2009 - Oral Reports

December 2, 2009 – Oral Reports