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Spring 2015

HSPM 7235A - Health Law

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Georgia Southern University
Jiann-Ping Hsu College of Public Health

HEALTH LAW

HSPM 7235 (Section A) CRN 15200
Spring 2015

<u>Instructor:</u>	Julie Reagan, PhD, JD, MPH
<u>Office:</u>	Hendricks Hall, Room #2011
<u>Phone:</u>	(912) 478-1342
<u>E-Mail:</u>	jreagan@georgiasouthern.edu
<u>Office Hours:</u>	Monday and Wednesday 9:30 a.m. – 12:00 p.m. Other times by appointment (email me to schedule)
<u>Class Meets:</u>	Monday and Wednesday 2:30 – 3:45 p.m. IT Building, Room #2206

Prerequisites: None

Catalog Description: The purpose of this course is to introduce students to legal issues in public health and healthcare. Basic legal principles underlying the legal system, governmental regulation, development of legal rules, and how to interact effectively with the legal system as a public health practitioner will be explored. This course has two main purposes: first, to examine the legal context of the relationship between the individual and the community; and second, to understand public health regulation in the context of a market-driven system.

Folio Address: <https://georgiasouthern.desire2learn.com/d2l/home>.

Required Texts:

- J. Stuart Showalter. The Law of Healthcare Administration, 7th ed. Health Administration Press, Chicago, Illinois. 2015.
- James G. Hodge, Jr. Public Health Law in a Nutshell. West Academic Publishing, St. Paul, Minnesota. 2014.

Secondary Text: Additional articles, supplemental materials, and URLs/website addresses will be supplied throughout the course.

Course Credit: This is a three-credit hour course.

Course Delivery Platform: Face-to-face meetings.

M.P.H. Health Policy and Management Core Competencies:

Upon graduation, a student with a MPH in Health Policy and Management should be able to:

1. Define the main components and issues of the organization, financing and delivery of public health systems in the US.
2. Describe the legal, values and ethical dilemmas in public health that are inherent in efforts to control cost, while assuring access and quality of services for the public.
3. Define the methods of ensuring community health safety and preparedness.
4. Compare the policy development, assessment, and evaluation process for improving the health status of populations.
5. Describe the principles of program development, management, budget preparation with justification and evaluation as related for public health initiatives.
6. Define principles of strategic planning and marketing.
7. Define quality, cost benefit and performance improvement concepts to address organizational performance issues in public health.
8. Define how “systems thinking” can contribute to solving public health organizational problems.
9. Demonstrate health policy and management effectiveness using appropriate channels and technologies.
10. Compare leadership skills for building partnerships in public health.
11. Define trends in planning, resources allocation, and financing and their effects on consumers, providers, and payers in public health.
12. Compare the economic, professional, social, and legislative influences on public health systems in the US.
13. Define population and individual ethical considerations in relation to benefit, cost, and burden of public health programs.
14. Compare the potential impacts of policy and management on the conduct of public health research and practice.

Course Learning Objectives:

Upon completion of this course, students should be able to:

1. Describe the basics of the American legal system, including the sources of law and the three branches of government. (1, 2, 12)
2. Understand the constitutional foundation of public health measures in the U.S. and be able to describe legal theories applicable to public health regulation of individual behavior. (1, 4, 12, 13)
3. Understand state and federal powers applicable to public health emergency preparedness. (3)
4. Describe the current structure of the U.S. healthcare and public health systems and how they have evolved over time. (1, 2, 12, 13)
5. Recognize the structure and provisions of the Affordable Care Act and its impact on our U.S. healthcare system. (1, 2, 11, 12, 13)
6. Understand how the laws of contracts, intentional torts, and negligence apply to the healthcare system. (2)
7. Describe the organization and management of a corporate healthcare institution, including its taxable structure, and the liability issues encountered by those institutions. (1, 2, 11, 12)
8. Demonstrate the relationship between hospitals and its organized medical staff, particularly medical staff privileges and peer review. (1, 2, 12)
9. Understand the importance of proper health information management and privacy and confidentiality requirements of state and federal laws. (1, 2, 12)
10. Describe informed consent principles, including the two basic types of consent for medical treatment. (2, 12)
11. Explain hospital responsibilities in emergencies and requirements under the Emergency Medical Treatment and Labor Act. (1, 2, 3, 12)

Course Requirements:

- **Course Delivery Platform:** This course will be delivered via face-to-face meetings. The face-to-face meetings will consist of a combination of lectures, class discussions, and active participation. Computer generated presentations in Folio will be used to augment the in-class lectures. Prior to each class meeting, you will be responsible for viewing the applicable Folio module. The Folio modules will consist of lecture presentations, textbook reading assignments, recommended website URLs, and additional reading assignments.
- **Readings & Assignments:** Textbook reading assignments are indicated in the course schedule below and in Folio. Additional assignments specific to each lecture will be posted in modules in Folio. Please follow the instructions for assignment completion posted within each module.

You are responsible for any additional materials provided online, so please check Folio regularly.

- **Examinations.** Four exams will be administered. The fourth exam is comprehensive. The exams will consist of various forms of questions: true false, multiple choice, matching, short answer, and essay. Exams will be administered in class. Notes and textbooks may be used during the exams. Computers, tablets, cell phones, and other similar electronic devices are not allowed during the exams.

Make-up Exams: Make-up exams will not be provided except in cases of illness, injury, or extenuating circumstances. In such circumstances, please consult with me within a reasonable amount of time before the scheduled exam date if possible.

- **Writing Assignment:** A writing assignment pertaining to privacy and confidentiality laws will be administered. The assignment will involve writing a memorandum of approximately 2-3 pages. It will be due in Dropbox by midnight on Sunday, April 19, 2015. You will be expected to discuss the findings or conclusions of your memorandum during class on April 20 or 22. Specific instructions will be provided in Folio.
- **In-Class Participation:** Class participation is an integral part of the learning process. This course requires substantial and informed student participation. General discussion of theory and practice is encouraged and expected of all students. At a minimum, being informed requires class engagement, completion of assigned readings and projects, and attention to healthcare news. Thoughtful participation is important and will be considered for the final grade calculation.
- **Attendance:** Attendance will be considered for final grade calculations. A sign in sheet will be available at each class.

Instructor Response Times:

- Email: within 24 hours (expect longer response times on weekends & holidays)
- Exams & Writing Assignment: will be graded within 1 week

Grading:

<i>Assignment</i>	<i>Weight/Percentage</i>
Exam 1	20
Exam 2	20
Exam 3	20
Writing Assignment	10
<u>Exam 4 (Final)</u>	<u>30</u>
Total	100

Grading Scale:

90-100%	=	A
80-89%	=	B
70-79%	=	C
60-69%	=	D
0-59%	=	F

Attendance Policy: Federal regulations require attendance to be verified before distribution of financial aid allotments. Attendance will be verified at the first class meeting. Regular attendance is expected.

Course Schedule

Week	Dates	Topics	Readings & Assignments
1	Mon 1/12	Introductions & course orientation	Folio Module 1
	Wed 1/14	Overview of the American Legal System: The Constitution & the Legislative Branch	Folio Module 2 Text: Showalter, Chapter 1, pp. 1-8
2	Mon 1/19	No Class – Martin Luther King Jr. Day	
	Wed 1/21	Overview of the American Legal System: The Executive Branch	Folio Module 3 Text: Showalter, Chapter 1, p. 8
3	Mon 1/26	Overview of the American Legal System: The Judicial Branch	Folio Module 4 Text: Showalter, Chapter 1, pp. 9 – 20
	Wed 1/28	Overview of the Field of Public Health Law & Government Powers	Folio Module 5 Text: Hodge, Chapters 1-3
4	Mon 2/2	Preventing and Treating Communicable Diseases	Folio Module 6 Text: Hodge, Chapter 4
	Wed 2/4	Preventing and Treating Communicable Diseases, Cont.	
5	Mon 2/9	Addressing Chronic Conditions	Folio Module 7 Text: Hodge, Chapter 5
	Wed 2/11	Addressing Chronic Conditions, cont.	
6	Mon 2/16	Public Health Emergency Legal Preparedness and Response	Folio Module 8 Text: Hodge, Chapter 10
	Wed 2/18	Exam 1	
7	Mon 2/23	Overview of Laws Impacting Healthcare	Folio Module 9 Text: Showalter, Chapter 2; appendix 2.1
	Wed 2/25	Overview of Laws Impacting Healthcare, cont.	
8	Mon 3/2	Healthcare Reform	Folio Module 10 Text: Showalter, Chapter 3
	Wed 3/4	Healthcare Reform, cont.	
9	Mon 3/9	Exam 2	
	Wed 3/11	Contracts	Folio Module 11 Text: Showalter, Chapter 4, pp. 103-115

10	Mon 3/16	No Class – Spring Break	
	Wed 3/18	No Class – Spring Break	
11	Mon 3/23	Intentional Torts	Folio Module 12 Text: Showalter, Chapter 4, pp. 116-123
	Wed 3/25	Negligence	Folio Module 13 Text: Showalter, Chapter 5
12	Mon 3/30	The Organization and Management of a Corporate Healthcare Institution	Folio Module 14 Text: Showalter, Chapter 6
	Wed 4/1	Taxation of Healthcare Institutions	Folio Module 15 Text: Showalter, Chapter 12
13	Mon 4/6	Liability of the Healthcare Institution	Folio Module 16 Text: Showalter, Chapter 7; Chapter 1, pp. 14-20
	Wed 4/8	Medical Staff Privileges and Peer Review	Folio Module 17 Text: Showalter, Chapter 8
14	Mon 4/13	Exam 3	
	Wed 4/15	Consent for Treatment and Withholding Consent	Folio Module 18 Text: Showalter, Chapter 11
15	Sun 4/19	Writing Assignment Due in Dropbox in Folio by Midnight	
	Mon 4/20	Privacy & Confidentiality Laws; Health Information Management	Folio Module 19 Text: Showalter, Chapter 9; Hodge, Chapter 7
	Wed 4/22	Privacy & Confidentiality Laws; Health Information Management, cont.	
16	Mon 4/27	Emergency Care	Folio Module 20 Text: Showalter, Chapter 10
	Wed 4/29	GATA (Get After Those A's) Final Exam Competition	
17	Mon 5/4	Exam 4 (Comprehensive Final) 3:00 – 5:00 p.m.	

Disclaimer: The contents of this syllabus are as complete and accurate as possible. The professor reserves the right to make any changes necessary to the syllabus and course material. The professor will make every effort to inform you of changes as they occur. It is the responsibility of the student to know what changes have been made in order to successfully complete the requirements of the course.

Academic Integrity: Students are expected to follow the guidelines outlined in the *Student Conduct Code 2013-2014* policy regarding academic dishonesty. Any student found in violation

of academic honesty will receive a grade of 'F' for the course. It is the student's responsibility to become familiar with the *Student Conduct Code*.

Students are also expected to follow the guidelines set forth in the JPHCOPH Student Handbook.

- GSU Student Conduct Code: <http://deanofstudents.georgiasouthern.edu/conduct/wp-content/uploads/sites/3/2013-2014-SCC-8.19.13.pdf>.
- JPHCOPH Student Handbook: <https://docs.google.com/a/georgiasouthern.edu/file/d/0B2ms15eoGveqOHIEUW53X0ZS WVE/edit>.

Academic Misconduct: Academic misconduct according to GSU's policy includes (but is not limited to):

Cheating:

- a. Submitting material that is not yours as part of your course performance;
- b. Using information or devices that are not allowed by the faculty;
- c. Obtaining and/or using unauthorized materials;
- d. Fabricating information, research, and/or results;
- e. Violating procedures prescribed to protect the integrity of an assignment, test, or other evaluation;
- f. Collaborating with others on assignments without the instructor's consent;
- g. Cooperating with and/or helping another student to cheat; and/or
- h. Demonstrating any other forms of dishonest behavior.

Plagiarism:

Plagiarism is defined as "appropriating and putting forth as one's own the ideas, language, or designs of another" (The Living Webster, 1975), and it is strictly forbidden. Written and oral presentations must be a student's own work. Students plagiarizing or cheating in any form will face disciplinary action which could result in failure of this course or suspension or expulsion from the University. Copying from written materials, presentations, websites, etc. without source acknowledgement and reference is plagiarism. *Read it, appreciate it, learn from it, and make sure you properly cite the source – and then reflect on it with your own thoughts and words!*

Plagiarism according to GSU's policy includes (but is not limited to):

- a. Directly quoting the words of others without using quotation marks or indented format to identify them;
- b. Using sources of information (published or unpublished) without identifying them;
- c. Paraphrasing materials or ideas without identifying the source;
- d. Unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic material.

If you are uncertain about what constitutes plagiarism, please contact the instructor. If you are accused of cheating or plagiarism, the policy, as per the Student Affairs website (<http://deanofstudents.georgiasouthern.edu/conduct/resources/faculty/academic-dishonesty/>), will be enforced.