COURSE NAME: Biotechnology Torts

COURSE NUMBER: 815T

PROFESSOR: Holman

ESSENTIAL PREREQUISITES: Torts

DESIRABLE PREREQUISITES: N/A

COURSE BOOKS: Noah and Noah, Law, Medicine & Medical Technology, Foundation Press (2002), and supplementary materials to be provided by instructor.

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: Final exam and participation in class discussions and exercises

SUMMARY DESCRIPTION OF COURSE:
This course focuses on tort law issues that arise from the development and use of biotechnology products, particularly drugs and medical devices. These include: informed consent to the human experimentation that is part of the pre-sale approval of new drugs and devices; liability for negligence in design, manufacture, and labeling; products liability; learned intermediary defenses and how these are modified by direct to public marketing; the federal preemption of state law; and the regulation of Internet commerce in controlled drugs and devices. There will also be a discussion of the public policy and ethical issues posed by biotechnology liability, such as effects on the availability and cost of biotechnology products.

COURSE CONTENT: See Summary Description

RELEVANCY OF COURSE FOR CAREER PURPOSES: The course will introduce and/or reinforce a number of advanced concepts relating to torts, which will be valuable to those pursuing a career in that area of the law. The focus on biotechnology and the life sciences will be of particular relevance for a number of careers, including, for example, those involving administrative or regulatory law, business or corporate law, or technology law.