

LAW WEEK COLORADO

DU Law Offers Tailored Health Law Course

Denver attorney teaches; incorporates current health care issues



Spencer Fane partner Ellen Stewart teamed up with the University of Denver Sturm College of Law to teach a new health law course. / LAW WEEK, SARAH GREEN

BY SARAH GREEN
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For second-year law student Jane Rugg, finding legal courses focused specifically on her chosen path of health care law can be a challenge. Traditional law courses are rarely custom-made

to fit individual interests and are often broken up into several different classes that fail to give an overview of specific legal topics. But when the University of Denver Sturm College of Law teamed up with a Denver law firm to start teaching a health care law-fo-

cus course, Rugg was surprised.

Rugg, who has been working with a company that specializes in senior housing, became interested in the health law questions that seem to continuously pop up, which is what influenced her to take the health care course.

“(My company) is expanding like crazy right now but they also are running into some interesting health law questions that I didn’t know anything about,” she said, adding that she was delighted that her school offered the course.

“I was really surprised that

“I don’t have a crystal ball. ... but I do know the landscape is changing.”

—Ellen Stewart, Spencer Fane partner

this was the first time that DU offered (a health law) class,” she said. “I think more and more people are interested and more and more firms have health care sections and are devoted to health care issues, so I definitely think it’s something other schools can benefit from as well.”

Rugg added that taking a health law course is important not just to learn about the broad

all of my life but never really understood it. So I think that having a basic grasp on those things is really helpful for anyone.”

The course, which is simply titled “Health Law,” is taught by Spencer Fane partner Ellen Stewart, who has served numerous clients within the health care field such as hospitals, physicians and preferred provider organizations.

She said she and her colleague Cindy Goldberg, the associate director of student services and advising of DU’s graduate programs, came up with the idea about three years ago and designed the program to not only teach interested law students an introduction to health law but to allow them access to an entire class that illustrates the legal and business intricacies that are involved in the field.

Prior to offering this class, DU didn’t have course offerings specifically focused on health law. Stewart said the new course focuses on the business of health care and law as opposed to traditional topics such as medical malpractice — issues such as how the health care system works and how each piece of the puzzle of the system fits together.

“It’s really business issues such as how the system works, how private insurance works, Medicare, Medicaid ... privacy laws such as HIPPA and also how our health care organization is structured,” she said, adding that specific laws that are relevant today are also covered in the course.

The class covers laws such as the federal Anti-Kickback Statute, a criminal statute that prohibits the exchange (or offer to exchange), of anything of value, in an effort to

induce or reward the referral of federal health care program business.

Health law is an extraordinarily broad field of law, Stewart said. Health attorneys work on cases and policies that broadly range from insurance coverage, drug safety and sometimes controversial ethical choices such as end of life laws, such as the one passed on a ballot measure in November. She said that the field also encompasses the practice of a plethora of other legal matters to include contract, pension, labor, employment and tax law, torts, criminal law, civil and reproductive rights and legal issues with large corporations and nonprofits.

Therefore, a class that provides an overview of the practice itself is critical for any student who is interested in pursuing a health law practice, a field of law there is almost guaranteed to face new challenges.

Although the course was designed to intrigue law students who have a special interest in health care law, Stewart said she felt the implementation of the course was imperative considering today’s complex political health care scene.

“We have the Affordable Care Act, which may or may not stay around, but we’ve had Medicare and Medicaid since 1965,” she said. “I don’t have a crystal ball ... but the landscape is changing.”

NOT JUST FOR LAW STUDENTS

Some law students already have a health care background and therefore have already developed an interest in the legal aspects of the field. Some have an undergraduate degree in life sci-

ences or perhaps took pre-medical courses, or some students have work experience in health care and just have a general interest in the subject matter. However, some of Stewart’s students are not law school students nor do they have medical backgrounds at all. Some of her students are simply curious about health law and how it can be integrated in their own chosen career paths.

“I have a student who is getting his master’s in social work, who knows that he has to understand the system for his clients who are trying to get access to Medicare or Medicaid,” she said.

Stewart, who worked in health care for a number of years before attending law school, said that as a law student, it was difficult to mesh classes in order to tailor a schedule that satisfied her interest — and she understands that current law students are experiencing the same difficulty.

“We’ve gotten so siloed in this practice. We don’t look at the big picture, which is why this course is designed to give students the idea of the big picture of how this system works and how all the various components interact.”

Stewart hopes the class will equip new attorneys to navigate the complexities of health law and skillfully advocate for clients, prepared with a thorough understanding of the complex, changing landscape of health care law.

“My hope is that it will give the students a really good overview or help them decide to look for a career in health law,” she said. “If only I could get them to stop calling me ‘Professor.’” •

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ELLEN STEWART

scope of what the field has to offer, but to develop a personal knowledge about the legal aspects of health care such as medical insurance, which is helpful for anyone — not just law students.

“I think in terms of the scope of the law and politics, a class like this is important, but I also think on a personal level (it is as well),” she said. “We’re talking about health insurance and I’m someone who has had health insurance