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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, and service to God and humankind.

# 3. COURSE NUMBER & NAME:

HLAD 5337-VC01, Health Care Law

# **4. TERM**:

FALL, 2019

# **5. INSTRUCTOR**:

Lloyd L. Cannedy, Ph.D.,

Professor

# **6. CONTACT INFORMATION**:

Office phone: 940-855-4322

WBU Email: [lloyd.cannedy@wbu.edu](mailto:lloyd.cannedy@wbu.edu) or [CanCo1@hughes.net](mailto:CanCo1@hughes.net)

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

Wichita Falls Campus, Call Field Center, By Appointment

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

Meeting day & time: 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**:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **BOOK** | **AUTHOR** | **ED** | **YEAR** | **PUBLISHER** | **ISBN#** | **UPDATED** |
| Legal Aspects of Health Care Administration | Pozgar | 13th | 2019 | Jones & Bartlett | 9781-28412-7171 | 10/1/18 |

***NOTE:****VitalSource etextbook.*

Please keep in mind that VitalSource has to work with publishers to get your student copy so check your Wayland email daily.  A link may be provided in just a few hours, or it may take a few days.  For student access:

1.       Every Course in Blackboard has a link to eTextbook [Vital Source] embedded in the course menu, with basic instructions.

2.       Wayland encourages use of this textbook.  Printed copies will NOT be available through our bookstore.  Students can purchase via Amazon or similar vendor but the cost is usually substantially more expensive.

3.       Student will “register”, just like the Professor, to access their library.

4.       They will be able to read and interact with their textbook from that location.

5.       IF your course is a Cengage, Pearson, Norton with “access” to special materials [MyLab, Mindtap, special assignments, accounting, etc.] the Professor will set up the links to that in your Blackboard Classroom to be available on Day 1.  Students pay for the textbook and access via VitalSource but will need that special link to the special materials they need to access.  WBUonline can assist the student with this if help is needed.

12. OTHER REQUIRED MATERIALS: 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.

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

* Develop 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;
* Compose well-reasoned logical arguments to support individual viewpoints and judicious use of relevant examples for reinforcement and/or clarification;
* Distinguish 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 and never before submitted for another 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 Lacks* 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 weekly 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 19th – 25th Chapter 1: Hospitals Through the Ages 1-40

Chapter 2: Government, Law, and Ethics

Chapter 15: Healthcare Ethics 408 – 437

2 Aug 26th – Sep 1st Chapter 3: Tort Law – Negligence 41 – 86

Chapter 4: Intentional Torts

Chapter 5: Tort Reform and Risk Reduction

3 Sept 2nd – 8th Chapter 6: Criminal Aspects of Health Care 87 – 174

Chapter 7: Contracts and Antitrust

Chapter 8: Civil Procedure and Trial Practice

4 Sept 9th – 15th Chapter 9: Corporate Structure and Legal Issues 176 – 292

Chapter 10: Medical Staff Organization and Malpractice

Chapter 11: Nursing and the Law

5 Sept 16th – 22nd Chapter 12: Hospital Departments and Allied Professionals 294 – 366

Chapter 13: Information Management and Patient Records

6 Sept 23rd – 29th Mid-term Examination

7 Sep 30th – Oct 6th Chapter 14: Patient Consent, Rights, and Responsibilities 368 – 406

Chapter 16: Procreation and Ethical Dilemmas 438 – 459

8 Oct 7th – 13th Chapter 17: End of Life Issues

Chapter 18: Legal Reporting Requirements 461 – 513

9 Oct 14th – 20th Chapter 19: Labor Relations 515 – 562

Chapter 20: Employment at Will, Rights and

Responsibilities

10 Oct 21st – 27th Chapter 21: Professional Liability Insurance 563 – 589

Chapter 24: Managed Care and National Health Insurance

Term Paper and Book Review Now Due

11 Oct 28th – Nov 2nd \* Final Exam

\*Term ends on Nov 2nd at 11:59 p.m., CST.