



Course Description

This course provides an analysis of the legal aspects of health care delivery and the impact on health care institutions. Students will examine tort law, professional liability, cost controls, liability insurance, antitrust, and health care access.

Course Textbook

Pozgar, G. (2012). *Legal aspects of health care administration* (11th ed.). Sudbury, MA: Jones & Bartlett.

Course Learning Objectives

Upon completion of this course, students should be able to:

1. Analyze law, ethics, bioethics, and related dilemmas in the health care environment.
2. Identify the sources and classifications of laws as well as the structure of the U.S. court system.
3. Describe the role of the medical practice acts, licensure, and laws designed specifically for the healthcare environment.
4. Explain the features of managed care and federal assistance programs.
5. Examine the rights and responsibilities of the patient, physician, and medical practice.
6. Discuss the characteristics of negligence and the tort of negligence, malpractice, and professional liability.
7. Interpret issues concerning public health information, vital statistics, abuse reporting, and management of controlled substances.
8. Examine laws designed to protect the healthcare worker, the environment, and the healthcare consumer.
9. Explain the purpose, contents, and ownership of the medical record.
10. Describe the objectives, implementation, and concerns associated with HIPAA.
11. Identify issues related to key bioethical areas including organ transplants, contraception, sterilization, artificial insemination, surrogate motherhood, genetics, and abortion.
12. Articulate issues surrounding death and dying including its five stages, euthanasia, advance directives, viatical settlements, and end of life care.

Credits

Upon completion of this course, the students will earn three (3) hours of college credit.

Course Structure

1. **Unit Learning Objectives:** Each unit contains Unit Learning Objectives that specify the measurable skills and knowledge students should gain upon completion of the unit.
2. **Written Lectures:** Each unit contains a Written Lecture, which discusses lesson material.
3. **Reading Assignments:** Each unit contains Reading Assignments from one or more chapters from the textbook. Chapter presentations are provided in each unit study guide as Supplemental Reading to aid students their course of study.
4. **Learning Activities (Non-Graded):** These non-graded Learning Activities are provided to aid students in their course of study.
5. **Key Terms:** Key Terms are intended to guide students in their course of study. Students should pay particular attention to Key Terms as they represent important concepts within the unit material and reading.
6. **Discussion Boards:** Discussion Boards are a part of all CSU term courses. Information and specifications regarding these assignments are provided in the Academic Policies listed in the Course Menu bar.

7. **Unit Assessments:** This course contains eight Unit Assessments, one to be completed at the end of each unit. Assessments are composed of written response questions.
8. **Unit Assignments:** Students are required to submit for grading Unit Assignments in Units I and III. Specific information and instructions regarding these assignments are provided below.
9. **Course Project:** Students are required to submit for grading a Course Project in Unit VIII. Specific information and instructions regarding this assignment are provided below.
10. **Ask the Professor:** This communication forum provides you with an opportunity to ask your professor general or course content related questions.
11. **Student Break Room:** This communication forum allows for casual conversation with your classmates.

Unit Assignments

Unit I Case Study

In this unit, we have discussed negligence and tort law in the healthcare field. Using your favorite search engine (such as <http://www.scholar.google.com>), locate a case study involving one or both of these topics. Once you have read the case, you will compose a paper consisting of a minimum of three pages. Your paper should consist of the following:

- Details of the case
- Summary of each side's argument during the case
- Summary of the ruling in the case

Which party in the case had the best legal argument? Why? What were the pros and cons of each side's argument?

All sources used, including the textbook, must be referenced; paraphrased and quoted material must have accompanying citations. Any references or citations used should be in APA style.

Unit III Article Review

In this unit, you learned about the doctrine of *respondeat superior*, which states that an employer may be held liable for the actions of his/her employees. For this assignment, you will choose a peer-reviewed article to review regarding this doctrine as it relates to the healthcare industry. Use the databases within the CSU Online Library, or use another reputable source that contains peer-reviewed articles. The purpose of this assignment is for you to practice reviewing articles that contribute to the industry. The authors of these articles are researchers and professionals who have shared or experimented with ideas that demonstrate potential to improve the industry. As a professional in the industry, it is in your best interest to review the literature and trends. This provides you with the opportunity to read about what was successful and how it was accomplished. Plus, it allows you to analyze what was unsuccessful, how you can improve it or at least how you can avoid repeating the mistakes of others. Use these skills to contribute to research papers and other scholarly writings. If you have not already, hopefully, you will contribute to the industry by publishing an article and sharing with your community of peers.

As you read the article you choose for this assignment, consider the following questions: How could the topic of this article apply to your personal or professional life? How could it apply to an organization you have observed?

The article you choose must meet the following requirements:

- Be peer reviewed
- Relate to the concepts within this course
- Be at least ten pages in length

The writing you submit must meet the following requirements:

- Be at least two full pages in length
- Identify the main topic/question
- Identify the author's intended audience
- Summarize the article for page one
- Explain how the doctrine of *respondeat superior* was depicted in your article. Was it discussed in a positive or negative light?
- Explain if it is logical to judge an employer for the actions of an employee? Why or Why not?

Format your article review using APA style. Use your own words, and include citations and references as needed to avoid plagiarism.

Course Project

The course project provides you with an opportunity to choose one medical law or medical ethics issue of special interest and to study that issue at a deeper level for further understanding and application. This five to seven double-spaced APA paper must critically analyze the issues related to the selected topic, with the textbook, web resources, and professional journal articles (which may also be found online) being utilized to complete the project. Please be sure to cite all references using APA format to avoid plagiarism. The paper must be submitted in APA format. Please contact the Student Success Center for complimentary assistance with APA formatting and writing tutoring.

In your Course Project, be sure to include:

- Description of your selected issue
- Discussion of how the issue impacts healthcare professionals and healthcare organizations
- Impact of your selected issue on patients and families
- Critical analysis of the issue, including at least one specific case example
- Significance of the issue to the practice of healthcare administration
- Recommendations for approaches to deal with the issue

Possible Course Project Issues:

- Medicare-funded organ transplants
- Medicaid-funded organ transplants
- Death with Dignity Act of Oregon
- Genetic Engineering
- Institutional Review Boards and Medical Research
- Hospital Ethics Committees – roles and responsibilities
- Medical Staff Credentialing
- Disruptive Physicians
- Living Wills
- Durable Power of Attorney for Healthcare
- Ethics of Managed Care
- Legal Aspects of Managed Care
- Universal Healthcare Care – Is it right for America?
- Cost-Shifting in Healthcare
- The Joint Commission – role in healthcare
- The Joint Commission – alternatives
- Patient Safety in Healthcare
- Complementary and Alternative Healthcare – ethical issues
- Complementary and Alternative Healthcare – legal issues
- Nursing Practice – ethical issues
- Nursing Practice – legal issues
- Allied Health Practice – ethical issues
- Allied Health Practice – legal issues
- Medical Practice – ethical issues
- Medical Practice – legal issues
- New Reproductive Technology – ethical issues
- New Reproductive Technology – legal issues
- Landmark Cases – Select any one landmark case in healthcare law and present your own summary of the facts, issue, finding and reason. Critically analyze the case, and explain your agreement or disagreement with the court's finding.
- Other Topics – The course project can certainly be completed on another issue not listed above. If you are selecting a topic which is not listed above, please obtain approval from your professor before beginning your work.

The Course Project is worth 100 points and is due by the end of Unit VIII. It will be graded in accordance with the CSU grading rubric for projects provided in this course.

APA Guidelines

CSU requires that students use the APA style for papers and projects. Therefore, the APA rules for formatting, quoting, paraphrasing, citing, and listing of sources are to be followed. A document titled “APA Guidelines Summary” is available MHA 5101, Legal Foundations of Health Care

for you to download from the APA Guide Link, found in the Learning Resources area of the myCSU Student Portal. It may also be accessed from the Student Resources link on the Course Menu. This document provides links to several internet sites that provide comprehensive information on APA formatting, including examples and sample papers.

CSU Grading Rubric for Papers/Projects

The course papers will be graded based on the CSU Grading Rubric for all types of papers. In addition, all papers will be submitted for electronic evaluation to rule out plagiarism. Course projects will contain project specific grading criteria defined in the project directions. To view the rubric, click the Academic Policies link on the Course Menu, or by accessing the CSU Grading Rubric link, found in the Learning Resources area of the myCSU Student Portal.

Communication Forums

These are non-graded discussion forums that allow you to communicate with your professor and other students. Participation in these discussion forums is encouraged, but not required. You can access these forums with the buttons in the Course Menu. Instructions for subscribing/unsubscribing to these forums are provided below.

[Click here for instructions on how to subscribe/unsubscribe and post to the Communication Forums.](#)

Ask the Professor

This communication forum provides you with an opportunity to ask your professor general or course content questions. Questions may focus on Blackboard locations of online course components, textbook or course content elaboration, additional guidance on assessment requirements, or general advice from other students.

Questions that are specific in nature, such as inquiries regarding assessment/assignment grades or personal accommodation requests, are NOT to be posted on this forum. If you have questions, comments, or concerns of a non-public nature, please feel free to email your professor. Responses to your post will be addressed or emailed by the professor within 48 hours.

Before posting, please ensure that you have read all relevant course documentation, including the syllabus, assessment/assignment instructions, faculty feedback, and other important information.

Student Break Room

This communication forum allows for casual conversation with your classmates. Communication on this forum should always maintain a standard of appropriateness and respect for your fellow classmates. This forum should NOT be used to share assessment answers.

Grading

Discussion Boards (8 @ 1.25%)	= 10%
Unit Assessments (8 @ 5%)	= 40%
Case Study	= 10%
Article Review	= 10%
Course Project	= 30%
Total	= 100%

Course Schedule/Checklist (PLEASE PRINT)

The following pages contain a printable Course Schedule to assist you through this course. By following this schedule, you will be assured that you will complete the course within the time allotted.

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Unit I	Introduction to Health Law
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 1: Reflections on the Past <input type="checkbox"/> Chapter 2: Introduction to the Legal System <input type="checkbox"/> Chapter 3: Tort Law <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time) <input type="checkbox"/> Case Study by Tuesday, Midnight (Central Time)
Notes/Goals:	

Unit II	Criminal and Civil Law in Health Care
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 4: Criminal Aspects of Health Care <input type="checkbox"/> Chapter 5: Contracts and Antitrust <input type="checkbox"/> Chapter 6: Civil Procedure and Trial Practice <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time) <input type="checkbox"/> Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time)
Notes/Goals:	

Unit III	Medical Staff and Nursing Law
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 7: Corporate Structure and Legal Issues <input type="checkbox"/> Chapter 8: Medical Staff <input type="checkbox"/> Chapter 9: Nursing and the Law <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time) <input type="checkbox"/> Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time) <input type="checkbox"/> Article Review by Tuesday, Midnight (Central Time)
Notes/Goals:	

Unit IV	Allied Health, Information and Informed Consent
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 10: Allied Professionals Legal Issues <input type="checkbox"/> Chapter 11: Information Management <input type="checkbox"/> Chapter 12: Patient Consent <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time) <input type="checkbox"/> Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time)
Notes/Goals:	

Unit V	Legal Reporting and Patient Rights
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 13: Legal Reporting Requirements <input type="checkbox"/> Chapter 14: Patient Rights and Responsibilities <input type="checkbox"/> Chapter 15: Acquired Immunodeficiency Syndrome <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time) <input type="checkbox"/> Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time)
Notes/Goals:	

Unit VI	Healthcare Ethics and End-of-Life Decisions
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 16: Healthcare Ethics <input type="checkbox"/> Chapter 17: Procreation and Ethical Dilemmas <input type="checkbox"/> Chapter 18: End-of-Life Decisions <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time) <input type="checkbox"/> Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time)
Notes/Goals:	

Unit VII	Professional Liability and Employee Relations
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 19: Professional Liability Insurance <input type="checkbox"/> Chapter 20: Labor Relations <input type="checkbox"/> Chapter 21: Employee Discipline and Discharge <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time) <input type="checkbox"/> Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time)
Notes/Goals:	

Unit VIII	Employee Rights, Managed Care and Patient Safety
Review:	<input type="checkbox"/> Unit Study Guide <input type="checkbox"/> Learning Activities (Non-Graded): See Study Guide
Read:	<input type="checkbox"/> Chapter 22: Employee Rights and Responsibilities <input type="checkbox"/> Chapter 23: Managed Care <input type="checkbox"/> Chapter 24: Tort Reform and Risk Reduction <input type="checkbox"/> Chapter 25: Patient Safety and Zero Tolerance <input type="checkbox"/> Supplemental Reading: See Study Guide
Discuss:	<input type="checkbox"/> Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time) <input type="checkbox"/> Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)
Submit:	<input type="checkbox"/> Assessment by Tuesday, Midnight (Central Time) <input type="checkbox"/> Course Project by Tuesday, Midnight (Central Time)
Notes/Goals:	