

UNIVERSITY OF WYOMING
PHCY 5240
PHARMACEUTICAL HOMICIDE PREVENTION, 2 Credit Hours

Online Delivery, Primarily Asynchronous Through WyoCourses
Fall, 2020

This Course Meets Daily on the Discussion Board
The First Day of Class is September 13 and the Last Day of Class is December 6 (11 Weeks)

Instructor contact information: Professor David Brushwood, R.Ph., J.D., Phone: 307 766-6120 E-mail: dbrushwo@uwyo.edu, Office(s): HS 292, although your professor does not maintain an office in Laramie and electronic contact through some alternate means is required.

Office Hours: Sunday afternoons online, or at other times by appointment either through telephone or online (Zoom meeting). Please post general questions about course materials to the course discussion board. Personal matters should be addressed directly to the instructor through email or by telephone.

Course prerequisites, co-requisites, enrollment restrictions: Professional or graduate standing, or by permission of the School of Pharmacy.

Course Description:

Legal pharmaceutical products are sometimes used criminally by healthcare professionals and others as murder weapons to kill people. This course focuses on identifying the zone of risk for people who could be harmed by deadly pharmaceuticals used in the commission of a homicide, and the development of best practices to protect patients and others from harm that may occur to them from the homicidal use of medications sourced from a licensed pharmacist.

General Course Information:

This course is delivered in an asynchronous fashion. Pre-recorded lectures are posted to WyoCourses, along with reading assignments. Student-student and student-faculty interaction occurs on the course discussion board around the clock, 24/7. Students are expected to actively participate in online discussions, starting two original threads during each unit and posting three responses within other students' original threads during each unit. There is an online exam during each unit. There is a final exam.

Objectives/Outcomes/Standards:

1. Describe the background of the United States criminal justice system.
2. List the sources of law in the US system.
3. Discuss the seven basic legal principles that underlie the commission of a crime.
4. Describe the process for location of criminal laws in federal and state statutes.
5. Distinguish between criminal, administrative, and civil legal proceedings.
7. List the most common and powerful defense arguments in a criminal proceeding.
8. Describe the role of the local police department, and the relationship of the local police department with federal law enforcement agencies.
9. List the steps undertaken in the prosecution and defense of a criminal case.
10. List and discuss different types of evidence that are used in a criminal case.

11. Describe the types of crimes that have been committed by health professionals within a health care setting.
12. Describe the crimes that have been committed by those who prepare and distribute unapproved new drugs.
13. Discuss the avenues through which drugs can be diverted from a health care setting and then used as weapons to commit crimes outside a health care setting.
14. List the drugs that can be used as poisons in commission of the crime of murder.
15. Describe the balance that must be reached in the provision of necessary opioids for the treatment of chronic pain and the prevention of unintended deaths due to prescription drug abuse.
16. Discuss the circumstances under which the commission of an error in health care can be viewed as a criminal act.
17. Explain burden of proof in a criminal case.
18. Design a risk reduction system that will detect criminal activity of healthcare personnel who intentionally use pharmaceutical products to harm patients.
19. Describe a program that will reduce the zone of risk so that pharmaceutical products under the control of the pharmacy department are not removed from the healthcare setting and used to harm persons known to healthcare personnel.
20. Present a seminar to health care providers on reducing the risk that pharmaceutical products will be used to intentionally harm a person as the instrumentality of a criminal act.
21. Develop a system for detecting deadly drugs within the drug distribution system and the use of strategies that will reduce the risk of harm from these deadly drugs.
22. Describe the emerging field of forensic pharmacy.
23. Supervise a crime scene in which pharmaceutical homicide is suspected.

Readings (written monographs):

- The Basics of Criminal Law
- Rule Out Homicide
- Unapproved Drugs
- Zone of Danger
- Family and Friends
- Opioid Overdoses
- Is Death A Legitimate Medical Purpose?
- Managing the Risk of Criminal Liability

Pre-Recorded Online Lectures:

- Criminal Actions By Healthcare Professionals
- Murder By Medication
- Deadly Pharmaceuticals
- Professional Hazard
- Homicide By Poisoning
- Finding Balance in Pain Medicine
- Hastening Death or Relief of Suffering?
- Criminalizing Medical Error

Videos:

- Harold Shipman (Doctor Death) Documentary
- Serial Killer Charles Cullen Interview

- Lethal Medicine Linked to Compounding Center
- Political Thriller
- Von Bulow: A Wealth of Evidence
- The OxyContin Express
- Frontline: The Suicide Plan
- Chasing Zero: Winning the War on Healthcare Harm

Legal Case Studies:

- Avery v. McCall-Tanner
- Barr v. Beck
- Hannah v State of Texas
- James v Nocona State Hospital
- United States v Hiland
- Herndon v Shands Teaching Hospital
- People v Savoy
- Savoy v Washington
- United States v Volkman
- State of Kansas v Naramore
- Nurse Julie Thao Discipline, Wisconsin Department of Regulation & Licensing
- Julie Thao Bail Memorandum

Assigned Articles:

- United States Department of Justice, Managing Death Investigation (1997)
- National Institute of Justice, Death Investigation: A Guide for the Scene Investigator (2011)
- Wecht, The History of Legal Medicine
- Anderson, The Broad Field of Forensic Pharmacy
- Wick, Forensic Pharmacy: Can You Prove it?
- Sewal, Saini, Medhi, Forensic Pharmacovigilance: Newer Dimension of Pharmacovigilance
- Paul, Narang, Expert Witness Participation in Civil and Criminal Proceedings
- Hall, Negligent Behavior Should Be Excluded From Penal Liability
- Yorker, Serial Murder By Health Professionals
- Nasr, Unapproved Drugs in the United States
- Thunder, Quiet Killings in Medical Facilities
- Finnberg et al., Homicide By Poisoning
- Reidenberg, Prosecution of Physicians for Prescribing Opioids for Patients
- Sprung, Relieving Suffering or Intentionally Hastening Death?
- Smith, Criminal or Merely Harm: The prosecution of Negligent Doctors

Course Requirements/Assignments:

Each unit in this course requires that students complete the following activities:

- Carefully review the Unit Guide for familiarity with unit learning objectives and responsibilities.
- Download and print the lecture handouts and view the pre-recorded online lectures.
- Download and read the assigned written monographs.
- Participate actively in discussion board (2 original threads and 3 responsive posts minimum).
- Take the unit exam online.
- There is a final exam.

Grading Standards:

The final grade in this course will be comprised of:

Ten Unit Exams	50%
Final Exam	25%
Class Participation	25%

Grading:

A:	90-100
B:	80-89
C:	70-79
D:	60-69
F:	<60

Students who miss exams or class participation may request an excused absence, which will be granted by the course instructor if warranted. Students who develop conflicts that prohibit their completion of 25% or more of course material should withdraw from the course. Students who satisfactorily complete 75% or more of the course material, and who cannot complete the balance within the confines of the course schedule, may be granted an incomplete, and missing coursework must be completed by the end of the following term.

Course Outline:**Unit 0: Background Readings and Reflections on Homicide Investigations**

Assigned Readings	United States Department of Justice, Managing Death Investigation (1997) National Institute of Justice, Death Investigation: A Guide for the Scene Investigator (2011) Wecht, The History of Legal Medicine
Case Study	Avery v. McCall-Tanner

Unit 00: Background Readings and Reflections on Forensic Pharmacy

Assigned Readings	Anderson, The Broad Field of Forensic Pharmacy Wick, Forensic Pharmacy: Can You Prove it? Sewal, Saini, Medhi, Forensic Pharmacovigilance: Newer Dimension of Pharmacovigilance Paul, Narang, Expert Witness Participation in Civil and Criminal Proceedings
Case Study	Barr v. Beck

Unit I: "The Criminal Act"

Background Article	Hall, Negligent Behavior Should Be Excluded From Penal Liability
Online Lecture	Criminal Actions By Healthcare Professionals
Online Monograph	The Basics of Criminal Law
Assigned Video	Harold Shipman (Doctor Death) Documentary
Case Study	Hannah v State of Texas

Unit II: Crimes in Health Care Settings

Background Article	Yorker, Serial Murder by Health Professionals
Online Lecture	Murder By Medication
Online Monograph	Rule Out Homicide
Assigned Video	Serial Killer Charles Cullen Interview
Case Study	James v Nocona State Hospital

Unit III: Deliberately Hidden Pharmaceutical Dangers

Background Article	Nasr, Unapproved Drugs in the United States
Online Lecture	Deadly Pharmaceuticals
Online Monograph	Unapproved Drugs
Assigned Video	Lethal Medicine Linked to Compounding Center
Case Study	United States v Hiland

Unit IV: Chain of Custody

Background Article	Thunder, Quiet Killings in Medical Facilities
Online Lecture	Professional Hazard
Online Monograph	Zone of Danger
Assigned Video	Political Thriller
Case Study	Herndon v Shands Teaching Hospital

Unit V: The Perfect Weapon

Background Article	Finnberg et al., Homicide By Poisoning
Online Lecture	Poisoning As The Cause Of Death
Online Monograph	Family and Friends
Assigned Video	Von Bulow: A Wealth Of Evidence
Case Study	People v Savoy; Savoy v Washington

Unit VI: Crime or Care?

Background Article	Reidenberg, Prosecution of Physicians for Prescribing Opioids for Patients
Online Lecture	Opioid Overdoses
Online Monograph	Finding Balance in Pain Medicine
Assigned Video	The OxyContin Express
Case Study	United States v Volkman

Unit VII: End of Life Care

Background Article	Sprung, Relieving Suffering or Intentionally Hastening Death?
Online Lecture	Is Death A Legitimate Medical Purpose?
Online Monograph	Suicide or Death With Dignity?
Assigned Video	Frontline: The Suicide Plan
Case Study	State of Kansas v Naramore

Unit VIII: Are All (or Any) Errors Crimes?

Background Article	Smith, Criminal or Merely Human-The Prosecution of Negligent Doctors
Online Lecture	Criminalizing Medical Error
Online Monograph	Managing The Risk Of Criminal Liability
Assigned Video	Chasing Zero: Winning the War on Healthcare Harm
Case Study	Nurse Julie Thao Discipline, Wisconsin Department of Regulation & Licensing; Julie Thao Bail Memorandum

Final Exam (Essay, Short Answer)

Attendance/Participation Policy:

University sponsored absences are cleared through the Office of Student Life. Class attendance in this course is mandatory and is fulfilled through active participation on the course discussion board, as well as completion of assigned examinations. Graduate and professional students are subject to an elevated expectation for participation in class discussion board. Graduate and professional students should post original threads early during each unit, respond with encouraging and helpful remarks to posts of other students, and provide explanations of healthcare matters or research issues that may not yet be fully appreciated by undergraduate students enrolled in the cross-listed version of this course.

Classroom Behavior Policy:

At all times, I expect you to treat your presence in the classroom and your enrollment in this course as you would a job. You will be respectful towards your classmates and instructor. Spirited debate and disagreement are to be expected in any classroom and all views will be heard fully, but at all times we will behave civilly and with respect towards one another. Personal attacks, offensive language, name-calling, and dismissive gestures are not warranted in a learning atmosphere. As the instructor, I have the right to dismiss you from the electronic forums and other areas where disruptive behavior occurs.

Classroom Statement on Diversity:

The University of Wyoming values an educational environment that is diverse, equitable, and inclusive. The diversity that students and faculty bring to class, including age, country of origin, culture, disability, economic class, ethnicity, gender identity, immigration status, linguistic, political affiliation, race, religion, sexual orientation, veteran status, worldview, and other social and cultural diversity is valued, respected, and considered a resource for learning.

Disability Support:

The University of Wyoming is committed to providing equitable access to learning opportunities for all students. If you have a disability, including but not limited to physical, learning, sensory or psychological disabilities, and would like to request accommodations in this course due to your disability, , please register with and provide documentation of your disability as soon as possible to Disability Support Services (DSS), Room 128 Knight Hall. You may also contact DSS at (307) 766-3073 or udss@uwyo.edu. It is in the student's best interest to request accommodations within the first week of classes, understanding that accommodations are not retroactive. Visit the DSS website for more information at: www.uwyo.edu/udss

Academic Dishonesty Policies:

Academic dishonesty will not be tolerated in this class. Cases of academic dishonesty will be treated in accordance with UW Regulation 2-114. The penalties for academic dishonesty can include, at my discretion, an "F" on an exam, an "F" on the class component exercise, and/or an "F" in the entire course. Academic dishonesty means anything that represents someone else's ideas as your own

without attribution. It is intellectual theft – stealing - and includes (but is not limited to) unapproved assistance on examinations, plagiarism (use of any amount of another person’s writings, blog posts, publications, and other materials without attributing that material to that person with citations), or fabrication of referenced information. Facilitation of another person’s academic dishonesty is also considered academic dishonesty and will be treated identically.

Duty to Report:

UW faculty are committed to supporting students and upholding the University’s non-discrimination policy. Under Title IX, discrimination based upon sex and gender is prohibited. If you experience an incident of sex- or gender-based discrimination, we encourage you to report it. While you may talk to a faculty member, understand that as a "Responsible Employee" of the University, the faculty member MUST report information you share about the incident to the university’s Title IX Coordinator (you may choose whether you or anyone involved is identified by name). If you would like to speak with someone who may be able to afford you privacy or confidentiality, there are people who can meet with you. Faculty can help direct you or you may find info about UW policy and resources at

<http://www.uwyo.edu/reportit>

You do not have to go through the experience alone. Assistance and resources are available, and you are not required to make a formal complaint or participate in an investigation to access them.

Substantive changes to syllabus:

All deadlines, requirements, and course structure is subject to change if deemed necessary by the instructor. Students will be notified verbally in class, on our WyoCourses page announcement, and via email of these changes.

Student Resources:

DISABILITY SUPPORT SERVICES: udss@uwyo.edu, 766-3073, 128 Knight Hall, www.uwyo.edu/udss

COUNSELING CENTER: uccstaff@uwyo.edu, 766-2187, 766-8989 (After hours), 341 Knight Hall, www.uwyo.edu/ucc

ACADEMIC AFFAIRS: 766-4286, 312 Old Main, www.uwyo.edu/acadaffairs

DEAN OF STUDENTS OFFICE: dos@uwyo.edu, 766-3296, 128 Knight Hall, www.uwyo.edu/dos

UW POLICE DEPARTMENT: uwpd@uwyo.edu, 766-5179, 1426 E Flint St, www.uwyo.edu/uwpd

STUDENT CODE OF CONDUCT WEBSITE: www.uwyo.edu/dos/conduct