

**Odessa National Medical University
Faculty of Dentistry (International)
Department of Forensic Medicine**

Syllabus of the course “Medical Law”

Credits and hours	1,5 ECTS credits, total – 45 hours Lectures – 8 hours, practical classes – 12 hours, students’ independent work – 25 hours
Term, year of study	Term – VI, year of study – 3
Days, time, month	Conducting the academic discipline is carried out according to the approved schedule of classes in the premises of the Department of Forensic Medicine
Teachers	Teachers of the Department of Forensic Medicine: Associate Professor, PhD in Juridical Sciences Terzi O. O.
Contact number	(048) 723-76-90
E-mail	terzi.elena@ukr.net
Workplace	Premises of the Department of Forensic Medicine
Consultations	Classroom: according to the consultation schedule Online: according to the individual agreement (MS Teams, Zoom, Viber, etc.)

COMMUNICATION

Communication with students will be carried out by E-mail, Microsoft Teams, by phone, in the classroom according to the schedule.

COURSE ANNOTATION

The **subject** of studying the discipline is to provide theoretical knowledge and develop skills for the practical application of the law.

Prerequisites

The basis for mastering the discipline is knowledge, skills and abilities acquired during studying such disciplines as “Philosophy”, “Fundamentals of Bioethics and Security”, “Deontology in Medicine”, “Law”, “History of Medicine”.

Postrequisites

Studying such an academic discipline as Medical law involves the interconnection of the following disciplines: “Social medicine. Public Health”, “Forensic Medicine”, “Legal Status of Medical Legal Relations Subjects”.

The **aim** of the course is to form and develop the students’ competence in the field of medical law, aimed at obtaining the necessary amount of theoretical medical and legal knowledge.

The tasks of the discipline are:

1. to provide knowledge about the sources of medical law, tendencies of rule-making in health care;
2. to provide knowledge on guidance in various areas of law, legislation and regulations governing the provision of medical care and their interrelation in the field of

health care;

3. to teach allocating defects of health care delivery, their legal qualification;

4. to teach distinguishing types of legal responsibility for offenses in the field of health care;

5. to teach using legal practice in the field of medical law, including European Court of Human Rights;

6. to know the mechanisms of implementing the rights and duties of the subjects of medical relations, as well as the legal status of health professionals in the field of dentistry.

Expected results:

As a result of studying the discipline, the student should:

know:

- sources of medical law;
- mechanisms for implementing the rights and duties of medical legal relations subjects;
- legal regulation of dental practice in Ukraine;
- types of legal liability for offenses in the field of health care;
- legal practice in the field of medical law, including European Court of Human Rights.

be able:

- to work independently with the legislation of Ukraine, as well as with international and regional standards in the field of health care;
- to distinguish the mechanisms for implementing the rights and duties of medical legal relations subjects and types of legal liability;
- to use and compile normative and legal documents related to future professional activity.

COURSE DESCRIPTION

The course will be presented in the form of lectures (8 hours), practical classes (12 hours), students' independent work (25 hours).

Forms and methods of studying

1. *lectures* (topics of the lecture course reveal problematic issues of the relevant sections of the discipline. Lecturers can conduct such types of lectures as educational, informational, lecture-visualization, lecture-discussion, lecture-consultation);

2. *practical classes* (practical classes involve oral and written interviews, test tasks, solving situational problems);

3. *students' independent work* with active consultation of the teacher (during independent work students master the study material of the next practical class. At the consultations the student can get answers to complex questions of the topic).

COURSE CONTENT

Topic 1. General issues of Ukraine's health care legal regulation. General characteristics of law. Medical legislation and its place in the system of legal knowledge.

Topic 2. International and regional standards in the field of health and human rights.

EU health care law. International health care law. Legal regulation of Ukraine's health care system.

Topic 3. Legal status of medical legal relations subjects.

Topic 4. Offenses and legal liability in the field of health care.

Topic 5. Dental care in Ukraine: regulatory support.

Topic 6. Legal status of health professionals and patients in the field of dentistry.

Topic 7. Legal qualification of defects of health care delivery. Legal assessment of adverse effects of dental care.

Topic 8. Legal regulation of dental practice in Ukraine.

Topic 9. Healthcare intellectual property.

Topic 10. Legal regulation of palliative care. Organizational and legal functioning of hospices.

Recommended literature

1. Hrin O. O. General medical law: Textbook: Album of schemes. – Uzhhorod: Publishing House “FOP Sabov A. M.”, 2017. [in Ukrainian].

2. Lemekha R. I. The objective side of the crime elements “improper performance of professional duties by a health professional” // Medical Law. – No. 2 (20). – 2017. [in Ukrainian].

3. Alghrani A., Bennett R., Ost S. Bioethics, Medicine and the Criminal Law: The Criminal Law and Bioethical Conflict: Walking the Tightrope. – Cambridge: Cambridge University Press, 2012. [in English].

4. Study Guide on Medical Law / com. by S. D. Riabenko, B. V. Mykhailychenko. – K.: VSV «Medicine», 2014. [in English].

5. Kashyntseva O. Yu. Problems of bioethics law: a course of lectures / KUL of NASU. – K., 2012. [in Ukrainian].

6. Constitution of Ukraine of June 28, 1996 [Electronic resource]. Retrieved from: <http://zakon4.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80> [in Ukrainian].

7. Code of Administrative Legal Proceedings of Ukraine of July 6, 2005 (as amended on October 10, 2017) [Electronic resource]. Retrieved from: <http://zakon4.rada.gov.ua/laws/show/2747-15> [in Ukrainian].

8. Law of Ukraine “Bases of the legislation of Ukraine on health care” No. 2801-XII (as amended on July 24, 2020) [Electronic resource]. Retrieved from: <https://zakon.rada.gov.ua/laws/show/2801-12#Text> [in Ukrainian].

9. Criminal Code of Ukraine of April 5, 2001 [Electronic resource]. Retrieved from: <http://zakon4.rada.gov.ua/laws/show/2341-14> [in Ukrainian].

10. Civil Code of Ukraine of January 16, 2003 [Electronic resource]. Retrieved from: <http://zakon4.rada.gov.ua/laws/show/435-15> [in Ukrainian].

Information resources

University websites and electronic resources of the Internet.

ASSESSMENT

Methods of current control:

Each practical class involves the following methods of current control:

- 1) tests on the topic of practical class
- 2) oral answer to standardized questions on the material of the current topic, previous topics and lecture material

- 3) filling out indicative maps on the topic

- 4) control of student's activity while working in small groups

Criteria for assessing student's work at practical classes

«5»	«4»	«3»	«2»
<i>Criteria for assessing student's theoretical knowledge</i>			
The student independently, clearly and consistently, with exhaustive completeness answers all questions.	The student maturely orientates in material, but in response makes two or three not fundamentally important mistakes.	The student knows the factual material in the full content of the course program, but finds it difficult to present answers independently and systematically, forcing the teacher to ask leading questions.	The student does not show knowledge and poorly orientates in a general theoretical course material, which is revealed by offering him additional questions.
<i>Criteria for assessing student's performance of test tasks</i>			
90-100 %	70-80 %	50-60 %	Less than 50 %
<i>Criteria for assessing student's activity</i>			
Very active	Active	Low active	Passive
The student works actively throughout a practical class, is able to express one's own attitude to the problem, shows the ability to present the material independently, draw independent conclusions. The student is a leader in the group.	The student actively works during the practical class, presents the material logically, with conclusions, is able to perform educational tasks. The student is also able to work in a group, but needs stimulation from the outside for the manifestation of qualities.	The student in general understands the essence of questions on the topic, tries to draw conclusions and solve problems. But in class, the student is passive, responds only to the request of the teacher and does not show the activity in group work.	The student does not show activity in independent work and in group work. The student also shows the absence of interest and desire to work.

The final grade is the average grade for all types of student activities during the practical class.

At the end of the course, the current performance is calculated as the average score of all scores obtained by the student on a traditional scale, rounded to 2 (two) decimal places.

Forms and methods of final control:

The student gets **credit** at the last lesson by an oral interview, which is conducted by the head of the department together with an associate professor or two associate professors.

The credit is passed solely on the basis of the student's performance of the curriculum in the absence of academic debt in the discipline with an average score for the current academic activity of not less than 3.00, which is set as "passed", "fail" and converted to a 200-point system.

Accruing and distribution of points received by the student.

To assess the discipline on a traditional (national) 4-point scale, the average score for the discipline is first calculated as the arithmetic mean of the two components:

- 1) the average current score as the arithmetic of all current scores (calculated as a number rounded to 2 (two) decimal places, for example, 4.76);
- 2) a traditional grade for differentiated credit.

The average score for the discipline is converted into the traditional grade from the discipline on a 4-point scale and is regarded as the ratio of this arithmetic mean to the percentage of mastering the required amount of knowledge in the subject. The obtained average score for the discipline allows conversion to a grade on a 200-point scale.

Conditions for obtaining additional (bonus) points.

Participation in the research of the Department, preparation of reports and speeches at student conferences.

Students' independent work.

Tasks for independent work:

- 1) *preparation for practical classes* (theoretical training, work with indicative maps, test tasks, solving situational problems)
- 2) *preparation for the credit.*

Assessment of independent work, which is provided in the topic along with the class work, is carried out during the current control on the topic in the relevant class.

COURSE POLICY

Deadline and retaking policy: Making up missed lectures and practical classes (more than 1 day) requires the dean's permission. Making up is carried out daily after classes (not more than 1 day) and on Saturday (3 days). After that, the student takes the credit by an oral interview, which is conducted by the head of the department together with an associate professor or two associate professors.

Academic integrity policy: Cheating during the current control test and taking differential credit is prohibited (including with the use of mobile devices).

Attendance policy: Attendance at lectures and practical classes is mandatory, points for attending lectures are not accrued, but without making up the lectures during the cycle, the student is not allowed to take the differential credit. An important reason for absence from classes is an illness confirmed by a certificate from the dean's office.