



2010 ANNUAL REPORT



FACULTY

- 1. William Lahey, Director
- 2. Elaine Gibson, Associate Director
- 3. Michael Hadskis

FACULTY ASSOCIATES

- 4. Jocelyn Downie
- 5. Fiona Bergin
- 6. Constance MacIntosh
- 7. Chidi Oguamanam
- 8. Sheila Wildeman

RESEARCH ASSISTANTS

- 9. Leah Hutt
- 10. Jennifer Marshall
- 11. Victoria Apold

ADMINISTRATION

- 12. Chrystal Gray
- 13. Barbara Carter
- 14. Shawna Gray

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LETTER FROM THE DIRECTOR



It is our pleasure to present our annual report for the 2009–2010 academic year.

Once again, the year was one of continuing individual and collective accomplishment. In the former category, the productivity of our members and associated members in scholarship is richly displayed in the following pages. In the past year, Institute members have once again published

papers and made presentations on an impressively wide range of topics, many at the boundaries of law, ethics and other disciplines and frequently in collaboration with colleagues from outside law. These topics include a range of questions in neuroethics; various aspects of the regulation of health information; the reform of health professions regulation; the effective governance of health research; the protection of reproductive choice; the treatment of complimentary alternative medicine in intellectual property law; and the importance to aboriginal health of public health protection. A highlight of the year was the announcement that our colleague, Dr. Jocelyn Downie, had been elected to a fellowship with the Canadian Academy of Health Sciences, a richly deserved recognition for her prolific and important scholarship, as documented in this and previous annual reports of the Health Law Institute.

Another highlight of the year was the collaboration of the Institute and the School of Health Administration in offering an on-line version of the survey course on health law that is taught at the Schulich School of Law by Professor Hadskis to students in the Masters of Health Administration program. This is the first step in a broader collaboration that is intended to encompass an executive diploma in health law for mid-career health care executives from across Canada and around the world. This initiative owes much to the vision of Dr. Joseph Byrne, the Director of the School of Administration, and to the support of Dean Webster of the Faculty of Health Professions and of Deans Saunders and Brooks of the Schulich School of Law. It owes even more to the teaching dedication and talent of Professor Hadskis, who was supported by law alumnus Sara Josselyn.

Collaborating with Dr. Sonia Chehil and Dr. Scott Theriault of the Faculty of Medicine, the Institute worked extensively on new and innovative mental health legislation for Guyana, in support of Guyana's own policy development and legislative drafting team. The truly innovative aspect of this project was the ways in which the proposed legislation tries to bridge the gap that often exists between the principles of the "modern" mental health legislation that developing countries are urged to adopt and the operational limitations that they face, particularly in health human resources, in attempting to implement such legislation. As project leader for this work, I am very proud of the indispensable contributions made by Research Associates Leah Hutt, Cheluchi Onyemelukwe and Alana Lancaster, all of whom are Dalhousie law graduates.

The Institute also played a key role in the success of Dalhousie (in partnership with the Universities of Saskatchewan, Guelph, Northern British Columbia and the Royal Military College of Canada) in securing funding from the National Science and Engineering Research Council for a CREATE grant that will fund doctoral students in environmental health in the disciplines of law, toxicology and public health, while providing them with interdisciplinary training that will ready them for positions of leadership in academia, public service, and industry. The collaboration of the Institute with the Marine and Environmental Law Institute (Dr. Moira McConnell) and the Department of Community Health and Epidemiology of the Faculty of Medicine (Dr. Judith Guernsey) was critical to Dalhousie's success in this very competitive process.

Finally, I wish to again highlight the continuing contribution of the Institute to health legislative policy in Nova Scotia. Under a supplemental agreement to the multi-year agreement under which the Institute supports the Nova Scotia Department of Health on a range of legislative projects, Professor Elaine Gibson will be supporting Mr. Justice La Forest, formerly of the Supreme Court of Canada, in his role as advisor to the Department on review of the *Involuntary Psychiatric Treatment Act*. Under the same supplemental agreement, the Institute will be advising the Department on revisions to the *Health Services Insurance Act*, which governs Medicare in Nova Scotia.

William Lahey

HEALTH LAW AND POLICY SEMINAR SERIES



IT WAS ANOTHER EXCELLENT YEAR for the Institute's popular lunchtime seminar series, which has been running successfully for twelve continuous years. Including both new and loyal attendees, we welcomed approximately 70 guests in our audiences at each seminar. Speakers covered a wide range of topics of relevance to health law and policy, including two seminars focusing on different aspects of the highly topical H1N1 virus.

We were very pleased to partner with the **Dalhousie University European Union Centre of Excellence** to bring in **Derek Morgan** from Sheffield University for his European perspective on health care services. We were also delighted, for the second year, to collaborate with the **Faculty of Health Professions** to host **André Picard**, Health Reporter for the Globe and Mail, who spoke on whether we need a new *Canada Health Act*.

Generous support from **Borden Ladner Gervais** has been instrumental in building our series. We also gratefully acknowledge the ongoing funding provided by the **Canadian Institutes of Health Research Training Program in Health Law, Ethics and Policy**.

OUR PANEL OF SPEAKERS AND TOPICS FOR 2009–10 WERE:

Derek Morgan, School of Law, Sheffield University, U.K.
“European Health Law and the Increasing Commodification of Health Care Services”

Jonathan Marks, Bioethics, Humanities and Law, Penn State and Edmond J. Safra Faculty Fellow in Ethics, Harvard University
“The Complicity of Health Professionals in the ‘War on Terror’: A Legal and Ethical Critique”

Jane Speakman, Legal Services, City of Toronto
“H1N1 Legal Preparedness: Are You Ready?”

Adrian Levy, Community Health and Epidemiology, Dalhousie University
“Value for Money in U.S. Health Care: Through the Looking Glass”

André Picard, Health Reporter, Globe and Mail
“Do We Need a New Canada Health Act?”

Françoise Baylis, Novel Tech Ethics, Dalhousie University
“Pregnant Women and the H1N1 Vaccine”

Jocelyn Downie & Ronald Murphy, Schulich School of Law, Dalhousie University
“It’s a No-Brainer: The (In)Admissibility of Functional MRI Evidence on Credibility”

SCHOLARSHIP

Research Awards

Canada Research Chair in Health Law and Policy

Jocelyn Downie 2008–13

Research Grants

CIHR Training Program in Health Law, Ethics and Policy

\$1,950,000 Canadian Institutes of Health Research 2009-15
William Lahey, Co-Principal Investigator (Principal Investigator: Colleen Flood) Elaine Gibson, Jocelyn Downie, Sheila Wildeman, Constance MacIntosh, and Chidi Oguamanam, Co-Investigators

CREATE Training Program in Human and Ecological Risk Assessment (Environmental Health)

\$1,634,292 Natural Sciences and Engineering Research Council of Canada 2009-15
William Lahey, Co-Investigator (Principal Investigator: Steven Sicilano)

Pandemic Influenza: Competency-Based Health Human Resources Planning for Teams

\$399,995 Canadian Institutes of Health Research 2010-13
William Lahey, Co-Investigator (Principal Investigator: Gail Tomblin Murphy)

Let Conscience Be Their Guide? Conscientious Refusals in Reproductive Health Care

\$240,297 Canadian Institutes of Health Research 2010-13
Jocelyn Downie, Co-Investigator (Principal Investigator: Carolyn McLeod)

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

\$642,116 Canadian Institutes of Health Research 2009-13
Elaine Gibson, Co-Principal Investigator (Principal Investigator: Don Willison) Michael Hadskis, Co-Investigator

Relational Theory and Health Law and Policy

\$25,000 Canadian Institutes of Health Research 2009-11
Jocelyn Downie, Co-Principal Investigator (with Jennifer Llewellyn)

Braving the Brain: States of Mind

\$1,500,000 Canadian Institutes of Health Research 2006-11
Sheila Wildeman, Collaborator (Principal Investigator: Françoise Baylis)

Neuroimaging Ethics: From Theory to Practice

\$1,484,868 Canadian Institutes of Health Research 2004-11
Jocelyn Downie, Principal Investigator; Michael Hadskis, Co-Investigator; Jennifer Marshall, Research Associate

What Are the Notification Policies of Academic Health Care Institutions Regarding Research Uses of Personal Health Information in their Custody?

\$100,000 Canadian Institute of Health Research 2008-10
Elaine Gibson, Co-Investigator (Principal Investigator: Don Willison)

Pandemic Planning and Foundational Ethical Questions of Justice, the Common Good and the Public Interest

\$130,347 Canadian Institute of Health Research 2007-10
Elaine Gibson and Jocelyn Downie, Co-Investigators (Principal Investigator: Nuala Kenny)

Providing Assistance to Older People Experiencing Mistreatment and Neglect: An Exploration of the Links between Legislation, Policy, and Local Practices in the Maritime Provinces

\$29,995 Social Sciences and Humanities Research Council 2006-10
Sheila Wildeman, Co-Investigator (Principal Investigator: Joan Harbison)

Substitute Consent for Research Involving Decisionally Incapacitated Older Adults: A Nationwide Study of Knowledge, Opinion and Practices

\$296,688 Canadian Institutes of Health Research 2005-10
Sheila Wildeman, Co-Investigator (Principal Investigator: Gina Bravo)

CIHR Training Program in Health Law and Policy

\$1,800,000 Canadian Institutes of Health Research 2002-10
Jocelyn Downie, Principal Investigator; Elaine Gibson, Mentor

The Concept of Choice in Canadian Judicial Reasoning about Reproduction

\$6,685 Law Foundation of Nova Scotia 2007-09
Jocelyn Downie, Co-Principal Investigator (with Chris Kaposy)

Research Contracts and Service Agreements

Health Law and Policy

\$626,768 Nova Scotia Department of Health 2008-12
William Lahey
Leah Hutt, Research Associate

Interprofessional Collaborative Regulation (ICR): Collaborative Self-Regulation of Regulated Health Professions in Nova Scotia

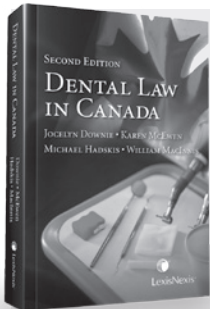
\$10,680 Nova Scotia Department of Health 2009-10
William Lahey

Legal Aspects of Information Sharing Between Canadian Blood Services and Provincial Public Health Authorities

\$20,000 Canadian Blood Services 2008-09
Elaine Gibson

SCHOLARSHIP

Publications



Dental Law in Canada, 2nd ed.
(Markham: LexisNexis, 2010)

Jocelyn Downie, Karen McEwen, Michael Hadskis, and William MacInnis, eds.

Congratulations to the editors and contributing authors of the recently released 2nd edition of *Dental Law in Canada*. This new second edition has been updated to cover the latest legal and

practice developments relating to dentistry in Canada, with a forward written by **Mary McNally**, Professor, Dalhousie Faculty of Dentistry, where the text has been adopted for use as part of the Faculty's law and ethics curriculum.

Contributing authors include:

William Lahey, *The Legal Framework of Canada's Health Care System*;

Elaine Gibson, *Privacy and Confidentiality Issues for Dental Professionals*;

Michael Hadskis, *Regulation of Dental Research*;

Fiona Bergin, *Duty to Treat*; and

Fiona McDonald, *Drugs, Dental Professionals and the Law*.

Additional authors are: **Steve Coughlan** and **Dale Darling**; **Jennifer Llewellyn**; **Diana Ginn** and **Michael Boyle**; **Robert Currie**; **Irwin Fefergrad** and **Kate Dewhirst**; **Corinne Boudreau**; **Marjorie Hickey** and **Michelle Higgins**; and **Bernard Dickens**.

William Lahey, "Collaborative Self-Regulation and Professional Accountability in Nova Scotia's Health Care System" *Dalhousie Health Law Institute* (2009) on-line.

Elaine Gibson, "Concepts of Bias and Appointments to the Governing Council of the Canadian Institutes of Health Research" *Canadian Medical Association Journal* (advance on-line release June, 2010; forthcoming in print).

Jocelyn Downie and Kate Dewhirst, "Women's Health Law and Policy" in Borden Ladner Gervais LLP, ed., *Canadian Health Law Practice Manual* (LexisNexis, 2010): 9.1-9.28.

Jocelyn Downie, "Canadian Parliament Must Act on Assisted Human Reproduction" *BioNews* 561 (June, 2010) on-line.

Matthew Kutcher, Victoria Apold, and Jocelyn Downie, "Will the Brain Ever Take the Stand? Canadian Law and the Admissibility of Neurotechnology Lie Detection Evidence" *Criminal Law Quarterly* 56:1 (2010): 135-163.

Jocelyn Downie, "Palliative Care in the ICU Through a Legal Lens" in Graeme Rocker, et. al, eds., *End of Life Care in the ICU: From Advanced Disease to Bereavement*, *Oxford Specialist Handbooks* (Oxford: Oxford University Press, 2010): 190-195.

Robyn Bluhm, Jocelyn Downie, and Jeff Nisker, "Dr. Cézanne and the Art of Re(peat)search: Competing Interests and Obligations in Clinical Research" *Accountability in Research* 17:2 (2010): 85-95.

Jocelyn Downie and Karen McEwen, "The Manitoba College of Physicians and Surgeons Position Statement on Withholding and Withdrawal of Life-Sustaining Treatment (2008): Three Problems and a Solution" *Health Law Journal* 17 (2009): 115-138.

Jocelyn Downie, "Glass Houses: The Power of Money in Bioethics Research" *International Journal of Feminist Approaches to Bioethics* 2:2 (2009): 297-115.

Matthias Schmidt and Jocelyn Downie, "Safety First: Recognizing the Managing of Risks to Child Participants in Magnetic Resonance Imaging Research" *Accountability in Research* 16:3 (2009): 153-173.

Jocelyn Downie, Matthew Kutcher, Chantelle Rajotte, and Alison Shea, "Eligibility for Organ Donation: A Medico-Legal Perspective on Defining and Determining Death" *Canadian Journal of Anesthesia* 56 (2009): 851-863.

Chris Kaposy and Jocelyn Downie, "Reproductive Choice in Canadian Courts: An Evidence-Based Call for a Move to Relational Autonomy" *Advocates' Quarterly* 36:1 (2009): 86-104.

Constance MacIntosh, "On Obligations and Contamination: The Crown-Aboriginal Relationship in the context of Internationally-Sourced Infringements" *Saskatchewan Law Review* 72:2 (2009): 187-220.

Constance MacIntosh, "Public Health Protection and Drinking Water Quality on First Nation Reserves: Considering the New Federal Regulatory Proposal" *Health Law Review* 18:1 (2009): 5-11.

Jennifer Marshall, "Disclosure of Unknown Harms in Magnetic Resonance Imaging Research" *Accountability in Research* 17:2 (2010): 67-78.

Chidi Oguamanam, "Patents and Pharmaceutical R&D: Consolidating Private-Public Partnership Approach to Global Public Health Crises" *The Journal of World Intellectual Property* (advance on-line release March, 2010; forthcoming in print).

Chidi Oguamanam, "Personalized Medicine and Complementary Alternative Medicine: In Search of Common Grounds" *Journal of Alternative and Complementary Medicine* 15:8 (2009): 943-949.

SCHOLARSHIP

Presentations

William Lahey

- “Trends and Issues in Health Professions Regulation” *Meeting of National, Provincial and Territorial Executive Directors for Registered Nurses Regulatory and Professional Organizations* Toronto, Ontario – November 2009, and *Meeting of the Board of Governance of the College and Association of Registered Nurses of Alberta* Edmonton, Alberta – May 2010.
- “National Governance Challenges to Managing Infectious Disease Threats” *National Judicial Institute Conference on Judging Through Public Emergencies* Charlottetown, PEI – October 2009.
- “Does Governance of Canadian Health Care Systems Need More Regulation?” *4th National Health Law Conference* Montreal, Quebec – October 2009.

Elaine Gibson

- “Duty of Care of Physician to Foetus” *Exploring the Boundaries: An International Dialogue on Socio-Legal Feminism* St. James, Barbados – June 2010.
- “Powers of the State in a Public Health Emergency” *National Judicial Institute Conference on Judging Through Public Emergencies* Charlottetown, PEI – October 2009.

Elaine Gibson and Jocelyn Downie

- “What She Doesn’t Know Can’t Hurt Her: Pelvic Exams Conducted by Trainees on Anaesthetized Women” *Exploring the Boundaries: An International Dialogue on Socio-Legal Feminism* St. James, Barbados – June 2010.

Michael Hadskis

- “Scanning the Issues: Incidental Findings in Magnetic Resonance Imaging Research” *Dalhousie University Neuroscience Institute Mini Symposium* Halifax, Nova Scotia – June 2010.
- “Consent Fundamentals for Urologists” *Dalhousie University Department of Urology’s Evening with the Expert* Halifax, Nova Scotia – April 2010.
- “Legal Liability in Neuroscience Research” *Dalhousie University Psychology Department Research Methods in Cognitive Neuroscience* Halifax, Nova Scotia – November 2009.

Fiona Bergin

- “Respecting and Engaging: Negotiating Professional Boundaries,” (panelist) *Dalhousie Department of Bioethics*, Halifax, Nova Scotia – October 2009.

Jocelyn Downie

- “Relational Theory and Health Law and Policy” *Exploring the Boundaries: An International Dialogue on Socio-Legal Feminism* St. James, Barbados – June 2010 (with Jennifer Llewellyn).
- “Promises and Perils of Industry-Sponsored Clinical Trials” *Clinician Investigator Winterlude Break, Clinical Trials and Tribulations* Liverpool, Nova Scotia – April 2010.
- “It’s a No-Brainer: The (In)admissibility of Functional MRI Evidence on Credibility” *Health Law and Policy Seminar Series, Dalhousie Health Law Institute* Halifax, Nova Scotia – March 2010 (with Ronalda Murphy).
- “Comments on the Appointment of Dr. Bernard Prigent to the Governing Council of the Canadian Institutes of Health Research” *Federal Standing Committee on Health* Ottawa, Ontario – December 2009.

Leah Hutt

- “Waitlists, Referrals and Consultations: Ethics and Liability” *Ophthalmology Residency Program Ethics Series* Halifax, Nova Scotia – April 2010.

Jennifer Marshall

- “Organizing Neurogenetics” *Annual Meeting of the Society for Social Studies of Science* Washington, DC – October 2009.
- “Communication of Unknown Harms in Magnetic Resonance Imaging Research” *Brain Matters: New Directions in Neuroethics Conference* Halifax, Nova Scotia - September 2009.

Constance MacIntosh

- “On-Reserve Water Quality: The Role of Law, Policy and Indigenous Governance Regimes,” (panelist) *Aboriginal Law and Economic Development Forum* Halifax, Nova Scotia – February 2010.

Sheila Wildeman

- “Accommodating Mental Health Challenges in the Administrative Process,” *Session on ethnic and ability differences in the Hearing Room, NS Labour & Workforce Development Adjudicative Boards Conference* Halifax, Nova Scotia – April 2010.
- “Newborn Screening: A Legal Perspective,” (panelist) “Testing Baby: Parents’ Perspectives on Expanded Newborn Screening” *Dalhousie Department of Bioethics Panel Series*, Halifax, Nova Scotia – March 2010.

EDUCATION

Institute faculty and associates continue to offer a full and varied interdisciplinary educational program in health law and policy to students in law, medicine, dentistry, and health professions. An overview of faculty engagements and student accomplishments is provided below.

Undergraduate

Institute members, associates and professional colleagues offered the following broad range of health law courses at the Schulich School of Law at Dalhousie:

Health Law (**Michael Hadskis**)
Health Law and Policy: Current Issues (**William Lahey**)
Health Care Ethics and the Law (**Jocelyn Downie**)
Advanced Negligence: Medical Malpractice (**Elaine Gibson**)
Mental Disability Law (**Archie Kaiser**)
Health Law Placement (**Michael Hadskis, Leah Hutt, Catherine Gaulton, Jen Feron**)
Health Law Exchange (**Michael Hadskis**)
Directed Research Paper (**Elaine Gibson, William Lahey**)

Health law courses were also offered in the faculties of health professions, medicine and dentistry with coordination and oversight provided by Institute faculty member **Michael Hadskis**.

Participating with Professor Hadskis in the delivery of the interdisciplinary teaching program were **Fiona Bergin** (Medicine), **Devon Peavoy** (Health Professions), **Catherine Gaulton, Suzanne Kennedy, Leah Hutt, Corinne Boudreau and Michael Wood** (Dentistry).

William Lahey lectured on the law of Canada's health care system to the School of Occupational Therapy students, and **Jennifer Marshall** guest lectured to the Department of Philosophy students on "Genetic Testing and Geneticization".

Institute faculty also contributed to the undergraduate law curriculum at the Schulich School of law by teaching in other subject areas including Fundamentals of Public Law, Administrative Law (**William Lahey**), Tort Law and Damage Compensation (**Elaine Gibson and Michael Hadskis**), and by judging compulsory student moots.

Graduate

Institute faculty and associates happily share their experience and expertise with graduate students in various ways. They serve on LL.M. and J.S.D. thesis committees as advisors and examiners; serve on interdisciplinary Ph.D. committees; and serve as mentors for LL.M. students.

They also guest lecture in graduate studies programs. For example, **Elaine Gibson** guest lectured on "Personal Health Information – Law and Ethics" to graduate students at the School of Occupational Therapy in their Dimensions of Professional Practice class. **Sheila Wildeman** also guest lectured to the School of Occupational Therapy graduate students on "Introduction to Nova Scotia Mental Health Laws: What Does an Occupational Therapist Need to Know?" **William Lahey** lectured on administrative law and regulation to Masters of Public Administration students.

Postgraduate

Michael Hadskis coordinated two annual Resident Health Law Days for junior and senior medical residents. Invited speakers made presentations on health law issues, including medical negligence (**Michael Hadskis**), end of life issues (**Jocelyn Downie**), consent to treatment (**Elaine Gibson**), duty to treat (**Fiona Bergin**), and health information (**Jen Feron**).

Fiona Bergin presented a teaching session on "Consent in Context" to the International Medical Graduate residents entering their third year of medical training.

Student Accomplishments

UNDERGRADUATE STUDENTS

Health Law and Policy Certificate Program

In May 2010, nine graduates of the Schulich School of Law received both an LL.B. and a Certificate of Specialization in Health Law and Policy. We wish these graduates well in their future careers and welcome them as alumni of the Certificate Program. Alumni are now 64 strong.



Left to right: **Terri Higdon, Erin Rideout, Nicole Templeton, Matthew Kutcher, Tracy Smith and Lana MacLellan**. Missing from photo: **Tracy Hobson, Alison Hopkins, Alison Spurr**.

EDUCATION

Health Law Institute Prize (2010)

This year's recipient of the Health Law Institute prize was **Matthew Kutcher**. This prize is awarded annually to the third year student graduating in the Health Law Specialization Program having the highest grade point average in health law courses counted toward the specialization.

J.S.D. Tory Writing Award

Brian Wilson was one of two recipients of The J.S.D. Tory Writing Award. Brian was recognized by this award for his paper entitled, "If It's Reusable, Why Not Reuse it?" regarding the regulation of single-use medical devices. The paper provides a comprehensive and well-researched account of the current regulatory framework and the potential tort liability of all parties involved in the use and reprocessing of such devices, together with an original critique and suggestions for regulatory reform.

Matthew Kutcher received an honourable mention for his paper entitled "The chemical castration of recidivist sex offenders in Canada." This paper presents an original and compelling argument for the cessation of this practice on legal, ethical and medical grounds.

GRADUATE STUDENTS

Four LL.M. students graduated this year with a concentration in health law and policy. Congratulations to:

- **Suzanne Kennedy** (thesis: "Disclosure Obligations of Health Care Providers Infected with a Blood-Borne Pathogen")
- **Jacquelyn Shaw** (thesis: "Dead Wrong: An Analysis of the Legal Defensibility of Brain Death in Canadian Health Care")
- **Martina Munden** (thesis: "Community Treatment Orders: Concerns for Women from a Relational Theory Perspective")
- **Kesaundra Alves** (coursework) Kesaundra also presented her research work on "Enrolment of Pregnant Women in Clinical Trials: How Well, from a Legal, Ethical Perspective, Does the Proposed Second Edition of the Tri-Council Policy Statement (TCPS) Deal with Pregnant Women?" at the CIHR Training Program Colloquium, Toronto, Ontario in May 2010



Jacqueline Shaw, Martina Munden, Kesaundra Alves



CIHR TRAINING PROGRAM IN Health Law, Ethics & Policy

Members of Dalhousie's Health Law Institute are proud to be a continuing partner in the recently funded Canadian Institutes of Health Research (CIHR) Training Program in Health Law, Ethics and Policy.



Trudo Lemmens and Colleen Flood (P.I.)
University of Toronto

This collaborative venture involving researchers from law faculties at four Canadian Universities is an extension of the previously successful CIHR Training Program in Health Law and Policy of which Dalhousie was a founding partner.



William Lahey
Dalhousie University

The Program, which welcomes both domestic and international graduate law students, receives funding to foster the development of expertise in law, ethics and policy needed to tackle significant issues in health care – private health care options, patient safety, distribution of health care resources, as examples.



Timothy Caulfield
University of Alberta

Program training partners with Dalhousie are University of Toronto, University of Alberta and Université de Sherbrooke.



Robert Kouri
Université de Sherbrooke

SERVICE

Institute members have a positive track record of contributing their time and expertise to service both within their University community and the broader communities of province and country.

Again this year, Institute members served on numerous committees within the Schulich School of Law including Admissions, Academic (Chair **Elaine Gibson**), Appointments, Graduate Studies, International Linkages, and Moot Court (Chair **Michael Hadskis**) as well as committees of other faculties, such as the Faculty of Medicine's Curriculum Working Group on Public Health, Ethics and Law (Chair **Fiona Bergin**) and the Faculty of Health Professions' Tenure and Promotions committee. Members also served on University committees including the Senate Academic Appeals and the Senate committee on Teaching and Learning. **Bill Lahey** chaired the Segelberg Trust Lecture Series Committee.

Provincial organizations that benefitted from Institute representation were Efficiency Nova Scotia Corporation (chair **Bill Lahey**), the College of Physicians and Surgeons of Nova Scotia, IWK Hospital Ethics Committee. Institute member **Sheila Wildeman** was particularly active on behalf of the Canadian Mental Health Association (NS Division) as board member and advisor for Division submissions to a recent provincial Fatal Inquiry.

On the national scene, **Bill Lahey** participated in the Canadian Nurses Association Task Force on Governance and was an invited participant in an experts workshop on the future of Health Canada as a regulator. Bill was also a member of the Canadian Delegation to the United Nations Climate Change Conference in Copenhagen. **Jocelyn Downie** was a member of the Experts Panel on End of Life Law and Policy for the Royal Society of Canada and a member of the editorial board of the Journal of Bioethical Inquiry.

Members of the Institute collaborated this year with colleagues in Dalhousie's Faculty of Medicine to assist the Republic of Guyana Ministry of Health with modernization of its mental health legislation. The Mental Health Legislation Reform Group (**Bill Lahey**, **Dr. Scott Theriault** and **Dr. Sonia Chehil**, and **Dennis Holland** from the Nova Scotia Department of Health) joined forces to produce draft legislation developed to meet the needs of Guyana. This project created an important professional development opportunity for two graduate health law students, **Cheluchi Onyemelulwe** and **Alana Lancaster**, who were research associates on the project.



Left to right:
Dr. Scott Theriault,
Cheluchi Onyemelulwe
Bill Lahey,
Alana Lancaster
and Leah Hutt

HEALTH LAW STUDENTS' ASSOCIATION



HLSA Executive:
Michelle Black, Co-Chair
Thomas Wallwork, Co-Chair
Laura Dowling, Information Officer
Susannah Margison, Treasurer
Joanna Weiss, Secretary

The past school year proved to be an exciting and busy year for the HLSA with either social or educational events almost every month!

October: General meeting. Health Law Professor **Michael Hadskis** generously gave an hour of his time to chat with members of HLSA.

October: Ghou!-O-Grams for sale (a wee bag of candy, along with a special message, for delivery in time for Hallowe'en).

November: networking mixer and brewery tour with Dalhousie medical students at the Propeller Brewery (despite the exam period looming a couple of weeks away). Once time was up at the brewery, socializing continued at another popular downtown establishment.

December: the HLSA teamed up with the School of Health Administration to host a talk about the state of Canada's health care system by **Steven Lewis**, a Health System Policy Analyst based in Saskatoon.

January: Meet-and-Greet with the Health Law Professors, providing an opportunity for students and faculty to mingle, enjoy light refreshments, and talk about health law.

February: Alternative Careers Night. Guests spoke about their education and career paths and health-related occupations. They were: **Kevin McNamara**, Nova Scotia Deputy Minister of Health; **Suzanne L. Kennedy**, College of Registered Nurses of Nova Scotia, who works there on Professional Conduct, and also teaches Health Law to second and third year dentistry students at Dalhousie; and our own **Jocelyn Downie**, Canada Research Chair in Health Law and Policy at the Schulich School of Law at Dalhousie University.

March: the HLSA teamed up with the Graduate Students in Neuroscience Society to host **Stacey Tovino** for a public talk on "Neuroscience, Law, and Postpartum Illness" and a Student Lunch to kick-off Brain Awareness Week 2010. Dr. Tovino participated the next day in a lunch with the Neuroscience and Health law students. Thank you to the Neuroethics New Emerging Team for their support with this event.

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 contributing to research in the area of health law and policy
- by providing external consultation services on matters having a significant impact on health law or policy

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 to organizations in the public sector
- by engaging in the policy-making process at local, regional, and national levels



HEALTH LAW INSTITUTE

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