Syllabus:

HCA 340 Legal Aspects of Health Administration

Section: 01
Days: Monday - Wednesday
Time: 11 am – 12:15 pm
Location: VEC 113

Focus of Course

*HCA 340 Legal Aspects of Healthcare Administration* provides an overview of health law issues that impact the business of healthcare and those who manage it. *This course covers: the evolution of the US healthcare system and the laws and regulations which govern it and the basics of our legal system and how healthcare laws and regulations are formulated and enforced.*

- Specific issues addressed in the course include: the laws concerning the affordability, accessibility and quality of healthcare; corporate structure and accountability; patient rights and responsibilities; and healthcare information and privacy. The ethical issues of technology and end of life matters will also be discussed. The emphasis of the course is to prepare students in understanding the current major healthcare reform legislation (Patient Protection and Affordable Care Act) and its regulations. Students will work individually and in teams to explore these issues.

- The topics usually cover several class periods. Dates are not specifically assigned per topic, to permit you to guide the depth of discussion. However, exam dates are set and will encompass the material covered up to that point. These dates will not change.

**REQUIRED TEXT, READINGS AND VIDEOS**

- The primary text for the course is *Legal Aspects of Health Care Administration*, Eleventh Edition by George Pozgar, Jones and Bartlett Publishers (2011) (hereinafter *Pozgar*). Assigned readings will not be necessarily in the order in which chapters are presented in Pozgar.

- As part of our effort to be environmentally aware, all non-textbook readings for the class are available on BeachBoard, as are all Power Points and handouts. Your grades will likewise appear on BeachBoard as materials are completed. Questions for quizzes and exams will be taken from the required textbook and the secondary readings and videos as well from lecture materials.

- The text can be purchased from a number of on-line and retail booksellers. Because the text is so commonly used, there are also *study guides available* on-line for purchase and free of charge: [https://quizlet.com/subject/legal-aspects-of-health-care/](https://quizlet.com/subject/legal-aspects-of-health-care/)
Resources

- **Academic Calendar**
  - **Length of semester**: January 19, 2016 – May 6, 2016
  - **Key Holidays**: Spring Break March 28 through April 1
  - **Finals**: Week of May 9th

- **Course Information and Updates**: BeachBoard and Syllabus

- **Technology Help Desk** using their online form - [http://www.csulb.edu/divisions/aa/academic_technology/thd/contact/](http://www.csulb.edu/divisions/aa/academic_technology/thd/contact/) or by phone at (562) 985-4959 or visit them on campus in the Academic Service (AS) building, room 120.

- **Student Programs and Services**, Campus Tutoring Services, Campus Writing Center

- **Disabled Students Center**: CSULB and your instructor are committed to ensuring the full participation of all students. If you have a documented disability (or think that you might have one), and as a result need reasonable accommodation to participate in this course, complete course requirements or benefits from the University's services or programs, you must contact me or the Disabled Students Center by clicking onto the website or contact them via email at dss@csulb.edu or by phone at (562) 985-4635.

- **Office of Equity and Diversity**: CSULB and your instructor are committed to maintaining an inclusive learning community that values diversity and fosters mutual respect. All students have the right to participate fully in university programs and activities free from discrimination, harassment, sexual violence, and retaliation. Students who believe they have been subjected to discrimination, harassment, sexual violence, or retaliation on the basis of a protected status such as age, disability, gender, gender identity/expression, sexual orientation, race, color, ethnicity, religion, national origin, veteran/veteran status or any other status protected by law, should contact the Office of Equity and Diversity at (562) 985-8256, University Student Union (USU) Suite 301, [http://www.csulb.edu/depts/oed](http://www.csulb.edu/depts/oed).

The standards and requirements set forth in this syllabus may be modified at any time by the course instructor. Notice of such changes will be by announcement in class or by written or email notice or by changes to this syllabus posted on the course website on BeachBoard.
The Health Care Administration Department has adopted a competency-based curriculum, based on the domains and competencies defined by the American College of Health Care Executives (ACHE) Competencies Assessment Tool and the Healthcare Leadership Alliance (HLA) Competency Directory. The table to the right lists course learning objectives and competencies, and how they will be met and measured.

<table>
<thead>
<tr>
<th>Learning Objective</th>
<th>Domain</th>
<th>Competency</th>
<th>Activity (A1), Assignment (A2) or Assessment (A3)</th>
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| 1. Recognize professional & ethical issues in the U.S. healthcare system | Professionalism | 1. Organizational business & professional ethics  
2. Standards & code of behavior  
3. Patients' rights & responsibilities | A1-Lecture and discussion  
A2-Case Reviews,  
A3-Quizzes, Mid-Term & Final Exams |
| 2. Demonstrate knowledge of legal issues impacting consumers, patients, providers and health care organizations | Knowledge of the Healthcare Environment | 1. National (community) standards of care  
2. Workforce issues  
3. Corporate compliance issues, laws & regulations  
4. Nursing & allied healthcare professionals roles, practices & issues | A1-Lecture and discussion  
A2-Case reviews  
A3-Quizzes |
| 3. Articulate principles of labor relations and administrative/governance responsibilities in the health care setting | Business Knowledge & Skills – General, Human Resources, Organizational Dynamics & Governance | 1. Contractual legal obligations & issues  
2. Worker safety & health issues (OSHA)  
3. Roles & functions of Directors/Trustee | A1-Lecture and discussion  
A2-Case reviews  
A3-Term Project, Quizzes, Mid-Term & Final Exam |
Instructor: Gerrie Schipske, MS, RNP/JD

E-mail: Evelyn.schipske@csulb.edu
Phone: 562 201 1296
Office Hours: T-Th @ 11 – 12 or by appointment
Location: To be determined

HCA Program Coordinator:
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Course Instructor - Gerrie Schipske, MS, RNP, JD

E. Gerrie Schipske brings to this course an extensive history of experience in healthcare administration, government, clinical nursing and education. She has worked for several major healthcare organizations: MedPartners, Kaiser Permanente and Blue Shield of California. She served as staff in the US Congress, California Assembly and city council. She has been elected and appointed to: California Medical Board; Joint Legislative Committee on Surrogate Parenting; US Attorney General’s National Advisory Council on Violence Against Women; Long Beach Community College Board of Trustees and Long Beach City Council. The White House honored Ms. Schipske in 2013 as one of seven “Champions of Change for Open Government.”

She holds: a Juris Doctor from Pacific Coast University School of Law; a Master of Science in Legislative Affairs from George Washington University; a Bachelor of Arts in History from University of California at Irvine; an Associate of Science in Nursing from Goldenwest College.

Certified and licensed as a Registered Nurse Practitioner, Ms. Schipske is also currently a licensed attorney and a member of the California and U.S. Supreme Court bar. She has taught in Healthcare Administration Department since 2011 and previously taught several years in the departments of Public Policy and Administration, Political Science and Women’s Studies.
Measuring Progress: Grading

Attendance and Participation (30 points):
- Your attendance and active engagement with the material in the form of discussion is vital to your grade. Lectures will include information not found in the textbook and thus for you to do well on exams you are encouraged to attend. *Should you miss a class, please get notes from a classmate.*

Midterm (60 points) and Final Exams (80 points):
- These tests will be on-line multiple choice and short answers to test your knowledge of the course. There are no makeup exams unless you have a documented medical excuse.

Quizzes (10 x 10 = 100 points):
- *Beginning in week 2, you must take on line a quiz BEFORE you come to class. You will be quizzed on your readings and video viewings. Each quiz is 10 points and is multiple choice or fill in the blank. There are no makeup quizzes unless you have a documented medical excuse.*

HIPAA Certificate (20 points):
- *If you have previously completed the HIPAA EDI Standards Web Based Training Course, you are not required to complete it again, but you must provide documentation (Certificate of Completion) to obtain the points for this assignment. If you have not previously completed the HIPAA EDI Standards Training Course follow the instructions on the “HIPAA Certificate” section in this syllabus.*

Case Brief (20 points):
- You will select a case from the “Case Brief” section in this syllabus and prepare a written brief in the format outlined in the course readings. Late papers will be not be accepted without a documented medical excuse.

Group/Team Projects (20 each x 2 + 40 points x 1 = 80 points):
- *Beginning week 2 you will be assigned to a group of 4-5 students and required to complete three projects during the semester which are detailed in the “Group/Team Projects” section of this syllabus. Members of each group shall receive one grade for each project. Points will be deducted from members of team who do not fully participate.*
All the assignments for this course are contained on the following pages of the syllabus and BeachBoard.

You are responsible for completing the assignments and for submitting on time in DROPBOX before Friday at 5 pm of the week it is due. For example, if you have an assignment due the week of August 24, the assignment must be in the DROP BOX no later than 5 pm, Friday August 28th.

There are NO makeup assignments without a documented medical excuse.

Explanation of Assignments:

HIPAA Certification
Points: 20
Date due in DropBox:
Requirements: If you have previously completed the HIPAA EDI Standards Web Based Training Course, you are not required to complete it again, but you must provide documentation (Certificate of Completion) to obtain the points for this assignment. If you have not previously completed the HIPAA EDI Standards Training Course:

- On the left side of the page, click Health Insurance Portability and Accountability Act (HIPAA) EDI Standards (2015).
- At the top of the window, either log in (return user) or register (new user). If you have not completed any of the courses before, you will need to register as a new user.
- Follow the directions to complete the module.
- When you have finished, “Save” a copy of the certificate to submit for this assignment and also “print” a copy of the certificate for your records.
- Turn in the certificate to the DROPBOX on or before the due date.

Case Brief
Points: 20

Date due in Dropbox: ______________

Papers are then submitted to TurnItIn to check originality.

Format: Typewritten with one inch margins and 11 point Arial font. Double spaced. Not less than 750 words; not more than 2500. NO COVER PAGE.

Requirements: 1) Watch the following video on how to brief a case: [https://www.youtube.com/watch?v=bhKOv0VQENY](https://www.youtube.com/watch?v=bhKOv0VQENY).
3) Select and read a case from the list below. You need to research it and understand the case before you can write on it. Google Scholar the case to find out more information. The issue of the case is in bold followed by the case:

- **Antitrust:** Abbott Laboratories v. Portland Retail Druggists Association, Inc. 425 US 1
- **Consent:** Cobbs v Grant, 8 Cal 3d 229 (1972)
- **Privacy:** Regents of the University of California v Superior Court (Platter), 220 Cal. App 4th 229 (2013)
4) Write the brief memo in your own words and include answers to the following in the order presented:

- The complete title and citation for the case.
- Explain which court decided this case.
- How did the case get to the court? Discuss the procedural history of the case.
- What legal issues were decided by the in this case?
- Discuss the facts of the case.
- What did the court decide? Give its holding (decision) and the reasons it gave for the decision (reasoning)?
- Was the decision unanimous? If not, who dissented and why did they dissent?
- Why is this case important for healthcare administrators?

Group/Team Projects (All Group/Team Members Will Receive Same Grade. Points will be deducted for students not fully participating in the group.)

I. Identifying Healthcare Law Research Resources

Points: 20 (Points will be given for accuracy and completeness.)

Date due in Dropbox: ________________

Requirements:
1) After you choose your group, read the following article on which you will be quizzed: http://isites.harvard.edu/fs/html/icb.topic58474/wigintro.html
2) Review the following assignment and divide the work among team members.
3) Your group will identify fifteen (15) online healthcare law research resources that you will analyze and prepare written answers to the following:
   - Website URL (e.g. http://www.justice.gov)
   - Name of organization (e.g. US Department of Justice)
   - Locate its mission statement on its website (e.g. To enforce the law and defend the interests of the United States…)
   - Provide a brief overview of what information on healthcare law the site provides.
   - Does this website have a bias? Explain.
   - Is website current?
   - Put findings into an Excel spreadsheet and PDF it for Drop Box

II. Updating the Timeline of the Evolution of Healthcare Reform in the United States from 2010 Until 2015

Points: 20 (Points will be given for: creativity, accuracy, completeness.)

Written Part Due in Dropbox: ______________________________

In-class Presentation Due: ______________________________

Requirements:
1) Your group/team will research and present an updated timeline outlining the evolution of healthcare reform in the US from 2010 until current.
2) Your updated timeline must include:
“I've led a school whose faculty and students examine and discuss and debate every aspect of our law and legal system. And what I've learned most is that no one has a monopoly on truth or wisdom. I've learned that we make progress by listening to each other, across every apparent political or ideological divide.”
US Supreme Court Justice Elena Kagan

III. Identifying the Top 5 Legal Issues Facing Healthcare Administrators in the Future

Points: 40 (20 points for presentation; 20 for written paper) (Points will be given for: creativity, accuracy, completeness, citation of sources and laws.)

Written Part Due in DropBox: ____________________________

In-class Presentation Due: ____________________________

Requirements:
Your group/team will research and present the top 5 legal issues that you believe will face healthcare administrators in the future. You must include in your written document and oral presentation:

- A complete description of each legal issue
- Any current laws related to each legal issue
- Any pending laws related to each legal issue
- Why you think your issue will be of major concern to healthcare administrators (Your original thoughts as well as citing sources are both important for this question. You must use APA format for the written paper.)
- Your advice to healthcare administrators on how they need to respond to these legal issues

Extra Credit:
Healthcare Jeopardy (25 points that are awarded to winning team; 20 to #2; 15 to #3 and 10 to #4 team as extra credit applied to Final Grade)

CLASSEROOM AND ONLINE BEHAVIOR

- Arrive to classroom time and to stay for the entire class period.
- All cell/smart phones must be turned off or on vibrate and hidden from view during class time.
- Laptop computer or tablets are allowed for (quiet) note taking only: i.e., other activities such as checking personal e-mail or browsing the internet are prohibited.
- Students are responsible for what transpired if the miss a class. It is the student’s responsibility to conduct a classmate to determine what was missed. “Excused absences” are specified in the University “Excused Absences Policy Statement” (e.g., hospitalization, death of an immediate family member).
- It is the student’s responsibility to notify the instructor of record in advance of a need for accommodation of a disability that has been verified by the University.
- Students should address faculty as “Professor” or “Dr.”
- Students are expected to dress in neat and clean clothes. Business casual dress is recommended. Avoid overly revealing clothes.
• Students (and faculty) must adhere to University rules regarding online access and usage.
• NOTE: Individual instructors may have additional requests regarding classroom behavior. Please adhere to those as well.

General Policies and Regulations
It is the student’s responsibility to review and conform to the General Policies and Regulations found in the CSULB Catalog.

WITHDRAWALS/DROPS
The symbol “W” indicates that the student was permitted to drop a course after the second week of instruction with the approval of the instructor and appropriate campus official. It carries no connotation of quality of student performance and is not used in calculating grade point average. Students are held responsible for completion of every course in which they register OR FOR WITHDRAWING DURING THE FIRST TWO WEEKS OF CLASSES FROM COURSES WHICH THEY DO NOT INTEND TO COMPLETE. Application for withdrawal from the University or from a class must be officially filed by the student at the Admissions and Records Office whether the student has ever attended the class or not; otherwise, the student will receive a grade of "U" (unauthorized incomplete) in the course. Application for withdrawal is made at the Admissions and Records Office. A “Drop” will be submitted by the Professor for any student not in attendance at the first two classes of the course. See University policy at: http://www.csulb.edu/divisions/aa/grad_undergrad/senate/documents/policy/2002/02/

CHEATING AND PLAGIARISM
Please be aware of and conform your behavior to University policy regarding Cheating and Plagiarism. The current policy can be found at: http://www.csulb.edu/divisions/aa/grad_undergrad/senate/documents/policy/2008/02/ For additional information, see: http://csulb.libguides.com/content.php?pid=321631&hs=a


Course Calendar
The course is designed to utilize two to three weeks to discuss each of seven modules. Readings and viewings of videos MUST be done BEFORE the start of each module so that students are able to successfully answer quiz questions and fully participate in classroom and group discussion. Most assignments are scheduled for a due date of the last Friday of each module at 5 pm in the DropBox.
**Dates of Interest**

Drop/Add Ends: ______
Group Healthcare Research Project Due: ____________
Case Brief Due: ________________

Mid-term: ________________
HIPAA Certificate Due: ____________
Group Presentation on Healthcare Timeline Due: ________________
Group Presentation on Major Legal Issues Facing Administrators Due: ______
Group Paper on Major Legal Issues Facing Administrators Due: __________
Healthcare Law Jeopardy: ____________
Final Exam: ________________

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**Schedule**

**Module One: The Evolution of the US Healthcare System from 1900 until Present**

Dates: **January 20 through February 5**

Topics: Syllabus, Overview of Class, Select Teams, History of Healthcare Reform in US, How a Bill Becomes a Law, How Political Deals Create Laws

Readings:
- “Working in Groups”
- Healthcare TimeLine A: [http://www.pbs.org/healthcarecrisis/history.htm](http://www.pbs.org/healthcarecrisis/history.htm)

Videos:

Assignments: Read and print out for class:
Module Two: The Basics of the American Political and Legal System

Dates: February 7 through February 20

Topics: The Role of the Three Branches of Government, Types of Law, How laws are implemented, The Court System, How laws are challenged, How to research Healthcare Law, How to brief a case, Civil Procedure and Trial Practice

Readings:
- Pozgar, Chapter 2, Chapter 6 (pages 107-124; 132-140), Chapter 27
- A Short Lesson on Court Systems, Sources of Law and Case Briefs: http://law.sc.edu/lraw/assignment.pdf
- Scan website: http://guides.library.ills.edu/content.php?pid=602855&sid=4977112

Videos:
- Types of courts: https://www.youtube.com/watch?v=TufLfbCTQB0
- Steps in a Civil Trial: https://www.youtube.com/watch?v=5U0Af_JIGpw&index=28&list=PLz24RPjRXFaUaNZApYco-chGtNhq0Rk
- How to Brief a Legal Case: https://www.youtube.com/watch?v=bhKOy0VQENY

Assignments:
- Group/Team Assignment: Identifying Health law Research Resources
- Individual Case Brief

Assignments are Due:
- Group/Team Research Project to be Presented in Class: Mon, February 15 and Wed, February 17
- Group/Team Research Project due in Drop Box on Friday February 19 at 5 pm
- Individual Case Brief due in Drop Box on Friday, February 19 at 5 pm

Module Three: The Law and Healthcare Quality

Dates: February 21 through March 12

Topics: Overview of Torts and Criminal law, Elements of Negligence

Readings:
- Pozgar Chapter 3, Chapter 4, Chapter 24 The Essential Guide to Healthcare
Module Four: The Law and Healthcare Business

Dates: March 13 through March 26

Spring Break March 28 – April 1

Topics: Corporate Structure, Anti-trust, Contracts, Fraud and Abuse, Medical Staff, Nursing, Allied Professionals, Employee and Labor Relations

Readings:

- Pozgar Chapter 5, Chapter 4 (page 63 -65), Chapter 7, Chapter 8, Chapter 9, Chapter 10, Chapters 20-22
- Explore the Office of Inspector General (OIG) website, focusing on fraud and compliance. Check out the OIG Most Wanted Fugitives, Compliance 101 and Provider Education and peruse the latest enforcement actions posted on the OIG homepage [www.oig.hhs.gov](http://www.oig.hhs.gov)

Module Five: The Law and Healthcare Affordability and Accessibility

Dates: April 3 through April 16

Topics: Patient Protection and Affordable Care Act, Physician Shortage and Scope of Practice Issues, EMTALA

Readings:

- After King vs. Burwell: [http://familiesusa.org/initiatives/king-v-burwell](http://familiesusa.org/initiatives/king-v-burwell)
• Scan website: http://www.emtala.com/

Videos:
• Health Reform in US: https://www.youtube.com/watch?v=qNxgYjW3rc0&list=PLkP5seq9iv3qtfK0YMBSDew4Ymxo3VW5v
• YouToons Get Ready for ACA: https://www.youtube.com/watch?v=JZkk6ueZt-U&list=PLkP5seq9iv3qtfK0YMBSDew4Ymxo3VW5v&index=2
• Obamacare for Dummies: https://www.youtube.com/watch?v=Dqabs9xysYA
• Update After 5 Years: https://www.youtube.com/watch?v=wMuXcuudvCc
• White House Update: https://www.youtube.com/watch?v=jGQFdad__OU
• How Do We Afford Healthcare: https://www.ted.com/playlists/70/what_doctors_worry_about

Assignments: Group/team Project on Timeline
Assignments are due: Presentation Timeline Due in class: Monday April 11 and Wednesday, April 13
Written updated timeline due in Drop box: Friday, April 15 at 5 pm

Module Six: The Law and Patient Rights and Responsibilities
Dates: April 17 through April 23
Topics: Patient consent, HIPAA, Patient Confidentiality, Legal Reporting Requirements of Providers, Patient Safety

Readings:
• Pozgar: Chapter 11, Chapter 12, Chapter 13, Chapter 14, Chapter 25
• Legal Reporting Requirements of Physicians in Alaska: https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/StateMedicalBoard/ReportingRequirements.aspx
• Actress’ Cancer Treatment Files Breached by Hospital Worker: http://articles.latimes.com/2008/apr/03/local/me-farrah3

Videos:
• Informed Consent: https://www.aad.org/education/basic-dermatology-curriculum/video-library/exams-and-informed-consent/informed-consent
• Medical Ethics and Informed Consent: https://www.youtube.com/watch?v=_uR30XzyYus
• What is Patient Safety? https://www.youtube.com/watch?v=BJP2rvBchnE
• Patient Safety Campaign: https://www.youtube.com/watch?v=O-bK1olY3Wc
• Check out a Long Beach hospital on www.hospitalsafety.org

Assignments: HIPAA Certification
Assignments are due: In Drop Box, Friday, April 22 by 5 pm

Module Seven: When the Law Ends and Ethics Begins – Ethical Issues of Technology and End of Life Matters
Dates: April 24 through May 9


Readings:
• Pozgar: Chapter 16, Chapter 17 and Chapter 18
• Atul Gawande, Letting Go: What should medicine do when it can’t save your life? The New Yorker (August 2, 2010). http://www.newyorker.com/reporting/2010/08/02/100802fa_fact_gawande

Videos:
• Peter Saul: Let’s Talk About Dying: https://www.ted.com/talks/peter_saul_let_s_talk_about_dying?language=en
• Audio podcast: Managing Conflicts with Surrogate Decision Makers in Life Sustaining Issues:

**Presentation Assignments are due: In class during the period of April 25 and May 9**

**Written paper on healthcare issues facing health care administrators due in Drop Box on Friday, April 29 at 5 pm.**

**Final:** date and time to be announced on BeachBoard