LRC Research Training

Health Law & Bioethics
Fall 2023

LRC Reference Desk:
(619) 260-4612
lrcrefer@sandiego.edu
What we will cover

- Picking a paper topic
- Literature review
  - Books & articles
  - Law and other disciplines
- Note-taking tools and techniques
Picking a Paper Topic
News

- news.google.com
- Lexis & Factiva have thorough news archives
Legal News Sources

• Law360
  o Practice area: Health
• Lexis+ Legal News
  o Practice area: Healthcare Law
• Westlaw Today
  o Practice area: Health Law
• Bloomberg Law News
  o Practice areas: Health Law & Business and Pharma & Life Sciences
Blogs & Current Awareness

- Bioethics.com
- Harvard Law’s Bill of Health blog
- Bioethics Today blog
- Hastings Center Bioethics Forum
- Health Advocate Blog
- Health Law Prof Blog

- Topic finding tools from Bloomberg Law
  - Circuit Splits Chart
  - Supreme Court Today Tracker
  - United States Law Week
Research Institutes & Advocacy Organizations

- USD Law’s Center for Health Law Policy and Bioethics
- The Hastings Center
- National Health Law Program
- Harvard Law’s Center for Health Law & Policy Innovation
- ASU Law’s Center for Health Law and Policy
- American Medical Association – Health Care Advocacy
- American Nurses Association – Advocacy
- National Women’s Law Center – Health Care
Literature Review
What is a lit review?

• A survey of books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory.

• Helps you formulate your thesis and locate your arguments within the larger field of study.
Reliable Sources

• Evaluate sources for:
  o **Authority** – author is identified, reputable, credentialed
  o **Objectivity** – fairness, lack of bias
  o **Accuracy** – provides references to sources, verifiable
  o **Scope** – relevant to your topic and argument
  o **Currency** – may vary by topic, but make sure you know the current state of thinking in your field (even if it’s rooted in older writings)
Legal Databases
Health

Health Resources

- Cases
- Trial Court Orders
- Statutes & Court Rules
- Regulations
- Administrative Decisions & Guidance
- Secondary Sources
- Forms
- Briefs
- Trial Court Documents
- Expert Materials
- Jury Verdicts & Settlements
- Proposed & Enacted Legislation
- Proposed & Adopted Regulations
- Arbitration Materials

Health Analysis

Amgen's 'genus claims' get slew of supporters for Supreme Court patent fight
WESTLAW Intellectual Property Daily Briefing

Amgen Inc., which recently persuaded the U.S. Supreme Court to agree to clarify patent law's enablement requirement, has garnered support from a wide variety of organizations criticizing the standard for evaluating "genus claims."

Offensive and defensive IP for AI in health care
Practitioner Insights Commentaries

Jason Johnson and Blaze D. Waleski of Moses Singer explore intellectual property protections and strategies that businesses may consider for AI in health care, for products and the underlying data.

Will Binance class action over Terra collapse be forced into arbitration?
Alison Frankel's On The Case

Tools

- Health Policy Tracking Service
- News
- Patient Protection and Affordable Care Act
- Regulatory Guidance Summaries
- Drafting Assistant Essential
- Mobile Applications (Emerging Areas of Practice Series)
- Westlaw Today

Featured Publications

- Health Law Practice Guide
- Food & Drug Administration, Fourth Edition
- Health Care & Antitrust Law
Legislative History & Current Legislative Materials

- Federal
  - ProQuest Legislative Insight
  - Congress.gov
- California
  - LRC Guide to California Legislative History
  - California Legislative Information
- Other states – talk to a reference librarian
Books
Searching the Library Catalog

**USD’s online catalog** find items located in the LRC and also in the Copley Library collection.

- Remember that the catalog can be used to find not just materials in our print collection, but it also provides direct access to materials in our subscription databases, and it also links to websites!
- You can search **USD’s online catalog** from LRC’s homepage
Searching the Circuit Catalog

• USD is a member of a library consortium, the San Diego Circuit

• Borrow materials from SDSU, UCSD, Cal State San Marcos, & the San Diego County & City Libraries.

• Greatly increases the universe of materials that are accessible to you!

• Delivered to LRC in 24–48 hrs.—pickup at Circulation desk

• **Access:** You can link to the Circuit catalog through the USD catalog (click on the hyperlinked Circuit logo) or go to: [http://circuit.sdsu.edu](http://circuit.sdsu.edu)
Choose Your Institution

Requesting Palliative care ethics: a good companion / Fiona Randall and R.S. Downie.

With which institution are you affiliated?

U of San Diego
UC San Diego

Request Verification

Requesting Palliative care ethics: a good companion / Fiona Randall and R.S. Downie.

USDOne Login
Enter your USDOne username
Enter your USDOne password

or Login with library identification:
Your Name:
Enter your 14-digit barcode

Forgot Your Password?

Pickup Location:
(Choose a Pickup Location)
USD Copley Library
USD Legal Research Center

Submit
Interlibrary Loan (ILL)

• If you can’t find an item at USD or through the Circuit, we may be able to get it through interlibrary-loaned from another library

• Check WorldCat and make a request on the LRC’s website or come ask a reference librarian

• Delivered to LRC anywhere from 3 days to 3 weeks—make your request early!
<table>
<thead>
<tr>
<th>Title</th>
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<td>Harris, Dean M., 1951- author</td>
<td>PRINT BOOK</td>
<td>2014</td>
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<td>Healthcare law and ethics: issues for the age of managed care / Dean M. Harris</td>
<td>Harris, Dean M., 1951- author</td>
<td>PRINT BOOK</td>
<td>1999</td>
<td>Available at LRC Reading Room</td>
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<td>Health care law and ethics in a nutshell / Mark A. Hall</td>
<td>Hall, Mark A., 1955- author</td>
<td>PRINT BOOK</td>
<td>2020</td>
<td>Available at LRC Reading Room</td>
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Law Articles
Where can you find law articles?

- Lexis
- Westlaw
- Google Scholar
- Unpublished or forthcoming
  - SSRN
  - Bepress
American bioethics: Crossing human rights and health law boundaries
GJ Annas - 2004 - books.google.com
... The isolationism of bioethics in the US is not tenable in the wake of scientific triumphs like bioethics and health law from the international human rights movement, American bioethics ...

Shifting paradigms in bioethics and health law: the rise of a new pragmatism
SM Wolf - Rights and Resources, 2018 - taylorfrancis.com
... to discern the proper future of health law. I argue that the future of both health law and bioethics lies in the clinic, more than in the philosopher’s study or law professor’s library.23 Jay ...

The current state of medical school education in bioethics, health law, and health economics
GC Persad, L Elder, L Sedig, L Flores ... - … - Law, Medicine & Ethics, 2008 - cambridge.org
... separate course in health law. While there have been no major assessments of health economics ... To accurately assess the current state of education in bioethics, health law, and health ...

Big data, health law, and bioethics
IG Cohen, HF Lynch, E Vayena, U Gasser - 2018 - books.google.com
... at Harvard Law School. He is one of the world’s leading experts on the intersection of bioethics and the law, as well as health law. He also teaches civil procedure. He is the author of ...
1. The Promise of Telehealth for Abortion
   Number of pages: 12   *Posted: 22 Nov 2022*   *Last Revised: 27 Feb 2023*
   Greer Donley and Rachel Rebouché
   University of Pittsburgh - School of Law and Temple University - James E. Beasley School of Law
   Keywords: Telemedicine and the Law, Health Privacy, Reproductive Justice, Abortion, FDA Law, Drug Law, ...

2. Australian Public Perspectives on Genomic Data Storage and Sharing: Benefits, Concerns and Access Preferences
   Number of pages: 31   *Posted: 28 Sep 2022*
   Fiona Lynch, Yan Meng, Stephanie Best, Ilias Gorianitis, Julian Savulescu, Christopher Gyngell and Danya F. Vears
   Murdoch Children's Research Institute, The University of Melbourne, The University of Melbourne, The University of Melbourne, University of Oxford - Uehiro Centre for Practical Ethics, Murdoch Children's Research Institute and Murdoch Children's Research Institute
   Keywords: Genome, Genomic medicine, Data management, Qualitative research, Bioethics

3. Evaluating Knowledge, Practice, and Barriers to Informed Consent Among Professional and Staff Nurses in South Africa: An Empirical Study
   Number of pages: 28   *Posted: 23 Jun 2022*
1. Reproductive Negligence
   
   
   Number of pages: 87   •   Posted: 04 Apr 2016   •   Last Revised: 15 Jun 2017
   
   Dov Fox
   University of San Diego: School of Law
   Keywords: intangible loss, material breach, probabilistic recovery, expectation damages, malpractice insurance

2. Medical Disobedience
   
   
   Number of pages: 82   •   Posted: 22 Sep 2022   •   Last Revised: 14 Feb 2023
   
   Dov Fox
   University of San Diego: School of Law
   Keywords: conscience, pluralism, standard of care, act/omission, informed consent

3. Silver Spoons and Golden Genes
   
   33 AM. J.L. & MED. 568 (2007)
   
   Number of pages: 58   •   Posted: 16 Dec 2007   •   Last Revised: 03 Aug 2012
   
   Dov Fox
   University of San Diego: School of Law
   Keywords: reproductive liberty, substantive due process, prenatal testing, disability rights

4. The Illiberality of Liberal Eugenics
   
   20 RATIO 1 (2007)
Full-Text Articles in Health Law and Policy

Onlineketoproducts-Converted.Pdf, Dermvix Tri
Oct 2109

Alternative Approaches To Police Interventions When Responding To Mental Health Crises Incidents, Karen Rivera Apolinar
May 2023

Kepastian Hukum Kantor Perwakilan Badan Usaha Jasa Konstruksi Asing Dalam Melakukan Kegiatan Usaha Di Indonesia, Emy Mutia Zahrina
Jan 2023

Cross-Border Transfer Pricing Sebagai Tindakan Tax Avoidance, Elleanor Rigby Bangun
Jan 2023

Resentralisasi Kewenangan Pengelolaan Pertambangan Mineral Dan Batura, Muhammad Salman Al Farisi
Jan 2023

Analisis Terhadap Penerapan Asas Formil Dan Materiil Pembentukan Rancangan Undang-Undang Tentang Penghapusan Kekerasan Seksual, Siti Sharhama Drajat
Jan 2023

Analisis Kritis Mengenai Percepatan Waktu Penagihan Utang Dalam Sengketa-Sengketa Kepailitan, Siti Rahmah Sari Ramadhani
Jan 2023

network.bepress.com/explore/law/health-law-and-policy/
Search Strategies

• Use multiple search techniques.
  o Keyword (natural language & Boolean)
  o Subject
  o Browse

• Ask a librarian!

• Build from the sources you’ve already found.
  o Look at sources cited by those sources.
  o Use a citator (Shepard’s or KeyCite) to find sources that have cited to sources you’ve already found.
1. **ABORTION AND ORIGINAL MEANING**
   Constitutional Commentary - Summer 2007 - 24 Const. Comment. 291
   
   In his famous critique of Roe v. Wade, John Hart Ely remarked that if a principle that purportedly justifies a constitutional right “lacks connection with any value the Constitution marks as special, it is not a constitutional principle and the Court has no business imposing it.” Criticisms of Roe have generally proceeded precisely on this ground:

   ...2007 WL 1949651 CONSTITUTIONAL COMMENTARY Constitutional Commentary Summer 2007 Article ABORTION AND ORIGINAL MEANING Jack M. Balkin [FN1] Copyright (c) 2008...

2. **DIGNITY AND THE POLITICS OF PROTECTION: ABORTION RESTRICTIONS UNDER CASEY/CARHART**
   Yale Law Journal - June, 2008 - 117 Yale L.J. 1694
   
   ABSTRACT. This essay on the law and politics of abortion analyzes the constitutional principles governing new challenges to Roe. The essay situates the Court’s recent decision in Gonzales v. Carhart in debates of the antiabortion movement over the reach and rationale of statutes designed to overturn Roe—exploring strategic considerations that lead...

   ...Journal June, 2008 Feature DIGNITY AND THE POLITICS OF PROTECTION: ABORTION RESTRICTIONS UNDER CASEY/CARHART Reva B. Siegel [FN1] Copyright (c)...

3. **OF GUNS, ABORTIONS, AND THE UNRAVELING RULE OF LAW**
   Virginia Law Review - April, 2009 - 95 Va. L. Rev. 253
   
   Introduction. 254 I. Fashioning Novel Substantive Rights. 257 A. Roe. 258 B. Heller. 254 II. Descending Into the Political Thicket. 275 A. Roe. 275 B. Heller. 279 III. Ignoring the Legislature’s Strengths. 289 A. Roe. 289 I. Separation of Powers and Comparative Expertise. 289 II. Political Process and Compromise. 293 B. Heller. 295 I. Separation of...

   ...LAW REVIEW Virginia Law Review April, 2009 Article OF GUNS, ABORTIONS, AND THE UNRAVELING RULE OF LAW J. Harvie Wilkinson III...

4. **INFORMED CONSENT TO ABORTION: A FIRST AMENDMENT ANALYSIS OF COMPELLED PHYSICIAN SPEECH**
   
   Although most are familiar with South Dakota’s recently repealed abortion ban, few are aware that South Dakota previously enacted an
DIGNITY AND THE POLITICS OF PROTECTION: ABORTION RESTRICTIONS UNDER CASEY/CARHART

ABSTRACT. This essay on the law and politics of abortion analyzes the constitutional principles governing new challenges to Roe. The essay situates the Court’s recent decision in Gonzales v. Carhart in debates of the antiabortion movement over the reach and rationale of statutes designed to overturn Roe—exploring strategic considerations that lead advocates to favor incremental restrictions over bans, and to supplement fetal-protective justifications with woman-protective justifications for regulating abortion. The essay argues that a multi-faceted commitment to dignity links Carhart and the Casey decision on which it centrally relies. Dignity is a value that bridges communities divided in the abortion debate, as well as diverse bodies of constitutional and human rights law. Carhart invokes dignity as a reason for regulating abortion, while Casey invokes dignity as a reason for protecting women’s abortion decisions from government regulation. This dignity-based analysis of Casey/Carhart offers principles for determining the constitutionality of woman-protective abortion restrictions that are grounded in a large body of substantive due process and equal protection case law. Protecting women can violate women’s dignity if protection is based on stereotypical assumptions about women’s capacities and women’s roles, as many of the new woman-protective abortion restrictions are. Like old forms of gender paternalism, the new forms of gender paternalism remedy harm to women through the control of women. The new woman-protective abortion restrictions do not provide women in need what they need: they do not alleviate the social conditions that contribute to unwanted pregnancies, nor do they provide social resources to help women who choose to end pregnancies they otherwise might bring to term. The essay concludes by reflecting on alternative—and constitutional—modes of protecting women who are
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<td>1. THINLY ROOTED: DOBBS, TRADITION, AND REPRODUCTIVE JUSTICE</td>
<td>2023</td>
<td>Law Review</td>
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<td>65 Ariz. L. Rev. 385, 429+</td>
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<td>In Dobbs v. Jackson Women’s Health Organization, the Supreme Court</td>
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<td>overruled Roe v. Wade and Planned Parenthood of Southeastern</td>
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<td>Pennsylvania v. Casey. These two cases held that the...</td>
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<td>2. WOMEN’S RIGHT TO EQUALITY AND REPRODUCTIVE AUTONOMY: THE IMPACT</td>
<td>2023</td>
<td>Law Review</td>
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<td>OF DOBBS v. JACKSON WOMEN’S HEALTH ORGANIZATION</td>
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<td>45 U. Haw. L. Rev. 305, 345</td>
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<td>I. Introduction. 306 II. Reproductive Autonomy - at the Nexus of</td>
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<td>Gender Equality and Reproductive Autonomy. 309 ...</td>
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<td>3. THE NEGATIVE RIGHT TO SHELTER</td>
<td>2023</td>
<td>Law Review</td>
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<td>111 Calif. L. Rev. 127, 200</td>
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<td>For over forty years, scholars and advocates have responded to</td>
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<td>the criminalization of homelessness by calling for a “right to</td>
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<td>shelter.” As traditionally conceived, the right to...</td>
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<td>4. POLITICAL EQUALITY, GENDER, AND DEMOCRATIC LEGITIMATION IN DOBBS</td>
<td>2023</td>
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<td>46 Harv. J. L. &amp; Gender 81, 130</td>
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<td>This Article examines the U.S. Supreme Court’s ruling in Dobbs v.</td>
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<td>Jackson Women’s Health Organization, demonstrating how the Court</td>
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<td>deploys new arguments about women’s political...</td>
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Articles from Other Disciplines
The mentality of dieability/killability: Reflections on the special issue on law, medicine, and bioethics.
Tao Thomas

This commentary discusses the Special Issue on Law, Medicine, and Bioethics: Role of... more
SEARCH COLLECTIONS

Searches will include articles as well as relevant books, videos, and other materials.

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Email Address

Your Question

Start Chat

Popular Databases

The most frequently-used databases

Academic Search Premier

Provides full text for over 2,940 scholarly publications including social sciences, humanities, education, computer sciences, engineering, language and linguistics, arts & literature, health sciences, and ethnic studies.

ACLS Humanities ebook (HEB) Collection

ACLS Humanities E-Book (HEB) is a digital collection of over 5,400 seminal books in the humanities and related social sciences. These titles are presented in collaboration with more than 120 publishers and Michigan Publishing. Books in the HEB collection have been recommended and reviewed by scholars and constituent learned societies of the American Council of Learned Societies.
A-Z Databases: Nursing

Find the best library databases for your research.

22 Databases found for Nursing

Best Bets!

Bates Visual Guide
Bates' Visual Guide delivers head-to-toe and systems-based physical examination techniques for the (Advanced) Assessment or Introduction to Clinical Medicine course. The site features more than 8 hours of video content.

CINAHL Plus with Full Text
CINAHL with Full Text, provides indexing for 1,835 journals from the fields of nursing and allied health. The database contains more than 1,000,000 records dating back to 1982. Offering complete coverage of English-language nursing journals and publications from the National League for Nursing and the American Nurses' Association, CINAHL with Full Text covers nursing, biomedicine, health sciences librarianship, alternative/complementary medicine, consumer health and 17 allied health disciplines.

Cochrane Central Register of Controlled Trials
CCTR contains over 300,000 bibliographic references to controlled trials in healthcare together with references to clinical trials identified by contributors to the Cochrane Collaboration in MEDLINE and EMBASE. Contributors follow quality control standards to ensure that only reports of definite randomized controlled trials or controlled clinical trials are included. These controlled trials included were identified by the contributors to the Cochrane Collaboration to create an unbiased source of data for systematic reviews.

Cochrane Methodology Register
Relevant Non-Law Databases

- Academic Search Premier
- JSTOR
- Sage Premier JOurnals
- ScienceDirect
- SpringerLink Journals
- Web of Science (index only)
- Wiley Interscience Journals
Other Special Libraries

- Academic medical libraries
  - UCSD’s library supports their medical school
- Georgetown Bioethics Research Library
- National Library of Medicine
The Bioethics Research Library of the Kennedy Institute of Ethics is pleased to offer this list of free custom research resources, most built in-house by our team. Scroll down to launch your research with these vetted, curated collections. Consider installing the Unpaywall extension for Chrome and Firefox to unlock full-text access to many scholarly articles as you browse.

Still need more? Consider booking a free one-on-one reference consult, searching across bioethics-related databases or browsing bioethics journals.

bioethics.georgetown.edu/explore-bioethics/
PubMed® comprises more than 35 million citations for biomedical literature from MEDLINE, life science journals, and online books. Citations may include links to full text content from PubMed Central and publisher web sites.
Google Advanced Search

google.com/advanced_search

- Approximate Boolean connectors
- Narrow by language, region, or date
- Search a specific website or domain (e.g. .edu or .gov)
ChatGPT is not good at research!

- Generative AI tools use large language models (LLMs) to simulate conversations.
- LLMs are trained on the internet but are not a search engine by themselves.
- LLMs predict what each word of a response should be based on training.
  - Hallucinations
  - Training limited in time
  - Inherent bias from training sources
- LRC Guide to ChatGPT & Other Generative AI Tools for USD Law Students
If you’re going to use ChatGPT…

• Only use it for tasks it’s good at!
  o Catching typos and grammar errors
    ▪ But not for Bluebooking
  o Modifying tone
  o Brainstorming
  o Summarizing specific, discrete pieces of text
• Disclose what tool you used and what you used it for.
• Ask ahead of time if you’re not sure whether you should or not.
Note-Taking Tools & Techniques
Why good note-taking is important

• Bolster your argument
• Avoid inadvertent plagiarism
• Save yourself time and trouble when creating citations
What to look for in a tool

• Reference manager
• Citation support for Bluebook style
• Organize and annotate PDFs, webpages, and other digital content
• Fits your research style--something you will use!!
Note-taking apps

- Evernote
- PowerNotes
- Microsoft OneNote
- Dropbox
- Google Drive
- Box
Document AND citation management

Typical features include:

• Free or premium upgrade
• Web, client, mobile apps
• PDF storage & annotation
• Cloud & local storage
• Web content capture
• Citation style ("bibliographic utility")
Sources & additional resources

• Comparing reference managers:
  o U. Wisconsin-Madison Libraries: Citation Manager Comparison Chart
  o Yale Law Library: Choose a Research/Citation Management System that is Right for You

• Setting up Bluebook style:
  o U. Cincinnati Law Library: Citation Management Services
Citing the best source

• Don’t rely on Source A to tell you what Source B says – go back to the original
  o Don’t cite Scholar A to tell your reader what Scholar B argued
  o Don’t cite a book or an article to tell your reader what a case held
  o Don’t cite a case to tell you what the statute says
Web citations

Bluebook Rule 18

• Author (if any)
• Title of article or page
• Publication/Organization/Sponsor
• Date
• URL
• Archive of page (Perma.cc or Internet Archive)

When in doubt, more info is better!
Sign up with Perma.cc

Perma.cc is available for use by anyone. Some types of users and organizations have special privileges and responsibilities. Select the affiliation that best describes you or your organization to learn more and get started creating an account. See our documentation for more about Perma.cc’s affiliations and roles.

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<th>Individual</th>
<th>Libraries</th>
<th>Journals</th>
<th>Faculty</th>
<th>Courts</th>
<th>Law Firms</th>
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<tr>
<td>Anyone can create an account and start creating Perma Links.</td>
<td>Libraries play a critical role in powering and supporting Perma.cc.</td>
<td>Over 150 academic law journals prevent link rot with Perma.cc.</td>
<td>Faculty use Perma.cc to prevent link rot in their scholarship.</td>
<td>Courts care about the accuracy, integrity and reliability of the citations in their opinions.</td>
<td>Law firms use Perma.cc to prevent link rot in their court filings and marketing materials.</td>
</tr>
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Example with an archive link

LRC Reference
lrcrefer@sandiego.edu
619.260.4612
Chat: www.sandiego.edu/law/library/
Zoom appointments by request
In-person
Mon – Thur: 9am-6pm
Fri: 9am-5pm
Sun: 12pm-4pm

Julianne Odin
jodin@sandiego.edu
619.202.3574