SYLLABUS AND COURSE REQUIREMENTS

HEALTH JUSTICE LAB: END OF LIFE (SPRING 2019) ~ LAW 754 / SOWK 634

INSTRUCTOR INFORMATION

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Email is the best way to reach us. We will make every effort to get back to you within 24 hours on weekdays and 48 hours on weekends.

CLASS SCHEDULE AND LOCATION

Tuesdays, 2:30 – 5:00 p.m. (Jan. 15 – Apr. 23); Corboy Law Center, Room 1101

Please note that the class will run for the complete two and a half hours, with a ten-minute break midway through, and end promptly at 5:00 PM.

COURSE DESCRIPTION

This inter-professional course brings together students from law and social work to learn about health care decision-making at the end of life. An interdisciplinary panel of faculty will lead students in class discussion, simulation, and live client experiences. Students will learn about patients' rights, interdisciplinary approaches, and ethical concerns related to end of life care and decision making and will develop skills necessary to counsel patients and draft legal documents reflecting clients' health care wishes.

COURSE LEARNING OUTCOMES

• Gain an understanding of the other profession, develop communication skills across professions, and demonstrate interdisciplinary collaboration in field work.
• Demonstrate client-centered counseling skills, including effective interviewing; cross-cultural awareness/sensitivity; effective communication strategies with patients, families and team members; understanding the value of self-determination; and patient-centered versus relation-centered care.
• Develop and improve professional identity through an awareness of ethical and professional roles and responsibilities; the exercise of problem-solving and judgment skills; effective
management of client and colleague expectations; developing strategies for self-care; and
developing a reflective and goal-driven practice.

- Explain the legal doctrines associated with the topic of advance care planning, including
  constitutional and common law rights to medical self-determination; statutory rights to direct
  medical treatment through advance directives; and surrogate decision-making authority.
- Describe the medical interventions most commonly used in the intensive care and end of life
  contexts, including cardiopulmonary resuscitation, ventilation, dialysis, artificial nutrition
  and hydration, palliative care, and hospice services.
- Understand theoretical frameworks for grief and loss, end of life needs and decision-making,
  psychosocial assessment, and assessment of competence/capacity.

**COURSE REQUIREMENTS**

*Attendance and Participation:* You will participate in the seminar class once a week. Because
the course seminar is small and heavily focused on team work, it will be critical for you to attend
every class and engage fully in discussions, activities, and simulations. Seminar preparation and
participation will be part of your grade. If you must miss class or arrive late because of an
emergency or unavoidable conflict, please contact Profs. Mitchell, Sawicki, and Spira as far in
advance as possible to make arrangements.

*Careful Reading:* Students are expected to attend each class having completed all assigned
readings and prepared to discuss them. All course materials, required readings, announcements
and instructions on assignments will be posted on Sakai.

*Use of Technology:* Our classroom will be a laptop and cell phone free zone. We have found
that the use of laptops in seminar classes – even if used only to review readings and take notes –
dramatically reduces student engagement, and that the quality of class discussion suffers as a
result. Since you will not be able to consult course readings on Sakai during class, we ask that
those of you who wish to reference the readings in class bring your own printed copies of the
relevant materials. If you do not have access to a printer or are unable print your own copies of
material you wish to consult in class, please let us know and we will bring copies for you.

*Respectful Discussion:* Given the sensitive nature of the material we will be studying, it is
particularly important that students act professionally and respectfully during class discussions.
Our shared goal in this classroom is to learn from each other - and this can be done only in an
atmosphere of honesty, trust, and mutual respect. If you have any questions or concerns on this
subject, please do not hesitate to speak with us.

*Written Assignments:* Due dates for these assignments can be found in the syllabus schedule
below and on Sakai.

- **Reflection Papers:** Over the course of the semester, you are likely to encounter new
  challenges and experiences. Periodically we will ask you to take a step back from these
  experiences and take time to reflect upon them in writing. Developing a practice of
  meaningful reflection of your professional experiences will help you to continue to develop
  and improve upon your skills throughout your career. This semester, you will submit **three
  reflection papers** (2-3 double-spaced pages) in which you will analyze and reflect upon an
  experience. Specific information about each paper will be provided in class and on Sakai.
• **Client Counseling Process Notes / Memorandum:** The culmination of the course involves counseling one or more clients and preparing health care power of attorney(s) that reflect the clients’ wishes and goals. After this experience, each team of students will be responsible for preparing documentation reflecting their experience with the client(s). Further information about this assignment will be provided in class and on Sakai.

**Experiential Work and Debriefing:** This semester you will meet with actual clients in teams of two. Although your work for these clients will be supervised by attorneys from the Center for Disability and Elder Law, we expect you to take full responsibility for your work and to independently interview your assigned clients to assess their goals and needs, counsel them on their rights, and to prepare a power of attorney that is properly executed and which accounts for their wishes. After the first client experience, we will meet as a group to debrief and discuss strategies for improvement. This debriefing is intended to support your processing of your client experience and guide you through next steps in the client counseling process. Our final week of class will be devoted to a full debriefing and reflections on the client experience.
### Grading Criteria

Your final grade will be based on *class participation* (30%); three *reflection papers* (30%); *client counseling experiences* (20%); and the *final process notes / memorandum* (20%). While each course requirement is considered independently, the following should serve a general guide as to how student work will be evaluated:

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<th>Grade</th>
<th>Description</th>
<th>Criteria</th>
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<td>A</td>
<td><strong>Consistently exceptional work in all areas.</strong> The student demonstrates <em>exceptional</em> critical thinking skills and understanding of the subject matter; <em>consistent</em> active preparation and participation in class sessions; demonstrates <em>client-centered counseling skills and respectful engagement</em> with clients and colleagues, and <em>active engagement</em> in meaningful reflection and professional growth. Written assignments show <em>significant care</em> and attention to detail and are timely submitted.</td>
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<tr>
<td>A-</td>
<td><strong>Mostly exceptional work in all areas, with some satisfactory work.</strong> The student demonstrates <em>strong</em> critical thinking skills and understanding of the subject matter; <em>mostly active</em> preparation and participation in class sessions; <em>competent and professional engagement</em> with clients and colleagues; and <em>some meaningful engagement</em> in reflection and professional growth. Written assignments show <em>care</em> and attention to detail and are timely submitted.</td>
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<td>B+</td>
<td><strong>Consistently satisfactory work.</strong> The student demonstrates <em>adequate</em> critical thinking skills and a <em>clear understanding</em> of the subject matter; <em>some active</em> preparation and engagement in class sessions; <em>professional engagement</em> with clients and colleagues; and <em>sufficient engagement</em> in reflection and professional growth. Written assignments show <em>effort</em> and <em>some attention to detail</em> and are timely submitted.</td>
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<td>B</td>
<td><strong>Mostly satisfactory work, with some developing work.</strong> The student demonstrates <em>some</em> critical thinking skills and a <em>satisfactory</em> understanding of the subject matter; <em>engagement</em> in class sessions; <em>adequate engagement</em> with clients and colleagues <em>with support</em>; and/or <em>limited</em> reflection and professional growth. Written assignments show <em>some effort</em> and attention to detail and/or are <em>submitted late</em>.</td>
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<td>B-</td>
<td><strong>Mostly developing work, with some satisfactory work.</strong> The student demonstrates <em>limited</em> critical thinking skills and/or an <em>limited</em> understanding of the subject matter; <em>sporadic engagement</em> in class sessions; <em>difficulty effectively engaging</em> with clients and colleagues, even <em>with support</em>; and/or <em>difficulty</em> with reflection and professional growth. Written assignments show <em>limited effort</em> and attention to detail and/or are <em>submitted late</em>.</td>
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<td>C+</td>
<td><strong>Mostly developing work.</strong> The student demonstrates <em>limited</em> critical thinking skills and/or a <em>very limited</em> understanding of the subject matter; <em>limited engagement</em> in class sessions; <em>difficulty effectively engaging</em> with clients and colleagues, even <em>with significant support</em>; and/or <em>significant difficulty</em> with reflection and professional growth. Written assignments show <em>weak effort</em> and attention to detail and/or are <em>submitted late</em>.</td>
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<td>C</td>
<td><strong>Consistently developing work.</strong> The student demonstrates <em>difficulty</em> with critical thinking skills and/or an <em>inadequate</em> understanding of the subject matter; <em>lack of engagement</em> in class sessions; <em>significant difficulty effectively engaging</em> with clients and colleagues, even <em>with substantial support</em>; and/or <em>substantial difficulty</em> with reflection and professional growth. Written assignments show <em>very weak effort</em> and attention to detail and/or are <em>submitted late</em>.</td>
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<td>C-</td>
<td><strong>Work needs significant development.</strong> The student demonstrates <em>extreme difficulty</em> with critical thinking skills and/or an <em>inadequate understanding</em> of the subject matter; <em>lack of engagement</em> in class sessions; <em>significant difficulty effectively engaging</em> with clients and colleagues, even <em>with intensive supervision</em>; <em>failure to meet professional obligations to the client</em>; and/or <em>failure to reflect</em> or exhibit professional growth. Written assignments show <em>very weak effort</em> and attention to detail or are <em>submitted late</em>.</td>
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<td>D</td>
<td><strong>Work needs substantial development and satisfies the bare minimum of graduate standards.</strong></td>
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<td>F</td>
<td><strong>Overall quality of work is unsatisfactory and does not meet graduate standards.</strong></td>
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SCHEDULE OF CLASSES AND ASSIGNMENTS

Note: The course schedule and assignments may be adjusted as needed to address needs or opportunities identified over the course of the semester.

January 15: Introduction to Interprofessional End of Life Counseling

Topics Addressed:

- What is interdisciplinary work, and what is the value of interdisciplinary collaboration?
- Why is health care decision making in end of life contexts so difficult?
- What are the legal and social work approaches to counseling clients with respect to health care decisions?

In-Class Activity: Interdisciplinary Team Building Exercise

January 21 at 5:00 PM: Written Assignment Due – Reflection Paper #1: Complete reflection paper on the strengths your discipline brings to patient counseling at the end of life, as well as the weaknesses of your discipline’s approach to these issues, particularly as compared to your current understanding of the other discipline’s approach. Further instructions will be provided in class and on Sakai.

January 22: Promoting Patient Autonomy Through Law and Person-Centered Counseling

Topics Addressed:

- How is autonomy recognized in law, social work, and medicine?
- How do lawyers and social workers strive to balance client autonomy with their professional obligations of beneficence?
- What are the legal and ethical foundations of the right to refuse treatment?
- What client/person centered strategies do the disciplines of law and social work bring to the interviewing process?

In-Class Activity: Peer Interview Exercise
January 29: Medical Perspectives on End of Life Decision-Making

Guest Speaker: Paul Hutchinson, MD, MA, Pulmonary and Critical Care Physician; Assistant Professor of Medical Education, Bioethics, and Health Policy at Loyola University Medical Center

Topics Addressed:

- What medical interventions are commonly used in end-of-life care?
- How do health care providers typically engage patients in conversation about death? How do different types of health care professionals approach these conversations? How are these conversations documented?
- What common ethical conflicts do health care providers face when providing end-of-life care?

In-Class Activity: Reflections on Physician-Patient Communication

February 5: Understanding Grief, Cultural Awareness, and Talking About Death

Topics Addressed:

- What is the grief process?
- What is the value of cultural sensitivity/cross-cultural lawyering?
- What are the various professional approaches to grief, cultural awareness, and having difficult conversations with clients?
- What barriers or challenges exist when engaging in these conversations?

In-Class Activity: Simulated Client Interviews

February 12: Legal Tools for Protecting Patient Rights

Guest Speakers: Elise Robie, Staff Attorney; and Tom Wendt, Legal Director; Center for Disability and Elder Law

Topics Addressed:

- What legal tools exist to document patients’ wishes about end-of-life care?
- What are the differences between living wills, health care powers of attorney, and Physician Orders for Life-Sustaining Treatment?
- What are the practical limitations of these legal tools?
- What are the barriers or challenges in engaging clients in conversation about these legal tools?

In-Class Activity: Peer Counseling and Completion of Health Care Power of Attorney
February 18 at 5:00 PM: Written Assignment Due – Reflection Paper #2: Social work students complete reflection papers on the benefits and deficits of legal tools. Law students complete reflection papers on the benefits and deficits of psychosocial tools. Further instructions will be provided in class and on Sakai.

February 19: Legal Capacity and Guardianship Proceedings

Topics Addressed:
- How do the principles of capacity and competency relate to the standards of informed consent?
- How are capacity and competency assessed in the health care context?
- What is the process for appointing a guardian to make health care decisions on a patient’s behalf?

In-Class Activity: Interdisciplinary Case Study

February 26: Rights and Responsibilities of Third Party Caregivers and Decision Makers

Topics Addressed:
- What ethical and legal principles guide third-party decision-making on behalf of patients?
- What common ethical conflicts arise in the context of third-party decision-making?
- What unique problems arise when the third-party decisionmaker is a family member and/or caregiver?

In-Class Activity: Simulated Interview with Caregiver

*** Spring Break March 4-8 – No Class ***

March 12: Quality of Life and Futility Conflicts

Topics Addressed:
- What do we mean when we talk about “quality of life” and “goals of care”?
- What are the differences between palliative care and hospice care, and when is each most appropriately used?
- To what extent are the concepts of “medical futility” and “inappropriate care” helpful in resolving ethical conflicts at the end of life?

In-Class Activity: Interdisciplinary Ethics Case Rounds
March 19: Right to Care and Advocacy

Topics Addressed:
• How does health insurance operate, and how does it impact patient rights to care?
• What appeal rights are patients entitled to under both public and private insurance?
• How can interdisciplinary collaboration best support patient advocacy?

In-Class Activity: Interdisciplinary Case Rounds

March 26: Policy Concerns Relating to Unrepresented Patients

Topics Addressed:
• How do different states approach the issue of unrepresented patients from a legal perspective? What are the limitations of these legal approaches?
• How do different health care institutions approach the issue of unrepresented patients as a matter of internal policy? What are the limitations of these approaches?
• What are the relative merits of resolving conflicts related to unrepresented patients at the state policy level, versus the institutional level?

In-Class Activity: Development of Model Policy

April 2: Professional Responsibility, Ethics, and Self Care

Topics Addressed:
• How do law and social work vary in their approaches to professional responsibility and cultural sensitivity/competence?
• How do moral distress and vicarious trauma impact legal and health care professionals?
• What self-care and mindfulness tools can professionals use to benefit themselves and their clients?

In-Class Activity: Self-Care Exercise
April 9: Experiential Component and Debriefing

**Activity:** In lieu of meeting at Loyola, students will engage in experiential client counseling work at a senior center with the Center for Disability and Elder Law. Each team of students will meet with their assigned client for up to 1 ½ hours to provide counseling, advice, and support in completing a health care power of attorney. Client meetings will be followed by 1 hour of debriefing as a group.

**Note:** Additional time for travel to and from the case site may be required for this class session. If the necessary travel time conflicts with another course commitment, Profs. Mitchell, Sawicki, and Spira will provide you with documentation of the necessity for an excused absence.

April 16: Experiential Component

**Activity:** In lieu of meeting at Loyola, students will engage in experiential client counseling work at a senior center with the Center for Disability and Elder Law. Each team of students will meet with their assigned client for up to 1 ½ hours to provide counseling, advice, and support in completing a health care power of attorney.

**April 22 at 5:00 PM: Written Assignment Due – Reflection Paper #3:** Complete reflection paper on your client interviewing and counseling experience. Further instructions will be provided in class and on Sakai.

April 23: Reflections - Oral Reports on Experiences

**In-Class Activity:** Teams present on their experiences in the client interviewing/counseling process. Group reflection on the process of interdisciplinary collaboration in client counseling.

**April 29 at 5:00 PM: Written Assignment Due - Client Counseling Process Notes / Memorandum:** Each team of students must complete documentation reflecting their experience with their clients. Further information will be provided in class and on Sakai.