



THE OSGOODE CERTIFICATE IN HEALTH LAW

Gain the confidence to identify legal and regulatory issues affecting your day-to-day work.

With COVID-19 continuing as the backdrop, now is the time to:

- Gain a comprehensive understanding of the intersection between healthcare delivery and the law
- Explore the relationship between privacy, security, and risk management in healthcare
- Identify and understand the regulation of health professionals
- Expand your knowledge about ethical challenges in healthcare including those relating to LTC, marginalized communities and physician assisted dying
- Identify what medical malpractice is – from the standard of care, causation and the assessment of damages
- Recognize the growth of artificial intelligence (AI) in the health sector and the legal and ethical challenges
- Develop your understanding of the requirements for consent, the test for capacity and the role of the substitute decision maker

PROGRAM DIRECTORS

Daniel Girlando

Borden Ladner Gervais LLP

Trevor Hall

Vice President, Healthcare Safety and Risk Management, Healthcare Insurance Reciprocal of Canada (HIROC)

REGISTRATION DETAILS

February 23, March 9, 23, 30
and April 6, 2022:
Online, Live

Can't make the date?

Registration includes 120-day unlimited, online access to the recorded program.

Register today at:

[osgoodepd.ca/
healthcert](https://osgoodepd.ca/healthcert)



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health teams of ontario



The Osgoode Certificate in Health Law

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COVID-19 has changed how we look at health law.

With the pandemic still ongoing, this course will provide critical information on how the current situation has impacted healthcare delivery and your legal obligations.

Can't make a live session?

All delegates will have 120-day access to the captured program modules.

Today more than ever, healthcare providers and their organizations encounter a challenging array of legal and regulatory issues every day. The ability to recognize these issues and know how to respond has never been more important.

Osgoode's unique **Certificate in Health Law**, now in its 13th year, was developed to better prepare you and your organization to overcome the most common legal pitfalls in the healthcare arena.

Over the course of five intensive one-day modules, including **lectures, case studies, small group discussions, simulations, and demonstrations**, you will be able to identify and develop your knowledge of contemporary issues in health law.

Our diverse faculty of lawyers, healthcare professionals, patients' rights advocates, ethicist, risk managers and insurance industry experts will equip you with the **practical** knowledge and strategies you and your organization need to be better positioned to make sound, professional judgments, **improve patient care and safety** and take the necessary steps to **minimize risk**.



Gain the knowledge you need to fully understand the challenging area of Health Law, including:

- Framework and role of the legal system in healthcare delivery
- Key legal issues raised by COVID-19
- Ontario Health Teams
- Overview of the *Fixing Long-Term Care Act, 2021*
- Privacy and health law: the key principles
- Treatment capacity from a clinical perspective
- Demonstration: Consent and Capacity Board hearing
- The regulation of health professionals
- Disclosure obligations and the *Quality of Care Information Protection Act*
- Collaborative care: problems and pitfalls
- Ethical challenges, including the most current information medical assistance in dying
- Retirement homes in the continuum of care
- The application of safety and the law
- Class actions and public inquiries
- Healthcare for indigenous, black and other marginalized communities
- Risk management: responding effectively to risk in specialty areas

PLUS! You will have the chance to meet and connect with your colleagues and program faculty in a Virtual Networking Event

Who Should Attend

- Physicians, nurses, nurse practitioners and other licensed medical professionals
- Representatives from hospitals, psychiatric facilities, long-term care facilities, CCAC's and community service provider agencies
- Healthcare risk managers
- Privacy officers, security officers and compliance officers for healthcare institutions
- Patient representatives
- Ethicists
- In-house counsel to healthcare institutions
- Health law practitioners
- Government and public policy advisors

You will learn and gain tremendous insight from a faculty of leading health and legal experts, including:

Program Directors



Daniel Girlando

Borden Ladner Gervais LLP



Trevor Hall

Vice President, Healthcare Safety and Risk Management, Healthcare Insurance Reciprocal of Canada (HIROC)

Advisory Board

Dr. David A. Cameron

Regional Supervising Coroner, North Region – Sudbury Office, Office of the Chief Coroner

Kate Dewhirst

Kate Dewhirst Health Law

Professor Joan M. Gilmour

Osgoode Hall Law School, York University

Cathy Szabo

President & CEO, Providence Care

Kristin L. Taylor

Vice President, Chief Legal and Risk Officer, Centre for Addiction and Mental Health (CAMH)

Register today at:

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Program Faculty

Robert Barbiero

Torkin Manes LLP

Randal Bell

Senior Advisor - Addiction & Mental health, Indigenous Wellness Core, Alberta Health Services

Dr. Kerry Bowman

Clinical Ethicist, Mount Sinai Hospital, University of Toronto, Joint Centre for Bioethics

Dr. David A. Cameron

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Barry Glaspell

Barry Glaspell Class Actions

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Trevor Hall

Vice President, Healthcare Safety and Risk Management, HIROC

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Morgana Kellythorne

Senior Counsel and Investigation Counsel Lead, The College of Physicians and Surgeons of Ontario

Emily Lawrence

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Dr. Melissa McCracken, PhD, MHSc

Bioethicist, The Hospital for Sick Children; Assistant Professor, University of Toronto; Project Investigator, Genetics & Genome Biology, Peter Gilgan Centre for Research and Learning

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Director and General Counsel, HIROC

Lori Stoltz

Morris + Stoltz + Evans LLP

Anita Szigeti

Anita Szigeti Advocates

Sarah Virani

Senior Legal Counsel, Kate Dewhirst Health Law

Stephanie Young

Borden Ladner Gervais LLP

Agenda

MODULE 1

February 23, 2022
9:00 a.m. – 4:15 p.m. ET

Accountability in Health Law: The Legal Framework

- The Legal Framework
- The role of the legal system in healthcare delivery
- Overview of provincial healthcare legislation
- Types of healthcare providers
- Corporate status of hospitals
- Key legal issues raised by COVID-19
- Ontario health teams
- Public health legislation

Online Networking Event: *Connect with and get to know your colleagues and program faculty.*

FACULTY

Robert Barbiero

Torkin Manes LLP

Catherine Gaulton

CEO, Healthcare Insurance Reciprocal of Canada (HIROC)

Tina Giesbrecht

General Counsel, Alberta Health Services, Legal & Privacy

Melissa Prokopy

Director, Legal, Policy and Professional Issues, Ontario Hospital Association

Holly Ryan

Borden Ladner Gervais LLP

Lori Stoltz

Morris + Stoltz + Evans LLP

MODULE 2

March 9, 2022
9:00 a.m. – 4:45 p.m. ET

Consent, Capacity and Mental Health

- General principles of consent and capacity
- Legal requirements for valid consent
- Informed consent
- The legal test for capacity
- Case studies: applying the test Introduction to mental health law
- Elements of a good capacity assessment
- Best practices for documenting consent
- Right to refuse treatment
- Withdrawing consent
- Substitute decision makers: what's the ranking order?
- Dealing with complex ethical situations
- Consent and capacity in a mental health setting
- Treatment capacity from a clinician's perspective

Demonstration: *Consent & Capacity Board hearing*

FACULTY

Kendra Naidoo

Legal Counsel, Centre for Addiction and Mental Health (CAMH)

Anita Szigeti

Anita Szigeti Advocates

Dr. Misha Hartfeil

Forensic Psychiatrist, Ontario Shores Centre for Mental Health Sciences, Lecturer in Forensic Psychiatry, University of Toronto

MODULE 3

March 23, 2022
9:00 a.m. – 4:30 p.m. ET

Privacy, Security and Risk Management in Healthcare

- Overview of the law relating to the privacy of health information
- What is the circle of care?
- AI and big data in healthcare
- Privacy breach case studies and tips for handling breaches
- Responding appropriately to freedom of information requests
- Disclosure obligations and the *Quality of Care Information Protection Act*
- Risk management and patient safety in hospital settings
- Critical incident analysis and using malpractice claims data to improve patient care
- Application of safety and the law

FACULTY

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Dr. Melissa McCracken, PhD, MHSc,

Bioethicist, The Hospital for Sick Children; Assistant Professor, University of Toronto; Project Investigator, Genetics & Genome Biology, Peter Gilgan Centre for Research and Learning

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Rozmin Mediratta

Legal Counsel, HIROC

Joanna Noble

Lead, Clinical Risk, Healthcare Safety and Risk Management, HIROC

Gordon Slemko

Director and General Counsel, HIROC

Sarah Virani

Senior Legal Counsel, Kate Dewhirst Health Law

MODULE 4

March 30, 2022

9:00 a.m. – 4:00 p.m. ET

Medical Malpractice: Theory and Practice

This module introduces the law of medical malpractice. In addition to providing a clear overview of the substantive law, there will be a mock examination for discovery. This practical demonstration by experienced counsel will provide key insights into the adversarial process in malpractice litigation.

- What is medical malpractice?
- What are the possible causes of action?
- Elements of a negligence claim and the litigation process
- The standard of care: what is the current legal standard of care in a malpractice suit?
- Breach of the standard of care
- Determining causation
- Assessing damages
- Defences to a malpractice claim
- Effects of litigation on behavior of HCP's and patient safety
- Critical incident investigations: learning from adverse events and near misses
- Using malpractice claims data to improve patient care
- *Human Rights Code* complaints

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Pinta M. Maquire

Tyr LLP

Stephanie Young

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MODULE 5

April 6, 2022

9:00 a.m. – 5:15 p.m. ET

Regulation of Healthcare Professionals, Class Actions, Public Inquiries, Long-Term Care and Retirement Homes, Healthcare for Marginalized Communities, Ethical Issues and MAID

- Regulatory Colleges and the Health Professionals Appeal and Review Board
- Class actions and public inquiries
- Indigenous Healthcare
- Overview of the *Fixing Long-Term Care Act, 2021*
- Retirement homes in the continuum of care
- Indigenous trauma and reconciliation in healthcare
- Healthcare for marginalized communities
- Ethical issues in healthcare with a focus on physician assisted dying

- Potpourri of health law issues

FACULTY**Randal Bell**

Senior Advisor - Addiction & Mental health, Indigenous Wellness Core, Alberta Health Services

Dr. Kerry Bowman

Clinical Ethicist, Mount Sinai Hospital, University of Toronto, Joint Centre for Bioethics

Lisa Corrente

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Morgana Kellythorne

Senior Counsel and Investigation Counsel Lead, The College of Physicians and Surgeons of Ontario

Emily Lawrence

Paliare Roland Rosenberg Rothstein LLP

Robyn A. Grant

Borden Ladner Gervais LLP

NOTE: Participants will receive information and access to the online exam at the conclusion of this module.

Certificate of Program Completion

Participants must attend (or view) all 5 modules and successfully complete an online post-program assessment within 30 days of the last module to receive the **Osgoode Certificate in Health Law**.



Registration Details

Fee per Delegate: \$3,495 plus tax

Newly Licensed*: 50% off regular rate plus tax

*This fee applies to newly licensed professionals within the past 2 years

Fees include attendance, electronic program materials and technical support. Visit www.osgoodepd.ca/financial-assistance for details about financial assistance.

Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD. To learn more, visit: www.osgoodepd.ca/financial-assistance

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information please contact:

Myrsini Zacharakis, Program Lawyer at 416.278.7721
or email mzacharakis@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of **The Osgoode Certificate in Health Law**. Participants must attend all program modules and **pass the post-program multiple choice assessment** to receive a certificate.

4 Convenient Ways to Register



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Register today at:

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OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 33h 25m CPD (29h 10m Substantive; 2h 30m Professionalism; 1h 45m EDI).



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.



MAINTENANCE OF CERTIFICATION

Attendance at this program entitles certified Canadian College of Health Leaders members (CHE/Fellow) to 10 Category II credits toward their maintenance of certification requirement.



This program is approved for LAWPRO Risk Management Credit.

“Wide range of panel and presenter knowledge and experience.”

Brent Webster, Patient Advocate/Ethics Chairperson, NBRHC

“Very knowledgeable in their area of expertise... wide range of knowledge and experience.”

Sheri Dube, Risk Management Specialist, Niagara Health System

“Dynamic speakers that were able to engage participants and teach about their area of expertise.”

Patricia Boyd, Registered Nurse, Lakeridge Health Corporation

“Overall the course was fantastic. From the perspective of in-house corporate counsel, it was very useful in helping fill some of the knowledge gaps that one may have upon transitioning to a health care setting.”

John Morala, Hamilton Health Sciences Corporation, Legal Counsel

“I have been impressed with the whole program and have learned much more than I thought I would. Far exceeded my expectations.”

Chris Harris, LHSC, Director Patient Relations

“The online experience is quite good! The presentations hold your attention.”

Duane Boychuk, Hamilton Regional Laboratory Medicine Program – Director, Laboratory Operations