

Course Syllabus
Law 724 – Medical Malpractice Survey
Fall 2008

Instructor:

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Office: Lewis 800B
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Office Hours: Wednesdays, 4:00 p.m. – 5:30 p.m., or by appointment

Meeting time and location:

Mondays and Wednesdays, 2:30 p.m. – 3:45 p.m., Lewis 904

Required Text:

Medical Liability and Treatment Relationships, 2nd Edition, Mark A. Hall, et al., Aspen Publishers (“Text”)

Course Requirements/Grading:

Class participation/discussion: 15%
Final Exam: 85%

Assignments:

-- The listed assignments are subject to change.

Class	Date (Week of Monday,)	Topic	Assignment
1	August 25	Overview cases; Nature of Medical Practice	Text, pp 1-44
2	September 1 (we will meet on T, Sept 2 and W, Sept 3)	Duty to Treat	Text, pp 69-110
3	September 8	Structure of Treatment	Text, pp 110-34
4	September 15	Regulating the Treatment Relationship	Text, pp134-72

5	September 22	Fiduciary Nature of the Treatment Relationship; Confidentiality of Medical Information	Text, pp 173-96
6	September 29	Informed Consent	Text, pp 196-244
7	October 6	Medical Mistakes and Quality	Text, pp 273-97; <u>Tisdale v. Pruitt, Jr., M.D.</u> , 302 S.C. 238, 394 S.E.2d 857 (S.C. Ct. App. 1990) – obtain via Westlaw/Lexis
8	October 13	Physician Liability	Text, pp 300-32
9	October 20	Physician Liability	Text, pp 332-61
10	October 27	Alternative Theories of Liability	Text, pp 361-406
11	November 3	Causation and Affirmative Defenses	Text, pp 406-436
12	November 10	Damages and Settlement	Text, pp 436-454; Revisit <u>Moore</u> , Text pp 226-31
13	November 17	Institutional Liability	Text, pp 454-503
14	November 24	Medical Malpractice Reform; Review	Text, pp 503-524