

GX 1710

Ollscoil na hÉireann, Gallimh
National University of Ireland, Galway

Semester II Examinations, 2003/2004

Exam Code(s)	2BA1, 2BA6, 2CW1, 3BA1, 3CW1, 4BA4
Exams(s)	2 nd 3 rd & 4 th Bachelor of Arts 2 nd Bachelor of Arts (Public and Social Policy) 2 nd & 3 rd Bachelor of Civil Law Erasmus and Occasional Students
Module Codes(s)	LW405.II
Module(s)	Health Law & Policy
Paper No.	1
External Examiner(s)	Professor Philip Fennell
Internal Examiner(s)	Ms. Mary Keys
Instructions	Answer THREE Questions
Duration	TWO Hours
No. of AnswerBooks	
Requirements:	No Requirements
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	
Department(s)	Law

PTO

1. Discuss the doctor's duty of confidentiality to his or her patient and the limits on this duty.
2. Write a short account of the decision in *HW & CW v North Western Health Board*. Do you agree with this decision? Please refer to academic commentary in your answer.
3. Jenny is suffering from a terminal illness and during the early stage of her illness she executed a living will and she told her doctors that she wanted them to discontinue nutrition and hydration and allow her to die if and when she is no longer able to communicate. In addition, she has asked that her husband be granted immunity from prosecution if he were to help her to die. Advise Jenny on the law as it applies to each of these situations and refer to case law in your answer.
4. The Supreme Court in the *Collins v Mid-Western Health Board & O'Connor* (Supreme Court, unreported 12th Nov. 1999) has set down standards of care aimed at improving practice for doctors and patients. Critically analyse the approach of the courts in cases such as *Collins* and comment on whether, in your opinion, these decisions might have a positive impact on the health care area.
5. The health care system is receiving constant attention at all levels of Irish society and the problem of access and equity appear to be among the most commonly cited grounds for complaint. Discuss the current system and whether law has a role to play in dealing with these problems. Refer in your answer to the proposals for change.
6. Write an essay on the law and consent for incapacitated adults and discuss the gaps in Irish law and the need for law reform.

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