SYLLABUS

Law and Ethics in Health Care

32.616/041/042 – Summer 2013

Note: Please print out a copy of this syllabus for future reference

INSTRUCTOR: Marc Guillemette, MS, M.Div.

CONTACT INFORMATION:
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DATES FOR CLASSES:

Wednesday In-Person Classes, 5:30 PM – 8:30 PM, UML Inn and Conference Center:
5/22, 6/5, 6/19, 6/26, 7/10, 7/24

Wednesday Blackboard Classes, 7:00 PM to 10:00 PM: 5/29, 6/12, 7/3, 7/17

COURSE DESCRIPTION

This course presents an overview of legal and ethical issues facing managers and providers in health care. It provides students with a foundation of health law and ethics and reviews a wide variety of health care legal and ethical situations and dilemmas. The goals are to provide students with practical knowledge of health laws and ethics and their application in the real world of health care. By the end of the course, students will have been exposed to many management ideas, theories and applications of health care law and ethics. Students will have a working knowledge of pertinent law and ethical procedures and how to apply them in health care arena.

COURSE OBJECTIVE

Law and Ethics in Health Care (32.616) provides an overview of the laws governing health care institutions and the ethical dilemmas facing managers, and providers in these institutions. The roles of management, staff, physicians, nurses and other clinical and support staff are examined in addressing legal and ethical issues within these organizations.

My style of teaching attempts to encourage a good deal of dialogue and learning from each other. It will be very important to view and analyze legal and ethical issues from multiple perspectives. Therefore, in addition to the textbook, assigned readings and
cases, and the instructor's experiences, we will build on students’ prior learning and experience in these areas.

Also, I believe that students will come to see during the semester that most legal and ethical issues in health care have multiple causes with multiple effects, and that there is usually no "one best way" to resolve them. However, there are better and worse ways to handle these situations and we will explore these together.

GENERAL INFORMATION

The classes will meet in-person for six (6) Wednesday nights (5:30 PM – 8:30 PM at UML Inn and Conference Center) during the semester, and four (4) Blackboard class meetings on Wednesday evenings from 7:00 PM to 10:00 PM when class does not meet in-person.

In order for a “Blended” course to be successful, engagement, participation and communication by students is essential and are the foundations of this course. The more you’re involved and participate in all aspects of the course, the more you are likely to profit from it.

REQUIRED TEXT:

Pozgar, George D. “Legal and Ethical Issues for Health Professionals” 3rd Edition; Jones and Bartlett Learning (2013)


In addition, there will be supplemental readings listed on the class schedule.

IN-PERSON CLASSES

The six In-Person classes will run much like a class in a traditional master's course. The classes will meet from 5:30 PM to 8:30 PM on six Tuesday mornings at the UMASS Lowell Inn and Conference Center. See the class schedule for the dates.

Each session will be structured in the following way: Attendance and participation at each in-person class will be worth 10 points (60 total) towards your grade and will be based upon your participation and contributions as assessed by me.
For May 22nd In-Person First Class please read Pozgar Chapter 1 “Introduction to Ethics” as well as the article found on this link:

http://www.jewishvirtuallibrary.org/jsource/Judaism/MedicalEthics.pdf

Also please review the Dax case found in the Course Outline

WEEKLY BLACKBOARD CLASSES

The weekly Blackboard classes are the most unique part of this blended course. There will be 4 Blackboard sessions held from 7:00 PM to 10:00 PM on Wednesday evenings during the weeks when we do not meet in person. See the class schedule for the dates. Given the length of the Blackboard class we will take a 10-minute break midway through the individual class.

We will hold the Blackboard classes online using your computer and UMASS Blackboard software. With Blackboard, we will be able to have “real classroom discussions” by conversing with each other over the internet.

Note: To use Blackboard you will need quality microphone and headphones for your computer.

Attendance and participation in the weekly classes will be worth 10 points for a total of 40 points towards your grade, and will be based upon your participation and contributions as assessed by me.

A note on Attendance

Students are expected to attend each In-Person and Blackboard Class unless other arrangements have been made with me in advance. Send me an email if you will be missing a class.

Note: Because of the importance of attendance, more than two absences from the Blackboard on-line class, and one absence from the In-Person Class, may result in a lowering of your grade for the course.

What happens if you have to miss a class?

To help you keep up with the class and for your review, the Blackboard class will be archived on the class web site. If you miss a Blackboard class, I still expect you to make
a posting on the discussion board. If you cannot participate in a given class, then I expect, at a minimum, that you’ll listen to the archive and review the PowerPoint.

ASSIGNMENTS

You will have assignments for each class as follows:

i. **Core Reading Assignment** – For each class there will be reading assignments from the textbooks by Pozgar, Gawande as well as other assigned readings.

ii. **Weekly Posting to Discussion Board for the four Blackboard classes** – For each Blackboard class, I will assign two or more cases to analyze from legal and/or ethical perspective and several study questions based upon the week’s assignments. You will need to type and post your responses and analyses to the class Discussion Board. These postings will be available for review and comment by the entire class. I strongly encourage you to comment and cross-talk in response to the posting.

The postings will be due on Monday evenings by 7:00 PM. On Wednesday evening, we will review and discuss the classes’ responses to the assigned cases. In the interest of providing ongoing feedback, I will be assessing each of your online assignments, using the following scale.

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<tr>
<th>0</th>
<th>No Posting</th>
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<tr>
<td>7.5 Satisfactory</td>
<td>Substantially incomplete with unduly short mechanical answers not reflecting independent thought or analysis, and no responses to your classmates’ postings.</td>
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<tr>
<td>12-13 Satisfactory</td>
<td>Somewhat incomplete or not fully responsive to the case issues or the study questions, and respond to at least one of your classmate’s posting.</td>
</tr>
<tr>
<td>15 Satisfactory +</td>
<td>Fully Complete, comprehensive and thoughtful answers to all questions, and respond to at least three of your classmates’ postings.</td>
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“Extra credit” will be available to anyone reflecting additional research or reporting relevant personal experience or anecdotes in responding to the discussion board assignments.

The postings are worth a total of 60 points.
iii. Book Review or Literature Review (Choose one):

A. Book Review: Each student will read and make a PowerPoint presentation of the book to the class. You are free to select a book for review that deals with an aspect of health care Law and/or Ethics, but you must submit a short description to me for approval by June 4th. The book can either be factual or fictional. The review should be no more than 11 PowerPoint pages (which includes one page of class discussion questions). *Students will be penalized one point for each page more than 11.* I suggest you make the slides simple with as few words as possible. *Students will sign-up to review their PowerPoint presentation with the class.* The PowerPoint presentation should be sent to me two days prior to your presentation.

B. Literature Review: If you find that your topic is not adequately covered by a book, you may choose to do a review of your topic based on at least five articles from peer reviewed journals or official government publications. Peer reviewed journals are those that have a panel of professional editors from healthcare that review the article before it is published to determine if it is up to professional standards.

The assignment is worth 55 points.

iv. **Term Paper:** This is the major writing assignment for the course. You will self-select a contemporary topic or issue on a topic of either Law or Ethics and prepare and write a paper of 8 – 10 pages. You may use your book review or journal article as a starting point for your term paper.

The assignment is worth 75 points.

Topics written about by previous students included:

- Effects of HIPAA on Patient Care and Management
- Is Assisted Suicide ethical?
- Cost Control and the ethical treatment of patients and employees
- Sexual harassment in the health care workplace
- Unionization and its effects on patients and workers
- Sedation at the End of Life
Artificial Reproductive Technology

These are just a few examples of the possible topics. More will be discussed throughout the semester.

A topical outline of your term paper should be submitted to me by email by June 18th so I can get an idea of where you are going for the semester.

The Term Paper needs to be emailed to me by Sunday July 14th, so I can have them back to you on July 24th.

Guest Lecturers

Depending on availability, guest lecturers may meet with the class and discuss pertinent topics related to health law and ethics.

EVALUATION AND GRADING

The following summarizes how points are gained:

- In-Person Class Participation: 60 Points
- Weekly Blackboard Class Participation: 40 Points
- Posted Discussion of Cases and Study Question Responses: 60 Points
- Book or Literature Review: 55 Points
- Term Paper: 75 Points

Total Points: 290 Points

Your grade will be calculated on the percentage of points you acquire throughout the semester. Ninety or more percent of the points will receive an A, eighty percent a B, and so on.
**Policy on Late Work.** Under normal circumstances, late work will not be accepted without the prior agreement, except in the case of an emergency.

**Plagiarism** (whether from published sources, unpublished sources or the Internet) is not allowed in preparation of written assignments. A first offense will mean a letter reduction in your grade for the entire course: a second offense will result in your failing the course. It is incumbent on you (the student) to learn and understand what is meant by plagiarism and act accordingly. I encourage you to read [http://en.wikipedia.org/wiki/Plagiarism](http://en.wikipedia.org/wiki/Plagiarism). No extenuating circumstances will be allowed, and no second chance will be given.