# "WBUlogo"

VIRTUAL CAMPUS

School of Business

# 2. UNIVERSITY MISSION STATEMENT

Wayland Baptist University exists to educate students in an academically challenging, learning-focused and distinctively Christian environment for professional success, lifelong learning, and service to God and humankind.

# 3. COURSE NUMBER & NAME:

HLAD 5337-VC01, Health Care Law

4. TERM:

FALL, 2018

# **5. INSTRUCTOR**:

Lloyd l. Cannedy, Ph.D., Professor

# **6. CONTACT INFORMATION**:

Office phone: 940-855-4322

WBU Email: lloyd.cannedy@wbu.edu or canco1@hughes.net

# **7. OFFICE HOURS, BUILDING & LOCATION**:

Wichita Falls Campus, Call Field Center, By Appointment

# **8. COURSE MEETING TIME & LOCATION**:

Meeting day & time: Weekly, Monday – Sunday, Internet Blackboard, <https://wbu.blackboard.com/>

# **9. CATALOG DESCRIPTION**:

The study of tort law, criminal aspects of health care, contracts and antitrust law, civil procedure, corporate liability, medical staff and nursing law, medical record law, legal reporting obligations, procreation issues, patient rights laws, end of life issues, HIV/AIDS law, malpractice, labor relations laws, managed care, restructuring law, and tort reform law.

# 10. PREREQUISITE:

None

# **11. REQUIRED TEXTBOOK AND RESOURCE MATERIAL**:

Internet Access, Microsoft Word and PowerPoint, and a valid Wayland Baptist University Email Account. The book ***The Immortal Life of Henrietta Lacks***, by Rebecca Skloot, ISBN 9781400052172, available at Amazon.com or your local bookstores.

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| **BOOK** | **AUTHOR** | **ED** | **YEAR** | **PUBLISHER** | **ISBN#** | **UPDATED** |
| Legal Aspects of Health Care Administration  | Pozgar | 12th | 2016 | Jones & Bartlett  |  9781-28406-5923 | 3/16/16 |

"Wayland Baptist University has partnered with RedShelf to bring Inclusive Access, which is a digital copy of the required textbook available on Blackboard day one of class.  The prices are very competitive with the market and in most cases below the standard cost.  The price of the textbook will be billed to your student account.  To check the price of the textbook please locate your required course material at [https://bookstore.wbu.edu](https://bookstore.wbu.edu/).  Once you access the textbook it will ask you if you would like to opt-out.  If you choose NOT to use this version you MUST opt-out or you will be charged and refunds are not available."

# 12. OPTIONAL MATERIALS

# **13. COURSE OUTCOMES AND COMPETENCIES**:

* Knowledge and understanding of the subject matter as presented in textbooks, class lectures, in-class discussions, and applicable handout materials such as: videos, resources from research, relevant outside class activities;
* Ability to craft well-reasoned logical arguments to support individual viewpoints and judicious use of relevant examples for reinforcement and/or clarification;
* Ability to identify relevant issues, apply the appropriate measuring criteria or rule, objectively analyze the both the issue and the measuring criteria for applicability, formulate a reasonable outcome or conclusion, critically review the analytical process, and compare findings/outcomes to other existing, if not conflicting, standards

# 14. ATTENDANCE REQUIREMENTS:

* 1. Student “attendance” in an online course is defined as active participation in the course as described in the course syllabus. Instructors in online courses are responsible for providing students with clear instructions for how they are required to participate in the course. Additionally, instructors are responsible for incorporating specific instructional activities within their course and will, at a minimum, have weekly mechanisms for documenting student participation. These mechanisms may include, but are not limited to, participating in a weekly discussion board, submitting/completing assignments in Blackboard, or communicating with the instructor.
* 2. Students aware of necessary absences must inform the professor with as much advance notice as possible in order to make appropriate arrangements.
* 3. Any student absent 25 percent or more of the online course, i.e., non-participatory during 3 or more weeks of an 11 week term, may receive an F for that course. Instructors may also file a Report of Unsatisfactory Progress for students with excessive non-participation.
* 4. Any student who has not actively participated in an online class prior to the census date for any given term is considered a "no-show" and will be administratively withdrawn from the class without record. To be counted as actively participating, it is not sufficient to log in and view the course. The student must be submitting work as described in the course syllabus.

# **15. STATEMENT ON PLAGIARISM & ACADEMIC DISHONESTY**:

Wayland Baptist University observes a zero tolerance policy regarding academic dishonesty. Per university policy as described in the academic catalog, all cases of academic dishonesty will be reported and second offenses will result in suspension from the university.

# **16. DISABILITY STATEMENT**:

In compliance with the Americans with Disabilities Act of 1990 (ADA), it is the policy of Wayland Baptist University that no otherwise qualified person with a disability be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity in the university. The Coordinator of Counseling Services serves as the coordinator of students with a disability and should be contacted concerning accommodation requests at (806) 291-3765. Documentation of a disability must accompany any request for accommodations.

# **17. COURSE REQUIREMENTS and GRADING CRITERIA**:

* Weekly Quizzes: Accessed and completed weekly and worth 20% of the final grade.
* Examinations: Mid-term and final, each worth 20% of the final grade.

A **mid-term** and **final** will be given the 6th and 11th week respectively.

* **Term paper:** An in-depth term paper unique to this course must be developed on an **approved** topic encompassing extensive library and Internet research. The paper must be written using the **APA** style, a minimum of 15 pages and a maximum of 20 pages with a Title Page, an Abstract, and a Bibliography. A simple compilation of the authoritative works on a subject will be necessary but insufficient to properly complete the project. A thorough analysis of the subject must be made with conclusions developed by the student. “Wickipedia” is not considered a valid research source for a term paper. This paper is due no later than the end of the tenth week of the scheduled term. It is to be submitted through SafeAssignment. The paper constitutes 20% of the student’s final grade.
* **Book Review**: During the term, graduate students will also read the novel *The Immortal Life of Henrietta Lack* and write an in-depth review of the book and how it pertains to the laws and this course. This review will constitute 20% of the student’s final grade. This review will be submitted to the Professor via email.
* **No Incompletes will be given**. Because the student has a full week to complete the assignments, students not completing assignments before their due dates will receive a grade of zero for the assignment and this grade will be factored into the final grade.

### **Approved Graduate Student Term Paper Topics -**

1. Non-Judicial Alternatives for Health Facility Conflict Resolution

2. Legal Considerations of Patient Physical and Chemical Restraint

3. The Moral Imperatives of Conscientious Litigation: Considerations of Legal Counsel, Insurance Carrier, and Health Facility

4. Legal Risk Management and the Clinical Utilization Review Process

5. Operational Approaches to the Reduction of Tort Claims in Health Care Facilities

6. Medicare Fraud: The History, Incidence, Costs and Institutional Remedies

7. The Current Legal Status of Unjust Employee Termination and Discipline in the Health Care Institution

8. The Americans With Disability Act: Implications for Patient Service, Employee Development, and Facility Design

9. An Evaluation of Legal Approaches to Qualifying for Medicaid Without Spending Down: History, Moral and Economic Concerns and Recent Developments

10. The Health Facility’s Legal Responsibilities for Substituted Judgment and Related Court Orders: Why, When, Who and How

**17.1 Grade Appeal Statement:** “Students shall have protection through orderly procedures against prejudices or capricious academic evaluation. A student who believes that he or she has not been held to realistic academic standards, just evaluation procedures, or appropriate grading, may appeal the final grade given in the course by using the student grade appeal process described in the Academic Catalog. Appeals may not be made for advanced placement examinations or course bypass examinations. Appeals are limited to the final course grade, which may be upheld, raised, or lowered at any stage of the appeal process. Any recommendation to lower a course grade must be submitted through the Vice President of Academic Affairs/Faculty Assembly Grade Appeals Committee for review and approval. The Faculty Assembly Grade Appeals Committee may instruct that the course grade be upheld, raised, or lowered to a more proper evaluation.”

# 18. TENTATIVE SCHEDULE

Class Date Subject Pages

1 Aug 20th – 26th Chapter 1: Reflections on the Past 1-62

 Chapter 2: Government, Law, and Ethics

 Chapter 3: Healthcare Ethics

2 Aug 27th – Sep 2nd Chapter 4: Tort Law – Negligence 63 – 124

 Chapter 5: Intentional Torts

 Chapter 6: Criminal Aspects of Health Care

3 Sept 3rd – 9th Chapter 7: Contracts and Antitrust 125 – 220

 Chapter 8: Civil Procedure and Trial Practice

Chapter 9: Corporate Structure and Legal Issues

4 Sept 10th – 16th Chapter 10: Medical Staff Organization and Physician

 Liability 221 – 324

Chapter 11: Nursing and the Law

Chapter 12: Hospital Departments and Allied Professionals

5 Sept 17th – 23rd Chapter 13: Patient Consent 325 – 358

 Chapter 14: Legal Reporting Requirements

6 Sept 24th – 30th Mid-term Examination

7 Oct 1st – 7th  Chapter 15: Medical Records 359 – 400

Chapter 16: Procreation and Ethical Dilemmas

8 Oct 8th – 14th Chapter 17: Acquired Immune Deficiency Syndrome 401 – 470

 Chapter 18: End-of-Life Issues

Chapter 19: Patient Rights and Responsibilities

9 Oct 15th – 21st Chapter 20: Labor Relations 471 – 516

Chapter 21: Employment at Will and Discharge

Chapter 22: Employee Rights and Responsibilities

10 Oct 22nd – 29th Chapter 23: Professional Liability Insurance 517 – 550

Chapter 24: National Health Insurance Managed Care

 Chapter 25: Tort Reform and Risk Reduction

 Term Paper and Book Review Now Due

11 Oct 29th – Nov 3rd \* Final Exam

\*Term ends on Nov 4th at 11:59 p.m., CST.

The syllabus is not a binding contract between the Student and Professor and is subject to change, as the Professor deems necessary for the betterment of the class. Any changes will be reported to the student through his/her Wayland Email Account.