GENERAL INFORMATION AND COURSE SYLLABUS

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Course Description: This class extends the discussion of issues originating in PHG 512 (Legal, Ethical and Social Issues in Public Health Genetics) by examining in greater depth the legal consequences of genetic technologies and information. This class explores the legal, policy and ethical consequences of genetic technologies and information. It will begin with an overview of genetic science, the recent explosion of knowledge about the human genome, and an introduction to law and public health. The course then examines the concepts of privacy and confidentiality and their application to genetic information. The course continues by considering genetic information and its use in the workplace, its role in access to insurance and health care coverage. We will then explore the use, abuse and occurrence of medical mistakes in genetic testing, first focusing on reproductive decision-making, parenting, and domestic relations and then on testing on the broader clinical context. Our attention then turns to exploring the use of DNA in the courtroom, forensics, behavioral genetics, and use of genetic evidence in the civil and criminal context. We will then move on to look at the movement of genetics from bench science to the marketplace, including patenting, with a focus on genetically modified agriculture. The overarching context for the course will be to address the response of the law and legal system to advances in genetic information and technologies and posit what the response should be in the future.

This course will be taught and conducted in a seminar style. We will be engaged in our exploration of the topics covered through shared learning. Each member of the class will participate in and contribute the learning that occurs. Such collaborative learning will be reflected in the way that the course is structured and your work is evaluated.

Course Materials: The text for the course will be Genetic Technologies and the Law (Carolina Academic Press 2007). In addition, there may be articles, cases and news pieces included in the readings. These will be available on the course website.

For those students seeking additional background reading on the law and legal systems, there is a general introductory text, Introduction to the Law and Legal System in the United States (3d ed. 1998
American Casebook series), available in the Gallagher Law Library.

**Fun Stuff:** There are several videos available for optional viewing. These materials will be on reserve at the Gallagher Law Library and from time to time we may show clips from them in class.

**Class Meetings:** The course meets on Mondays and Wednesday, 3:30 – 5:20 p.m.. There will be no class on the Martin Luther King and Presidents Day holidays.and the Wednesday sessions will meet every other week, alternating with the Public Health Genetics Seminar Series.

Attendance is essential. I expect students to arrive on time for class, as late-comers and stragglers can be very disruptive. Please turn off all cell phones and pagers before the start of class. I urge you to share notes, outlines, and insights with your classmates. Our class will consist of both law students and public health students. I particularly believe that our learning will be greatly enhanced the more interaction we are able to have among students from different backgrounds and disciplines. It is important that we take advantage of the interdisciplinary nature of the class. In the event that there is a guest lecturer, you will be responsible for the material covered by these lecturers.

**Course Grade:** This course is designed to engender active discussion of the issue and simultaneously provide an opportunity for students to build critical skills in writing and analysis. There will be four writing assignments during the term, each of which will be 25% of your grade.

For each session of the class, I will provide you with three overarching study questions and/or hypotheticals. Students assigned to write will write a 5-7 page paper on one of the questions or hypotheticals and will also be expected to be active discussants in class. Regardless of whether you are assigned to write, the expectation is that you will have read the assigned readings, considered the study questions, and fully engage in the discussion.

**Disability-Related Needs:** To request academic accommodations due to a disability, please contact Disabled Students Services, 448 Schmitz, (206) 543-8924 (V/TTY).

**Outline of the Course and Reading Assignments – Winter, 2009:**

The following syllabus outlines the course, reading assignments and sets forth a preliminary timetable. It is possible that the timetable and reading assignments will be amended during the course. I will alert you to any changes and post them on the website.

**Jan. 5th**

**Introduction to Genetics, the Law and Public Health:**


**Reading Assignment:** Chapter 1, pages 1-31
Chapter 10, pages 898-899, 933-941, and 956-969

**Additional Web-based Readings:** Jacobson v. Massachusetts, 197
U.S. 11 (1905); Institute of Medicine Report on Genomics in Public Health, pp. 32-54; Genetics Primer by Wylie Burke; Strategies for Reading and Briefing Court Opinions in Expert Learning for Law Students, by Michael Hunter Schwartz, pp. 83-122; The Basis for Judicial Decisions in Elements of Law, by Eva Hanks, Michael Herz and Steven Nemerson, pp. 34-64.

*For non-scientists, or those that did not take PHG 512*, please read the Genetics Primer by Wylie Burke posted on the web-site.

*For non-lawyers, or those interested in additional background on the law*, please read, Strategies for Reading and Briefing Court Opinions and The Basis for Judicial Decisions posted on the web-site.

**Jan. 7th**

Access to and Disclosure of Genetic Information: The Privacy Paradox

Reading Assignment: Chapter 2: pages 37-48, 59-64

**Jan 12th**

Access to and Disclosure of Genetic Information: The Privacy Paradox

Reading Assignment: Chapter 2: pages 66-89

**Jan 14th**

PHG Seminar

**Jan 19th**

Martin Luther King Holiday

**Jan 21st**

Genetic Discrimination and Employment

Reading Assignment:  
Chapter 3: pages 91-97, 99-122, 125-137

**Jan 26th**

Genetic Discrimination and Insurance

Reading Assignment:  
Chapter 4: pages 149-202, 231-251
Jan. 28th  PHG Seminar

Feb 2nd  Legal Issues in Genetics Research
Reading Assignment: Chapter 5.

Feb 4th  Commercialization of Genetic Tests and Products
Reading Assignment: Chapter 6, pages 349-468; 474-490

Feb 9th  DNA, Patents and Intellectual Property
Reading Assignment: Chapter 8

Feb 11th  PHG Seminar

Feb 16th  Presidents Day

Feb 18th  Clinical Applications of Genetics: Assisted Reproductive Technologies
Reading Assignment Chapter 7, pages 509-513,517-520

Feb 23th  Clinical Applications of Genetics: Determination of Parentage
Reading Assignment Chapter 7, pages 525-604

Feb 25th  PHG Seminar

March 2nd  Genetic Screening, Testing and Liability
Reading Assignment Chapter 7: pages 604-624, 637-666
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<td>March 4&lt;sup&gt;rd&lt;/sup&gt;</td>
<td>Genetics in the Courtroom: Forensics use of DNA Evidence in the Civil and Criminal Context</td>
<td>Chapter 9  pages 767-805</td>
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<td>March 9&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Genetics in the Courtroom: DNA, the Innocence Project and Criminal Exoneration</td>
<td>Chapter 9  pages 806-853</td>
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<td>March 11&lt;sup&gt;rd&lt;/sup&gt;</td>
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