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| Course | HLTH 5140 / NA / Health Administration Law |
| Term | Spring 2, 2010 – Wednesday – 6:00 pm – 10:00 pm 3/17, 3/24, 3/31, 4/7, 4/14, 4/21, 4/28, 5/5, 5/12 |
| Instructor | Name: Rusty Huseman Home Phone: (904) 268-3756 Work Phone (904) 448-5552 Email: whuseman@jaxattys.com |
| Catalog Description | The course introduces the law and legal processes that affect health administration. The course presents an overview of legal principles concerned with torts, contracts, and liability in health administration, including the legal standing of individuals covered by various types of health insurance. Legal elements of labor relations in the health care field and the legal obligations and malpractice law are discussed as they apply to health professionals. |
| Prerequisites | None |
| Course Level Learning Outcomes | <ul style="list-style-type: none"> • Student will be able to describe the broad general legal environment in health administration. • Students will be able to evaluate medical practice impacts on physicians and allied health professional in health service organizations. • Students will be able to construct and interpret employment contracts and other related contracts, such as outsourced vendor contracts. • Students will be able to identify the elements and legal requirements of labor negotiations and contracts. |
| Materials | <p>Pozgar, G.D. (2007). Legal Aspects of Healthcare Administration. (10th Edition). Jones and Bartlett Publishers, Sudbury, MA. ISBN# 0-763-73927-8</p> <p>To Order Textbooks go to the local North FL website www.webster.edu/jack and click on Order Textbooks to select a vendor</p> <p>Note: Textbooks must be ordered 2 weeks prior to class to ensure delivery</p> |

Supplemental Reading:

- **Research Paper Guidelines and Sample Paper** – See website @ www.webster.edu/jack and click on the Student Resources category.

Grading

| Assignments | Maximum Points |
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| • Research Paper including Passports Internet Proficiency | 20 Points |
| • Research Paper Presentation | 10 Points |
| • Topic Article Analysis & Presentation | 16 Points |
| • Midterm and Final Exams 2 @ 15 points each | 30 Points |
| • Class Project | 14 Points |
| • Class Participation and Attendance | 10 Points |
| TOTAL | 100 Points |

Letter grades will be assigned pursuant to the following scores based on the percent of the total possible points (weighted according to the scale above) that you earned in the course.

| Percentage of Total Points | Grade |
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| 95%-100% | A |
| 90%-94% | A- |
| 88%-89% | B+ |
| 84%-87% | B |
| 80%-83% | B- |
| 70%-79% | C |
| Below 70% | F |

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| <p>Activities</p> | <ul style="list-style-type: none"> • Session 1 Course Orientation & Requirements. Discuss Chapters 1 – 3 of text [students are expected to have read Chapters 1-3 prior to the first class]. Case Analysis presentations. • Session 2 Discuss Chapters 4 – 6 of text. Case Analysis presentations. • Session 3 Discuss Chapters 7 – 9 of text. Case Analysis presentations. • Session 4 Discuss Chapters 10 – 12 of text. Case Analysis presentations. Take-home Midterm Examination distributed. • Session 5 Discuss Chapters 13 – 15 of text. Case Analysis presentations. • Session 6 Discuss Chapters 16 – 18 of text. Case Analysis presentations. Outline for Research Paper Due. Return Midterm Exam. • Session 7 Discuss Chapters 19 – 21 of text. Case Analysis presentations. Take home Final examination is distributed. • Session 8 Discuss Chapters 22 – 25 of text. Case Analysis presentations. Class Project. • Session 9 Course review. Final Examinations due. Oral presentations of research papers. Wrap-up. <p>DISCLAIMER:</p> <ul style="list-style-type: none"> • Since many factors may affect the progress of a class, the professor reserves the right to alter this syllabus as necessary to assure attainment of course objectives and in recognition of the class size. This schedule is tentative and subject to change at the discretion of the professor. <p>Research Paper Including Passports Internet Proficiency:</p> <ul style="list-style-type: none"> • Develop a topic of personal or professional interest which exists in the delivery of health care services which have legal implications on consumer, providers, institutional entities, etc. Papers must be a <u>minimum of ten (10) pages in length, double-spaced, and must not exceed sixteen (16) pages</u> and should include an introduction, body of paper, summary and conclusion, and references (no less than ten (10) sources). <u>A written detailed outline is due to instructor for review on Week 6.</u> The following criteria will be utilized in grading the research papers: <ul style="list-style-type: none"> • Is the title appropriate and effective? • Is the general approach to the subject creative? • Are thought and expression original? • Does the introduction identify and limit the topic? • Is the purpose defined and accomplished? • Does the whole paper have unity of thought? • Do the paragraphs and sections flow smoothly? • Is sentence structure and word order correct? • Are words precise and spelled and used correctly? |
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- Is punctuation correct?
- Have grammatical errors been eliminated?
- Was the paper turned in on time?
- Are evidence, statements, graphics and questions accurately interpreted?
- Are salient arguments, pro and con identified?
- Are alternative points of view analyzed and expressed?
- Are warranted, judicious conclusions drawn?
- Are there abstractions and/or recommendations?
- Does the conclusion echo the main point(s)?
- Have clichés and wordiness been eliminated?
- Was APA style followed?

Suggested Research Paper Topic:

- Patient Abandonment
- Negligence (hospital, physician, nursing home, family)
- Effects of HIPAA on small health care providers
- Consequences of Exclusion from Medicare/Medicaid
- Medical Malpractice and the costs of litigation
- DNR & Advanced Directives
- AIDS and ethical treatment of infected patients
- Contracts between health care providers
- Physician-Patient Relationship
- Medical Staff Privileges
- Nurse Practitioner Role (ARNP/CRNA)
- Effects of health care litigation
- Medicare Fraud and Abuse
- Alternative Medicine
- Regulatory agencies (JACHO, Dept. of Health, etc)
- Clinical Certifications
- Corporate Compliance Programs
- Managed Care Organizations and their impact on the delivery of health care
- Public policy (Center for Disease Control and its authority)
- Provider self insurance and the associated risks/rewards
- Stark (Safe-Harbor) Regulations
- Anti-trust and kickback laws
- Impact of electronic media for patient awareness
- Peer Review Protection
- Rising Costs of Medical Malpractice Insurance and its casual relationship to the delivery of health care services
- Bio-hazardous Waste
- Containment of Infectious Disease
- Abortion and Parental Notification Requirement (as it relates to the delivery of treatment/care)
- Risk Management

- Ambulatory Surgical Centers
- Labor Unions
- Caps on Medical Malpractice Damages
- Fiscal Intermediaries and Third Party Payors
- Non Compete Provisions

Research Paper Presentation:

- Presented within time limits.
- Appropriate use of Power Point or equivalent.
- Limited use of “uhs” and “ums.”
- Proper attire.

Topic Article Analysis and Presentation:

- Students must bring a 1 – 2 page report based on topic articles related to the course material. The articles must come from authoritative sources. Students will present their topic articles to the class for discussion. The article analysis should be typed with the standard Webster cover page and article attached. **The case analysis must be free of syntax, spelling, punctuation, grammatical and other errors.**

Midterm and Final Exams:

- Both Midterm and Final exams are take-home, open book multiple choice exams.

Class Project:

- The class will be divided into two groups, each supporting their side of the issue selected by the instructor. This is a mock Appeal Court presentation. Students are expected to thoroughly research the issue, narrow their arguments and persuasively present their arguments.

Class Participation and Attendance:

- Students are expected to attend all class sessions of every course for the full 36 contact hours. In the case of unavoidable absence, the student must contact the instructor. The student is subject to appropriate academic penalty for incomplete or unacceptable makeup work, or for excessive or unexcused absences. Generally, a student who misses more than one four-hour course period (per course) without a documented military or medical excuse and advanced permission of the instructor should withdraw from the class. The University reserves the right to involuntarily drop enrolled students from classes, which they do not attend. **PLEASE BE ADVISED: Students who do not attend the first class session, who have not made prior arrangements with the instructor for being absent, will be dropped from their courses.**
- Attendance on the last day of class is mandatory to ensure that all work is completed and to be awarded a passing grade. An Incomplete

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| | <p>will not be acceptable without documental proof (Death Notice, Doctor’s Letter, etc.) as to absence relating to non-completion of class work. These must be faxed 904-262-1459 or dropped off to Webster University by the Monday after the term ends.</p> <ul style="list-style-type: none"> • Participants are expected to arrive on time and be actively involved in the learning experience. Each student should desire to learn, participate, and proactively contribute to the learning of others during each discussion and exercise. • Students are to participate in classroom discussions. The discussions are an opportunity for students to reveal their understanding of the assignments made for the current and previous classes. • Assignments are given to prepare the student to participate in class discussions; therefore, it is imperative that reading assignments and associated questions for discussion be completed prior to class. • A maximum of 10 points will be awarded based on the level and quality of participation and preparation. • Failure to turn in an assignment within one week will result in a grade of "0" for that assignment. In addition, failure to submit an assignment will lower the final grade by an additional two points. • All assignments are due as detailed in the Course Schedule. • Late assignments will be accepted, if they are turned in <i>no later</i> than one week later, but will be penalized one letter grade. Furthermore, late assignments will lower the student's final grade by an additional one point. • Late assignments will not be accepted for the final assignments the last week of the course to allow timely completion and grades to be submitted. |
| <p>Policy Statements: University Policies</p> | <p>University policies are provided in the current course catalog and course schedules. They are also available on the university website. This class is governed by the university’s published policies. The following policies are of particular interest:</p> <p>Academic Honesty</p> <p>The university is committed to high standards of academic honesty. Students will be held responsible for violations of these standards. Please refer to the university’s academic honesty policies for a definition of academic dishonesty and potential disciplinary actions associated with it.</p> <p>Drops and Withdrawals</p> <p>Please be aware that, should you choose to drop or withdraw from this course, the date on which you notify the university of your decision will determine the amount of tuition refund you receive.</p> |

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| | <p>Please refer to the university policies on drops and withdrawals (published elsewhere) to find out what the deadlines are for dropping a course with a full refund and for withdrawing from a course with a partial refund.</p> <p>Special Services</p> <p>If you have registered as a student with a documented disability and are entitled to classroom or testing accommodations, please inform the instructor at the beginning of the course of the accommodations you will require in this class so that these can be provided.</p> <p>Disturbances</p> <p>Since every student is entitled to full participation in class without interruption, disruption of class by inconsiderate behavior is not acceptable. Students are expected to treat the instructor and other students with dignity and respect, especially in cases where a diversity of opinion arises. Students who engage in disruptive behavior are subject to disciplinary action, including removal from the course.</p> <p>Student Assignments Retained</p> <p>From time to time, student assignments or projects will be retained by The Department for the purpose of academic assessment. In every case, should the assignment or project be shared outside the academic Department, the student's name and all identifying information about that student will be redacted from the assignment or project.</p> <p>Contact Hours for this Course</p> <p>It is essential that all classes meet for the full instructional time as scheduled. A class cannot be shortened in length. If a class session is cancelled for any reason, it must be rescheduled.</p> |
| <p>Course Policies</p> | <p>Cheating and Plagiarism</p> <p>Of course, students are expected to do their own work. Students who claim that someone else's work is theirs may face disciplinary action. Plagiarism can be avoided simply by the use of quotation marks when quoting and citation when paraphrasing someone else's work.</p> <p>Absenteeism</p> <p>Students who miss more than one class will have to make up additional work. Students who miss two or more classes may be advised to drop the course or may have their grade lowered commensurately.</p> <p>This syllabus may be revised or changed without advance notice by the instructor.</p> |

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| | <p>Make-Up Requirements</p> <ul style="list-style-type: none">• For each class hour missed, a one (1) page, double-spaced, typed paper, with one (1) reference will be submitted by the end of the term. The topic will be specific to organizational change and/or strategic planning in healthcare. A four (4) hour class will require four (4) pages supported with (4) references from popular or academic press.• This paper will be graded and incorporated in the class participation grade. If the make-up work is not submitted, the student's final grade will be reduced one (1) letter grade.• (Students are responsible for any class material presented during their absence, and any assignments due should be submitted prior to the absence, if possible). |
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| <p>Weekly Schedule</p> | | <p>Pre-Assignments for Session 1:</p> <ul style="list-style-type: none"> • Read Chapters 1 – 3 • You are to prepare two (2) topic articles on any subject related to health care legal issues. Since there is a research paper due at the end of the term, it seems logical that you would want to choose topic articles that involve the subject matter of the research paper. If you are unsure what topic you are going to write on at this point, just pick two (2) timely health care legal issues and write a 1 - 2 page topic article. Make sure you use the standard Webster cover page and make sure you attach the article to the writing. |
| | <p>Session 1</p> | <p>THEME: Me And You And What We’re Gonna Do!</p> <p>Topics: Chapters 1-3 Discussed:</p> <ul style="list-style-type: none"> • Course orientation, expectations and requirements • Historical Perspective & Intro • Torts • Present Topic Article Analysis <p>Assignments for Session 2:</p> <ul style="list-style-type: none"> • Read Chapters 4-6 • Prepare Topic Article Analysis |
| | <p>Session 2</p> | <p>THEME: This Stuff Can Really Get You Into Trouble!</p> <p>Topics: Chapters 4-6 Discussed:</p> <ul style="list-style-type: none"> • Criminal & Civil Aspects of Healthcare • Contracts & Antitrust • Present Topic Article Analysis <p>Assignments for Session 3:</p> <ul style="list-style-type: none"> • Read Chapters 7-9 • Prepare Topic Article Analysis |

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| | <p>Session 3</p> | <p>THEME: Institutional Medicine And Its Doctors . . . Can't We Just All Get Along? Topics: Chapters 7-9 Discussed:</p> <ul style="list-style-type: none"> • Corporate Structure • Medical Staff • Nursing Law • Present Case Analysis • Time Permitting Work on Class Project <p>Assignments for Session 4:</p> <ul style="list-style-type: none"> • Read Chapters 10-12 • Prepare Topic Article Analysis |
| | <p>Session 4</p> | <p>THEME: Hospitals, Doctors And The Patients Who Love Them! Topics: Chapters 10-12 Discussed:</p> <ul style="list-style-type: none"> • Hospital and Provider Liability • Information Management & Medical Records • Patient Consent • Present Topic Article Analysis • Work on Class Project • Midterm Examination Distributed <p>Assignments for Session 5:</p> <ul style="list-style-type: none"> • Read Chapters 13-15 • Prepare Topic Article Analysis |
| | <p>Session 5</p> | <p>THEME: Who Is Watching the Hen House When The Wolf Is Present? Topics: Chapters 13-15 Discussed:</p> <ul style="list-style-type: none"> • Reporting Requirements • Procreation • Patient Rights • Present Topic Article Analysis • Time Permitting Work on Class Project <p>Assignments for Session 6:</p> <ul style="list-style-type: none"> • Read Chapters 16-18 • Prepare Topic Article Analysis • Research Outline Due Next Week • Midterm Examination Due Next Week |

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| | <p>Session 6</p> | <p>THEME: Tough Medical Issues Topics: Chapters 16-18 Discussed:</p> <ul style="list-style-type: none"> • AIDS & HIV • Ethics • Malpractice Insurance • Present Topic Article Analysis • Time Permitting Work on Class Project • Outline and Midterm Examinations Due <p>Assignments for Session 7:</p> <ul style="list-style-type: none"> • Read Chapters 19-21 • Prepare Topic Article Analysis |
| | <p>Session 7</p> | <p>THEME: Hi Ho. Hi Ho. It's Off To Managed Care I Go *** Topics: Chapters 19-21 Discussed:</p> <ul style="list-style-type: none"> • Labor Law • Employment Law • MCO Restructuring • Present Topic Article Analysis • Time Permitting Work on Class Project • Final Examination Distributed <p>Assignments for Session 8:</p> <ul style="list-style-type: none"> • Read Chapters 22-25 • Prepare Topic Article Analysis |
| | <p>Session 8</p> | <p>THEME: Nearing The Finish Line! Topics: Chapters 22-25 Discussed:</p> <ul style="list-style-type: none"> • The future of medicine and ancillary patient issues • Present Topic Article Analysis • Cass Project Presentation <p>Assignments for Session 8:</p> <ul style="list-style-type: none"> • Prepare for Research Paper Presentation • Prepare Topic Article Analysis |
| | <p>Session 9</p> | <p>THEME: So . . . Did You Learn Anything New And Useful? Topics:</p> <ul style="list-style-type: none"> • Final exam due • Oral presentations of Research Papers • Course overview |
| <p>Additional Information</p> | <p>None</p> | |
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Reviewed by: *J. Ewing*

Job Title: Faculty Coordinator

Date: 12/10/07

Revised 12/8/07