

# Course on Medical Law / Health Law

Porto (Portugal), 24-26 May 2012

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### Objectives

1. **Understanding the specific issues of Medical Law**, according to an integrated and transdisciplinary perspective of medicine and law, as well as the legal-institutional framework of medicine.
2. **Acknowledgment of the problems raised by medical-legal issues**, taking into account the "principles" of Law, Medicine and Bioethics, and of the national and international sources of Medical Law (notably, Constitution of the Portuguese Republic, European Convention on Human Rights and Biomedicine or Oviedo Convention).
3. **Learning how the protection of human personality in the legal system is guaranteed** and how to locate and translate legally some of the issue in which health professionals are confronted with in their daily practice (focus on the norms of the Civil Code on the personality rights and of the Penal Code: notably, Medical-surgical interventions and treatments, violation of confidentiality, *leges artis* and end of life (including palliative care and euthanasia).
4. **Understanding how the health system in Portugal is structured**, through the major legal texts that established and govern it, where the medical activity is projected and in which systems the health care professional is inserted.
5. **Studying the labour and disciplinary status of the physicians or, in a broader sense, the health professionals**, taking into account the administrative system of health, the Labour Code and the Code of Medical Ethics.
6. **Studying the legal system of some particular aspects of professional practice** within the health system, notably, the informed consent, medical responsibility, and health information.

### Information

**Fee:** Students (former and current) and UP staff - €150; persons external of UP - €200

**Language:** Portuguese

**Place:** Instituto de Saúde Pública da Universidade do Porto - Rua das Taipas, nº 135, Porto (Portugal)

#### Contacto:

#### Gabinete de Pós-graduação

Instituto de Saúde Pública da Universidade do Porto

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**Online application:** The registration process is done at <http://www.epidemiologia.med.up.pt>

**Registration deadline:** 18th May 2012

### DETAILED PROGRAMME

#### THURSDAY, 24TH MAY

- |             |                                                                                 |
|-------------|---------------------------------------------------------------------------------|
| 10.00–12.00 | • I Legal and Institutional Framework                                           |
|             | 1. Constitutional Health Law                                                    |
| 12.00–13.00 | • 2. International Sources, "principlism" and Human Rights                      |
|             | Lunch                                                                           |
| 15.00–16.00 | • 3. Implementation of Human Rights with projection on the field of medical law |
| 16.00–19.00 | • 4. Protection of personality: personality rights and relevant criminal types  |

#### FRIDAY, 25TH MAY

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|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09.30–13.30 | • 5. Implementation and setting out to (other) relevant issues in the medical-legal field: adverse effects or medical malpractice; medical confidentiality and information to third parties by breaching confidentiality (the case of HIV/Aids); <i>leges artis</i> and end(ing) of life (palliative care and euthanasia). |
|             | Lunch                                                                                                                                                                                                                                                                                                                      |
| 15.00–17.00 | • 6. Structure / organization of the health system and review of normative instruments                                                                                                                                                                                                                                     |
| 17.0 –19.00 | • II Medical Law: Practitioner's Status and Professional Performance                                                                                                                                                                                                                                                       |
|             | • 1. Physician's Employment and Disciplinary Status                                                                                                                                                                                                                                                                        |

#### SATURDAY, 26TH MAY

- |             |                                                                      |
|-------------|----------------------------------------------------------------------|
| 10.00–13.00 | • 2. Physician's performance: particular aspects of its legal regime |
|             | Lunch                                                                |
| 14.00–16.00 | • Evaluation                                                         |