HCM 388 Legal Aspects and Current Issues in Health Care
Camp Lejeune, Fall, 2014

COURSE SYLLABUS

FACULTY
Jon Gerson, MHS
12560 Point Park Drive
Jacksonville, FL 32225

COURSE DESCRIPTION:
Principles of law and the U.S. legal system are applied, in part through case study and exploration of current events, in areas of health care management. Legal issues include malpractice, contracts, corporate liability of health care organizations, professional liability, patient rights, and legal aspects of managed care.

PREREQUISITE TO: restricted to HCM majors/minors

COURSE OBJECTIVES:
Upon completion of this course, the student will be able to:

1. Utilize the world wide web and internet to participate in assignments, class / group projects, podcasts, and phone conferences, simulating the phone / video conferences, trainings, and assignments experienced in the health care management industry.

2. Describe the foundation of the U.S. legal system including the administrative agencies and government departments having the greatest legal/regulatory impact on the health care industry.

3. Understand the basis of tort law with an emphasis on negligence and its relationship to health care providers and managers of health care services.

4. Apply the concept of corporate liability in managing the responsibilities and legal risks of health care organizations.

5. Understand the legal environment in which medical providers, and other allied health workers, practice their professions.

6. Gain an appreciation for the enormous impact of medical malpractice on the costs of healthcare.

7. Understand the legal ramifications of the major restructuring taking place in managed care and health care in general.

8. Apply legal doctrines and principles in analyzing cases in health law.

9. Have a familiarity with related legal and regulatory issues such as ADA, OSHA requirements, Patient Self-Determination Act, HIPPA, and clinical practice guidelines.
TOPICAL OUTLINE

Topics Percentages of Time

I. Introduction to the Legal System 2%
II. Brief History of Medicine 2%
III. Contracts & Intentional Torts 10%
IV. Negligence 10%
V. The Organization & Management of a Corporate Healthcare Institution 2%
VI. Liability of Health care Institutions 10%
VII. Health Reform, Access to Care, & Admission & discharge 10%
VIII. Medical Staff Privileges & Peer Review 5%
IX. Emergency Care 5%
X. Consent for Treatment & Withholding consent 10%
XI. Taxation of Healthcare Institutions 10%
XII. Competition & Antitrust law 10%
XIII. Fraud laws & Corporate compliance 10%
XIV. Issues of Reproduction & Birth 2%
XV. Health Information Management 2%

TEXTBOOKS:

Required:


Recommended:


TEACHING METHODOLOGY

Class structure includes in class activities, and various online activities. You will need access to Desire 2 Learn (D2L), prior to the beginning of this course. You are expected to follow the class schedule to ensure that all work is completed as required and on time.

DESIRE 2 LEARN

We will utilize Desire 2 Learn (D2L), which is a University web site where all materials may be obtained, to include this syllabus, power point, and exams (at specified times). D2L also provides us with a discussion feature, whereby we can communicate as a group. Please note that you will have to obtain a network ID and a password, but once this is done accessing D2L is easy. You will need the following information to create a network ID:

- Your Student Identification Number
- Your SIU assigned PIN for SalukiNet (should have been mailed to you)
- Determine your preferred Network ID (suggestion: first letter of your first name and entire last name)
- Your default password for your Network ID: the last 4 digits of your Student Identification Number and the 4 digits of your assigned PIN (Example: Student ID ends with 4321. Pin is 9876. Password will be 43219876)
- If you have problems with Desire 2 Learn, please contact the help desk at 618-453-5155 between 8 and 4:30 CST.

It is highly recommended that you establish a Network ID as soon as you can, and check your D2L account on a regular basis to ensure that you are up to date about what is taking place in class and to ensure that assignments are done and submitted on time.

Note that I will make D2L available before class begins to provide sufficient time for you to get acquainted with it. It is highly recommended that you be registered and have access to D2L before this class formally begins.

ASSISTANCE with QUESTIONS

Please feel free to contact me via email or cell phone, as needed throughout this course. You can also post your questions in the “Ask Jon Gerson” discussion forum (in D2L discussion board) as needed.

EXAMINATIONS

There will be a mid-term and final exam. Each exam will be administered by D2L.

DISCUSSION BOARD PARTICIPATION

There will be discussion board activities via D2L.
CASE STUDIES

Please refer to D2L for more information on each case study. Each case study should be approx 2 pages in length and cover the required topical information.

WRITTEN RESEARCH PAPER

Please focus on a legal consideration that impacts both the provider and the patient. In this analysis, discuss the issue and explain how, if not handled properly, could create legal liability concerns. Please consider that the liability issue might not just be from the provider’s perspective. I would be happy to assist you with your topic choice if needed. More details will be provided on the first day of class.

This written work should be:
- At least 5 pages in length, not including cover page and reference page
- Incorporate at least 4 credible references
- Include a conclusion section that allows you to discuss “what you think”

Your in class presentation will be based on this written work.

Writing Guidelines and Grading Criteria:

In order to excel on the team project, students must be able to apply the concepts, not just reiterate what is in the text, lectures, and supplemental readings. Get into the materials and make connections that will assist you in being able to utilize the concepts in a professional setting. Be sure to answer all aspects of the question, be clear & concise, and fully explain your entire answer for full credit.

All assignments must follow the APA manuscript writing style. Below is the APA Format to use.

- Title/Cover Page
- Body- Introduction, Discussion, Conclusion,
- Bibliography/Reference Page (the textbook can be one of your references).
- Proper Citations throughout paper
- Double spaced line spacing
- Reasonable margins
- 12 point font size

<table>
<thead>
<tr>
<th>Objective/Criteria</th>
<th>Need Improvement</th>
<th>Meet Expectations</th>
<th>Exceptional</th>
</tr>
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<tr>
<td>Spelling</td>
<td>Excessive spelling errors present.</td>
<td>Some infrequent spelling errors noted.</td>
<td>Little to no spelling errors noted.</td>
</tr>
<tr>
<td>Grammar</td>
<td>Excessive grammar errors noted.</td>
<td>Some infrequent grammar errors noted.</td>
<td>Little to no grammar errors noted.</td>
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Tone/Style | Tone of the paper was inappropriate or unprofessional. | Tone was not very professional and could use refinement. | Appropriate professional tone.  
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Formatting | Formatting did not meet assignment criteria. | Minor formatting error(s) noted. | Formatting met all assignment criteria.

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<th>Need Improvement</th>
<th>Meet Expectations</th>
<th>Exceptional</th>
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<tbody>
<tr>
<td>Questions</td>
<td>Questions were not adequately answered, or the case information was not incorporated within the questions.</td>
<td>Some questions were answered and case information was somewhat incorporated within the questions.</td>
<td>Adequately answered all questions; identified and incorporated all case information within the questions.</td>
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<tr>
<td>Citations and References</td>
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<td>Sources are referenced, but are not cited properly, or citations are lacking references.</td>
<td>Sources are cited adequately and appropriately.</td>
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**GRADE BREAKDOWN**

<table>
<thead>
<tr>
<th>Objective/Criteria</th>
<th>Points</th>
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<tbody>
<tr>
<td>Exams (2)</td>
<td>44 points</td>
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<tr>
<td>Written Research Paper</td>
<td>16 points</td>
</tr>
<tr>
<td>Case Studies (2)</td>
<td>16 points</td>
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<tr>
<td>Discussion Board Assignments (3)</td>
<td>15 points</td>
</tr>
<tr>
<td>Class participation</td>
<td>4 points</td>
</tr>
<tr>
<td>Oral Presentation (written paper)</td>
<td>5 points</td>
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<tr>
<td>Total Points</td>
<td>100 points</td>
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**GRADE SCALE**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Points</th>
</tr>
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<tbody>
<tr>
<td>A</td>
<td>90 to 100</td>
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<tr>
<td>B</td>
<td>80 to 89</td>
</tr>
<tr>
<td>C</td>
<td>70 to 79</td>
</tr>
<tr>
<td>D</td>
<td>60 to 69</td>
</tr>
<tr>
<td>F</td>
<td>Below 60</td>
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**PRE-TEST and POST-TEST**

To meet the Association of University Programs in Health Administration (AUPHA) certification requirement, it is necessary for HCM Instructors to assess whether the students understand the course objectives of the class. All students will be required to take a Pre-Test at the beginning of the course and then a Post-Test at the end of the course. The Pre-Test grade and the Post-Test grade will not be included in the final grade.
ICE Survey

The student survey for this course is now placed on D2L under “Activities/Survey” then click on “ICE”. Please take the survey the final week of class.

INCOMPLETE GRADE POLICY

You should already be aware of SIU's OCAP Incomplete Grade Policy. All incomplete grade requests will be considered in accordance with this policy. This request must be made in writing to either your instructor or your program advisor by the date grades are due for this class. Each request will be either accepted or rejected. If accepted, a time period in which incomplete work must be completed will be established. If the incomplete work is not completed within the agreed upon time period, a grade of "F" will be given automatically and cannot be changed. All incomplete grades must be documented on the prescribed form, which is available from the local SIUC office.

ATTENDANCE POLICY

The faculty of Southern Illinois University Carbondale affirms the importance of prompt and regular attendance on the part of all undergraduate students. Quality instruction clearly depends upon active student participation in the classroom or its equivalent learning environment. The current Southern Illinois University Undergraduate Catalogue further expounds upon attendance and attendance guidelines.

Each teaching day at OCAP locations is scheduled to include eight fifty-minute instructional periods from 8:00am to 4:50pm. Each day’s schedule also includes time for short breaks and a lunch break. Student attendance at all scheduled class hours are mandatory. I know that there may be times when you cannot attend class and am more than happy to work with each of you should that occasion arise. I do request that you contact me prior to an absence so that alternate arrangements can be made.

Safety Instructions:

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. If you are located on a military installation, and depending on the type emergency a senior military member may take control of the situation and direct you on the action to take. Please follow their instructions and do as asked. Similarly, if you are at a community college, their security personal may arrive and take control of a situation, please follow their instructions as well.

ACADEMIC DISHONESTY:

Students may be subject to disciplinary proceedings resulting in an academic penalty or disciplinary penalty for academic dishonesty. Academic dishonesty includes, but is not limited to, cheating on a test, plagiarism, or collusion.
ADA Statement for Students Requiring Special Accommodations:

As per 504 of the Vocational Rehabilitation Act of 1973 and the American Disabilities Act (ADA) of 1990, if accommodations are needed, inform the instructor or program advisor as soon as possible.

FINAL THOUGHTS

We realize that this weekend study program has its unique set of challenges and opportunities. If you are having any problems, concerns, or questions, please feel free to contact your instructor at home or at work. The above outline, by no means, identifies everything that will take place in a six-day course. Your instructor has the final privilege and right to adjust the schedule as needed. Please remember, SIU students (as are all students) are on the honor system. Dishonesty, in any fashion, will not be tolerated and will be reflected in your final grade.
COURSE SCHEDULE

Our course schedule has outlined into 4 modules. Please feel free to contact me if you have any questions. My expectation is that all work will be completed and received prior to the due date. Work received past the due date will probably not be accepted. Please note that this schedule might change as needed.

<table>
<thead>
<tr>
<th>Module</th>
<th>Textbook Chapters</th>
<th>Activities - assignments</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>Textbook Chapters 1-4</td>
<td>Review the course syllabus, begin to plan the work. Begin the Discussion Boards, and Case Studies (the more you can do early, the less you will have to do later) PRE-TEST is due by Wed, 8/20, 10pm Complete Student Orientation Discussion Board by 8/25, 10pm</td>
</tr>
<tr>
<td>Two</td>
<td>Textbook Chapters 5 - 8</td>
<td>Case Study #1 due on 9/8, 10pm please email me your case study, <a href="mailto:jdgerson@siu.edu">jdgerson@siu.edu</a> Discussion Board # 1 is due by 9/8, 10pm Exam 1 due on 9/8, by 10pm</td>
</tr>
<tr>
<td>Three</td>
<td>Chapters 9-12</td>
<td>Case Study #2 due by 9/22, 10pm Please email me your case study, <a href="mailto:jdgerson@siu.edu">jdgerson@siu.edu</a> Discussion Board #2 and #3 are due by 9/22, 10pm</td>
</tr>
<tr>
<td>Four</td>
<td>Chapters 13-15</td>
<td>Written paper due by 10/6, 10pm. Please email me your written paper, <a href="mailto:jdgerson@att.net">jdgerson@att.net</a> Exam 2 due by 10/6, 10pm POST – TEST due by 10/6, 10pm ICE survey due by 10/6, 10pm</td>
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8/16 – 8/25

8/25 – 9/8

9/8 – 9/22

9/22 – 10/6