

# Legal and Ethical Aspects of Healthcare Online Syllabus Shorter University

## Instructor Information

See link in Canvas.

## Course Information

- Course: Legal and Ethical Aspects of Healthcare
- Course Number: BUS 5130
- Credit Hours: 3
- Prerequisites: None

## Course Description

This course examines the current and historical overview of the legal oversight and regulation of health care delivery in the U.S. It examines principles and practical applications of the laws that affect the operational decisions of various healthcare organizations, as well as, the decisions impacting the development of markets for health care products and services. Also considered are the social, moral, and ethical issues encountered in trying to balance the interests, needs, and rights of individuals against those of the larger society.

## Student Outcomes

By the end of this course, students will be able to:

- Describe the organizational structure of the Department of Health and Human Services.
- Explain the development of case law and how it differs from statutory and administrative law.
- Describe the function of various government ethics committees.
- Describe the concepts of ethics and morality.
- Explain what criminal law is, the classification of crimes and its purpose.
- Describe the criminal procedure process from arrest through trial.
- Describe several of the more common crimes that occur in the healthcare setting.

- Discuss the various categories of nursing staff and the legal risks of nurses.
- Describe the legal risks of advance practices nurses.
- Describe a variety of negligent errors by allied health professionals.
- Discuss the importance of understanding patient rights and responsibilities.
- Discuss the Advisory Commission on Consumer Protection and Quality in the Health Care Industry's listing of patient responsibilities.
- Explain the concept of *informed consent*.
- Discuss the difference between verbal, written and implied consent.
- Discuss the role of the patient, physician, nurse, and hospital in informed consent.
- Describe various forms of child abuse, how to recognize it and reporting requirements.
- Describe various forms of elder abuse, how to recognize it and reporting requirements.
- Discuss the importance of reporting births and deaths.
- Explain why it is important to report communicable diseases, adverse drug reactions and infectious diseases.
- Explain how and why physician incompetency is reported.
- Describe the purpose of an insurance policy including risk categories and the importance of professionals to carry professional liability insurance.
- Explain the elements and conditions of an insurance policy.
- Describe the investigation and settlement of claims.
- Explain the various federal and state labor acts.
- Describe and understand the rights of employees.
- Describe and understand the responsibilities of employees.
- Explain what professionals can do to improve professional relationships between one another, as well as between caregivers and patients.
- Describe the meaning of defensive medicine.

## Required Texts

Pozgar, George D. (2019). Legal Aspects of Health Care Administration (13<sup>th</sup> Ed.). Jones & Bartlett Learning.

ISBN13: 9781284127171

ISBN10: 1284127176

## Library

Shorter University library on-campus and Online for peer reviewed articles: <http://www.shorter.edu/libraries/>

Once you're on the library's webpage, click on any relevant button for research and downloading peer reviewed articles: Library Catalog, Galileo, Shorter Libguides, EBSCO, etc.

## Supplemental Materials

Guidelines for APA format academic papers: <https://owl.english.purdue.edu/owl/section/2/10/>

How to avoid plagiarism: <http://owl.english.purdue.edu/owl/resource/589/01>

Ethics Resource Center: <https://www.ethics.org/>

## Journals and Useful Websites

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You **can cite** articles pulled from journals and websites below:

- Academy of Management Journal
- Academy of Management Journal.
- Academy of Management Review
- Academy of Management Review.
- All other credible Business Administration and Management Journals.
- All other credible Human Resources Journals.
- All other credible Strategic Management Journals.
- Business and Professional Ethics Journal
- Business and the Contemporary World
- Business Communication Quarterly.
- Business Ethics Quarterly.
- Business Ethics: A European Review.
- Credible scholarly websites like: “.gov”, “.org”, “.edu”, etc.
- Ethics & International Affairs.
- European Union: [https://europa.eu/european-union/index\\_en](https://europa.eu/european-union/index_en)
- Export.gov: <https://www.export.gov/welcome>
- Harvard Business Review.
- Healthcare Administration Journals
- Healthcare Management Journals
- Hospital Administration Journals
- International Monetary Fund: <http://imf.org>
- International Trade Administration: <https://www.trade.gov/>
- Journal of Business Communication.
- Journal of Management
- Journal of the Society of Christian Ethics.
- Publishers research websites “.com”
- The Economist: <http://www.economist.com>
- The Human Resource Management Review (HRMR).
- The International Journal of Human Resources Management.
- The U.S. Census Bureau: <http://www.census.gov/foreign-trade/top/>
- Transparency International: <https://www.transparency.org/>
- Workforce.org Publishing.
- World Bank: <http://www.worldbank.org>
- World Economic Forum: <https://www.weforum.org/>
- World Export-Import Bank of the United States: <http://www.exim.gov>
- World Fact book: <http://www.cia.gov/cia/publications/factbook>
- World Intellectual Property Organization: <http://www.wipo.int/portal/en/>
- World Trade Organization: <https://www.wto.org/>

**NOTE:** The below websites are not recommended for citing/referencing, they are only to be used for cross-checking current Legal and Ethical Aspects of Healthcare affairs, and relating their contents to peer reviewed articles you may pull from Library Catalog, Galileo, Shorter Libguides, EBSCO, etc.

- Bloomberg: <https://www.bloomberg.com/>
- British Broadcasting Corporation (BBC): <http://www.bbc.com/>
- Business Insider: <http://www.businessinsider.com/>
- Forbes: <https://www.forbes.com/#4d1bc2e82254>

- Reuters: <https://www.reuters.com/>
- US Today: <https://www.usatoday.com/>
- Wall Street Journal: <https://www.wsj.com/>
- Washington Post: <https://www.washingtonpost.com/>

All the above news sites are also available at "Online Newspapers": <http://www.onlinenewspapers.com/>

**You cannot cite articles pulled from websites below:**

- All random ".com" sites.
- YouTube and Random Videos.
- Wikipedia and all Wikis and/or Pedias.
- Encyclopedias.
- Dictionaries.

Your assignments' references must be articles pulled from the relevant sources listed above. When grading your professor will check any articles pulled from other websites not listed.

**Do not just pick anything from the internet and perceive as credible, verify with your professor.**

## Technology

- You must have regular access to a computer and an Internet connection to participate in this course. All coursework is conducted online, and no in-person meetings will be held.
- Shorter University uses Canvas as its online Learning Management System (LMS). An LMS provides students and faculty with an Internet-based learning environment that is both secure and easy to use. All course materials will be provided through Canvas, and all assignments will be submitted through the software, as well. When a student is enrolled in a course, they will automatically be enrolled in the course module in Canvas.
- Students can [log in to Canvas](#) using their normal SCHOLAR ID and password.
- Students should always email their instructors from their Shorter University Hawkmail account. Emails can be initiated from an email program or from Canvas itself.
- Assignments may be distributed in proprietary file formats, such as PDF or Microsoft Word. Students will be expected to have the necessary software to open and interact with these files.

## Grading Information

Assessments	Points
Discussion Forums: 20 points – 8 weeks (Initial post 10 points, two responses 5 points each)	160
Quizzes: 36 points (week 2 & 4); 34 points (week 6 & 8)	140
Case Analyses: 75 points each – (week 1, 2, 3, 5, 7, & 8)	450
Reflection Papers (Assignments): 100 points each – (Weeks 2, 4, 6, & 8)	400
Project Phase I: (Week 3)	100
Project Phase II: (Week 5)	150
Project Phase III: (Week 7)	200
<b>Total for the course</b>	<b>1600</b>

Grade Scale	Points
A	90-100
B	80-89
C	70-79
D	60-69
F	59 and below

## Course Assessments and Policies

### Discussion Forum Participation

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In a traditional classroom, each student would be expected to attend class regularly and interact with the professor and with the other students. The online classroom is no different. The discussion forum allows us to reflect on each week's material individually, but more importantly, it also allows us to discuss the material with one another and learn as a community. Each week's discussion forum will have a topic which will either require you to respond to a reading or critically engage with an issue.

1. Post your original discussion (initial post) no later than two days of the beginning of the **Week "Monday"**. Follow up with two responses and/or additional posts to your classmates before discussion forum closing time (**Sunday 11:59 pm**).
2. Discussions posted after closing time will not be graded. All posts and responses must comply with APA writing conventions.
3. Initial posts must have a **minimum of two references** (the textbook, peer reviewed articles from Galileo online library, and/or credible internet sources).
4. Responses must also have a **minimum of one reference** (the textbook, peer reviewed article from Galileo online library, and/or credible internet sources):
  - Expand on the colleague's posting with additional insight and resources.
  - Offer polite disagreement or critique, supported with evidence.
  - Offer and support an opinion.
  - Validate an idea with your own experience.
  - Make a suggestion or comment that guides or facilitates the discussion.
5. Points will be deducted for grammar and spelling issues.

Class participation is an important component of any online course. This requires posting a well thought-out answer, and then, a well thought-out and thorough response to your classmates. You are free to encourage, agree, and even disagree with your classmates; however, be sure your response is intelligent, supported by the material, and adds value to the answer to which you are responding. Always be professional and courteous with your comments, and refrain from making any personal statements that may be interpreted as being negative.

### Quizzes

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There are 4 sets of quizzes, each set with 20 Multiple choice questions/statements, and offered in Weeks 2, 4, 6, and 8.

### Case Analyses

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#### **Based on application of legal doctrines and principles**

You must be able to apply the material learned. Legal doctrines and principles must not only be remembered, but also used to solve specific concrete problems. Your grasp of the material will be measured through your application of legal doctrines and principles to a case.

Case Analyses are due no later than the specified time (**Sunday 11:59 pm**).

1. You must give quality answers that show mastery of the case, using clear logic, and supporting facts. Also, the answers must directly address the case.
2. Case Analyses test the understanding of key elements of Legal and Ethical Aspects of Healthcare, therefore they must be thoroughly addressed.

3. You must use citations with references to document information obtained from sources. The key elements of Legal and Ethical Aspects of Healthcare are found in the sources listed in this syllabus (it is your duty to search for them, read, analyze, evaluate, summarize, paraphrase in your answers, and cite the authors who wrote the articles, books, term papers, memoirs, studies, etc. What it means is that you will have **not less than 4 references** from the listed sources.
4. Grammatically correct paper, no typos, and must have obviously been proof read for logic.
5. Questions must be typed out as headings, with follow up answers in paragraph format, and a summary or conclusion at the end of the paper as set in the outline to be provided by the professor.

Case Analyses must be in APA format.

## Reflection Papers (Assignments)

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### **Based on the current and historical overview of the legal oversight and regulation of health care**

The purpose of the reflection papers is to evaluate what you have learned in the module (Week). You will evaluate concepts, policies, and the current/historical overview of the legal oversight using your learned knowledge. One of the best ways is to make a critical evaluation is to ask questions using “why” and “how”. Reflection papers, require indepth knowledge through research, hence the need for more references and citations.

They are due no later than the specified time (**Sunday 11:59 pm**).

1. The reflection on concepts, policies, and the current/historical overview of the legal oversight must show quality definitions, relating to previous researches using clear logic, and supporting facts.
2. You must use citations with references to document information obtained from sources. The key elements of concepts, policies, and the current/historical overview of the legal oversight are found in the sources listed in this syllabus (it is your duty to search for them, read, analyze, evaluate, summarize, paraphrase in your answers, and cite the authors who wrote the articles, books, term papers, memoirs, studies, etc. What it means is that you will have **not less than 5 references** from the listed sources.
3. Grammatically correct paper, no typos, and must have obviously been proof read for logic.
4. The chapters must be typed out as headings, followed by a write-up in paragraphs format, and a summary or conclusion at the end of the paper as set in the outline to be provided by the professor.

The paper must be in APA format.

## Course Project

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### **The course project has three phases, because it is incremental: Week 3 – Phase I, Week 5 – Phase II, and Week 7 – Phase III.**

The purpose of the course project is to apply the content learned throughout the course and develop some policies and standards for a small/medium healthcare system. You will apply 12 major areas of importance for which a small/medium healthcare system would need to develop legal and ethical guidelines and policies to ensure prioritized policies are created and enforced. The ideal submission would be directly transferable to an operating healthcare system. You are expected to submit such a product for which you would feel completely comfortable in

submitting as a Director of Quality and Patient Safety to your COO/CEO for approval. Below are the 12 major:

1. Government, Law, and Ethics
2. Tort Law – Negligence
3. Criminal Aspects of Health Care
4. Contracts and Anti-Trust
5. Civil Procedure and Trial Practice
6. Corporate Structure and Legal Issues
7. Medical Staff Organization and Malpractice
8. Hospital Departments and Allied Professionals
9. Healthcare Ethics
10. Procreation and Ethical Dilemmas
11. End-of-Life Issues
12. Managed Care & National Health Insurance

**Complete project guidelines in Canvas.**

## Participation Policy

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Participation is required to complete this course successfully. Please note that participation is measured by completing the discussion forums each week by the specified due dates, in conjunction with all assignments and tests.

## Late Work

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As a general rule, late work is not accepted. Because the course is only eight weeks long, it is important that you turn your assignments in on time. Should you have an emergency situation, please contact your professor directly.



## Course Schedule

(Check Canvas for details of assignments.)

**Week 8 ends on a Friday, so ensure that all assignments are completed by Friday during the last week.**

Week	Reading	Weekly Assessments and Due Dates
1	Pozgar: Chapters 1-4	Discussion forum due Sunday 11:59 pm Case Analysis #1 due Sunday 11:59 pm
2	Pozgar: Chapters 5-7	Discussion forum due Sunday 11:59 pm Reflection #1 due Sunday 11:59 pm Case Analysis #2 due Sunday 11:59 pm Quiz due Sunday 11:59 pm
3	Pozgar: Chapters 8-10	Discussion forum due Sunday 11:59 pm Case Analysis #3 due Sunday 11:59 pm Project Phase I due Sunday 11:59 pm
4	Pozgar: Chapters 11-13	Discussion forum due Sunday 11:59 pm Reflection #2 due Sunday 11:59 pm Quiz due Sunday 11:59 pm
5	Pozgar: Chapters 14-16	Discussion forum due Sunday 11:59 pm Case Analysis #5 due Sunday 11:59 pm Project Phase II due Sunday 11:59 pm
6	Pozgar: Chapters 17-19	Discussion forum due Sunday 11:59 pm Reflection #3 due Sunday 11:59 pm Quiz due Sunday 11:59 pm
7	Pozgar: Chapters 20-22	Discussion forum due Sunday 11:59 pm Case Analysis #7 due Sunday 11:59 pm Project Phase III due Sunday 11:59 pm
8	Pozgar: Chapters Review.	Discussion forum due Friday 11:59 pm Reflection #4 due Friday 11:59 pm Case Analysis #8 due Friday 11:59 pm Quiz due Friday 11:59 pm

# Policies and Procedures

## Netiquette

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Netiquette is a set of rules for how to communicate effectively and politely online.

Effective written communications are an important part of online learning. In a face to face class, body language along with verbal responses and questions help students and the instructor communicate with each other. In an online environment, however, misunderstandings can easily occur when basic rules of Netiquette (online etiquette) are not followed, such as using texting abbreviations or USING ALL CAPITAL LETTERS IN WRITTEN COMMUNICATIONS.

Therefore, please use the following guidelines when communicating in this course:

- Using ALL capital letters in online communication indicates you are yelling. Limited use of capitalized words is acceptable when emphasis is needed. Underscoring and italics can also be used for emphasis.
- Use a descriptive subject line in emails and forum postings.
- Include your name in all emails; we can't always tell who you are based on your email address.
- No derogatory comments, ranting or vulgar language is acceptable in any form of communication in the course. Respect for others and their views is expected.
- Please keep in mind that something considered offensive may be unintentional. If you are concerned about something that appears to be unacceptable, please inform the instructor via email.

## Class Attendance

Online courses are typically delivered asynchronously, meaning that there are no fixed times when students need to be online. While there is no standard attendance policy for online classes, students are expected to log-in to class several times each week to check for updates and to communicate with the professor and/or with other students. There will also typically be deadlines for the completion of assignments, and there may be requirements that the student participate each week in online chats or forum discussions. In some cases there may be a requirement for the student to log-in at a particular time during the week to participate in a group chat or discussion. As with any traditional course, a student cannot skip several weeks of online classes and expect to succeed!

## No Show Policy

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Students who fail to complete the mandatory introduction forum within the first 9 class days from the start of the session will be automatically dropped from the class. PLEASE NOTE: Students must login as well as complete mandatory introduction forum within this 9 day period. Simply logging into a course will still constitute as a NO SHOW for the course if the mandatory introduction forum within the actual online course platform is not completed within the first 9 class days from the start of the session.

Students who do login and complete the mandatory introduction forum within the first 9 days from the start of the session, but who then stop participating in their online class will NOT be

automatically withdrawn from the class. To withdraw from the class the student must send an e-mail to their advisor and his or her instructor from his or her Shorter e-mail account requesting to withdraw. The withdrawal will be effective from the date of the e-mail request. An automatic F will be given if a student is not properly withdrawn.

## Academic Integrity Policy

### A Community of Honor

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As a liberal arts university committed to the Christian faith, Shorter University seeks to develop ethical men and women of disciplined, creative minds and lives that focus on leadership, service and learning. The Honor System of Shorter University is designed to provide an academic community of trust in which students can enjoy the opportunity to grow both intellectually and personally. For these purposes, the following rules and guidelines will be applied.

### Academic Dishonesty

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"Academic Dishonesty" is the transfer, receipt, or use of academic information, or the attempted transfer, receipt, or use of academic information in a manner not authorized by the instructor or by university rules. It includes, but is not limited to, cheating and plagiarism as well as aiding or encouraging another to commit academic dishonesty.

"Cheating" is defined as wrongfully giving, taking, or presenting any information or material borrowed from another source - including the Internet by a student with the intent of aiding himself or another on academic work. This includes, but is not limited to a test, examination, presentation, experiment or any written assignment, which is considered in any way in the determination of the final grade.

"Plagiarism" is the taking or attempted taking of an idea, a writing, a graphic, musical composition, art or datum of another without giving proper credit and presenting or attempting to present it as one's own. It is also taking written materials of one's own that have been used for a previous course assignment and using it without reference to it in its original form.

Students are encouraged to ask their instructor(s) for clarification regarding their academic dishonesty standards. Instructors are encouraged to include academic dishonesty/integrity standards on their course syllabi.

### Procedure

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- A. It is the responsibility of an instructor to certify that academic assignments are independently mastered sufficiently to merit course credit. The responsibility of the student is to master academic assignments independently, refrain from acts of academic dishonesty, and refuse to aid or tolerate the academic dishonesty of others.
- B. If an instructor determines that the student is guilty of academic dishonesty, the instructor must discuss the matter with the student. In the event the instructor cannot reach the student in a timely manner, such as when the student has gone home at the end of a semester, the instructor may assign a grade of "I" (Incomplete) until the student can be contacted and the matter of academic dishonesty discussed. The instructor then completes the "Academic Violation Form" (see Appendix A) which should include

evidence and other necessary documentation. The instructor will determine the appropriate remedy: either to assign a grade of zero on that assignment in question or a grade of "F" in the course. The student will designate whether he/she accepts the remedy for the violation of the dishonesty policy or wishes to appeal the instructor's decision. If a student elects to appeal, the "appeal due date" line must be completed on the Academic Violation Form. (See the Appeals section below for more information regarding the appeals process)

- C. Upon completion, the instructor forwards the Academic Violation Form to the Registrar's for the placement in the student's permanent record. The Registrar will forward copies of the Academic Violation Form to the student, the faculty member, department chair, academic dean, dean of students, provost, and president. Not appealing when the form is first completed or by the appeal due date will be taken as an admission of guilt, except under compelling circumstances to be determined at the sole discretion of the provost.
- D. If upon receipt of the Academic Violation Form the Registrar determines that the student is guilty of a second offense, then a grade of FD (Failure Due to Academic Dishonesty) will be assigned by the Registrar for the course regardless of the remedy specified on the Academic Violation Form. Assigning the FD is to be done by the Registrar when the second Academic Violation Form is placed in the student's record, and the Registrar will notify all parties in writing. The student is then permanently disbarred from membership in any honorary society and is permanently ineligible for any SU honor list. The student may petition the Academic Integrity Appeals Committee to have the dishonesty notation removed from the transcript after one year or upon graduating from the University if no additional dishonesty offenses occur and the student satisfactorily completes the Academic Integrity Program. The grade of F remains on the transcript. Upon receipt by the Registrar of a third offense, the Registrar will assign the grade of FD and then notify all parties. After all appeals are exhausted, if the third offense still stands, then the student will be permanently expelled from the University. The notice of expulsion will be forwarded to the student, department chair, appropriate academic dean, dean of students, provost, and president. A copy of the final report with the three offenses will become a part of the student's permanent record. The university reserves the right to expel the student after a first or second offense, depending on the circumstances and at the sole discretion of the provost.

## Appeals

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- A. The student who wishes to appeal an academic violation charge should submit his/her appeal in writing to the chair of the appropriate department by the appeal due date indicated on the Academic Violation Form, which is normally within ten regularly scheduled class days after the completion date of the Academic Violation Form. This statement should contain the reasons for which the student is appealing the instructor's decision. The burden of proof lies with the student in such a case to show that an error or malfeasance has occurred. Within ten regularly scheduled class days of receiving the written appeal, the department chair will notify in writing both the instructor and the student of the chair's decision. If the department chair is also the instructor who files the Academic Violation Form, then the student must appeal to the appropriate academic dean.
- B. When, in the opinion of the department chair, the student fails to show reasonable cause for further investigation, the chair may deny the appeal without taking further action. When, in the opinion of the department chair, a student's appeal raises reasonable doubt as to whether a mistake or malfeasance has occurred, the chair will meet with the faculty

member and with the student and render a decision within ten regularly scheduled class days of the receipt of the appeal. If the decision favors granting the student's appeal, the department chair may request that the Registrar remove the Academic Violation Form from the student's record. The chair will notify both the student and the instructor of this action.

- C. If the student files the initial appeal or elects to appeal the chair's decision during Maymester, Summer I, Summer II or during final exam week of the Fall or Spring semesters and if the instructor or department chair is not available during that time, all of the foregoing time requirements begin to run with the first day of class in the next major term. In extreme or unusual circumstances regarding the timeliness of the appeals process, the provost will make the final determination.
- D. Any student who has exhausted the remedies open under the procedures outlined above may appeal the entire matter to the Academic Integrity Appeals Committee in writing within ten regularly scheduled class days of receiving the response from the department chair. Upon receipt of the appeal, the Academic Integrity Appeals Committee will review the matter and issue a decision within fifteen (15) regularly scheduled class days. The Academic Integrity Appeals Committee has the authority to deny the appeal, reduce the penalties in the event of extenuating circumstances, or direct the registrar to remove the record of the Academic Violation Form from the student's permanent record. The results of the Academic Integrity Appeals Committee are final.
- E. All results from the proceedings of the Academic Dishonesty Appeals Committee should be reported to the appropriate academic dean, dean of students, provost, and president as information.

NOTE: During the appeals process, the student may continue to attend the class in which the violation occurred.

## Students Needing Accommodations

Shorter University provides accommodations for students who have a disability. The student must contact the Director of Educational Support in FSU 219 (706-233-7323) as soon as possible to discuss your needs. Shorter University is committed to providing access to programs and services to all qualified students with disabilities. Student Support Services is located in the Fitton Student Union, Room 219 (706-233-7323). Academic support is available to all students through the Center for Learning and Academic Success at Shorter (CLASS). The Center offers peer tutoring and coordinates study groups for students seeking assistance. Also, students can receive help with writing through individual tutoring in the Writing center. CLASS is located on the second floor of the Sheffield-Thompson building in the Bailor Suite.