



2014 ANNUAL REPORT



HEALTH LAW INSTITUTE MEMBERS AND STAFF

- 1. Constance MacIntosh (Director)
- 2. Sheila Wildeman (Associate Director)
- 3. Jocelyn Downie
- 4. Joanna Erdman
- 5. Elaine Gibson
- 6. Michael Hadskis
- 7. Matthew Herder
- 8. William Lahey
- 9. Jacqueline Gahagan
- 10. Leah Hutt
- 11. Barbara Carter

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DIRECTOR'S MESSAGE



I am proud to reflect on the past year, and observe that Health Law Institute members persist in advancing all of our objectives with good cheer and great success: scholarship, public service, and education to advance health law and policy. This year's high-impact scholarship included Joanna Erdman's co-edited book *Abortion Law in Transnational Perspectives: Cases and Controversies*, and William Lahey's co-edited volume *Health Care Federalism in Canada:*

Critical Junctures and Critical Perspectives. Each of these volumes reflects enormous vision and address key contemporary health law and policy issues.

We also gave extensively through public service. Some sample highlights include my participation as a member of the Council of Canadian Academies Expert Panel on Food Security in the Canadian North and as a member on the Expert Panel on Hydraulic Fracturing in Nova Scotia. Both Matthew Herder and Elaine Gibson were invited to, and did, provide testimony before the Standing Senate Committee on Health regarding proposed amendments to the Food and Drugs Act to require the mandatory reporting of adverse drug-reactions and permit the federal government greater scope to recall unsafe drugs. Sheila Wildeman, Elaine Gibson, Leah Hutt, and I were also intensely involved through the summer months with a project for Nova Scotia's Department of Health and Wellness regarding a proposal to impose electronic monitoring on forensic mental health patients.

Finally, our members continue to demonstrate success in advancing health law and policy education. We design and deliver high-quality health law and policy teaching across the faculties of law, dentistry, medicine, and health professions. We were delighted to offer a new course in public health law for the first time this year. It was offered in response to increasing student and government interest in this area, and was well subscribed. I am also pleased to announce that two of our members were recognized as outstanding teachers. Michael Hadskis was awarded the Dalhousie Law Students' Society

and the Law Alumni Association Award for Excellence in Teaching Law. Another member, Joanna Erdman, was nominated for this award. This nomination is particularly promising as Professor Erdman joined us in 2012 as our first MacBain Chair in Health Law and Policy, where her selection was largely driven by her research profile. We are thrilled that she has turned out to be a stellar teacher as well. Further, Michael Hadskis was also nominated for a university-wide teaching award. In each instance these professors teach primarily in the area of health law and policy, and it is clear that their passion and expertise is warmly shared with our students.

This year was the last year of our agreement with an anonymous donor, who had gifted the Health Law Institute with funds to advance our strategic objectives. Those funds supported an enormous amount of research over the 2013-14 reporting year, and were drawn upon by nearly all members of the Institute. They allowed us to employ numbers of student researchers; to support student participation at professional meetings; and to develop and fund a new prize, the Rozovsky Prize, for the best student research paper in health law and policy.

Donor funds also permitted us to support Jocelyn Downie with research assistance and technical support so as to complete a new website aimed at providing information on end-of-life law and policy for the public, media, health care providers, and policy-makers (<http://eol.law.dal.ca>). Specifically, it provides information on the law regarding advance directives, potentially life-shortening symptom relief, withholding and withdrawal of potentially life-sustaining treatment, terminal sedation, assisted suicide, and euthanasia.

Priorities for the coming year include co-planning the first international conference on end of life law, ethics and policy in August 2014. This conference is being co-hosted and co-organized by the Health Law Institute, the Tsinghua Health Law Research Centre in Beijing China, and the Queensland University of Technology Australian Centre for Health Law Research. Another priority is enabling the success of the Faculty of Health Profession's development of courses and specialization certificates for health administrators in health law and policy.

Constance MacIntosh

HEALTH LAW AND POLICY SEMINAR SERIES



The Health Law Institute's most prominent annual outreach activity is its popular lunch-time Health Law and Policy Seminar Series. Approximately 570 individuals enjoyed the speaker presentations in person, and hundreds more viewed the presentations online.

Our successful 2013-14 season was sponsored by the Schulich School of Law and the CIHR Training Program in Health Law, Ethics, and Policy. Individual seminars received support from additional sponsors as acknowledged.



Of special note flowing from the series was a second public evening talk by Dr. Carl Elliott, who spoke regarding the tensions over the role commercial interests do and should play in decisions about medical research priorities. The Health Law Institute was pleased to partner with King's Situating Science and Dalhousie's Novel Tech Ethics on this occasion.



2013-2014 SEMINARS

Intellectual Properties: A Case Study in Influenza

AMY KAPCZYNSKI, Yale Law School

Co-sponsored by the Law and Technology Institute, Schulich School of Law

Researching Genetic Disease in the Bedouin Community: Ethical and Social Issues

RIVKA CARMİ, President, Ben-Gurion University and Former Director, Genetics Institute, Soroka University Medical Center

Prisons: The Modern Day Asylums

KIM PATE, Executive Director, Canadian Association of Elizabeth Fry Societies

Human Rights Education in the Health Professions: Eastern Europe and Central Asia

JOANNA ERDMAN, Schulich School of Law
TAMAR EZER, Law and Health Initiative, Open Society Public Health Program

Co-sponsored by the Faculty of Health Professions, Dalhousie University

The Deserving and Undeserving Sick: Withholding Public Health Care from Refugees

AUDREY MACKLIN, Faculty of Law, University of Toronto

The Federal Government: Leader in Health Care?

THE HONOURABLE A. ANNE MCLELLAN, Bennett Jones LLP and Former Federal Minister of Health

An Atypical Suicide: Psychiatric Research Abuse at the University of Minnesota

CARL ELLIOTT, Center for Bioethics, University of Minnesota

Co-sponsored by Situating Science Strategic Knowledge Cluster

A Global Review of the Litigation of Health Human Rights

COLLEEN FLOOD, Faculty of Law, University of Toronto

SCHOLARSHIP

Research (Selected)

Centre for REACH in HIV/AIDS 2.0

(Research Evidence into Action for Community Health)

\$3,295,540 Canadian Institutes of Health Research Centres for HIV/AIDS Research 2009-19

Jacqueline Gahagan, Co-Principal Investigator

Urban Aboriginal Knowledge Network

\$2,500,000 Social Sciences and Humanities Research Council 2012-17

Constance MacIntosh, Co-Investigator

RADIANT: Rehabilitative and Diagnostic Innovation in Applied NeuroTechnologies

\$1,650,000 Natural Sciences and Engineering Research Council 2011-17

Michael Hadskis, Collaborator

Health Law and Policy Agreement

\$448,000 Nova Scotia Dept. of Health and Wellness 2012-16

Constance MacIntosh; Leah Hutt, Research Associate

Redesigning Governance Mechanisms in Intergovernmental Health Care Relations – Advancing Theoretical and Methodological Innovations in Health Research

\$184,561 Canadian Institutes of Health Research 2012-15

William Lahey, Co-Principal Investigator

Emerging Health Researchers and the Commercialization of Academic Science

\$242,770 Canadian Institutes of Health Research 2012-15

Matthew Herder, Principal Investigator

CIHR Training Program in Health Law, Ethics and Policy

\$1,950,000 Canadian Institutes of Health Research 2009-15

William Lahey and Constance MacIntosh, Co-Principal Investigators
Elaine Gibson, Jocelyn Downie, Sheila Wildeman, Co-Investigators

Universities Without Walls: A Training Grant in HIV/AIDS Health Research

\$1,790,000 Canadian Institutes of Health Research 2009-15

Jacqueline Gahagan, Co-Principal Investigator

Facilitating Access to Health Data for Research and Planning in Light of Laws and Ethical Norms

\$642,116 Canadian Institutes of Health Research 2009-15

Elaine Gibson, Co-Principal Investigator

Charles D. Gonthier Research Fellowship

\$5,000 Canadian Institutes for the Administration of Justice 2014

Elaine Gibson

Health Promotion and GLBTIQ Pathways to Health

\$10,000 Nova Scotia Capital District Health Authority 2013-14

Jacqueline Gahagan, Principal Investigator

Dr. Robert F. Maudsley Memorial Research/Study Grant

\$4,000 College of Physicians and Surgeons of Nova Scotia 2013-14

Elaine Gibson

Our Youth, Our Response: Building Capacity for Effective Policy and Programming Responses Across the Atlantic Region

\$147,883 Nova Scotia Health Research Foundation 2011-14

Jacqueline Gahagan, Principal Investigator

IGNITE: Identifying Genes and Novel Therapeutics to Enhance Treatment

\$4,800,000 Genome Canada 2011-14

Matthew Herder, Co-Investigator

The Ethics of End-of-Life Care: Understanding the Moral Landscape of Medicalized Dying in Canada

\$203,360 Canadian Institutes of Health Research 2011-14

Jocelyn Downie, Co-investigator

Research Support from an Anonymous Donor was instrumental in supplementing faculty research endeavours and supported the employment and mentorship of student research assistants. Research pertained to a number of pressing health law and policy issues including: developing “sunshine legislation” requiring pharmaceutical companies to disclose payments given to physicians; analyzing how regulatory regimes undermine organ donation by Aboriginal people; developing proposals for addressing legal aspects of electronic health information systems; assessing how legal regimes can better support end-of-life decision making; and developing an inquiry before the UN Committee on the Elimination of Discrimination Against Women regarding pregnant women experiencing service discrimination in health clinics.

SCHOLARSHIP

Publications (Selected)



Health Care Federalism in Canada: Critical Junctures and Critical Perspectives

(McGill-Queen's University Press, 2013)

Katherine Fierlbeck and William Lahey, eds.

Health Care Federalism in Canada provides a multi-perspective, inter-disciplinary analysis of a critical juncture in Canadian public policy and the contributing factors that have

led to this point. Social scientists, legal scholars, health services researchers, and decision-makers examine the shift from a system where Ottawa has played a significant, sometimes controversial role, to one where provinces have more ability to push health care design in new directions. Will this change inspire innovation and collaboration, or inequality and confusion?

William Lahey, The Legal Framework for Intergovernmental Health Care Governance: Making the Most of Limited Options, 71-98

William Lahey, Combining the Knowledge of Federalism Researchers, Health Care Researchers, and Policy Practitioners to Understand and Improve Canadian Health Care Federalism, 192-204

Carolyn McLeod and Jocelyn Downie, eds. and Introduction, *Bioethics Special Issue, Let Conscience Be Their Guide: Conscientious Refusals in Health Care* 28:1 (2014) 48 pages; and **Jacqueline Shaw and Jocelyn Downie**, "Welcome to the Wild, Wild North: Conscientious Objection Policies Governing Canada's Medical, Nursing, Pharmacy, and Dental Professions" 33-46.

Matthew Herder, Elaine Gibson, Janice Graham, Joel Lexchin, and Barbara Mintzes, "Regulating Prescription Drugs for Patient Safety: Does Bill C-17 Go Far Enough?" *Canadian Medical Association Journal* 186:8 (2014): E287-292.

Françoise Baylis, Jocelyn Downie, and Dave Snow, "Fake it Till You Make it: Policymaking and Assisted Human Reproduction in Canada" *Journal of Obstetrics and Gynecology* 36:6 (2014): 510-512.

Lois Jackson, Susan McWilliam, Fiona Martin, et al. [Jacqueline Gahagan], "Key Challenges in Providing Services to People Who Use Drugs: The Perspectives of People Working in Emergency Departments and Shelters in Atlantic Canada" *Drugs: Education, Prevention and Policy*, 21:3 (2014): 244-253.

Constance MacIntosh, "The Intersection of Aboriginal Public Health with Canadian Law and Policy" in Nola Ries, Tracey Bailey, and Timothy Caulfield, eds., *Public Health Law and Policy in Canada*, 3rd ed. (LexisNexis, 2013): 491-537.

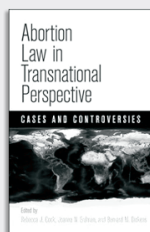
Gina Bravo, Sheila Wildeman, Marie-France Dubois, Scott Kim, Carole Cohen, Janice Graham, and Karen Painter, "Substitute Consent Practices in the Face of Uncertainty: A Survey of Canadian Researchers in Aging" *International Psychogeriatrics* 25:11 (2013): 1821-1830.

Elaine Gibson, "Public Health Information Privacy and Confidentiality" in Nola Ries, Tracey Bailey, and Timothy Caulfield, eds., *Public Health Law and Policy in Canada*, 3rd ed. (LexisNexis, 2013): 131-176.

Meena Krishnamurthy and Matthew Herder, "Justice in Global Pandemic Influenza Preparedness: An Analysis Based on the Values of Contribution, Ownership, and Reciprocity" *Public Health Ethics* 6:3 (2013): 272-286.

Matthew Herder and Conrad Fernandez, "Cancer Genomics and Biobanking: Exploring Key Ethical and Legal Issues" in Graham Dellaire, Jason Berman, and Robert Arceci, eds., *Cancer Genomics: From Bench to Personalized Medicine* (Academic Press, 2013): 418-432.

Susan McWilliam, Lois Jackson, Margaret Dykeman, Jacqueline Gahagan, and Jeff Karabanow, "Keeping the Focus on Safer Practices: A Safer Practices Lens" *International Journal on Drug Policy*, 24:5 (2013): 508-509.



Abortion Law in Transnational Perspective: Cases and Controversies

(University of Pennsylvania Press)

Rebecca Cook, Joanna Erdman, and Bernard Dickens, eds.

While the US and Western Europe may have been the vanguard of abortion law reform in the latter half of the twentieth century, Central and South America are proving to be laboratories of thought and innovation in the twenty-first century, as are particular countries in Africa and Asia. This book offers a fresh look at significant transnational legal developments in recent years, examining key judicial decisions, constitutional texts, and regulatory reforms of abortion law in order to envision ways ahead.

Joanna Erdman, The Procedural Turn: Abortion at the European Court of Human Rights, 121-142.

SCHOLARSHIP

Presentations (Selected)

Constance MacIntosh

“Regulating Migration through Health Laws & Policies: Contemporary Canadian Practices” Medicine and Migration in Historical and Contemporary Contexts, St. Mary’s University Gorsebrook Research Institute, Halifax

Sheila Wildeman

“Decisions about Health and Personal Care: What Does it Take to be Legally Capable?” Dalhousie Schulich School of Law, Mini Law School Lecture Series, Halifax

Elaine Gibson

“Privacy Matters: Ethical and Legal Considerations Regarding Health Information” American College of Dentists’ Annual Meeting, Halifax

Jocelyn Downie

“End of Life Law and Policy – A Primer for Parliamentarians” Parliament of Canada, Ottawa

“Assisted Suicide: A Right?” Panel Discussion with Advocates, Academics, & Spiritual Leaders, Saint Andrew’s United Church, Halifax

“Withdrawing Life-Sustaining Care” (Panel) Café Scientifique, Halifax

“Research Governance – Best Practices” Canadian Association of University Research Administrators (East) and Canadian Association of Research Ethics Boards (Atlantic) 2013 Conference, Fredericton

William Lahey

“Public Policy and the Aging of Canadians and of their Health Care Systems: Finding and Navigating the Channels Between the Shoals of Pilot Project Incrementalism and the Jagged Rocks of Big Bang Reform” Keynote Address, 42nd Canadian Association of Gerontology Scientific and Educational Meeting, Halifax

“Into the Breach: The Emerging Role of Canada’s Ombudspersons in Improving Accountability in Canadian Health Care” Forum of Canadian Ombudsman, Halifax

Michael Hadskis

“Health Law Case Study: Malette v Shulman” Dalhousie Schulich School of Law Welcome Days, Halifax

Joanna Erdman

“Health and Human Rights: Opportunities and Challenges” Opening Plenary, Open Society Foundations Public Health Program Partners’ Meeting, Spain

“The Place of Reproduction” and “Health and Human Rights Education as a Model of Social Change” Socio-Legal Studies Association Conference, Robert Gordon University, Scotland

“Public Health Evidence and Criminalized Sex” University of Toronto Faculty of Law Health Law, Ethics and Policy Workshop Series, Toronto

“Case Studies in Prenatal Diagnosis and Access to Abortion” III Latin American Legal Conference on Reproductive Rights, Mexico

“The Current Status of Access to Abortion in Canada” Dalhousie Schulich School of Law Feminist Legal Association’s Speaker Series, Halifax (with Robyn MacQuarrie)

Matthew Herder

“Myriad Limitations” (Panel) Myriad (Gene Patent) Problems? Past, Present, and Future, Dalhousie Schulich School of Law, Law and Technology Institute Seminar, Halifax

“The Politics of Knowledge & Commercializing Canadian Biomedical Research” Workshop: What is the Place of Intellectual Property? SKOL Gallery, Montreal

“The Many Dimensions of Access to Orphan Drugs in Canada: Past, Present and Future” Canadian Bioethics Society Annual General Meeting, Vancouver (with Timothy Krahn and Katrina Gentz)

“The Market: The Trade in Human Organs” (Moderator) Novel Tech Ethics Public Film Series, Halifax Public Library, Halifax

Jacqueline Gahagan

“HIV Rapid Point of Care Testing in Nova Scotia: A Pilot Project” Nova Scotia HIV-STBBI Knowledge Exchange and Health Promotion Forum, Halifax (with Jacqueline Atkinson)

“Improving Pathways to Health for Lesbian, Gay, Bisexual, Trans and Queer Populations in Canada: An Intersectional Approach” (Panel) Canadian Public Health Association Public Health 2014, Toronto

“The National Consensus Statement on Women, Trans People and Girls and HIV Research in Canada: Implications for Epidemiology and Public Health” (with others) and “‘Using a Stick to Beat People Down’: Perceptions of Criminalization of HIV Non-Disclosure and Testing Practices among Men in Nova Scotia” (with A. Chisholm) 2014 Canadian Association of HIV/AIDS Research Conference, Ancillary Sessions, St. John’s

“Caring, Connecting, Contributing Together: Discussions on Gender Diversity and Health Care” (Panel) Café Scientifique, Halifax

EDUCATION

The Health Law Institute's mandate includes the advancement of interdisciplinary learning in the area of health law and policy within the academic setting. Students at all levels of study are engaged in programs designed and implemented by Institute members.



High recognition was paid to **Michael Hadskis** for his teaching contributions this year. He not only received the 2014 Students' Society and Alumni Association Award for Teaching Excellence (for which he was nominated twice before), but he was also nominated for the Alumni Association's university-wide teaching award.

"Teaching is difficult, exhausting, and sometimes frustrating," says Hadskis. "It's also, hands down, the most gratifying and exhilarating professional activity I have ever undertaken."

Undergraduate

Health law and policy courses offered through the Schulich School of Law were:

- Health Law (**Joanna Erdman**)
- Health Care Ethics and the Law (**Jocelyn Downie**)
- Advanced Negligence: Medical Malpractice (**Elaine Gibson**)
- Health Systems Law and Policy (**William Lahey**)
- Health Law and Policy: Current Issues (**Victoria Apold**)
- Mental Disability Law - Civil (**Archie Kaiser**)
- Mental Disability Law - Criminal (**Archie Kaiser**)
- Public Health Law (**Elaine Gibson**)
- Health Law Placement (**Joanna Erdman, Leah Hutt, Catherine Gaulton, Jen Feron**)
- Directed Research Paper
- Health Law Exchange Program (**Constance MacIntosh**)

As noted above, Public Health Law was introduced to the health law curriculum in 2013. This major-paper course examines legal and ethical issues surrounding state intervention in the promotion of health and protection of the public. Topics covered include

compulsory testing, quarantine, and treatment for infectious disease; vaccination; food, drug and tobacco control; surveillance and research; genetics; maternity and parenting; and environmental impacts on health. Discussion centers on how state interference is balanced with the values of individual liberty, privacy interests, protection of the public, and the promotion of health.



Congratulations to the 9 law students who convocated in May 2014 with Health Law and Policy Specialization Certificates. Shown above (L-R) with **Jacqueline Shaw** (2004 recipient) are **Christina Meredith, Karla Bray, Greg Affleck, and Amanda Whitehead**. New alumni also included **Hannah Choo, Andrew Rogers, Stephanie Smithson, Shirley Truong, and Andrea VanderHeyden**.

Certificate and JD/MHA recipient, **Karla Bray**, received the School of Health Administration's Dr. Alan D. Thompson award for excellence in health services planning.

2014 HEALTH LAW INSTITUTE PRIZES



Rozovsky Health Law and Policy Paper Prize

Newly created, this \$500 prize was awarded to **Stacey Waterman** who wrote the best research paper on a health law and policy topic in the course of an academic year. This award honours the visionary role that **Lorne and Fay Rozovsky** played in founding Dalhousie's Health Law Institute and establishing research paper-based courses in health law at the law school, as well as for their life-long contributions to research and scholarship in health law and policy in Canada and abroad.

EDUCATION



Robert G. Elgie Health Law and Policy Prize

This annual \$750 prize was awarded to **Greg Affleck** who graduated with the Health Law and Policy Specialization Certificate having the highest grade point average in the classes counted towards the specialization.

This award was renamed

to honour Dr. Robert Elgie, inaugural Director of the Health Law Institute. His interdisciplinary expertise in medicine and law, and his dedication to public service, laid the foundation upon which the Institute was shaped. The specialization program resonates with Dr. Elgie's commitment to fostering excellence in the health law and policy field.

In the Faculties of Health Professions and Dentistry, **Michael Hadskis** oversaw the interdisciplinary programs. **Devon Peavoy** taught the Health Law for Non-Lawyers course specifically designed to provide non-law students with an overview of significant legal issues that arise in the health care context. In Dentistry, health law teaching was delivered throughout all four years of the dental program by **Catherine Gaulton, Carrie Ricker, Leah Hutt, Jared Schwartz** and **Ann Smith**.

In the Faculty of Medicine, **Matthew Herder** provided lectures to the entire first year class on the topics of informed consent, patient-physician confidentiality, medical negligence, and adolescents and sexual health; and **Jocelyn Downie** spoke on end-of-life law and policy. **Sheila Wildeman** guest lectured (with **Christy Simpson**) to the second year students on assessing decision-making capacity. Several of the case-based learning scenarios used during years 1 and 2 of the undergraduate curriculum were developed and taught by **Matthew Herder**.

Matthew Herder coordinated the health law tutorials provided to third year clinical clerks completing their core rotations in Internal Medicine, Obstetrics/Gynecology, and Psychiatry. Every 6-8 weeks as new students rotated through these specialties, they received training on the law pertaining to end-of-life care, assisted human reproduction technologies, and mental health. Instructors included **Jocelyn Downie, Leah Hutt, Matthew Herder, Elaine Gibson,** and **Sheila Wildeman**.

Graduate

Matthew Herder presented on empirical research methods to law students as part of their Graduate Seminar in Legal Education and Legal Scholarship course.

As part of the CIHR Training Program in Health Law, Ethics, and Policy (University partners: Dalhousie, Toronto, Alberta, and Sherbrooke) two law students (**Nayha Acharya** and **Olufunke Salami**) presented in Toronto at the annual colloquium of graduate research. A third student (**Michael Taylor**) and Institute members (**Constance MacIntosh, Sheila Wildeman, Elaine Gibson, and William Lahey**) were involved as commentators or facilitators at these sessions, along with **Joanna Erdman** as a faculty participant.

Maryana Hnatyshyn convoked with her Master of Laws degree after successfully defending her thesis entitled, "Complicating the Distinction between the Requirement and Recommendation-Based Childhood Vaccination Programs through the Lens of Voluntariness." Maryana was supported by her thesis committee members **Elaine Gibson** (Supervisor), **Matthew Herder** (Reader), and **Joanna Erdman** (Examiner).

In the Faculty of Health Professions, **Elaine Gibson** guest lectured to the School of Occupational Therapy students on confidentiality of health information, as did **Sheila Wildeman** on consent and capacity. **Elaine Gibson** also spoke to the Department of Community Health and Epidemiology students on public health law.

Michael Hadskis, with teaching assistant **Jen Feron**, taught Healthcare Law in the Health Professions' Master of Health Administration program. This three-credit course surveys ten core health law issues that are relevant to health administrators.

Postgraduate

Jocelyn Downie taught the medical residents in Critical Care on end of life decision-making.

Matthew Herder and **Jocelyn Downie** piloted three online "e-modules" to deliver core health law content to Dalhousie's medical residents. The pilot was successful, and Profs. Herder and Downie are now developing a national curriculum of health law e-modules, authored by leading health law experts from several Canadian law schools.

SERVICE

One of the Health Law Institute's objectives is to serve the public in our areas of expertise. Our members practice this objective regionally, nationally and internationally.

Members agreed to act as formal advisors for several specific provincial and federal health law reform or review initiatives.

William Lahey, with Justice Gerald La Forest, completed a provincial review of Nova Scotia's *Involuntary Psychiatric Treatment Act*, and also drafted a report for Alberta on access to insured health services. **Constance MacIntosh** completed her work with the Council of Canadian Academies Expert Panel on Food Security in the Canadian North, and also served on Nova Scotia's Expert Panel on Hydraulic Fracturing. Quebec's National Assembly approached **Jocelyn Downie**, who agreed to speak with them as they developed their physician-assisted dying legislation.

We also responded to calls for expert input. For example, both **Elaine Gibson** and **Matthew Herder** appeared as expert witnesses before a House of Commons Committee regarding amending the *Food and Drugs Act* to better protect the public from unsafe drugs. **Jocelyn Downie** and **Matthew Herder** collaborated in their participation in Health Canada's public consultations concerning paying plasma donors, while **Sheila Wildeman** contributed to the Ontario Law Reform Commission's consultations on substitute decision-making in the research context. Internationally, **Joanna Erdman** collaborated with Amnesty International to prepare a research brief for the United Nations Committee on the Elimination of Discrimination Against Women (CEDAW) regarding state practices which criminalize sexuality and reproduction.

Members were also asked to contribute to pro-bono legal challenges. For example, **Jocelyn Downie** was a member of the pro bono legal team for the court challenge that struck down the prohibition against physician-assisted suicide; **Joanna Erdman** worked with Canadian HIV/AIDS Legal Network to bring a complaint to CEDAW about specific country's treatment of pregnant women who are also drug users; and **Constance MacIntosh** contributed to the pro bono legal team that successfully argued that federal rules denying life-saving health care to some refugees was cruel and unusual punishment.

We sat on numerous advising bodies. **Sheila Wildeman** continued with the Board of Directors for the Nova Scotia Division of the Canadian Mental Health Association; **Jacqueline Gahagan** served on the Minister of Health's Advisory Council on the Federal Initiative to Address AIDS, as well as on two boards for PrideHealth and the Canadian Public Health Association; and **Joanna Erdman** served as an executive member for Halifax's Legal Education Action Fund (LEAF).

The lion's share of our international work was once again shouldered by **Joanna Erdman**, who contributed to the World Health Organization's Department of Reproductive Health and Research. This included serving on their Gender and Rights Advisory Panel, acting as the Panel's representative with the WHO's Scientific and Technical Advisory Group, and advising on WHO publications to be used by states to ensure their contraceptive information and services comply with human rights.

Finally, all of our members made themselves available to the media. We were interviewed for or were profiled in over 25 news broadcasts, and newspaper and magazine articles. Members spoke about the lack of access to abortion in New Brunswick, privacy challenges over electronic patient records, the changing legal landscape of assisted dying, whether financial incentives should be offered for organ donation, what will enhance drug safety, whether clinical trials should be made public, challenges with provinces supporting access to high-priced pharmaceuticals for fatal genetic disorders, gaps in HIV research, and the rise in syphilis and other sexually transmitted infections.

HEALTH LAW STUDENTS' ASSOCIATION



Executive Members: L-R: **Jamie-Lynn Watson** (1L Rep); **Martin Sanderson** (Co-Chair); **Ben Pearson** (Comm. Officer); **Matthew Pike** (Booking Coordinator); **Allison Conway** (Co-Chair); and, not shown, **Adrien Iafrate** (Treasurer).

2013–14 was filled with educational, fundraising, and social occasions for members of the Health Law Students' Association. Early promotion of the Association took place in September at the Law Societies' Fair resulting in new membership. An evening event was later organized whereby three Halifax professionals working in the field of health law and policy spoke to students about their personal career paths and experiences. Generous with their time and insight were **Karen Bennett-Clayton** (Stewart McKelvey) **Carrie Ricker** (Capital District Health Authority), and **Leah Hutt** (Health Law Institute's consultant to the Nova Scotia Department of Health and Wellness). At the year-end Annual General Meeting of the Association, **William Lahey**, **Elaine Gibson**, and **Victoria Apold** gave an overview of the health law courses they and others would be teaching in the next academic year, and a new Executive for 2014-15 was chosen.

HEALTH LAW INSTITUTE MISSION

The Institute is committed to the advancement of health law and policy and the improvement of health care practice and health systems through scholarly analysis, professional education, and public service.

HEALTH LAW INSTITUTE OBJECTIVES

TO FOSTER STRONG AND INNOVATIVE HEALTH LAW AND POLICY SCHOLARSHIP

- by cultivating interdisciplinary health law and policy research networks
- by engaging in principled analysis of both recognized and emerging areas of health law and policy
- by enabling knowledge transfer

TO ADVANCE HEALTH LAW AND POLICY EDUCATION

- by designing and implementing education programs for law, medicine, health professions, and dentistry students
- by providing continuing education opportunities for health professionals and legal practitioners

TO SERVE THE PUBLIC IN OUR AREAS OF EXPERTISE

- by contributing to the societal understanding of health law and policy issues
- by providing expertise and consulting to organizations in the public sector
- by engaging in and supporting the policy-making process at local, regional, provincial, national and international levels



HEALTH LAW INSTITUTE LOGO

The Institute's logo captures an eagle bursting into flight. The eagle is associated with strength, courage, vision, and energy. The upward movement and eastern facing direction of the eagle symbolize progression and new horizons. Likewise, the "Institute" is forward looking. The contemporary style of this icon, balanced by the stability of classic serif typeface, represents the Health Law Institute's strength, passion, and hope for the future.



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