

**Topics in Health Law (Fall Term 2010):  
Policy Analysis of Contemporary Issues in Health Care**

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Should people be allowed to buy and sell human organs such as kidneys? When a person dies, should their organs be “harvested” for transplant to others whose lives could thereby be saved? Should family members of the deceased person be allowed to prevent it?

How much should we spend on “orphan drugs” – life-saving medicines needed by so few people that their development cost could never be recouped by their sales? Should people whose life-styles result in preventable diabetes be surcharged on their health insurance premiums, or should everyone else share in their costs? How about smokers?

Should immigrants who are in the United States illegally be entitled to subsidized American health care? Should there be “junk food taxes” on high-calorie snack foods to alter peoples’ eating habits, to prevent the high medical costs of childhood obesity?

These are examples of the many policy questions raised in contemporary debates and legislative initiatives in the field of health care. Some are questions of life and death. Some pit deeply held moral values against each other. This course is about *how* questions like these are analyzed – by legislatures, by courts, by private and public healthcare organizations, and by society itself. It focuses on the *techniques* of policy analysis: qualitative analysis (including ethical and moral argument), quantitative analysis (including elementary economics, empirical measurement, cost-effectiveness and cost-benefit studies and others), along with some comparative analysis (how other countries address similar challenges.)

The course meets Wednesday afternoons from 4:15 to 7:00 pm beginning September 1, 2010, in the Seminar Room, 350 Cedar Street in San Diego. It is open to both MAS and JD students. Students electing the course will do individual research papers on topics of their choice. For JD candidates the course is “SWO” – available for scholarly writing credit.

There is no textbook to buy. The readings are excerpts and articles from various sources, and all will be made available in electronic format (.pdf or .doc) at no cost. The first few, which we will need for the first three weeks, are available presently. I will send the remaining items throughout the semester, well in advance of the time they are to be read. Please note that there is a reading assignment for the first class meeting on September 1 (see Syllabus below.)

The following list of topics and dates is subject to change as we go along. Because the style of the class meetings is interactive and conversational, we will not end a topic arbitrarily at the end of the class time if carrying it over to the next meeting would be of interest. That said, what follows is an outline of the Fall Term’s topics. I am looking forward to seeing you on September 1.

E. A. Dauer

## **Policy Analysis of Contemporary Issues in Health Care**

**Prof. Edward A. Dauer**  
**Fall Term 2010**

- Sep. 1 Introduction to Health Policy Analysis**
- Dranove and Millenson - Medical Bankruptcy  
Himmelstein et al - Discounting the Debtors  
Dranove and Millenson - Response
- Sep. 8 “Tragic Choices” and the Dilemma of Kidney Transplant Policy**
- Abrahams - On the List (Excerpts)  
Voo et al - The Ethics of Organ Transplantation
- Sep. 15 Bibliographic Resources and Research [Ms. Barbara Glennan]**
- Bibliography Exercise
- Sep. 22 Social Ethics and Moral Reasoning in Health Care**
- Sep. 29 Quantitative Analysis: CBA, CEA, QALYs, DALYs and Etc.**
- Oct. 6 Quantitative Analysis: Applications**
- Oct. 13 Individual Student Meetings re Research Papers**
- Oct. 20 Individual Student Meetings re Research Papers**
- Oct. 27 Healthcare Economics: The Problem of the “Cost Curve”**
- Nov. 3 Economics 101: The Basics**
- Nov. 10 Healthcare Economics: Applications**
- Nov. 17 Statistical Inference and Experimental Design**

**Nov. 24**      **No class [Wednesday follows Friday Class Schedule]**

**Dec. 1**        **Individual Student Meetings re Research Papers**

**Dec. 8**        **Final Class – Wrap-Up**

**Dec. 17**      **Final Drafts of Papers Due**