



**Virtual Campus Fall 2008
School of Business
HLAD5337 – Health Care Law**

Mission: 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.

Instructor:	Professor Lloyd L. Cannedy, Ph.D.
Office:	Wichita Falls Campus, Call Field Center
Office Phone:	940-855-4322
Home Phone:	940-767-0269
Email:	CanCo1@hughes.net , lloyd.cannedy@wayland.wbu.edu
Course Web Site:	http://virtualcampus.wbu.edu
FAX:	940-723-4266
Office Hours:	By appointment
Class Hours:	Monday 12:00 a.m.- Sunday 11:55 p.m.
Class Location:	Internet, Blackboard

COURSE SYLLABUS: HLAD 5337VC01 Health Care Law Fall 2008 Virtual Campus

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, A.I.D.E.S. laws, malpractice, labor relations laws, managed care, restructuring law, and tort reform law. Required to qualify to take the nursing home administrator licensure examination.

PREREQUISITE(s): none

TEXTBOOK:

BOOK	AUTHOR	ED	YEAR	PUBLISHER	ISBN#	REVIEW
Legal Aspects of Health Care Administration	Pozgar	10th	2007	Jones & Bartlett	0-7637-3927-8	Spring 07

OUTCOME 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.

COURSE REQUIREMENTS AND EVALUATION: Specific requirements of the course including the criteria utilized to assess student achievement of outcome competencies, and the weight of each. A variety of means to evaluate student performance should be used and grading criteria should conform to the grading system contained in the latest WBU Academic Catalog. An example of assessment criteria and weights might include:

- Weekly Quizzes: Accessed weekly and worth 20% of the final grade.
- Examinations: Mid-term and final, each worth 20% of the final grade.
- Term paper: An in-depth term paper must be developed on an **approved** topic encompassing extensive library and Internet search. The paper must be written using the APA style. 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. This paper is due no later than the tenth week of the scheduled term. It is to be submitted through "Safe Assignment" located in the Student's toolbox. The paper constitutes 20% of the student's final grade.
- Interview: During the term, graduate students will also schedule an interview with a local health facility administrator. The purpose of this interview is to further acquaint the student with the day-to-day legal challenges facing such administrators today. Prior to scheduling a proposed interview, the student will communicate to the Professor the name, facility, and position of the proposed individual with whom the student suggests seeking an audience. Following the Professor's approval of such interview, the student will provide the Professor with a list of topics and related questions that will be advanced during the proposed interview. After the Professor's review and approval of the topics and questions list, the student will conduct the interview. Following the interview, the student will provide the Professor with a comprehensive Perspective and Analysis of the visit. This Perspective and Analysis will not only set forth the responses to questions discussed, but also relate the discussion to the Student's knowledge learned in the course. After the interview, each student will also draft and mail a letter of appreciation to the administrator and submit a copy to the Professor. This Perspective and Analysis is worth 20% of the final grade.
- **No Incompletes will be given.** 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

ATTENDANCE POLICY: Students are expected to make class attendance/performance a priority. They should make every effort to attend/perform all class assignments. Absences of such performance must be explained to the Professor, who will then determine how the omitted work must be made up. When the student reaches that number of absences considered by the Professor to be excessive, the Professor will so advise the student and will file an Unsatisfactory Report with the respective Center Director's office. Any student missing 25% or more of regularly scheduled class meetings will receive a grade of F in the course. Students are evaluated for class participation and are encouraged to contribute in a motivated and appropriate manner. However, students who are disruptive will be dismissed from the class. A meeting will be scheduled between the Center Director and the student to discuss causes of the disruption. Students will be permitted to return to that class for the remainder of the term only with the permission of the Center Director and then only after the Director and the Professor have reached agreement that the student will be returned to that class. Students who persist in disruptive behavior will be administratively withdrawn from enrollment in that class for the remainder of the term. The above is the prevailing policy adopted for each class by Wayland Baptist University

STATEMENTS: "This class will adhere to zero tolerance for using someone else's work as your own."

"It is university policy that no otherwise qualified disabled person be excused from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity in the University. Students should inform the instructor of existing disabilities at the first class meeting"

"Students are responsible for reading, understanding, obeying, and respecting all academic policies, with added emphasis being placed upon academic progress policies, appearing in the Wayland Baptist University Academic Catalog applicable to their curriculum and/or program of study."

COURSE OUTLINE/CALENDAR:

Class	Date	Subject	Pages
1	Aug 18 th – 24 th	Chapter 1: Historical Perspective Chapter 2: Introduction to Law Chapter 3: Tort Law	1-52
2	Aug 25 th – 31 st	Chapter 4: Criminal Aspects of Health Care Chapter 5: Contracts and Antitrust	53-92
3	Sep 1 st – 7 th	Chapter 6: Civil Procedure and Trial Practice Chapter 7: Corporate Liability Chapter 8: Medical Staff	93-191
4	Sep 8 th – 14 th	Chapter 9: Nursing and the Law Chapter 10: Liability by Department and Health Professional Chapter 11: Information Management and Health Care Records	193-276
5	Sep 15 th – 21 st	Chapter 12: Patient Consent Chapter 13: Legal Reporting Requirements	277-306
6	Sep 22 nd – 28 th	Mid-term Examination	
7	Sep 29 th – Oct 5 th	Chapter 14: Issues of Procreation Chapter 15: Patient Rights and Responsibilities Chapter 16: Acquired Immune Deficiency Syndrome	309-356

8	Oct 6 th – 12 th	Chapter 17: Health Care Ethics Chapter 18: Professional Liability Insurance	357-402
9	Oct 13 th – 19 th	Chapter 19: Labor Relations Chapter 20: Employment, Discipline, and Discharge	403-436
10	Oct 20 th – 26 th	Chapter 21: Managed Care and Organizational Restructuring Chapter 22: Tort Reform and Reducing the Risks of Malpractice Chapter 23: Patient Safety and Zero Tolerance Term Paper Due, Interview Due	437-474
11	Oct 27 th – Nov 1 st	Final Exam	