

## Syllabus

### Course Overview

It is widely known that health care is a heavily regulated industry. Health care delivery faces many challenges and obstacles, and success depends on a health care organization's ability to provide safe, quality, and reliable care.

One key challenge that today's health care managers face is an ever-changing legal environment. Health care is also at the forefront of ongoing legislative and regulatory initiatives and challenges, as both the federal and state governments have a vested interest in controlling the direction of the health care industry.

Added to that, the industry itself adheres to high standards, and voluntary accreditation is becoming a standard among many top health care organizations.

A good health care manager is aware of all the elements in the current health care environment and is able to navigate through this often challenging and complex legal world to ensure quality care is being provided.

This course will help prepare future managers for health care's complex legal environment by helping them:

- Identify sources of law and ethical codes that apply to health care and health care management.
- Apply ethical standards to resolve dilemmas that may arise.
- Describe the legal responsibilities of a health care organization.
- Evaluate health care organizations and providers and their ability to mitigate risks to avoid civil and criminal liability.
- Apply the laws concerning affordability, accessibility, and quality of health care on the state and federal levels.

### Kaltura Activities

In this course, you will be required to record a PowerPoint presentation in Unit 6 using Kaltura or similar software. Refer to [Using Kaltura](#) for more information about this courseroom tool.

**Note:** If you require the use of assistive technology or alternative communication methods to participate in these activities, please contact [DisabilityServices@Capella.edu](mailto:DisabilityServices@Capella.edu) to request accommodations.

### Course Competencies

(Read Only)

To successfully complete this course, you will be expected to:

- 1 Identify sources of law and ethical codes that apply to health care and health care management.
- 2 Apply ethical standards to resolve dilemmas that may arise.
- 3 Describe the legal responsibilities of a health care organization.
- 4 Evaluate health care organizations and providers and their ability to mitigate risks to avoid civil and criminal liability.
- 5 Apply the laws concerning affordability, accessibility, and quality of health care on the state and federal levels.
- 6 Communicate effectively in a professional manner.

### Course Prerequisites

Prerequisite(s): BUS3025 or BUS3026.

## **Syllabus >> Course Materials**

### **Required**

The materials listed below are required to complete the learning activities in this course.

### **Integrated Materials**

Many of your required books are available via the VitalSource Bookshelf link in the courseroom, located in your Course Tools. Registered learners in a Resource Kit program can access these materials using the courseroom link on the Friday before the course start date. Some materials are available only in hard-copy format or by using an access code. For these materials, you will receive an email with further instructions for access. Visit the [Course Materials](#) page on Campus for more information.

## Hardware

Capella University requires learners to meet certain minimum [computer requirements](#). The following hardware may go beyond those minimums and is required to complete learning activities in this course. **Note:** If you already have the following hardware, you do not need to purchase it. Visit the [Course Materials](#) page on Campus for more information.

### Hardware for Recording Audio and Video

- Headset with microphone
- External or built-in webcam
- Broadband Internet connection

## eBook

Pozgar, G. D. (2019). *Legal aspects of health care administration* (13th ed.). Burlington, MA: Jones & Bartlett Learning. ISBN: 9781284127171.

## Library

The following required readings are provided in the Capella University Library or linked directly in this course. To find specific readings by journal or book title, use [Journal and Book Locator](#). Refer to the [Journal and Book Locator library guide](#) to learn how to use this tool.

- AHC Media. (2018). [Federal court affirms no private right of action](#). *Hospital Access Management*, 37(9).
- Bal, B. S., & Brenner, L. H. (2016). [The law and social values: Medical necessity and criminal prosecution \[PDF\]](#). *Clinical Orthopaedics and Related Research*, 474(4), 887–891.
- Bergé, P. I. (2019). [Informed consent for medical or surgical treatment](#). *Journal of Legal Nurse Consulting*, 30(1), 8–12.
- Bhuyan, S. S., Bailey-DeLeeuw, S., Wyant, D. K., & Chang, C. F. (2016). [Too much or too little? How much control should patients have over EHR data? \[PDF\]](#). *Journal of Medical Systems*, 40(7), 1–4.
- Caulfield, S. E. (2007). [Health care facility ethics committees: New issues in the age of transparency](#). *Human Rights*, 34(4), 10–13.
- Cox, C. (2015). [Law of consent in healthcare](#). *Journal of Diabetes Nursing*, 19(8), 314–317.
- Davis, C. S., Green, T. C., Hernandez-Delgado, H., & Lieberman, A. J. (2018). [Status of US state laws mandating timely reporting of nonfatal overdose](#). *American Journal of Public Health*, 108(9), 1159–1161.
- Herzig, C. T. A., Reagan, J., Pogorzelska-Maziarz, M., Srinath, D., & Stone, P. W. (2015). [State-mandated reporting of health care-associated infections in the United States: Trends over time](#). *American Journal of Medical Quality*, 30(5), 417–424.
- Jarlenski, M., Hogan, C., Bogen, D. L., Chang, J. C., Bodnar, L. M., & Van Nostrand, E. (2017). [Characterization of US state laws requiring health care provider reporting of perinatal substance use](#). *Women's health issues*, 27(3), 264–270.
- Kapp, M. B. (2016). [Defensive medicine: No wonder policymakers are confused](#). *International Journal of Risk & Safety in Medicine*, 28(4), 213–219.
- Kassim, P. N. J., & Alias, F. (2016). [Religious, ethical and legal considerations in end-of-life issues: Fundamental requisites for medical decision making \[PDF\]](#). *Journal of Religion & Health*, 55(1), 119–134.
- Kruse, C. S., Smith, B., Vanderlinden, H., & Nealand, A. (2017). [Security techniques for the electronic health records \[PDF\]](#). *Journal of Medical Systems*, 41(8), 1–9.
- Lough, M. E., & Seidel, G. D. (2015). [Legal and clinical issues in genetics and genomics](#). *Clinical Nurse Specialist*, 29(2), 68–70.
- Luna, R., Rhine, E., Myhra, M., Sullivan, R., & Kruse, C. S. (2016). [Cyber threats to health information systems: A systematic review](#). *Technology & Health Care*, 24(1), 1–9.
- Lyles, C. R., Fruchterman, J., Youdelman, M., & Schillinger, D. (2017). [Legal, practical, and ethical considerations for making online patient portals accessible for all](#). *American Journal of Public Health*, 107(10), 1608–1611.
- Mello, M. M., & Studdert, D. M. (2016). [Building a national surveillance system for malpractice claims](#). *Health Services Research*, 51, 2642–2648.
- Mello, M. M., Adler-Milstein, J., Ding, K. L., & Savage, L. (2018). [Legal barriers to the growth of health information exchange—Boulders or pebbles?](#) *Milbank Quarterly*, 96(1), 110–143.
- Opel, D., Sonne, J. A., & Mello, M. (2018). [Vaccination without litigation – Addressing religious objections to hospital influenza-vaccination mandates](#). *The New England Journal of Medicine*, 378(9), 785–788.
- Ortiz, J., & Casey, D. (2017). [Dead wrong! The ethics of culturally competent care](#). *Medsurg Nursing*, 26(4), 279–282.
- Pendo, E. (2015). [What patients with disabilities teach us about the everyday ethics of health care](#). *Wake Forest Law Review*, 50(2), 287–300.
- Pope, T. M. (2017). [Certified patient decision aids: Solving persistent problems with informed consent law](#). *The Journal of Law, Medicine & Ethics*, 45(1), 12–40.
- Stahl, R. Y., & Emanuel, E. J. (2017). [Physicians, not conscripts — Conscientious objection in health care](#). *The New England Journal of Medicine*, 376(14), 1380–1385.
- Taylor, H. (2015). [Legal and ethical issues in end of life care: Implications for primary health care](#). *Primary Health Care*, 25(5), 34–41.
- Walker, R. M. (2017). [Mandatory reporting of intimate partner violence: An ethical dilemma for forensic nurses](#). *Journal of Forensic Nursing*, 13(3), 143–146.
- Wilson, H., Wilson, J. S., & Ryan, F. (2017). [Tort reform and the cardiologist](#). *Journal of the American College of Cardiology*, 70(2), 290–292.
- Yaraghi, N., & Gopal, R. D. (2018). [The role of HIPAA Omnibus Rules in reducing the frequency of medical data breaches: Insights from an empirical study](#). *Milbank Quarterly*, 96(1), 144–166.

## Suggested

The following materials are recommended to provide you with a better understanding of the topics in this course. These materials are not required to complete the course, but they are aligned to course activities and assessments and are highly recommended for your use.

## Optional

The following optional materials are offered to provide you with a better understanding of the topics in this course. These materials are not required to complete the course.

## Unit 1 >> Government, Law, and Ethics

### Introduction

In this first unit, we will examine the development of law in the United States, how the legal system functions, and the roles of the three branches of government in creating, administering, and enforcing the law. We will also discuss political malpractice, as well as a variety of government ethics committees that address ethical conduct within the various branches of government. Finally, we will study tort law, intentional torts, tort reform, and risk reduction with an emphasis on negligence in health care settings.

### Learning Activities

#### u01s1 - Studies

## Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 2, "Government, Law, and Ethics," pages 19–38.
- Chapter 3, "Tort Law – Negligence," pages 42–57.
- Chapter 4, "Intentional Torts," pages 60–75.
- Chapter 5, "Tort Reform," pages 77–84.

Use the Capella University library to read the following:

- Kapp, M. B. (2016). Defensive medicine: No wonder policymakers are confused. *International Journal of Risk & Safety in Medicine*, 28(4), 213–219.
- Mello, M. M., & Studdert, D. M. (2016). Building a national surveillance system for malpractice claims. *Health Services Research*, 51, 2642–2648.
- Wilson, H., Wilson, J. S., & Ryan, F. (2017). Tort reform and the cardiologist. *Journal of the American College of Cardiology*, 70(2), 290–292.

#### u01s1 - Learning Components

- List sources of law.
- Identify functions of government ethics committees.
- Define malpractice.
- Define negligence.
- List legal and ethical issues in patient care.
- List programs that help reduce malpractice claims.
- Define tort law.
- Define the purpose of ethics committees.
- Identify the role of an ethics committee in patient care.

#### u01d1 - Law and Health Care Management

## Introduction

The health care industry is continually changing and is one of the largest and most scrutinized industries in the United States. Leadership within this industry must be quick to adapt to these changes and need to continually develop their skills to remain effective. A key component of any health care

manager's skill set is a thorough understanding of the law. Throughout this course, we will be discussing the various aspects of law and how health care managers are impacted by it on a daily basis.

## Instructions

In your main post:

- Discuss how having an understanding of law and its impacts within the health care industry is beneficial to health care management professionals.
- Provide at least two examples of how law is applied within the health care field.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Explain and justify whether you agree with their thoughts on the benefits of understanding the law and its impacts within the health care industry.
- Discuss what you found interesting or helpful related to the examples they provided.

### Course Resources

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#### Undergraduate Discussion Participation Scoring Guide

#### u01d1 - Learning Components

- List sources of law.
- Review employment laws.
- List ways to mitigate risks to avoid civil and criminal liability.
- Write clearly, effectively, and professionally.
- List various protections that can assure criminal activities are prevented in an organization.
- Review legal health care management matters.

#### u01d2 - Defensive Medicine

## Introduction

Over the decades, legal implications and concerns have caused numerous health care providers to alter or limit their practices, and in some cases, even close their doors. Due to this precarious environment, the practice of *defensive medicine* has continued to increase in popularity as providers seek ways to reduce the likelihood of litigation and the associated risks that lead to higher insurance premiums.

## Instructions

In your main post:

- Discuss what defensive medicine is, provide an example or two, and identify some of the key factors that often cause health care providers to practice it, including the avoidance of negligence and malpractice.
- Identify and discuss the pros and cons of defensive medicine and whether you believe it is an ethical practice.
- Discuss what position (for or against) you would take, from a health care management perspective, on the use of defensive medicine within an organization you led. Be sure to justify your reasoning.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Expand on one or more elements of your peer's post, including their definition of defensive medicine, and/or the examples and factors they provided related to it.
- Discuss whether you agree with your peer's position on defensive medicine. Be sure to back your discussion with reasoning.

#### Course Resources

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#### Undergraduate Discussion Participation Scoring Guide

#### u01d2 - Learning Components

- Define malpractice.
- Define negligence.
- List ways to mitigate risks to avoid civil and criminal liability.
- List legal and ethical issues in patient care.

### Unit 2 >> Health Care Professions and the Law

#### Introduction

Health care professionals are held to a prevailing standard of care, which includes, but not limited to, proper assessments, reassessments, diagnosis, treatment, and follow-up care. In this unit, we will focus on selected health care departments and professions from a legal aspect. We will discuss a variety of legal issues and illustrate how no health care profession is left untouched from the long arm of the law.

#### Learning Activities

#### u02s1 - Studies

### Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 11, "Nursing and the Law," pages 272–290.
- Chapter 12, "Hospital Departments and Allied Professionals," pages 295–336.

#### u02s1 - Learning Components

- List sources of law.
- Define malpractice.

#### u02s2 - Assignment Preparation

Your first assignment, Memo: Importance of Understanding Legal Aspects of Health Care Management, is due in Unit 3. Take some time in this unit to review the assignment instructions and scoring guide and begin working on it. If you have questions about the assignment requirements, contact your instructor as soon as possible.

#### u02d1 - Health Care Professions and the Law

## Introduction

Every individual working within the health care industry is impacted by the legal system. Some laws impact all, while others are more specific depending on the type of organization or care provider. As a health care manager, it is important to have an understanding of the overall legal system and how specific laws can impact individuals based on the organization they work within and their specific profession.

## Instructions

For your main post, select a health care profession discussed in the unit readings or another of your choice. In your post:

- Identify legal considerations and specific laws that have an impact on this profession.
- Discuss, from a health care management perspective, how you could help to avoid impacts from the legal considerations and specific laws you identified.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning. Choose posts that focus on a profession different from the one you chose.

In your responses:

- Identify and discuss at least one additional legal consideration and/or specific law that would have an impact on that profession.
- Lend support to their discussion on how to help avoid legal issues for that profession and provide additional recommendations on how to help avoid legal issues.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

u02d1 - Learning Components

- List sources of law.
- List ways to mitigate risks to avoid civil and criminal liability.
- List various protections that can assure criminal activities are prevented in an organization.
- Review legal health care management matters.

**u02d2 - Case Study: Health Care Professions**

## Introduction

Although case law and statutes of one state are not binding in another state, having awareness and knowledge of key legal cases overall that impact health care can be beneficial to anyone working within the field.

## Instructions

For your main post, select a case from or related to this unit's textbook readings on various health care professions and how they are impacted by law. In your post:

- Provide a thorough overview of the case, including the facts, issues, the results of the case (holding), and the basis for the court's decision.
- Provide and justify your opinion on the outcome and how the initial issue could have been prevented.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning. Choose posts that focus on a case different from the one you chose.

In your responses:

- Discuss what stood out to you about the case your peer chose to review.

- Provide and justify your opinion on the outcome of their chosen case.

#### Course Resources

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#### Undergraduate Discussion Participation Scoring Guide

#### u02d2 - Learning Components

- List ways to mitigate risks to avoid civil and criminal liability.
- List various protections that can assure criminal activities are prevented in an organization.

### Unit 3 >> Criminal Aspects of Health Care

#### Introduction

In this unit, we will look at criminal law, its key objectives, and the various classifications of crimes. We will then examine the full criminal procedure process from arrest through trial. Finally, we will identify and discuss several crimes that can occur within the health care setting.

#### Learning Activities

#### u03s1 - Studies

### Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 6, "Criminal Aspects of Health Care," pages 88–114.

Use the Capella library to read the following:

- Bal, B. S., & Brenner, L. H. (2016). [The law and social values: Medical necessity and criminal prosecution \[PDF\]](#). *Clinical Orthopaedics and Related Research*, 474(4), 887–891.

#### u03s1 - Learning Components

- Define criminal law.
- Outline the criminal procedure process.
- Define malpractice.
- Define negligence.
- List ways to mitigate risks to avoid civil and criminal liability.
- List various protections that can assure criminal activities are prevented in an organization.
- List common crimes that occur in the health care setting.
- Identify a case related to common crimes occurring in the health care setting.

#### u03s2 - Assignment Preparation

Your next assignment, Academic Research Paper: Criminal Aspects of Health Care, is due in Unit 4. Take some time in this unit to review the assignment instructions and scoring guide and begin working on it. If you have questions about the assignment requirements, contact your instructor as soon as possible.

#### u03d1 - Health Care Crimes



## Introduction

Unfortunately, the very institutions that exist to provide care and a safe environment for the public can sometimes be the setting for crimes. Due to the fact that the health care industry is built around the premise of helping those who are in need and who are often mentally or physically weak, the U.S. Department of Justice and state prosecutors vigorously pursue and prosecute health care organizations and individuals who do not meet this premise or abide by the law.

## Instructions

For your main post, consider various crimes that can occur within the health care field, such as fraud, kickbacks, drug tampering, illegal use/sale of drugs, falsification of records, patient abuse, criminal negligence, manslaughter, murder, rape/sexual assault, and theft. Choose one and discuss issues, cases, concerns, laws, and corrective actions related to the crime.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning. Choose posts that focus on a crime different from the one you chose.

In your responses, identify and discuss at least one issue, case, concern, law, or corrective action related to the selected crime but not mentioned by your peers.

### Course Resources

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#### Undergraduate Discussion Participation Scoring Guide

#### u03d1 - Learning Components

- Define criminal law.
- Outline the criminal procedure process.
- List ways to mitigate risks to avoid civil and criminal liability.
- List various protections that can assure criminal activities are prevented in an organization.
- List common crimes that occur in the health care setting.
- Identify a case related to common crimes occurring in the health care setting.

#### u03a1 - Memo: Importance of Understanding Legal Aspects of Health Care Management

## Preparation

Read the following scenario before completing this assignment. Feel free to conduct your own search in the Capella library and on the Internet to find scholarly or professional resources to support your discussion.

### Scenario

For this assignment, assume the role of a mid-level manager within a large health care organization. To support continuous improvement and career development, your organization requires you to annually choose a professional development focus, justify the relevance of this focus, and then set related goals for the knowledge you want to obtain.

To finalize this process, you must submit a detailed memo to the organization's human resource department detailing the above information. This year, you have chosen to focus on the relevance of increasing your knowledge of and expertise in the legal aspects of health care to your career as a health care manager.

## Instructions

Write a formal 4–5-page business memorandum (memo) to submit to the human resource department. In your memo:

- Communicate your professional development focus by writing professional development goals focused on increasing your knowledge of the legal aspects of health care from a health care management perspective.
- Identify the various sources of law, the functions of various government ethics committees, and how having a solid understanding of the laws and ethical issues that surround health care can help you better prepare to be an effective health care manager.

- Discuss the relevance of key legal concepts and their application to the health care setting. Cover concepts such as torts, intentional torts, the objectives of tort law, negligence, and malpractice. (Be sure to make a clear distinction between negligence and malpractice.)
- Describe a variety of legal issues that occur in patient care settings and the various programs that can help reduce the number of malpractice claims.
- Define the term defensive medicine and discuss both positive and negative factors related to it.
- Discuss how you plan to use and benefit from understanding the legal aspects of health care and how this knowledge will assist you in health care management decision making.
- Identify and provide annotative detail on a variety of useful journals, professional associations, conferences, and other resources that would help you increase your knowledge of health care law. The annotative details should explain why you chose the source (its value) and how it ties into your professional development goals.

Use language that will help to convince the human resource department that you have made a viable choice for your professional development. Write clearly, effectively, and professionally, using current APA style to cite and reference any resources used.

## Additional Requirements

Your assignment should also meet the following requirements:

- **Written communication:** Should be clear, concise, well organized, and free of errors that detract from the overall message, as expected of a business professional.
- **Length:** 4–5 double-spaced pages, excluding cover and reference pages.
- **APA format:** Citations and references should be formatted according to current APA style. Refer to Academic Writer for guidance in using proper APA style. See the APA Style and Format section of the Writing Center for instructions on accessing and using Academic Writer.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Memo: Importance of Understanding Legal Aspects of Health Care Management Scoring Guide to ensure your work meets the grading criteria for this assignment.

Course Resources

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[APA Style and Format](#)

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[Topic Exploration Quickstart Literature Guide: Health Care Management](#)

## Unit 4 >> Contracts and Applying Law in the Courtroom

### Introduction

In this unit, we will discuss the purpose, types, elements, and importance of contracts as they pertain to health care organizations and caregivers, including the defenses and legal remedies for nonperformance of a contract. We will also focus on developing a better overall understanding of the law and its application within the courtroom.

In addition, your studies and discussion activity in this unit include preparation time for conducting your informational interview with a health care manager, which will be initiated in Unit 5. Careful attention to this preparation process is vital to overall success for your interview assignment.

Your informational interview can be described as an informal conversation with a health care manager who is willing to share personal and professional expertise, knowledge, and perspective related to the health care organization in which he or she works. Your goal is to obtain an insider's view from a legal perspective of the employment environment in which the manager practices.

### Learning Activities

#### u04s1 - Studies

## Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 7, "Contracts and Anti-Trust," pages 118–136.

- Chapter 8, "Civil Procedure and Trial Practice," pages 140–173.

#### u04s1 - Learning Components

- List sources of law.
- Outline the criminal procedure process.
- List ways to mitigate risks to avoid civil and criminal liability.
- List various protections that can assure criminal activities are prevented in an organization.
- List programs that help reduce malpractice claims.
- Review legal health care management matters.

#### u04s2 - Informational Interview Preparation

This course requires you to conduct and report on insights gained from an informational interview with a health care professional. Informational interviews provide an opportunity to expand your knowledge and awareness of how the theories and concepts presented in an academic course play out in direct application in the field.

In this unit, begin preparing for your interview by reviewing the Unit 9 assignment and then identifying potential interview candidates within the health care field who you can discuss legal aspects of health care with, and if possible, setting up the interview appointment. In Unit 5, you will begin drafting your interview questions. You must conduct the interview before Unit 9, when the Informational Interview Report assignment is due.

#### u04d1 - Contracts and the Courtroom

### Introduction

As developing or future health care managers, it is important to understand the law and its application within the courtroom. It is also beneficial to have a general understanding of the purpose, types, elements, and overall importance of contracts as they pertain to health care organizations and caregivers.

### Instructions

For your main post, choose two topics for discussion, one each on:

- Contracts and anti-trust.
- Civil procedure and trial practice.

In your post:

- Identify the topics you chose and provide an insightful discussion about them. Please cover the following:
  - Why did you choose this topic?
  - How is it relevant to health care managers?
  - Do you have any personal or professional experiences with this topic?
- Include any additional resources you recommend to your fellow learners to learn more about this topic.

Include references in current APA style and format for all your sources.

### Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Comment on your peer's discussion, highlighting points of interest.
- Identify any questions you have and feel free to address a specific concern if you have one.

u04d1 - Learning Components

- List sources of law.
- List ways to mitigate risks to avoid civil and criminal liability.

**u04a1 - Academic Research Paper: Criminal Aspects of Health Care**

## Preparation

Conduct your own research for resources to support your discussion of the topics covered in this assignment. You will need a minimum of five current scholarly or professional resources to support your discussion.

## Instructions

In a 6–8-page academic research paper:

- Discuss what criminal law is, its main objectives, and the various classifications of crimes.
- Describe the criminal procedure process from arrest through trial and discuss how health care managers can mitigate risks to avoid civil and criminal liability.
- Describe five prevalent crimes that occur in the health care setting, such as health care fraud, kickbacks, false claims, tampering with drugs, Internet pharmacy, falsification of records, patient abuse, criminal negligence, manslaughter, murder, rape, sexual abuse, and theft.
  - Research an actual case related to each of your chosen crimes, summarizing and providing detail on the ultimate outcome of the cases you chose.
- Discuss the role health care managers have in assuring the organizations they lead are legally compliant and what protections can be put in place to assure criminal activities are prevented within their organizations.

### Paper Structure

Structure your paper using the following format.

- Title page.
- Introduction
- Section 1 – Criminal Law.
- Section 2 – Criminal Procedure Process.
- Section 3 – Health Care Crimes.
- Section 4 – Role of Health Care Managers.
- Conclusion.
- References.

## Additional Requirements

Your assignment should also meet the following requirements:

- **Written communication:** Should be clear, concise, well organized, and free of errors that detract from the overall message.
- **Length:** 6–8 double-spaced pages, excluding title and references pages.
- **References:** Cite at least give current scholarly or professional resources.
- **APA format:** Citations and references should be formatted according to current APA style. Refer to Academic Writer for guidance in using proper APA style. See the APA Style and Format section of the Writing Center for instructions on accessing and using Academic Writer.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Academic Research Paper: Criminal Aspects of Health Care Scoring Guide to ensure your work meets the grading criteria for this assignment.

### Course Resources

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[APA Style and Format](#)

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[Topic Exploration Quickstart Literature Guide: Health Care Management](#)

## Unit 5 >> Ethics in Health Care

### Introduction

In this unit, we will overview health care ethics, discussing how the law is often invoked as a result of unfortunate mistakes in the delivery of health and how the practice of ethics helps to avoid such situations. We will then discuss how people's strong will to save and survive have had a significant impact health care providers and organizations. Finally, we will discuss patient's rights to autonomous decision making and examine how this autonomy has been impacted by case law and legislative enactments.

### Learning Activities

#### u05s1 - Studies

### Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 15, "Healthcare Ethics," pages 408–436.
- Chapter 17, "End-of-Life Issues," pages 461–497.

Use the Capella library to read the following:

- Taylor, H. (2015). Legal and ethical issues in end of life care: Implications for primary health care. *Primary Health Care*, 25(5), 34–41.
- Lough, M. E., & Seidel, G. D. (2015). Legal and clinical issues in genetics and genomics. *Clinical Nurse Specialist*, 29(2), 68–70.
- Kassim, P. N. J., & Alias, F. (2016). Religious, ethical and legal considerations in end-of-life issues: Fundamental requisites for medical decision making [PDF]. *Journal of Religion & Health*, 55(1), 119–134.
- Caulfield, S. E. (2007). Health care facility ethics committees: New issues in the age of transparency. *Human Rights*, 34(4), 10–13.
- Ortiz, J., & Casey, D. (2017). Dead wrong! The ethics of culturally competent care. *Medsurg Nursing*, 26(4), 279–282.
- Pendo, E. (2015). What patients with disabilities teach us about the everyday ethics of health care. *Wake Forest Law Review*, 50(2), 287–300.
- Stahl, R. Y., & Emanuel, E. J. (2017). Physicians, not conscripts — Conscientious objection in health care. *The New England Journal of Medicine*, 376(14), 1380–1385.
- Opel, D., Sonne, J. A., & Mello, M. (2018). Vaccination without litigation — Addressing religious objections to hospital influenza-vaccination mandates. *The New England Journal of Medicine*, 378(9), 785–788.

#### u05s1 - Learning Components

- Define ethics and morality as they relate to the health care setting.
- Illustrate why understanding ethics can help health care managers.
- Identify common ethical concepts in the health care setting.
- Identify ethical concepts involving end-of-life issues.
- Define patient autonomy.
- Define situational ethics.
- Define the purpose of ethics committees.
- Identify the role of an ethics committee in patient care.

#### u05s2 - Informational Interview Preparation

Continue to prepare for your informational interview by completing the following tasks in this unit:

- Secure an appointment with your chosen interviewee, if you have not yet done so. You must conduct the interview before Unit 9, when the informational interview report assignment is due.
- Review the Unit 9 assignment instructions and begin drafting the questions you plan to ask during your interview. In the second discussion in Unit 6, you will share your drafted questions with your peers for review and feedback.

## u05s3 - Assignment Preparation

Your next assignment, Presentation: Health Care Ethics, is due in Unit 6. Take some in this unit to review the assignment instructions and scoring guide and begin working on it. If you have questions about the assignment requirements, contact your instructor as soon as possible.

## Using Kaltura

The Unit 6 assignment requires you to record a presentation using Kaltura or similar software. Refer to [Using Kaltura](#) for directions on recording and/or uploading your media in the courseroom.

If you have not already done so, set up and test your headset and webcam, using the installation instructions provided by the manufacturer. Then practice using it to ensure the audio and visual quality is sufficient.

**Note:** If you require the use of assistive technology or alternative communication methods to participate in this activity, please contact [DisabilityServices@Capella.edu](mailto:DisabilityServices@Capella.edu) to request accommodations.

## u05d1 - Ethics in Health Care

### Introduction

Unlike the law, ethics and morals are more ambiguous and are often deep rooted within the individual. For this discussion, we will focus on professional ethics, which refers to the personal, organizational, and corporate standards of behavior that are expected of individuals within an organization.

### Instructions

In your main post:

- Discuss the differences between personal and professional morals and ethics.
- Identify and thoroughly describe an ethical situation and its outcome that you have experienced or researched related to the health care field.
- Suggest what health care leaders can do within their organizations to guide and ensure appropriate moral and ethical behavior.

### Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses, work to move beyond a simple response to your peer's post by attempting to generate some actual back-and-forth dialog between you and your selected peer by asking questions and adding comments that expand and deepen the conversation.

#### Course Resources

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#### Undergraduate Discussion Participation Scoring Guide

#### u05d1 - Learning Components

- Define ethics and morality as they relate to the health care setting.
- List legal and ethical issues in patient care.
- Illustrate why understanding ethics can help health care managers.
- Identify common ethical concepts in the health care setting.
- Define situational ethics.

#### u05d2 - End-of-Life Issues

## Introduction

End-of-life issues continue to cause some of the most controversy and debate facing health care providers. There is no right that is more sacred or guarded by common law than the right of each individual to possess and control their own person, free from all restraint or interference of others.

## Instructions

In your main post:

- Select a topic related to end-of-life issues.
- Discuss your interest in the topic and explain why you think it is important to address.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Comment on your peer's discussion, highlighting points of interest.
- Identify any questions you have and feel free to address a specific concern.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

u05d2 - Learning Components

- Define ethics and morality as they relate to the health care setting.
- Identify common ethical concepts in the health care setting.
- Identify ethical concepts involving end-of-life issues.

### Unit 6 >> Corporate Structure, Medical Staff Organization, and Malpractice

#### Introduction

This unit introduces the health care professional to the responsibilities and legal risks of health care organizations and their governing bodies. We will overview medical staff organization, the credentialing process, and principles of medical ethics, and review cases that focus on the legal risks of physicians. Finally, we will review various medical malpractice cases, focusing on ones in which physicians tend to be most vulnerable to lawsuits.

#### Learning Activities

u06s1 - Studies

## Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 9, "Corporate Structure and Legal Issues," pages 177–216.
- Chapter 10, "Medical Staff Organization and Malpractice," pages 219–258.

u06s1 - Learning Components

- Define ethics and morality as they relate to the health care setting.
- Define malpractice.
- Define negligence.
- List legal and ethical issues in patient care.

- Illustrate why understanding ethics can help health care managers.
- List programs that help reduce malpractice claims.

## u06s2 - Informational Interview Preparation

In this unit, you will continue to prepare for your informational interview by finalizing your interview questions and sharing them with your peers in a discussion for review and feedback.

Review the Unit 9 Informational Interview Report assignment for further information.

## u06a1 - Presentation: Health Care Ethics

### Preparation

This is not a public speaking exercise, but rather an opportunity to learn and practice using business management communication tools and techniques. This assignment requires you to record a PowerPoint presentation using Kaltura or similar software.

**Note:** If you require the use of assistive technology or alternative communication methods to complete this assignment, please contact DisabilityServices@Capella.edu to request accommodations.

### Instructions

Suppose you are preparing a presentation on health care ethics for a group of managers in a health care organization.

Using Kaltura or similar software, record a 10–12-slide (excluding title and references slides) PowerPoint presentation. Capture your comments (script) in the Notes section on each slide *and* collated into a separate Word document. You will submit the Word document when you submit your recorded presentation and PowerPoint slides. Be sure to include visuals in your presentation such as charts, graphs, or other supporting images.

In your presentation, include the following:

- An explanation of the concepts of ethics and morality and how having an understanding of ethical theories, principles, and virtues is helpful for health care managers in resolving ethical dilemmas.
- A discussion of situational ethics, how one's moral character can change as circumstances change, and how one's reasoning skills influence their decision-making process.
- A discussion of the purpose of an ethics committee and its consultative role in the delivery of patient care.
- A description of how patient autonomy has been impacted over the years by case law and legislative enactments.
- A discussion of the following ethical concepts dealing with end-of-life issues: preservation of life with limits, euthanasia, advance directives, futility of treatment, withholding and withdrawal of treatment, and do-not-resuscitate orders.

### Recording Tips and Suggestions

You may record your presentation using any device and software you are comfortable with, as long as the file is supported by the Capella courseroom. Before you submit your presentation, be sure the audio and video are of sufficient quality. If you choose to use Kaltura, a tutorial is included in the resources area of this assignment. Please refer to the tutorial for instructions on downloading the program, recording your presentation, and uploading any type of media file into the assignment area.

Tips:

- Do not record yourself simply reading your script to your audience. Draft bullet points or an outline to follow, expanding each point with knowledge and ideas in your own words.
- Practice recording your presentation to be sure you have sufficient quality audio and video and to polish your delivery.

### Additional Requirements

Your assignment should also meet the following requirements:

- **Submissions:** You will be submitting the following three files:
  - **Recording:** Any file format that can be uploaded.



- **PowerPoint slides:**Title and references slides as well as 10–12 slides of content, including comments in the Notes section of the slides. (Note: Your recorded file and PowerPoint presentation may be combined depending on your software.)
- **Word document:**Script of your presentation (from slide notes), including the reference list.
- **Communication:**Presentation should be clear and well organized, with no technical writing errors, as expected of a business professional.
- **Presentation length:** 10–12 slides, not including the title and reference slides.
- **Resources:**At least three current scholarly professional resources. Include citations at the end of the presentation.
- **APA format:**Resources and citations are formatted according to current APA style and format.
- **Font and font size:** Times New Roman, appropriate size and weight for presentations, generally 24–28 points for headings and no smaller than 18 points for bullet-point text.

Refer to the Presentation: Health Care Ethics Scoring Guide to ensure your work meets the grading criteria for this assignment.

Course Resources

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[APA Style and Format](#)

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[Capella University Library: PowerPoint Presentations](#)

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[DisabilityServices@Capella.edu](mailto:DisabilityServices@Capella.edu)

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[Topic Exploration Quickstart Literature Guide: Health Care Management](#)

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[Using Kaltura](#)

## u06d1 - Legal Risks: Health Care Organizations and Physicians

### Introduction

Health care managers are continually tasked with managing their organization's legal risks. Key approaches to reducing these risks involve the implementation of a systematic medical system, eliminating risk factors in administrative service, training employees on preventative strategies, and improving overall customer service. In addition, attention must also be placed on developing strategies to manage medical disputes and malpractice lawsuits.

### Instructions

In your main post, describe common medical errors that can lead to malpractice, related to patient assessment, diagnosis, treatment, discharge, and follow-up care.

Include references in current APA style and format for all your sources.

### Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Add to your peer's examples of legal risks and common medical errors by providing additional examples that they did not mention.
- Challenge yourself to move beyond a simple response to your peer's post by attempting to generate some actual back-and-forth dialog through the use of questions and comments that expand and deepen the conversation.

Course Resources

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[Undergraduate Discussion Participation Scoring Guide](#)

## u06d1 - Learning Components

- Define malpractice.

- List legal and ethical issues in patient care.
- List programs that help reduce malpractice claims.
- Review legal health care management matters.

## u06d2 - Informational Interview: Initial Plans

### Introduction

Informational interviews provide an opportunity to expand your knowledge and awareness of how the theories and concepts presented in an academic course play out in direct application in the field. Over the next few weeks (in preparation for your Unit 9 assignment), you will need to interview a health care professional focusing on the legal aspects of health care.

Completion of this discussion and the feedback you receive will help you prepare for your upcoming informational interview assignment.

### Instructions

In your main post:

- Identify the managerial candidate you have chosen for your interview and briefly describe his or her organization or department.
- Identify how you plan to conduct the interview (in person, virtual, or phone).
- Share the time and place of interview, if scheduled or already completed.
- Share your interview questions.

Include references in current APA style and format for all your sources.

### Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Comment and offer suggestions on your peer's choice of interviewee, depth of preparation, and the quality and relevance of their interview questions.
- Identify ideas that were shared that will help you prepare for your own interview.

#### Course Resources

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Undergraduate Discussion Participation Scoring Guide

## u06d2 - Learning Components

- Identify a managerial candidate to interview.
- Write interview questions.

## Unit 7 >> Patient Records and Information Management

### Introduction

In this unit, we will examine the importance of maintaining complete and accurate records, the ownership of and who can access a patient's medical record, advantages and disadvantages of electronic medical records, and why the medical record is an important part of a legal proceeding. Finally, we will discuss the purpose of the Privacy Act of 1974 and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and how they affect hospital and physician practices.

### Learning Activities

## u07s1 - Studies

## Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 13, "Information Management and Patient Records," pages 341–365.

Use the Capella library to read the following:

- Lyles, C. R., Fruchterman, J., Youdelman, M., & Schillinger, D. (2017). Legal, practical, and ethical considerations for making online patient portals accessible for all. *American Journal of Public Health*, 107(10), 1608–1611.
- Kruse, C. S., Smith, B., Vanderlinden, H., & Nealand, A. (2017). Security techniques for the electronic health records [PDF]. *Journal of Medical Systems*, 41(8), 1–9.
- Luna, R., Rhine, E., Myhra, M., Sullivan, R., & Kruse, C. S. (2016). Cyber threats to health information systems: A systematic review. *Technology & Health Care*, 24(1), 1–9.
- Mello, M. M., Adler-Miilestein, J., Ding, K. L., & Savage, L. (2018). Legal barriers to the growth of health information exchange—Boulders or pebbles? *Milbank Quarterly*, 96(1), 110–143.
- Yaraghi, N., & Gopal, R. D. (2018). The role of HIPAA Omnibus Rules in reducing the frequency of medical data breaches: Insights from an empirical study. *Milbank Quarterly*, 96(1), 144–166.
- AHC Media. (2018). Federal court affirms no private right of action. *Hospital Access Management*, 37(9).
- Bhuyan, S. S., Bailey-DeLeeuw, S., Wyant, D. K., & Chang, C. F. (2016). Too much or too little? How much control should patients have over EHR data? [PDF]. *Journal of Medical Systems*, 40(7), 1–4.

### u07s1 - Learning Components

- Identify the various legalities of maintaining medical records.
- Define the Health Insurance Portability and Accountability Act of 1996.
- Define the Privacy Act of 1974.
- Describe strategic planning as it relates to information management and patient records.

### u07s2 - Assignment Preparation

Your next assignment, Strategic Planning Resource Packet: Information Management / Patient Records, is due in Unit 8. Take some time in this unit to review the assignment and its scoring guide and begin working on it. If you have questions about the assignment requirements, contact your instructor as soon as possible.

### u07d1 - Information Management and Patient Privacy

## Introduction

Health information management plays a critical role in ensuring compliance with legal mandates relevant to the privacy and security of patient information. This role has proven to be exceptionally challenging for the health care manager provided the constantly changing legislative and regulatory environment.

## Instructions

In your main post:

- Discuss the importance of proper health information management, key sources of information breaches, and provide an example of a current information breach within the health care industry.
- Describe the purpose of the Privacy Act of 1974 and HIPAA and how they affect hospital and physician practices.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Identify additional reasons for proper information management and information breaches not already noted by your peer in their post.
- Identify additional ways that the Privacy Act of 1974 and HIPAA can affect health care organizations and the management that lead them.

Course Resources

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## Undergraduate Discussion Participation Scoring Guide

### u07d1 - Learning Components

- Identify the various legalities of maintaining medical records.
- Define the Health Insurance Portability and Accountability Act of 1996.
- List legal and ethical issues in patient care.
- List programs that help reduce malpractice claims.
- Define the Privacy Act of 1974.
- Describe strategic planning as it relates to information management and patient records.

### u07d2 - Patient Records

## Introduction

Maintaining thorough and detailed medical records is not only essential in the continuity of care for patients, but is also vital when defending a complaint or clinical negligence claim. Importantly, the presence of a complete, up-to-date and accurate medical records can make all the difference to a legal outcome if one should arise.

## Instructions

In your main post, from a legal and health care management perspective:

- Discuss the importance of maintaining complete and accurate patient records and why the medical record is an important part of a legal proceeding.
- Identify and discuss the pros and cons of electronic medical records.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Comment on your peer's discussion, highlighting points of interest.
- Identify any questions you have and feel free to address a specific concern.

Course Resources

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## Undergraduate Discussion Participation Scoring Guide

### u07d2 - Learning Components

- Identify the various legalities of maintaining medical records.
- Describe strategic planning as it relates to information management and patient records.

## Unit 8 >> Employee Rights and Responsibilities, Labor Relations, and Liability Insurance

### Introduction

In this unit, we will examine the employer-employee relationship in health care organizations, considering employment practices such as wages, hours, working conditions, union activity, workers' compensation laws, occupational safety and health laws, and employment discrimination law. We will then overview the employment process in the health care setting working to better understand the balance between the rights and responsibilities of the employee and the needs of the organization. Finally, we will review basic concepts related to professional liability insurance and how decisions must be made by health care organizations to mitigate the costs of skyrocketing malpractice premiums.

## Learning Activities

### u08s1 - Studies

## Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 19, "Labor Relations," pages 516–534.
- Chapter 20, "Employment-at-Will, Rights, and Responsibilities," pages 537–560.
- Chapter 21, "Professional Liability Insurance," pages 564–571.

### u08s1 - Learning Components

- Review employment laws.
- List ways to mitigate risks to avoid civil and criminal liability.
- Describe the various legal components of hiring and firing employees.
- Review legal health care management matters.
- Describe the various federal labor acts.
- Describe the employment-at-will doctrine.

### u08s2 - Informational Interview Preparation

Your next assignment, Informational Interview Report: Labor Relations, Employment Process, and Professional Liability Insurance, is due in Unit 9. At this point, you should have completed or be near completing your actual interview. Be sure to obtain permission from your interviewee if you want to record the conversation, and ask if you can contact the interviewee again if you need additional information or clarification.

In preparation for the Unit 9 assignment, take some time in this unit to review the assignment instructions and scoring guide again and begin working on it. If you have questions about the assignment requirements, contact your instructor as soon as possible.

### u08d1 - Employment and Labor Laws

## Introduction

As in most industries, employers in health care are dealing with a vast and growing number of employment and labor law challenges. These laws are critical for the health care manager to understand, as they provide structure to the workplace and clearly define what employees and employers are responsible for. When there is compliance, legal protection is ensured and both parties are assisted in finding the necessary direction for resolving workplace conflict.

## Instructions

In your main post:

- Identify and briefly summarize key employment and labor laws (acts and policies) that exist to protect both the employer and employee.
- Choose one of these laws and highlight its key components.
- Provide and justify a credible source that a health care manager could access to gain a deeper understanding of this law.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses, comment on your peer's discussion, providing an additional source not identified by them that could help health care managers gain a better understanding of their selected law.

Course Resources

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### Undergraduate Discussion Participation Scoring Guide

#### u08d1 - Learning Components

- Review employment laws.
- Describe the various legal components of hiring and firing employees.
- Review legal health care management matters.
- Describe the employment-at-will doctrine.

#### u08a1 - Strategic Planning Resource Packet: Information Management / Patient Records

## Preparation

Read the following scenario and assignment requirements, then conduct a search in the Capella library and on the Internet to find a minimum of five current scholarly or professional credible resources related to the topics of information management and patient records.

### Scenario

Imagine you are a manager for a consulting company that assists U.S. health care organizations in streamlining processes, driving business outcomes, and restructuring their organizations to better prepare for the legal aspects of health care in the United States related to information management and patient records. Your director has asked you to develop a strategic planning resource packet that your firm will use to assist clients in protecting against these concerns.

## Instructions

In a 7–9-page resource packet:

- Explain the legal importance of maintaining complete and accurate records and the ownership of and who can access a patient's medical record.
- Describe from a legal perspective the advantages and disadvantages of electronic medical records.
- Describe a variety of ways in which medical records have been falsified and the importance of medical records in legal proceedings.
- Describe the purpose of the Privacy Act of 1974 and HIPAA and how they affect health care organizations.
- Use legal terms and principles to identify key considerations that health care organizations must keep in mind when conducting strategic planning related to information management and patient records.

Be sure to organize your resource packet logically, and use headings and subheadings as appropriate.

## Additional Requirements

Your assignment should also meet the following requirements:

- **Written communication:** Should be clear, concise, well organized, and free of errors that detract from the overall message, as expected of a professional management resource.
- **Length:** 7–9 double-spaced pages, excluding cover and reference pages.
- **APA format:** Citations and references should be formatted according to current APA style. Refer to Academic Writer for guidance in using proper APA style. See the APA Style and Format section of the Writing Center for instructions on accessing and using Academic Writer.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Strategic Planning Resource Packet: Information Management / Patient Records Scoring Guide to ensure your work meets the grading criteria for this assignment.

Course Resources

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## Unit 9 >> Patient Consent, Rights, and Responsibilities

### Introduction

Each individual citizen possesses certain rights guaranteed by the U.S. Constitution, including the freedoms of speech, religion, and association, and also the right to not be discriminated against on the grounds of race, creed, color, or national origin. In this unit, we will focus on certain aspects of these rights related to the patient including consent, rights, and responsibilities.

### Learning Activities

#### u09s1 - Studies

### Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 14, "Patient Consent, Rights and Responsibilities," pages 369–405.

Use the Capella library to read the following:

- Cox, C. (2015). Law of consent in healthcare. *Journal of Diabetes Nursing*, 19(8), 314–317.
- Bergé, P. I. (2019). Informed consent for medical or surgical treatment. *Journal of Legal Nurse Consulting*, 30(1), 8–12.
- Pope, T. M. (2017). Certified patient decision aids: Solving persistent problems with informed consent law. *The Journal of Law, Medicine & Ethics*, 45(1), 12–40.

#### u09s1 - Learning Components

- List sources of law.
- Define the Health Insurance Portability and Accountability Act of 1996.
- List ways to mitigate risks to avoid civil and criminal liability.
- List legal and ethical issues in patient care.
- Define the Privacy Act of 1974.
- Define patient autonomy.

#### u09d1 - Case Study: Patient Rights

### Introduction

Although case law and statutes of one state are not binding in another state, having awareness and knowledge of key legal cases overall that impact health care, can be beneficial to anyone working within the field.

### Instructions

For your main post, select a case from or related to this unit's textbook readings on patient consent, rights, and responsibilities. In your post:

- Provide a thorough overview of the case, including the facts, issues, the results of the case (holding) and the basis for the court's decision.
- Provide and justify your opinion on the outcome and how the initial issue could have been prevented.

### Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning. Choose posts that focus on a case different from the one you chose.

In your responses:

- Discuss what stood out to you about the case that your peer chose to review.
- Provide and justify your opinion on the outcome of their chosen case.

Course Resources

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## Undergraduate Discussion Participation Scoring Guide

### u09d1 - Learning Components

- List legal and ethical issues in patient care.
- List various protections that can assure criminal activities are prevented in an organization.
- Define patient autonomy.

### u09a1 - Informational Interview Report: Labor Relations, Employment Process, and Professional Liability Insurance

## Prior Preparation

This assignment requires you to interview a health care manager to obtain and report information and insights about the employment environment in which the manager practices. By this time, you should have completed the following:

- Unit 4: Review the assignment requirements and scoring guide to understand what the requirements and grading criteria for this assignment. Identify candidates for your interview and to try to secure an appointment with your chosen candidate.
- Unit 5: Secure an interview candidate if you have not already done so and begin drafting your interview questions. It is suggested that you review the assignment instructions and scoring guide again.
- Unit 6: Finalize your interview questions and then share them with your colleagues within the Unit 6 discussion forum to get feedback on your questions and assist other learners with theirs. You will also want to make any updates necessary based on your peer's feedback.
- Unit 8: After completing the Unit 8 studies, conduct your actual interview and then begin to prepare for this assignment.

## Instructions

Once your interview has been completed, combine your research with the insight you gained from your interviewee in a 5–6-page business report that includes the following sections and content.

- Title page.
  - Include a standard title page.
- Section 1 – Interviewee Introduction.
  - Introduce your interviewee. Identify and describe the organization they work for and their position.
  - Summarize your interviewee's background, including how they became interested in working in the health care field, how long they have worked in the field, their various positions in and out of the field, and their educational path.
  - Discuss your interviewee's overall experience with the legal aspects of health care and how often they use or are impacted by these aspects in their day-to-day responsibilities.
- Section 2 – Health Care Management Responsibilities.
  - Discuss legal health care management matters such as employment practices (wages, hours, working conditions, and affirmative action), union activity, workers' compensation laws, occupational safety and health laws, sexual harassment, and employment discrimination law.
  - Provide an overview the employment process within health care, including the balance of rights and responsibilities of the employee versus the needs of the organization, circumstances that frequently cause employers to discharge an employee, and overall effective hiring practices.
  - Discuss the employment-at-will doctrine, various federal labor acts, public policies that protect employees from unlawful discharge, what is meant by retaliatory and constructive discharge, and how to defend a claim for unfair discharge.
  - Describe the purpose of a malpractice insurance policy, including risk categories, and the importance to professionals of carrying professional liability insurance.
  - Add any other relevant information gained from your interview related to any of our other studies in legal aspects of health care management.
- Section 3: Summary.
  - In this section, summarize the key points of your analysis and key information that you learned and insights you gained from your interview. Discuss how what you learned from the analysis and interview will help you prepare for a career in management.
- References page.
  - Include a standard references page.



## Additional Requirements

Your assignment should also meet the following requirements:

- **Report structure:** Include a title page, references page, and sections as listed above.
- **Written communication:** Should be clear, concise, well organized, and free of errors that detract from the overall message, as expected of a business professional.
- **Length:** 5–6 double-spaced pages, excluding title page and references.
- **APA format:** Citations and references should be formatted according to current APA style. Refer to Academic Writer for guidance in using proper APA style. See the APA Style and Format section of the Writing Center for instructions on accessing and using Academic Writer.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Informational Interview Report: Labor Relations, Employment Process and Professional Liability Insurance Scoring Guide to ensure your work meets the grading criteria for this assignment.

Course Resources

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[APA Style and Format](#)

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[Topic Exploration Quickstart Literature Guide: Health Care Management](#)

## Unit 10 >> Legal Reporting Requirements

### Introduction

In this final unit, we will wrap up with an overview of a variety of legal reporting requirements for health care organizations mandated by both federal and state regulatory agencies. We will discuss the value of this reporting in safeguarding the health of the nation's population and typical items to be reported, along with certain protections that have been put in place to protect the person who is making the report in good faith.

### Learning Activities

#### u10s1 - Studies

## Readings

Use your *Legal Aspects of Health Care Administration* text to read the following:

- Chapter 18, "Legal Reporting Requirements," pages 502–513.

Use the Capella library to read the following:

- Davis, C. S., Green, T. C., Hernandez-Delgado, H., & Lieberman, A. J. (2018). [Status of US state laws mandating timely reporting of nonfatal overdose](#). *American Journal of Public Health, 108*(9), 1159–1161.
- Herzig, C. T. A., Reagan, J., Pogorzelska-Maziarz, M., Srinath, D., & Stone, P. W. (2015). [State-mandated reporting of health care-associated infections in the United States: Trends over time](#). *American Journal of Medical Quality, 30*(5), 417–424.
- Jarlenski, M., Hogan, C., Bogen, D. L., Chang, J. C., Bodnar, L. M., & Van Nostrand, E. (2017). [Characterization of US state laws requiring health care provider reporting of perinatal substance use](#). *Women's health issues, 27*(3), 264–270.
- Walker, R. M. (2017). [Mandatory reporting of intimate partner violence: An ethical dilemma for forensic nurses](#). *Journal of Forensic Nursing, 13*(3), 143–146.

#### u10s1 - Learning Components

- List sources of law.
- Identify the various legalities of maintaining medical records.
- Review employment laws.
- List ways to mitigate risks to avoid civil and criminal liability.
- List legal and ethical issues in patient care.

- List programs that help reduce malpractice claims.
- Review legal health care management matters.
- Describe strategic planning as it relates to information management and patient records.

#### u10d1 - Informational Interview: Results

## Introduction

By sharing your findings and overall knowledge gained from your professional interview based on your interviewee's real-life experiences related to various legal aspects of health care management, you are helping to enrich your peers' understanding of the application of course content.

## Instructions

For this discussion, post your Unit 9 assignment as soon as possible for your peers to review.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Highlight details and insights gained from your peer's report and discuss the value of this information in relation to your current or future health care management career.
- Discuss, when reviewing interviewee comments related to their overall experience with the legal aspects of health care management and how often they use or are impacted by them in their day-to-day responsibilities, what stood out to you most about their comments. Did you notice any common trends in responses or unique outliers?

Course Resources

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Undergraduate Discussion Participation Scoring Guide

#### u10d1 - Learning Components

- Describe the various legal components of hiring and firing employees.
- Describe the various federal labor acts.
- Describe the employment-at-will doctrine.

#### u10d2 - Legal Reporting Requirements

## Introduction

Health care providers face the difficult task of deciding whether a given situation constitutes enough of a risk to breach a patient's confidentiality. However, there are numerous legal reporting requirements mandated by both federal and state regulatory agencies to safeguard the health of the nation's population.

## Instructions

In your main post:

- Identify and briefly summarize key legal reporting requirements that exist to protect both the patient and provider.
- Choose one of these requirements and highlight its key components. Provide and justify a credible source that a health care manager could access to gain a deeper understanding of this reporting requirement.

Include references in current APA style and format for all your sources.

## Response Guidelines

Read and respond to the main posts of at least two peers as early in the unit as possible to ensure the development of quality conversation and depth of learning.

In your responses:

- Comment on your peer's discussion, highlighting points of interest. Identify any questions you have and feel free to address a specific concern.
- Challenge yourself to move beyond a simple response to your peer's post by attempting to generate some actual back-and-forth dialog through the use of questions and comments that expand and deepen the conversation.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

u10d2 - Learning Components

- List ways to mitigate risks to avoid civil and criminal liability.

**u10d3 - Course Reflection, Experiences, and Learning**

## Introduction

Thoroughly understanding the legal aspects of health care management requires deep reflection on facts, ideas, and concepts. As a busy learner, it can be a challenge to find the time to reflect to digest what you have learned and experienced as you move quickly from one unit to the next. However, doing so will help you gain clarity as well as self-knowledge regarding personal application of the concepts and theories you have explored throughout the quarter.

## Instructions

In your main post:

- Discuss an important insight, idea, concept, or body of information gained from your studies in this course.
- Discuss something you learned that is immediately applicable in your current or future management career.
- Discuss a topic, an article, an author, or a publication that sparked your interest for further research.
- List, with links, resources from the course that you would like to revisit for future use in your studies and your career.

Include references in current APA style and format for all your sources.

## Response Guidelines

Responses to posts in this discussion are recommended, but optional. If you do respond to peers' posts, you may wish to comment on their learning experiences or provide feedback on the topics and resources they chose for further research and future use.

Course Resources

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