

SUBJECT OUTLINE



Subject Name:

Ethics and Law in Complementary Medicine

Subject Code:

SOCL321

SECTION 1 – GENERAL INFORMATION

Award/s:	Bachelor of Complementary Medicine	Total course credit points:	48	Level:	3 rd Year
Duration:	1 Semester				
Subject Coordinator:	Dr Christine Deftereos (Melbourne campus)				
Subject is:	Core	Subject Credit Points:	2		

Student Workload:

No. timetabled hours per week:	No. personal study hours per week:	Total hours per week:
3	2	5

Delivery Mode:

Face to face	2 hour lecture, 1 hour practical
E-learning	Narrated PowerPoint Presentations Tutorials – asynchronous tutor moderated discussion forum and activities Student handouts, web-based resources
Full Time	
Part Time	

Pre-requisites: Nil

Co-requisites: Nil

SECTION 2 – ACADEMIC DETAILS

Subject Rationale

This subject aims to broaden the student's understanding of ethical theory, ethical issues and ethical decision making process as related to complementary medicine. This subject frames complementary medicine within the Australian legal system and within international and domestic human rights, offering students the opportunity to explore legal issues through case law.

Learning Outcomes

1. Demonstrate a depth of understanding of the moral and philosophical underpinnings of complementary medicine.
2. Apply theoretical frameworks for appropriate ethical responses in the field of complementary medicine.
3. Demonstrate an understanding of human rights as an interface between complementary medicine, law and ethics.
4. Critically evaluate domestic and international legal and ethical issues related to complementary and allopathic medicine in Public Health.

Assessment Tasks

Type	Learning Outcomes Assessed	Week Content Delivered	Week Due	Weighting
Written Assignment (1500 words)	1-3	1-3	7	30%
Written Assignment (2000 words)	1-4	4-8	12	40%

Final Exam (2 hours)	1-4	1-13	Final Exam Period	30%
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Prescribed readings:

1. Kerridge, I., Lowe, M., & Stewart, C. (2013). *Ethics and Law for the Health Professions* (4th ed.). Annandale, NSW: Federation Press.
2. Ozolins, J., & Grainger, J. (2015). *Foundations of healthcare ethics theory to practice*. Port Melbourne, Vic: Cambridge University Press.

Recommended readings:

1. Baillie, H., McGeehan, J., Garrett, T. M., & Garrett, R. M. (2013). *Health Care Ethics* (6th ed.). Boston, MA: Pearson.
2. Breen, K. (2010). *Good medical practice professionalism ethics & law*. New York, NY: Cambridge University Press.
3. Corey, G., Corey, M. S., & Callanan, P. (2015). *Issues and ethics in the helping professions* (9th ed.). Stamford, CT: Brooks Cole Cengage.
4. Egan, G. (2013). *The skilled helper: A problem-management and opportunity-development approach to helping* (10th ed.). Belmont, CA: Brooks Cole.
5. Weir, M. (2016). *Law & ethics in complementary medicine* (5th ed.). Sydney, NSW: Allen & Unwin.

Subject Content		
Week	Lecture	Tutorial
1.	Introduction: (Subject Outline/Subject Aims/Assessment/Teaching Resources) Introduction to Philosophy, Morality and Ethics <ul style="list-style-type: none"> • Introduction to the philosophy of morality and ethics • Why study healthcare ethics? • The development of ethics from their moral and philosophical beginnings • Disciplines • Exploration of the ethical and moral perspectives of leading theorists 	Explanation of the assessment tasks/activities/expectations <ul style="list-style-type: none"> • Overview of the subject and introduction to the prescribed reading • Discussion on the conflicting perspectives of the leading theorists in the field of morality and how their ideas influence our personal and societal realities – for example Aristotle, John Stuart Mill, Jeremy Bentham, Immanuel Kant, Simone de Beauvoir, Andre Gide, Jurgen Habermas
2.	Overview of Ethical Theory <ul style="list-style-type: none"> • Ethical principles • Ethical theories • Ethics of character and conduct • Overview of ethics 	<ul style="list-style-type: none"> • Facilitated discussion surrounding ethical principles and how they apply to society and complementary medicine • Activities designed to highlight the different approaches of ethical theories and their historical framework
3.	Ethical Considerations in Complementary Medicine <ul style="list-style-type: none"> • Ethics and the law • Applied ethics: punishment and justice • Scope of practice – restricted acts and protected titles • Professionalism and conduct • Empathy and care 	<ul style="list-style-type: none"> • Facilitated discussion surrounding legal issues in complementary medicine, including case law • Facilitated discussion around ethical dilemmas •

	<ul style="list-style-type: none"> • Conscience and the healthcare professional • Consent and confidentiality • Ethical decision making • Goods and consumer issues • Setting up a practice and record keeping 	
4.	<p>The Legal System and Complementary Medicine I</p> <ul style="list-style-type: none"> • Introduction to the Australian legal system • torts - defamation, misrepresentation • Obligations, duties and rights • The legal process • Natural law and sanctity of human life <p>Case Studies I</p> <ul style="list-style-type: none"> • To include introductory information on how to read and analyse case law 	<ul style="list-style-type: none"> • Reading and understanding cases relevant to complementary medicine and intentional torts. • Group discussion around the structure and processes of the Australian legal system. • Handout 4.1- "How to understand legal terminology and effectively read case law"
5.	<p>The Legal System and Complementary Medicine II</p> <ul style="list-style-type: none"> • Torts - negligence and privacy • Workplace Health and Safety • Professional misconduct <p>Case Studies II</p>	<ul style="list-style-type: none"> • Reading and understanding cases relevant to complementary medicine in the areas of torts, Workplace Health and Safety and privacy. • Understanding professional misconduct – review case examples •
6.	<p>The Legal System and Complementary Medicine III</p> <ul style="list-style-type: none"> • Criminal law • Civil rights • Personhood and human dignity <p>Case Studies III</p>	<ul style="list-style-type: none"> • Reading and understanding cases relevant to complementary medicine in criminal law proceedings. • Understanding case law around the civil rights of freedom of information and privacy
7.	<p>The Legal System and Complementary Medicine IV</p> <ul style="list-style-type: none"> • Contracts • Complaints <p>Case Studies IV</p>	<ul style="list-style-type: none"> • Reading and understanding cases relevant to complementary medicine, contracts and the complaints process.
<p>NON-TEACHING WEEK (note that make-up classes may be scheduled in this week) Semester 1 - This aligns with the week after Easter so it may fall between weeks 6 to 8. Semester 2 & Online students - The break week falls between Weeks 7 and 8.</p>		
8.	<p>Regulatory Issues in Complementary Medicine</p> <ul style="list-style-type: none"> • Therapeutic Goods Act • Medical records • Anti-discrimination • Anti-competition and monopoly • Restricted acts and protected titles • Consumer protection 	<ul style="list-style-type: none"> • Facilitated discussion surrounding regulatory issues in complementary medicine • Facilitated discussion of the Health Practitioner Regulation National Law Bill and follow up legislation

	<ul style="list-style-type: none"> • Health Services Commissioner • Licenses and insurances 	
9.	Society, law and Complementary Medicine <ul style="list-style-type: none"> • Professional and legal rights and responsibilities • Law reform • Human rights-in context • Right to live and right to die • Organ donation • Abortion • Reproduction 	<ul style="list-style-type: none"> • Reading – Recommended Reading Germov J Second Opinion, 2013, An Introduction to health Sociology 5th Ed Chapter 12 • Facilitated discussion on human rights and international conventions
10.	Complementary medicine, law and ethics in rural, global and minority contexts <ul style="list-style-type: none"> • Access to healthcare for minority groups (minority groups include indigenous, refugees, migrants, and asylum seekers)Global health • World Health Organisation 	<ul style="list-style-type: none"> • Reading and facilitated discussion of WHO papers on traditional medicine. • Facilitated discussion on access to healthcare for minority groups in Australia and internationally
11.	Complementary Medicine and Indigenous Communities <ul style="list-style-type: none"> • Indigenous rights • Medical services • The law – Aboriginals and Torres Strait Islanders • The role of complementary medicine 	<ul style="list-style-type: none"> • Group comparative analysis using case studies taken from Indigenous Law Bulletin linking indigenous legal sovereignty, indigenous health and traditional medicine • Facilitated discussion of common health problems in immigrants, refugees and asylum seekers in a climate of legal and cultural uncertainty
12.	Epidemiology & Public Health <ul style="list-style-type: none"> • Epidemiology • Public health 	<ul style="list-style-type: none"> • Facilitated discussion of case studies - complementary medicine and immunology • Comparative studies of European, American and Australian endorsement of complementary medicine practice in issues relating to infection control
13.	Healthcare and end-of-life care <ul style="list-style-type: none"> • Healthcare and virtue • Just care and the end of life • End of life care – including decision making, no-CPR orders, care for the elderly, dementia, palliative care, euthanasia and assisted suicide 	<ul style="list-style-type: none"> • Facilitated discussion surrounding public health within the context of human rights
14.	Non-Teaching Week/Practical Exam Week 1. Note that make-up classes may be scheduled in this week.	
15.	Non-Teaching Week/Practical Exam Week 2. Note that make-up classes may be scheduled in this week.	
16.	Final Exam Week 1 Please refer to your Campus Timetable for the exact time and day of the final exam NOT ALL SUBJECTS HAVE A FINAL EXAM – PLEASE REFER TO THE ASSESSMENT INFORMATION ABOVE	
17.	Final Exam Week 2 Please refer to your Campus Timetable for the exact time and day of the final exam NOT ALL SUBJECTS HAVE A FINAL EXAM – PLEASE REFER TO THE ASSESSMENT INFORMATION ABOVE	