

UPPER IOWA UNIVERSITY

EXTERNAL DEGREE PROGRAM

HSA 385-05 Legal Issues Related to Health Services Organizations

COURSE DESCRIPTION:

An examination of the legal issues related to the operation of health service organizations, including contracts, licensure, informed consent, tort, medical staff appointments and an overview of the legal system as it related to health service delivery. Prerequisite: PS 100. Three semester credits.

COURSE SYNOPSIS:

This course is an introduction for the student and health administrator to health care law as well as an overview of patient safety issues and ways to improve quality of care, and, thus, limit the risk of lawsuits. Actual court cases are briefed so the learner can better understand the substantive material. There is a broad discussion of the legal system as it relates to health administration and the health industry today. A basic review is provided of tort law, criminal issues, contracts, anti-trust, civil procedure, and trial practice. The risks encountered by health professionals are presented. An examination of the myriad of legal and some ethical issues that confront professionals working in health service organizations are studied. Some examples are patient consent, legal reporting obligations, malpractice insurance, labor relations, managed care, patient safety, and tort reform. A section is devoted to conducting an Internet search on health law issues worldwide. The textbook author offers his advice from hospital risk management consulting on how to avoid patient injuries.

COURSE LEARNING OBJECTIVES:

Several broad goals will guide your learning activities and demonstration of knowledge in this course.

1. Define and explain health law as it relates to health administration.
2. Critically analyze the legal risks faced by a variety of health professionals.
3. Define and evaluate the role of quality of care in patient safety.
4. Describe and explain how health law impacts caregivers in an institutional setting.
5. Evaluate how the organization of the U.S. government and the various federal administrative departments are relevant to the health care industry today.

REQUIRED MATERIALS:

1. **Text:** Pozgar, George D. (2004). *Legal Aspects of Health Care Administration*. (Sudberry, MA: Jones & Bartlett). 9th ed. ISBN 0-7637-3182-X
2. Syllabus

You may purchase your textbook through MBS Direct by calling their toll free number at: 800-325-3252 or through the UIU homepage: www.uiu.edu. Click on the link called Resources for Center, External Degree and Online Program learners. Follow the link and select External Degree for your location.

INTERNET RESOURCES:

Joint Commission on Accreditation of Healthcare Organizations. <http://www.jcaho.org>

American Nurses Association. <http://www.ana.org> or <http://www.nursingworld.org/about/index.htm>

American Public Health Association. <http://www.apha.org/membership/basic.htm>

American Hospital Association. <http://www.aha.org/about/history.html>

American College of Healthcare Executives. <http://www.ache.org>

The Journal of Health Administration Education. <http://www.aupha.org/journ.htm>

Healthcare Executive. <http://www.ache.org>

Modern Healthcare. www.modernhealthcare.com

American Health Care Association. www.ahca.org

AHRQ-Agency for Healthcare Research & Quality. www.ahrq.gov

Federation of American Hospitals. www.americashospitals.com

Healthcare Financial Management Association <http://www.hfma.org>

National Library of Medicine www.nlm.nih.gov/

Law Library Thread <http://lawlibrary.ucdavis.edu/LAWLIB/Oct98/>

ACADEMIC RESOURCES:

Upper Iowa University maintains Library facilities to serve all students. For students enrolled in online courses, access to the Library's web site is through UIU's web site at <http://www.uiu.edu> click on the Library tab to get to the login page.

Learners enrolled in online courses should also have ready access to the Internet and the World Wide Web. Learners should be encouraged to utilize those as resources for course assignments. Internet based assignments should be used, as appropriate, to supplement and to update other course materials.

Online Writing Laboratories (OWLs) are provided by several universities to assist students to assess and improve student writing. The Purdue University OWL provides handouts on writing skills and related topics for free download at: <http://owl.english.purdue.edu>.

COURSE OVERVIEW:

Class Readings are based on the required textbook. See Topics One and Two Above.

UNIT 1: Chapters 1 – 4: pp. 1 – 83. “Historical Perspective,” “Introduction to Law,” and “Tort Law,” and “Criminal Aspects of Health Care.”

Learning Objectives A & E

UNIT 2: Chapters 5, 6, 7 & 21: pp. 85 – 163, 465 – 483. “Contracts and Antitrust,” “Civil Procedure and Trial Practice,” “Corporate Liability,” and “Managed Care and Organizational Restructuring.”

Learning Objectives A, B, & E

UNIT 3: Chapters 18 & 22: pp. 423 – 483, 485 - 496. “Malpractice Insurance,” “Tort Reform and Reducing the Risk of Malpractice.”

Learning Objectives A, B, C, D, & E

UNIT 4: Chapters 8, 9 & 10: pp. 167 – 284. “Medical Staff,” “Nursing and the Law,” and “Liability by Departments and Health Care Professionals.”

Learning Objectives A, B, & D

Mid-Term Exam

UNIT 5: Chapters 19, 20, 21, 23: pp. 433 – 483, 497 – 514. “Labor Relations,” “Employment, Discipline, and Discharge,” “Managed Care and Organizational Restructuring,” and “Patient Safety and Zero Tolerance.”

Learning Objectives A, B, C, D, & E

UNIT 6: Chapters 11, 12, 15 & 13, pp. 287 – 334, 365 – 274, 335 – 343. “Information Management and Health Care Records,” “Patient Consent,” “Patient Rights and Responsibilities,” and “Legal Reporting Requirements”

Learning Objectives A, B, C, & D

UNIT 7: Chapters 17, 14, 16, 24 & 25: pp. 387 – 420, 345 – 363, 375 – 385, 515 – 525. “Healthcare Ethics,” “Issues of Procreation,” “Acquired Immune Deficiency Syndrome,” “Worldwide Search,” and “Journey to Excellence.”

Learning Objectives A, B, C, D, & E

Final Exam

GRADING POLICY:

You will be completing seven (7) units during this course. You will also have a Mid-Term and a Final Exam. Each unit should increase your knowledge of the assigned reading area. The seven Unit Assignments will test you and require you to use that knowledge to analyze problems that you may encounter as a healthcare executive. In completing the Unit Assignments, ensure that your answers are grammatically correct and succinct. In general, your answers will be between one and two paragraphs. It is often helpful to you to state the issue at the beginning of your answer to keep you focused on a proper answer. If you have any questions about the Unit Assignments, do not hesitate to contact your instructor.

With regard to the Mid-Term Exam and a Final Exam. There are three major divisions of law that impact healthcare: case law, statutory law, and administrative law. The exams will look at case law and statutory law. Case law interprets common law and statutes. Statutory law is the basis for courts’ interpretations. Both are vitally important in healthcare and an ability to understand what a change in either means to a healthcare organization is priceless.

You will be using a case – *Scott v. SSM Healthcare St. Louis*, 70 S.W.3d 560 (Mo. App. E.D. 2002) – for the Mid-Term Exam and a new statute – Missouri House Bill 393 – for the Final Exam. *Scott* is a case that deals with several issues in healthcare. The decision was quite controversial, and it led to the passage of HB 393. Both exams will ask you questions about your understanding of the law and to apply that understanding to a healthcare organization. You should approach the exam as if you were in an executive position with a hospital.

You will have three (3) hours to complete the Mid-Term Exam and the Final Exam. You are provided with three hours to provide you enough time to read (and re-read if necessary) the material provided. Do not be nervous about the amount of time allowed or finishing early. The amount of time is designed to make the exams less stressful. The important thing to remember is to apply the knowledge you gain from this course to the questions asked. Content is more important than volume as it will be in your career. Both proctored exams are open book and open note.

The Unit Assignments are worth 60 percent of your grade. The Mid-Term and Final Exams are worth a 40 percent of your grade (100 percent total).

Grading Scale:

Undergraduate Courses:

90 – 100%	A
80-<90%	B
70-<80%	C
60-<70%	D
Below 60%	F

UPPER IOWA UNIVERSITY USES A STANDARD GRADING SYSTEM:

A = All work is excellent, shows exceptional understanding of materials; logical, clear, and insightful written and oral work, incorporates knowledge from other sources and moves easily to the next level of understanding, works well beyond minimum requirements.

B = Understanding material is good to very good, demonstrates good grasp of material, good oral and written skills, produces more than the minimum requirements, quality of all work is high.

C = Satisfactory understanding of the material, submits only the minimum requirements, communicates adequately in oral and written formats, displays an adequate understanding of all basic concepts.

D = Quality and quantity written and oral work is below average and barely acceptable.

F = Quality and quantity written and oral work is unacceptable.

CHEATING, ACADEMIC DISHONESTY AND PLAGIARISM:

Because cheating, academic dishonesty and plagiarism are affronts to the University community as a whole and a denial of the offender's own integrity, they will not be tolerated. Cheating includes but is not limited to:

- the use of unauthorized books, notes or other sources in the giving or securing of help in an examination or other course assignments,
- the copying of other students' work or allowing others to copy your work,
- the submission of work that is not your own or allowing others to submit your work as theirs,
- the submission of the same work for two or more classes without the approval of any instructors involved.

Academic dishonesty includes, but is not limited to:

- sharing academic materials knowing they will be used inappropriately,
- having access to another person's work without permission,
- providing false or incomplete information on an academic document,
- changing student records without approval.

Plagiarism includes, but is not limited to:

- the presentation of another's published or unpublished work as one's own,
- taking words or ideas of another and either copying them or paraphrasing them without proper citation of the source,
- using charts, graphs, statistics or tables without proper citation.

Detected cheating, academic dishonesty, or plagiarism will result in consequences that may, at the instructor's discretion, include course failure. In addition, an offender may be reported to the Senior Vice President for the Extended University, the Dean of the Extended University, or designee for possible disciplinary action, which may include suspension or dismissal from the University. Upper Iowa University may make use of various plagiarism detection services. Individuals, by enrolling in courses offered by the University, consent to submission by the University of course-related assignments to such services and the retention of a copy of such assignments by the service. Extended University Catalog 2005/06 page 87.

COPYRIGHT PROTECTION:

In recognition of the Copyright Law of the United States (Title 17, United States Code), Upper Iowa University reminds both faculty members and learners that a willful infringement of the law may result in disciplinary action. The University library has available materials discussing the "fair use" concept, along with criteria and guidelines for reproduction and use of copyrighted materials

ATTENDANCE:

Even though a student does not attend a regular classroom in the traditional sense and keep up with a set schedule of assignments, it should be pointed out how important it is to keep yourself on a regular timely schedule if possible to complete and send in units. It is too easy to set work aside and decide to do it later. Suddenly, the need to complete assignments and get them in by deadlines can become stressful and, at times, impossible. The key would be to set time aside on a regular basis and submit work in a timely manner.

LIBRARY RESOURCES:

As a student of Upper Iowa University, you have access to the resources of the Henderson-Wilder Library on the Fayette campus. If travel to the campus is not feasible, you can access the library through the University's website. For InfoTrac access information, please contact the library at library@uiu.edu.

WITHDRAWAL:

If you wish to withdraw prior to the last day of the enrollment period you must contact the External Degree office by phone or in writing. After your original six-month enrollment period you no longer have the option to withdraw from the course. You must finish the course or have a final grade assigned based on the coursework submitted.

SPECIAL NEEDS:

If you require accommodation for special needs, please provide documentation to: Director of External Degree.

This syllabus is tentative and subject to change.