

COURSE: MA 125 – Medical Law and Ethics

COURSE DESCRIPTION: This course explains how to navigate the numerous legal and ethical issues that health care professionals face every day. Topics are based upon real-world scenarios and dilemmas from a variety of health care practitioners.

COURSE GOAL: Upon successful completion of this course, the student will be able to apply critical thinking skills to resolve real-life situations and ethical issues that are relevant to the health care profession.

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DURATION: 84 Clock Hours 3 Semester Credits

SEMESTER: Fall 2016 (8/18/16 – 12/16/16) MWF 1:00 Room 110A

TEST: Law & Ethics For Health Professions 7th edition, Judson & Harrison, McGraw Hill,
ISBN: 978-0-07-351383-6 Cost: \$126.00

UNITS OF INSTRUCTION:

- 125 1 Introduction to Law and Ethics
- 125 2 Making Ethical Decisions
- 125 3 Working in Health Care
- 125 4 Law, The Courts, and Contract
- 125 5 Professional Liability and Medical Malpractice
- 125 6 Defenses to Liability Suits
- 125 7 Medical Records and Informed Consent
- 125 8 Physician's Public Duties and Responsibilities
- 125 9 Workplace Legalities

STUDENT LEARNING OUTCOMES:

MA 125 Chapter One

1. Explain why knowledge of law and ethics is important to health care practitioners.
2. Distinguish among law, ethics, bioethics, etiquette, and protocol.
3. Define moral values and explain how they relate to law, ethics, and etiquette.
4. Discuss the characteristics and skill most likely to lead to a successful career in one of the healthcare professions.

MA 125 Chapter Two

1. Describe and compare need and value development theories.
2. Identify the major principles of contemporary consequence-oriented, duty-oriented, and virtue ethics reasoning.
3. Define the basic principles of health care ethics.

MA 125 Chapter Three

1. Define licensure, certification, registration, and accreditation.
2. Demonstrate an understanding of how physicians are licensed, how physicians are regulated, and the purpose of a medical board.
3. Discuss the composition of the health care team and the roles of its members.
4. Define the major types of medical practice management systems.
5. Define the different types of managed care health plans.

6. Discuss the federal legislation that impacts health care reimbursement and prohibits fraud and abuse in health care billing.
7. Define telemedicine, cybermedicine, and e-health, and discuss their roles in today's health care environment.

MA 125 Chapter Four

1. Discuss the basis of and primary sources of law.
2. Discuss the classifications of law.
3. Define the concept of torts and discuss how the tort of negligence affects health care.
4. List and discuss the four essential elements of a contract.
5. Differentiate between expressed contracts and implied contracts.
6. Discuss the contractual rights and responsibilities of both physicians and patients.
7. Relate how the law of agency and the doctrine of *respondeat superior* apply to health care contracts.

MA 125 Chapter Five

1. Identify three areas of general liability for which a physician/employer is responsible.
2. Describe the reasonable person standard, standard of care, and duty of care.
3. Briefly outline the responsibilities of health care practitioners concerning privacy, confidentiality, and privileged communication.
4. Explain the four elements necessary to prove negligence (the four Ds).
5. Outline the phases of a lawsuit.
6. Name two advantages to alternative dispute resolution.

MA 125 Chapter Six

1. List and define the four Cs of medical malpractice prevention.
2. Describe the various defenses to professional liability suits.
3. Explain the purpose of quality improvement and risk management within a health care facility.
4. Discuss five different types of medical liability insurance.

MA 125 Chapter Seven

1. Explain the purpose of medical records and the importance of correct documentation.
2. Identify ownership of medical records and determine how long a medical record must be kept by the owners.
3. Describe the purpose of obtaining a patient's consent for release of medical information, and explain the doctrine of informed consent.
4. Describe the necessity for electronic medical records and the efforts being made to record all medical records electronically.

MA 125 Chapter Eight

1. Discuss U.S. constitutional amendments and privacy laws that pertain to health care.
2. Explain HIPAA's special requirements for disclosing protected health information.
3. Discuss laws implemented to protect the security of health care information as health care records are converted from paper to electronic form.
4. Discuss the federal laws that cover fraud and abuse within the health care business environment and the role of the Office of the Inspector General in finding billing fraud.
5. Discuss patient rights as defined by HIPAA, the Patient Protection and Affordable Care Act, and other health care entities.

MA 125 Chapter Nine

1. List at least four vital events for which statistics are collected by the government.
2. Discuss the procedures for filing birth and death certificates
3. Explain the purpose of public health statutes
4. Cite examples of reportable diseases and injuries, and explain how they are reported
5. Discuss federal drug regulations, including the Controlled Substances Act

MA 125 Chapter Ten

1. Identify how the workplace is affected by federal laws regarding hiring and firing, discrimination, and other workplace regulations

2. Identify four areas for which standards are mandated by the Occupational Safety and Health Administration (OSHA) for work done in a clinical setting
3. Discuss the role of health care practitioners in following OSHA standards in the medical office
4. Define the role of the Clinical Laboratory Improvement Amendments of 1988 (CLIA) in quality laboratory testing
5. State the purpose of workers' compensation laws and unemployment insurance
6. Determine the appropriate legal process for hiring employees and maintaining the required paperwork while the person is employed

Cognitive Objectives:

- VIII.C.5. Differentiate between fraud and abuse
- X.C.1. Differentiate between scope of practice and standards of care for medical assistants
- X.C.3. Describe components of the Health Information Portability & Accountability Act (HIPAA)
- X.C.5. Discuss licensure and certification as they apply to healthcare providers
- X.C.6. Compare criminal and civil law as they apply to the practicing medical assistant
- X.C.7. Define:
- a. negligence
 - b. malpractice
 - c. statute of limitations
 - d. Good Samaritan Act(s)
 - e. Uniform Anatomical Gift Act
 - f. living will/advanced directives
 - g. medical durable power of attorney
 - h. Patient Self Determination Act (PSDA)
 - i. risk management
- X.C.8. Describe the following types of insurance:
- a. liability
 - b. professional (malpractice)
 - c. personal injury
- X.C.9. List and discuss legal and illegal applicant interview questions
- X.C.10. Identify:
- b. Genetic Information Nondiscrimination Act of 2008 (GINA)
 - c. Americans with Disabilities Act Amendments Act (ADAAA)
- X.C.12. Describe compliance with public health statutes:
- a. communicable disease
 - b. abuse, neglect, and exploitation
 - c. wounds of violence
- X.C.13. Define the following medical legal terms:
- a. informed consent
 - b. implied consent
 - c. expressed consent
 - d. patient incompetence
 - e. emancipated minor
 - f. mature minor
 - g. subpoena duces tecum
 - h. respondent superior
 - i. res ipsa loquitur
 - j. locum tenens
 - k. defendant-plaintiff
 - l. deposition
 - m. arbitration-mediation
 - n. Good Samaritan laws

Psychomotor Competencies:

- X.P.1. Locate a state's legal scope of practice for medical assistants

METHODS OF INSTRUCTION: Lecture, class discussion, workbook chapters, projects, assignments, role-play activities.

ATTENDANCE: Absences can seriously affect grades. Students will be allowed to miss a maximum of 4 class periods. Students are responsible for all information missed while absent from class. This includes changes to the schedule that might occur.

MAKE-UP POLICY: Make up work procedures are addressed in the MA Program Policy Manual.

STUDENT HANDBOOK: As a student, you are responsible for the information in the LATI handbook located at www.lakeareatech.edu under Current Student/Academics.

ACADEMIC INTEGRITY: Students' Responsibilities: Students are responsible for their own behaviors and are expected to maintain stated standards of academic honesty. Students share the responsibility with the faculty for maintaining an environment that supports academic honesty and discourages plagiarism or cheating.

FACULTY AND ADMINISTRATOR RESPONSIBILITIES: Faculty are responsible for creating a classroom and testing environment that discourages cheating, confronts suspected violators and insures fair environment that discourages academic honesty. If a student is participating in academic dishonesty and is caught, he/she may be dismissed from the course.

CAREER COUNSELING:

Guidance is available for students when investigating career choices or in reaffirming the choice already made.

PERSONAL COUNSELING:

Knowing that student life can be stressful, Lake Area Tech provides personal on-campus counseling for either school-related or non-school-related issues. At times, referral to another counseling service may be warranted. Check with the on-campus counseling staff if you have concerns you need to discuss. Specific referrals for drug and alcohol-related issues will be made by on-campus counselors.

AMERICANS WITH DISABILITIES ACT:

Students are entitled to 'reasonable accommodations' under provisions of the Americans with Disabilities Act. Those in need of such accommodations should notify the instructor and make appropriate arrangements with the Counseling Office.

STUDENT TUTORING:

The Educational Services Center staff and peer tutors provide tutoring for all courses. If you are a student in need of help in any of your classes, please contact the Educational Services Coordinator located in the LATI library.

PERSONAL OBJECTIVES:

- Attend class session
- Prepare for class session
- Complete assignments by due date
- Demonstrate a high level of responsibility
- Display respect for other members of the class
- Participate in class discussions and projects

COMPLETION STANDARDS:

The student will pass the course with a minimum of 80% overall grade in the course.

EVALUATION AND GRADING:

Evaluation is directly related to the performance objectives. Performance is measured by examination, assignments, competencies, and/or quizzes.

COMPETENCIES:

Students will be allowed three (3) attempts at the psychomotor competencies for Medical Law and Ethics. In order for the student to earn a passing grade in the course, the student must successfully complete the psychomotor competencies by performing 100% competent. Students will receive a Pass/Fail grade for competencies.

EVALUATION:

The assessment and grading of student performance in this course is based on the following activities:

Workbook Assignments:	10%
Exams:	90%
Total:	100%

The letter grade is based on the percentage of total points earned throughout the semester based on the following grade scale:

100% - 94%	=	A
93% - 87%	=	B
86% - 80%	=	C
79% or below	=	F

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