

**Indiana University
Request for a New Credit Certificate Program**

Campus: Indianapolis, Indiana University Robert H. McKinney School of Law

Proposed Title of Certificate Program: Graduate Certificate in Health Law

Projected Date of Implementation: September 2012

TYPE OF CERTIFICATE: (check one)

UNDERGRADUATE CERTIFICATES – These programs generally require 12-29 credits of undergraduate-level academic work.

GRADUATE CERTIFICATES – These programs generally require 12-29 credits of graduate-level academic work or undergraduate academic work carrying graduate credit.

POST-BACCALAUREATE CERTIFICATES –These programs generally require 12-29 credits of undergraduate-level academic work, although students enrolling in these programs must have completed their baccalaureate degrees.

I. Why is this Certificate needed? (Rationale)

Pursuant to its strategic plan, Indiana University Robert H. McKinney School of Law (hereinafter ‘school of law’) has committed to the development of particular expertise in health law. The Law School has a nationally ranked health law program associated with the Hall Center for Law and Health. The Hall Center was established in 1987 to expand the curriculum and teaching of health law at the school of law and provide opportunities for student participation in Center-sponsored research, educational programs, and health law field placements. For more than a quarter of a century Center faculty members have conducted important legal and empirical research on health law issues in Indiana and the nation and interpreted health law issues for the bar, government, and the health care community.

Offering a Certificate in Health Law will provide the following benefits:

- Identify an essential baseline education leading to successful practice in the complex and competitive field of health law
- Send a confirmatory signal of the school of law’s experience and reputation in the field of health law
- Provide a competitive advantage as to both inputs and outputs
 - Offering a Certificate program to our JD applicant pool would provide a competitive advantage for the school of law. (Only four of the top ten health law

programs ranked by the U.S. News & World Report (2012) provide for a formal Certificate for their JD students).¹

- Provide a clear signal and identification of excellence and specialization to potential employers.
- Aid in the structuring and sequencing a large number of courses and maximize the students' educational experience as they navigate the field of health law.

II. List the major topics and curriculum of the Certificate.

A Certificate in Health Law will be awarded to a JD candidate who completes approved Health Law courses *totaling at least 15 credit hours in Health Law and closely-related subjects* (see Tables 1-4, below²) while maintaining a minimum grade point average as specified below.

To qualify for a Certificate in Health Law, a JD candidate must satisfy all general requirements for the JD degree, and also:

1. Complete the following curriculum
 - a. Complete the two Core Courses (see Table 1, below)
 - b. Complete at least two Advanced Health Law courses (see Table 2, below)
 - c. Complete at one Elective Health Law courses from the approved list (see Table 3, below)
2. Complete at least one research or experiential capstone course from the approved list (see Table 4, below)
3. Maintain a cumulative 3.2 GPA in the Health Law, research or experiential capstone courses applied toward the Certificate.³

Health Law Certificate Courses

Note: The School of Law has approved all of the following courses to be taught. Courses listed in Tables 2 and 3 are taught at least once each academic year. Courses listed in Table 3 typically are offered at least once every two years. At least six courses in Table 3 are offered each academic year.

¹ A chart describing competitors' products is attached as Appendix A.

² Given the dynamic nature of health law and policy it is likely that additional Health Law and related courses may be approved by the school of law (or cross-listed). If the Hall Center co-Directors wish these courses to be added to the Certificate Tables approval shall be sought from the school of law's Academic Affairs Committee and if so approved shall be published on the school of law's web site in timely manner.

³ In the case of a student who takes more than the minimum number of qualifying courses the student's best grades in the qualifying courses will be used to calculate his or her health law GPA.

Table 1: Core Law School Courses (Must take <i>both</i> of the following)
Introduction to Health Care Law & Policy (3)
Administrative Law (3)

Table 2: Advanced Health Law Courses (Must take at least <i>two</i> of the following)
Business and Legal Aspects of Health Care Organizations (2)
Bioethics and Law (2/3)
Health Care Quality & Safety (2)
Law and Public Health (2)

Table 3: Elective Health Law Courses (Must take at least <i>one</i> of the following)
AIDS: Ethical, Legal and Policy Issues (2)
Antitrust and the Health Care Industry (2)
Corporate Compliance Overview (2/3)
ERISA Retirement Plans: Formation and Structure (2/3)
Health Care Fraud and Abuse Regulation (2/3)
Health Care Reimbursement (2/3)
Financing and Regulating Health Care (2/3)
Food and Drug Law (2)
Insurance Law (2/3)
Intellectual Property of Pharmaceutical Products and Medical Devices (2/3)
IP: Drug Innovation & Competition (2/3)
Issues in Death and Dying (2)
Law of Medical Malpractice (2/3)
Life Sciences Compliance Law (2/3)
New Genetics: Ethical, Legal and Policy Issues (2)
Psychiatry and the Law (2)
Social Regulation of the Body and Its Processes (2)
Neuroscience for Lawyers (2)

Table 4: Experiential or Research Capstone Courses (Must take at least <i>one</i> of the following) *
Health Law Externship
Health Law Research Paper submitted in satisfaction of a seminar or other writing requirement (2)
Indiana Health Law Journal (note or comment) (2)
Participation in External Health Moot or Transactional Competition**

*Note: Any paper, note or comment submitted to satisfy the Experiential or Research Capstone must be submitted to and approved by a Hall Center co-Director.

**Note: Additional prior approval required from a Hall Center co-Director.

III. What are the admission requirements?

Any JD candidate enrolled and in good standing at the school of law who has completed their 1L courses is eligible to seek the Certificate. A candidate seeking the Certificate must file a “Notice of Intent to seek Certificate in Health Law,” using a form approved by the school of laws’ Office of the Recorder. This form must be completed and filed during or before a student’s penultimate semester prior to graduation. In order to complete the Health Law Certificate, students must meet minimum GPA requirements, and thus students who file a notice of intent will be counseled to give attention to their GPA in order to assure that they have a reasonable prospect of completing the Certificate while meeting minimum GPA.

IV. List the major student outcomes (or set of performance based standards) for the proposed Certificate.

- a. Obtain and evaluate knowledge and understanding of the state, national and global health care sectors.
- b. Develop an appreciation and understanding of and evaluate the important health policy issues facing the state, national and global health care sectors.
- c. Evaluate and apply health law, policy, and ethical standards to the state, national and global health care sectors.
- d. Develop an appreciation and understanding of the important legal issues facing the state, national and global health care sectors.
- e. Analyze and evaluate current issues in health care law and policy and create alternate solutions.

V. Explain how student-learning outcomes will be assessed (student portfolios, graduate follow up, employer survey, standardized test, etc.) and describe the structure/process for reviewing assessment findings for the purpose of ensuring continuous improvement of the Certificate.

For the most part, students will take conventional law school courses involving assessment by examination, classwork, written assignments, or papers. The assessment of students in clinical courses and field placements will be faculty observation of clinical performance with respect to knowledge of relevant legal issues, professional deportment and completion of required tasks. Capstone research and writing courses will involve formal advising and supervision of the writing requirement.

Each student will also have a member of the health law faculty assigned as a Certificate Advisor and these faculty members will provide individual counseling to guide student curriculum choices, promote deeper understanding of course themes, and counsel decisions about the students “capstone” experience.

School of law courses are subject to rigorous faculty committee (Academic Affairs Committee), faculty, and decanal scrutiny. Courses are approved and evaluated by reference to faculty procedures and ABA accreditation requirements. Within the Hall Center the co-Directors and

staff routinely examine healthcare courses for coverage. The office of the Vice-Dean monitors student evaluations of courses taught by full-time and adjunct faculty together with reports from peer classroom visits.

Hall Center faculty and staff will routinely analyze aggregate student performance in the Certificate and collect feedback from faculty members and potential employers.

Healthcare law and policy changes rapidly. The existing school of law healthcare curriculum is designed to be able to respond to most changes. However, the co-Directors will continually assess the content and nature of courses, the effectiveness of the Certificate requirements, and where necessary will propose new or restructured courses to the school of law faculty.

The Hall Center Advisory Board, the membership of which is drawn from the practicing health law bar, will be asked to provide continual input on the structure of the Certificate and the coverage and relevance of its curriculum.

VI. Describe student population to be served.

Healthcare is the largest industry in the country and its most highly regulated. As a result student employment opportunities are likely to remain robust. The Certificate in Health Law will be attractive to JD students who are planning careers as health lawyers or policymakers. Opportunities for employment exist at the local, regional and national levels, and in for-profit, not for-profit, and governmental institutions, firms or agencies. The complexity of health care law and policy and the breadth of its practice create a cohort of strong JD students who will enroll in the Certificate of Health Law for intellectual, organizational, signaling, and credentialing reasons.

VII. How does this Certificate complement the campus or departmental mission?

The Certificate is consistent with and reinforces the goals of the school of law and the primary mission of the Hall Center; to provide a cutting edge health law program for school of law students that will maximize their employment opportunities.

The school of law is in a unique position to offer students and professionals a comprehensive program focused on health law. The school is surrounded by three major hospital systems, and shares a campus with one of the largest academic medical centers in the country.

As well as being the largest industry in the U.S. healthcare is also the most highly regulated. In addition, healthcare relationships (such as those between hospitals and doctors) are very complicated. Students who possess a broad range of health law related knowledge and training and are so credentialed will be attractive to the sophisticated employers who deal with health law and policy, such as hospitals, healthcare systems, research institutes, corporations, state and federal agencies, and of course, local, regional and national law firms.

Students who complete the Certificate will be well prepared to compete for the best health law and policy employment opportunities. Meanwhile, the Certificate and its emerging certified students will reinforce the reputation of the University, school of law and the Hall Center as leaders in health law and policy.

VIII. Describe any relationship to existing programs on the campus or within the university.

The Health Law Certificate will complement the Doctor of Jurisprudence (JD) degree offered at the school of law. In addition, it will both complement and be of particular interest to students enrolling in the JD/MHA (Doctor of Jurisprudence/Master of Health Administration), the JD/MPH (Doctor of Jurisprudence/Master of Public Health), the JD/MA (Doctor of Jurisprudence/Master of Arts in Philosophy) with a concentration in Health Law and Bioethics, the JD/MSW in Law and Social Work, and the JD/MD (Doctor of Jurisprudence/Doctor of Medicine). Beyond signaling institutional commitment and expertise in health law to external constituencies such as law firms and government agencies the Certificate should play a similar role with regard to internal, University constituencies and increase the level of cooperation, course-cross listing, and other cooperation between the school of law and other healthcare-related schools and research institutes across the IU campuses.

IX. List and indicate the resources required to implement the proposed program. Indicate sources (e.g., reallocations or any new resources such as personnel, library holdings, equipment, etc.).

The Health Law Certificate will be offered and sustained with existing resources. The Hall Center through both its full-time faculty and adjunct faculty already provides a world-class health law curriculum. The staffs at the school of law and the Hall Center are fully able to deal with the administrative aspects of the Certificate.

X. Describe any innovative features of the program (e.g., involvement with local or regional agencies, or offices, cooperative efforts with other institutions, etc.).

The “capstone” Certificate requirement will ensure that students complete at least one innovative and original project that is research-based or experiential. The school of law has established externship opportunities (field clinics) at many external sites such as the State Department of Health, the Family and Social Services Administration, the Department of Insurance, IU Health, Wishard Memorial Hospital, St. Vincent 's Hospital and Health System, and the Indiana University School of Medicine. Writing and research projects such as those offered by the Seminar in Law and Medicine or the *Indiana Health Law Review* are supervised by the Hall Center faculty reinforce the Center’s commitment to and national reputation in research and publication.

Appendix A: Competitive Analysis

Health Law Program	Certificate?	Health Credit Hours/Courses	Mandatory Paper	Mandatory Experiential	GPA	Other
1. St. Louis University	Yes	10	Yes	Yes		Attend Speaker Series
2. Boston University	No					
3. University of Maryland	Yes (called concentration)	17	Yes	Yes		
4. Loyola University Chicago		9/3	No	Yes	B or better in each H course	Participation in at least 6 Center activities
5. Georgia State University	No					
6. Seton Hall University	Yes	15/5	Yes	No	3.0 (H)	
6. University of Houston	No					
8. Case Western Reserve U.	Yes (called concentration)	15	Yes (B+ minimum)	No	3.0 (H) 3.5 (H) for honors	
9. Georgetown University	No					
10. Univ. of Minnesota	No					