



HPM 310—Section 001

Health Law and Ethics

(Credit Hours: 3)

Department of Health Policy and Management
UNC Gillings School of Global Public Health

Fall 2017 Syllabus and Course Schedule
Class Location: Room 235 Rosenau Hall
Meeting Times: Tuesday and Thursdays 2:00-3:15 PM

Faculty: Dean M. Harris
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Greenberg Hall

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Phone: (919) 966-7361

Phone:

Office Hours: By appointment

Office Hours: N/A

Course Overview

The course is designed to provide students with an introduction to health law and ethics. The course is divided into four modules: (I) The U.S. System of Law and Legal Procedure; (II) Legal and Ethical Issues in Providing Healthcare Services to Patients; (III) Legal and Ethical Issues in Organizing, Managing, and Regulating the Delivery of Healthcare Services; and (IV) Legal Issues in Health Insurance Programs.

Learning Objectives and Competencies

	Course Learning Objective	BSPH Program in Health Policy & Management Competencies
	<i>By the time students finish this course, they should be able to...</i>	<i>Through this course, students will further develop the following knowledge, skills, and abilities...</i>
1	Learn about the law and understand how it applies to the health care system, including providing healthcare services to patients; organizing, managing, and regulating the delivery of healthcare services; as well as health insurance programs	Health Industry Knowledge
2	Identify factual situations that raise legal and ethical issues	Research, Analysis & Problem Solving Skills Professionalism
3	Analyze the legal and ethical issues in a given state of facts, and explain the analysis	Research, Analysis & Problem Solving Skills Communication & Teamwork Skills
4	Use the law to promote health policy values and goals	Health Industry Knowledge Research, Analysis & Problem Solving Skills Communication & Teamwork Skills

Resources

Website

HPM 310 has its own website using Sakai. This Syllabus and Course Schedule is posted on the website.

Text

Text: Contemporary Issues in Healthcare Law and Ethics (Fourth Edition), by Dean M. Harris (Health Administration Press, 2014). Be sure to use the Fourth Edition.

Other Reading Assignments

Aside from the text, some reading assignments will be posted on Sakai or will be available on the internet. In addition, some reading assignments will be available on the E-Journal Finder of UNC Libraries.

Reading assignments are listed below in the Course Schedule or will be announced on Sakai.

Requirements and Expectations

Reading Assignments

Reading assignments for this course consist of readings from the text and from other selected materials. Aside from the text, some reading assignments will be posted on Sakai or will be available on the internet or the E-Journal Finder of UNC Libraries. Reading assignments are listed below in the Course Schedule or students will be notified in advance by posting an announcement on Sakai. All reading assignments are required.

Other Assignments

On various dates specified below in the Course Schedule, students are required to be prepared to discuss in detail certain written activities from the text, although it is not necessary to prepare written answers to those activities. Any assignments which are listed as “to be announced” will be announced prior to the specific class, by posting an announcement on Sakai. As stated in the Course Schedule, the topics, readings, and assignments for this course are subject to change by the professor, by posting an announcement on Sakai.

Examinations

All quizzes and examinations in this course will consist of multiple choice questions and will be closed-book exams. Quiz #1 will be held during class on September 14, 2017, and will count as 15% of your grade for this course. Quiz #2 will be held during class on November 2, 2017, and will count as 15% of your grade for this course. The Midterm Exam will be held during class on October 12, 2017, and will count as 30% of your grade for this course. (Although October 12, 2017 is University Day, the official UNC Academic Calendar indicates that classes will be held as regularly scheduled after 12:30 pm on that day.) In addition, there will be a Final Exam on the date scheduled by the university during the final exam period. The Final Exam will be cumulative, and it will count as 40% of your grade for this course.

Class Participation

Students are expected to come to class regularly, on time, and prepared to participate.

Laptops, Tablets, Phones, and Other Electronic Devices

Turn off and put away **all** laptops, tablets, phones, and **all** other electronic devices in class and during quizzes and exams. Electronic devices may **not** be placed on desks or in laps. Laptops and other electronic devices may **only** be used in class if they are required as part of an accommodation for a disability that has been arranged in writing in advance by the UNC Office of Accessibility Resources & Services (ARS).

Evaluation Method

Grade Components

Component	% of Grade
Quiz #1	15%
Quiz #2	15%
Midterm Exam	30%
Final Exam	40%
TOTAL	100%

Grading Scale

94 or above: A
90 to 93: A-
87 to 89: B+
83 to 86: B
80 to 82: B-
77 to 79: C+
73 to 76: C
70 to 72: C-
67 to 69: D+
63 to 67: D
60 to 62: D-
Below 60: E

Accommodating Students with Disabilities:

UNC-CH supports all reasonable accommodations, including resources and services, for students with disabilities, chronic medical conditions, a temporary disability, or a pregnancy complication resulting in difficulties with accessing learning opportunities. All accommodations are coordinated through the UNC Office of Accessibility Resources & Services (ARS), <http://accessibility.unc.edu>; phone 919-962-8300, email accessibility@unc.edu. Students must document/register their need for accommodations with ARS before accommodations can be implemented.

UNC Honor Code

The principles of academic honesty, integrity, and responsible citizenship govern the performance of all academic work and student conduct at the University as they have during the long life of this institution. Your acceptance of enrollment in the University presupposes a commitment to the principles embodied in the Code of Student Conduct and a respect for this most significant Carolina tradition. Your reward is in the practice of these principles.

Your participation in this course comes with the expectation that your work will be completed in full observance of the Honor Code. Academic dishonesty in any form is unacceptable, because any breach in academic integrity, however small, strikes destructively at the University's life and work.

If you have any questions about your responsibility or the responsibility of faculty members under the Honor Code, please consult with someone in either the Office of the Student Attorney General (966-4084) or the Office of the Dean of Students (966-4042).

Read "The Instrument of Student Judicial Governance" (<http://instrument.unc.edu>).

Recognizing, Valuing, and Encouraging Diversity

The importance of diversity is recognized in the mission statement of HPM. In the classroom, diversity *strengthens* the products, *enriches* the learning, and *broadens* the perspectives of all in the class. Diversity requires an atmosphere of inclusion and tolerance, which oftentimes challenges our own closely-held ideas, as well as our personal comfort zones. The results, however, create a sense of community and promote excellence in the learning environment. This class will follow principles of inclusion, respect, tolerance, and acceptance that support the values of diversity.

Diversity includes consideration of: (1) life experiences, including type, variety, uniqueness, duration, personal values, political viewpoints, and intensity; and (2) factors related to "diversity of presence," including, among others, age, economic circumstances, ethnic identification, family educational attainment, disability, gender, geographic origin, maturity, race, religion, sexual orientation, social position, and veteran status.

Course Evaluation

HPM participates in the UNC-CH's online course evaluation system, enabled at the end of the semester by Scantron Class Climate. Your responses will be anonymous, with feedback provided in the aggregate. Open-ended comments will be shared with instructors, but not identified with individual students. Your participation in course evaluation is an expectation, since providing constructive feedback is a professional obligation. Feedback is critical, moreover, to improving the quality of our courses, as well as for instructor assessment.

HPM 310-FALL 2017-COURSE SCHEDULE

PLEASE NOTE: The following topics, readings, and assignments are subject to change by the professor, by posting an announcement on Sakai. Unless otherwise stated, all chapter and page references are to the text.

Also, please note that there will be no class on October 19 (Fall Break) or November 23 (Thanksgiving).

MODULE I: THE U.S. SYSTEM OF LAW AND LEGAL PROCEDURE

Learning Objectives:

1. Understand how the U.S. legal system operates; and
2. Understand how law applies to the healthcare system

Class #	Date	Topic	Readings and Assignments
1	Aug. 22	Introduction & housekeeping matters	Ch. 1
2	Aug. 24	The American legal system (Who makes the laws?)	Ch. 2 at pp. 13 - 22; plus Ch. 5 at pp. 67 - 71
3	Aug. 29	Civil Procedure I (Filing; service; discovery; pleadings)	Ch. 2 at pp. 22 (bottom) – 30
4	Aug. 31	Civil Procedure II (Roles of the judge and jury; motions; trials and appeals)	Read the excerpt from <u>LaBarre v. Duke University</u> on Sakai. Be prepared to discuss the chronology of legal procedure in that case, but it is not necessary to submit anything in writing.
5	Sept. 5	Civil Procedure III (Jurisdiction of the federal courts; Legal and practical issues of administrative law)	To be announced

MODULE II: LEGAL AND ETHICAL ISSUES IN PROVIDING HEALTHCARE SERVICES TO PATIENTS

- Learning Objectives:**
1. Identify factual situations that raise legal and ethical issues;
 2. Analyze the legal and ethical issues in a given state of facts, and explain the analysis;
 3. Understand how the law applies to providing healthcare services to patients

Class #	Date	Topic	Readings and Assignments
6	Sept. 7	Medical Malpractice I	Ch. 10 at pp. 229 - 41 (top)
7	Sept. 12	Medical Malpractice II and Informed Consent	Ch. 10 at pp. 241 - 247; Be prepared to discuss Activity 10.1 at pp. 245 - 47 in detail, but it is not necessary to prepare a written answer.)
8	Sept. 14	Finish discussion of informed consent (plus Quiz #1)	To be announced
9	Sept. 19	Medical Malpractice Reform	Ch. 10 at pp. 247 (bottom) - 260
10	Sept. 21	Refusal of care, right to a natural death, and physician-assisted suicide (PAS)	Ch. 12 at pp. 283 - 94; 298 - 302 (omit p. 299) (plus the Oregon form which is posted on Sakai)
11	Sept. 26	To be announced	To be announced
12	Sept. 28	To be announced	To be announced
13	Oct. 3	Legal issues in reproductive health	Ch. 13
14	Oct. 5	Obligations to provide care I	Ch. 11 at pp. 261 - 73 (top)
15	Oct. 10	Obligations to provide care II (and prohibitions against discrimination)	Ch. 11 at pp. 273 – 82 (Be prepared to discuss Activity 11.1 at pp. 273 - 74 in detail, but it is not necessary to prepare a written answer.
16	Oct. 12	MIDTERM EXAM	Study for midterm exam

MODULE III: LEGAL AND ETHICAL ISSUES IN ORGANIZING, MANAGING, AND REGULATING THE DELIVERY OF HEALTHCARE SERVICES

- Learning Objectives:**
1. Identify factual situations that raise legal and ethical issues
 2. Analyze the legal and ethical issues in a given state of facts, and explain the analysis; and
 3. Understand how the law applies to organizing, managing, and regulating the delivery of healthcare services

Class #	Date	Topic	Readings and Assignments
17	Oct. 17	Protection of privacy and the federal HIPAA Privacy Rule	Ch. 6 (but omit the case at pages 105-12)
18	Oct. 24	Legal structure and governance of healthcare organizations; requirements for tax-exempt status	Ch. 4 (Be prepared to discuss Activity 4.1 at pp. 57 - 59 and Exhibit 4.2 on p.59 in detail, but it is not necessary to prepare a written answer)
19	Oct. 26	Government regulation for quality of care	Ch. 5 at pp. 71 (bottom) - 80; and re-read Ch. 5 at pp. 67 - 71
20	Oct. 31	Government regulation for cost-containment and access (CON Laws) I	Ch. 5 at pp. 80 (bottom) – 96
21	Nov. 2	Government regulation for cost-containment and access (CON Laws) II (plus Quiz #2)	Be prepared to discuss Activity 5.1 at pp. 87 - 93 in detail, but it is not necessary to prepare a written answer.

MODULE IV: LEGAL ISSUES IN HEALTH INSURANCE PROGRAMS

Learning Objectives: 1. Understand how law applies to health insurance programs; and
2. Develop the ability to use the law to promote health policy values and goals

Class #	Date	Topic	Readings and Assignments
22	Nov. 7	The law of government payment programs	Ch. 8 at pp. 151 – 66
23	Nov. 9	Fraud and Abuse I (false claims)	Ch. 8 at pp. 166 (bottom) - 76 (top), plus <u>USA v. WakeMed</u> -Order (posted on Sakai)
24	Nov. 14	Fraud and Abuse II (kickbacks; self-referrals; compliance programs; and ACOs)	Ch. 8 at pp. 176 - 95
25	Nov. 16	Legal Issues in Healthcare Cost Containment	Ch. 14
26	Nov. 21	Legal Issues in Health Insurance and Health Reform I	Ch. 15 at pp. 375 - 83
27	Nov. 28	Legal Issues in Health Insurance and Health Reform II	Ch. 15 at pp. 383 - 401
28	Nov. 30	To be announced	To be announced
29	Dec. 5	Review session to prepare for final exam	Study for final exam

NOTE: As stated above, there will be a final exam on the date scheduled by the university during the final exam period.