



Course Syllabus

MDCA 1305 – Medical Law and Ethics

Catalog Description: Instruction in principles, procedures, and regulations involving legal and ethical relationships among physicians, patients, and medical assistants in ambulatory care settings.

Lecture hours = 3, Lab hours = 0

Prerequisites: None

Semester Credit Hours: 3

Lecture Hours per Week: 3

Lab Hours per Week: 0

Contact Hours per Semester: 48

State Approval Code: 510801

Instructional Goals and Purposes: The purpose of this course is to introduce students to the major ethical principles and legal issues and regulations that guide health information management decision making and to emphasize to students the importance of maintaining confidentiality of health information.

Learning Outcomes:

1. Apply local, state, and federal standards and regulations for the control and use of health information.
2. Demonstrate appropriate health information disclosure practices.
3. Identify and discuss ethical issues in health care.
4. Define general legal terms as they apply to the practice of medicine in ambulatory care settings.
5. Differentiate between sources and types of law.
6. Identify the role of the medical assistant.
7. Explain governmental healthcare guidelines including patient rights and advanced directives.
8. Interpret professional values and obligations inherent in the American Health Information Management (AHIMA) Code of Ethics.
9. Apply federal, state, and local statutes, administrative laws and regulations with regard to the use and disclosure of health information.
10. Demonstrate appropriate health information disclosure practices.
11. Explain the HIPAA privacy standards and rules with regard to health information use and disclosure.

Specific Course Objectives (includes SCANS):

After studying all materials and resources presented in the course, the student will be able to:

1. **Chapter 1**
 - a. Define the key terms.
 - b. Describe the similarities and differences between laws and ethics.
 - c. Describe how to apply the three decision-making models discussed in this chapter.
 - d. Discuss the reasons for studying law, ethics, and bioethics. Explain why ethics is not just about the sincerity of one's beliefs, emotions, or religious viewpoints.

SCANS Basic Skills: Ai, Aii, Aiv, Av, Bi, Bii, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Cv.

SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

2. Chapter 2

- a. Define the key terms.
- b. Describe the sources of law.
- c. Discuss the difference between civil law and criminal law, explaining the areas covered by each.
- d. List six intentional torts and give examples of each.
- e. List examples of criminal actions that relate to the healthcare worker.
- f. Discuss the difference between a felony and a misdemeanor.
- g. Describe the types of courts in the legal system.

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SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

3. Chapter 3

- a. Define all key terms.
- b. Describe the three methods by which a state grants a license to practice medicine.
- c. Discuss conduct that may result in a physician's loss of license to practice medicine.
- d. Identify the difference between licensure and certification.
- e. Discuss what the term standard of care means for the physician and what it means for someone in your profession.
- f. Discuss the importance of the phrase respondeat superior as it relates to the physician.

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4. Chapter 4

- a. Define all key terms.
- b. Discuss the similarities and differences among health maintenance organizations, preferred provider organizations, and exclusive provider organizations.
- c. Describe five types of medical practice.
- d. Identify three categories of licensed nurses and describe their educational requirements.
- e. State the differences between Medicare and Medicaid.

SCANS Basic Skills: Ai, Aii, Aiv, Av, Bi, Bii, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Cv.

SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

5. Chapter 5

- a. Define all key terms.
- b. Describe the rights a physician has when practicing medicine and when accepting a patient.
- c. Discuss the nine principles of medical ethics as designated by the AMA.
- d. Summarize "A Patient's Bill of Rights."
- e. Understand standard of care and how it is applied to the practice of medicine.
- f. Discuss three patient self-determination acts.
- g. Describe the difference between implied consent and informed consent.

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SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

6. Chapter 6

- a. Define all key terms.
- b. Define the four D's of negligence for the physician.
- c. Discuss the meaning of respondent superior for the physician and the employee.

- d. Explain the term liability and what it means for the physician and other healthcare professionals.
- e. List 10 ways to prevent malpractice.
- f. Describe two types of malpractice insurance.
SCANS Basic Skills: Ai, Aii, Aiv, Av, Bi, Bii, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Cv.
SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

7. Chapter 7

- a. Define all key terms.
- b. Describe the public duties of a physician.
- c. Discuss the guidelines that should be used when completing a legal record or certificate.
- d. List 10 reportable communicable diseases.
- e. Describe eight signs that indicate a child, spouse, or elderly person may be abused.
- f. Discuss the federal legislation of controlled substances.
SCANS Basic Skills: Ai, Aii, Aiv, Av, Bi, Bii, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Cv.
SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

8. Chapter 8

- a. Define all key terms.
- b. Discuss the regulations concerning equal employment opportunity and employment discrimination.
- c. Describe the regulations affecting employee compensation and benefits.
- d. Describe accommodations that can be made in the workplace for persons with disabilities.
SCANS Basic Skills: Ai, Aii, Aiv, Av, Bi, Bii, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Cv.
SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

9. Chapter 9

- a. Define all key terms.
- b. List five purposes of the medical record.
- c. List seven requirements for maintaining medical records as recommended by the Joint Commission on Accreditation of Healthcare Organizations.
- d. Discuss guidelines for effective charting.
- e. Discuss what is meant by timeliness of charting and why it is important in a legal context.
- f. Describe ways to protect patient confidentiality that relate to the use of fax, copies, e-mail, and computers.
- g. Discuss the time periods for retaining adults' and minors' medical records, fetal heart monitor records, and records of birth, death, and surgical procedures.
- h. Describe confidentiality obligations using electronic medical record keeping.
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10. Chapter 10

- a. Define all key terms.
- b. Identify the problems associated with patient confidentiality.
- c. Describe the information to which the Privacy Rule refers and how it applies to your profession.
- d. Discuss the purpose of the Health Insurance Portability and Accountability Act of 1996.
- e. List which entities are affected by HIPAA.
- f. Discuss the penalties for noncompliance with HIPAA.
- g. List the patients' rights under the Privacy Standards.
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11. **Chapter 11**

- a. Define all key terms.
- b. List and discuss at least 10 bioethical issues the modern physician and healthcare professional face.
- c. Describe how an ethical decision-making model, such as the Seven-Step Decision Model, can be used when confronted with difficult ethical dilemmas.
- d. Discuss the importance of codes of ethics such as the Nuremberg Code.

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12. **Chapter 12**

- a. Define all key terms.
- b. Describe the Baby M case.
- c. Discuss the ethical considerations relating to contraception.
- d. List several ethical issues surrounding sterilization and contraception.
- e. Explain the importance of Roe v. Wade.

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SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

13. **Chapter 13**

- a. Define all key terms.
- b. Discuss the difference between cardiac and brain-oriented death.
- c. Discuss the pros and cons of euthanasia.

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SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

14. **Chapter 14**

- a. Define all key terms.
- b. Discuss what is meant by the phrase, "First, do no harm."
- c. Describe who is covered under the Patient Protection and Affordable Care Act.

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SCANS Workplace Competencies: Ai, Aiii, Bi, Biii, Biv, Bv, Bvi, Ci, Cii, Ciii, Civ, Di, Dii, Diii, Ei, Eii, Eiii

Course Content:

A general description of lecture/discussion topics included in this course are listed in the Learning Objectives / Specific Course Objectives sections of this syllabus.

Students in all sections of this course will be required to do the following:

1. Complete modules
2. Participate in discussions
3. Complete a research paper
4. Take proctored exams
5. Complete homework assignments

Methods of Instruction/Course Format/Delivery:

- **Modules:** Everything you need for this course is separated into modules in the Modules section of the Canvas Learning Management System.
- **Homework Assignments:** For each chapter you will be given a corresponding homework assignment. It is important to follow ALL directions given on homework assignments or points will be deducted.
- **Discussions:** You will be required to answer several discussion questions this semester. Some will require you to read case studies while others may require you to watch a short video. You are expected to follow ALL directions given and answer all questions thoroughly or points will be

deducted. If the discussion assignment requires that you respond to another student you are expected to remain respectful and courteous to your classmates even if you disagree with their opinion.

- **Research Paper:** This course will require you to write a research paper. This assignment is a requirement for this course and must be submitted according to your instructions or you will receive an automatic "F" in this class. On your home page you will find an entire Module dedicated to information regarding this assignment. Please look there for all pertinent information.
- **Proctored Exams:** You will be given four (4) proctored major exams and a comprehensive final examination (also by proctor) this semester. These tests have been designed so that you can demonstrate that you have followed along in the course and learned the material. All of the proctored exams must be taken in a Panola College testing center during the designated testing dates. Makeup exams will not be given without a physician's excuse and missed exams will receive a grade of ZERO. If you are aware of a scheduling issue, you can ALWAYS take your exam early if need be, but you can NEVER take an exam late. You will just need to make me aware of the issue and I will make arrangements for you to take your test early either with myself, or by proctor at one of the testing centers. I strongly recommend that you do not miss your scheduled exams. The makeup exam you receive will not be the same exam taken by the other students. Information on the Panola College testing centers can be found here [TESTING CENTER INFO](#).

Major Assignments / Assessments:

The following items will be assigned and assessed during the semester and used to calculate the student's final grade.

Assignments

1. Chapter 1-14 assignments
2. Research paper
3. Discussions

Assessment(s):

1. 4 Major Exams
2. 1 final exam

Course Grade:

The grading scale for this course is as follows:

- Research paper (required to pass) 15%
- Homework and Discussions 15%
- Major exams 40%
- Final Exam 30%

Texts, Materials, and Supplies:

- *Medical Law and Ethics*, Fifth edition, Bonnie F. Fremgen, Pearson, Copyright 2016.

Required Readings:

- *Medical Law and Ethics*, Fifth edition, Bonnie F. Fremgen, Pearson, Copyright 2016.

Other:

- For current texts and materials, use the following link to access bookstore listings: <http://www.panolacollegestore.com>
- For testing services, use the following link: <http://www.panola.edu/elearning/testing.html>
- If any student in this class has special classroom or testing needs because of a physical learning or emotional condition, please contact the ADA Student Coordinator in Support Services located in the Administration Building or go to <http://www.panola.edu/student-success/disability-support-services/> for more information.
- Withdrawing from a course is the student's responsibility. Students who do not attend class and who do not withdraw will receive the grade earned for the course.

- Student Handbook, *The Pathfinder*: <http://www.panola.edu/student-success/documents/pathfinder.pdf>

SCANS CRITERIA

1) **Foundation skills are defined in three areas: basic skills, thinking skills, and personal qualities.**

- a) **Basic Skills:** A worker must read, write, perform arithmetic and mathematical operations, listen, and speak effectively. These skills include:
 - i) Reading: locate, understand, and interpret written information in prose and in documents such as manuals, graphs, and schedules.
 - ii) Writing: communicate thoughts, ideas, information, and messages in writing, and create documents such as letters, directions, manuals, reports, graphs, and flow charts.
 - iii) Arithmetic and Mathematical Operations: perform basic computations and approach practical problems by choosing appropriately from a variety of mathematical techniques.
 - iv) Listening: receive, attend to, interpret, and respond to verbal messages and other cues.
 - v) Speaking: Organize ideas and communicate orally.
- b) **Thinking Skills:** A worker must think creatively, make decisions, solve problems, visualize, know how to learn, and reason effectively. These skills include:
 - i) Creative Thinking: generate new ideas.
 - ii) Decision Making: specify goals and constraints, generate alternatives, consider risks, and evaluate and choose the best alternative.
 - iii) Problem Solving: recognize problems and devise and implement plan of action.
 - iv) Visualize ("Seeing Things in the Mind's Eye"): organize and process symbols, pictures, graphs, objects, and other information.
 - v) Knowing How to Learn: use efficient learning techniques to acquire and apply new knowledge and skills.
 - vi) Reasoning: discover a rule or principle underlying the relationship between two or more objects and apply it when solving a problem.
- c) **Personal Qualities:** A worker must display responsibility, self-esteem, sociability, self-management, integrity, and honesty.
 - i) Responsibility: exert a high level of effort and persevere toward goal attainment.
 - ii) Self-Esteem: believe in one's own self-worth and maintain a positive view of oneself.
 - iii) Sociability: demonstrate understanding, friendliness, adaptability, empathy, and politeness in group settings.
 - iv) Self-Management: assess oneself accurately, set personal goals, monitor progress, and exhibit self-control.
 - v) Integrity and Honesty: choose ethical courses of action.

2) **Workplace competencies are defined in five areas: resources, interpersonal skills, information, systems, and technology.**

- a) **Resources:** A worker must identify, organize, plan, and allocate resources effectively.
 - i) Time: select goal-relevant activities, rank them, allocate time, and prepare and follow schedules.
 - ii) Money: Use or prepare budgets, make forecasts, keep records, and make adjustments to meet objectives.
 - iii) Material and Facilities: Acquire, store, allocate, and use materials or space efficiently. Examples: construct a decision time line chart; use computer software to plan a project; prepare a budget; conduct a cost/benefits analysis; design an RFP process; write a job description; develop a staffing plan.
- b) **Interpersonal Skills:** A worker must work with others effectively.
 - i) Participate as a Member of a Team: contribute to group effort.
 - ii) Teach Others New Skills.
 - iii) Serve Clients/Customers: work to satisfy customer's expectations.

- iv) **Exercise Leadership:** communicate ideas to justify position, persuade and convince others, responsibly challenge existing procedures and policies.
- v) **Negotiate:** work toward agreements involving exchange of resources, resolve divergent interests.
- vi) **Work with Diversity:** work well with men and women from diverse backgrounds.

Examples: collaborate with a group member to solve a problem; work through a group conflict situation, train a colleague; deal with a dissatisfied customer in person; select and use appropriate leadership styles; use effective delegation techniques; conduct an individual or team negotiation; demonstrate an understanding of how people from different cultural backgrounds might behave in various situations.

- c) **Information:** A worker must be able to acquire and use information.

- i) **Acquire and Evaluate Information.**
- ii) **Organize and Maintain Information.**
- iii) **Interpret and Communicate Information.**
- iv) **Use Computers to Process Information.**

Examples: research and collect data from various sources; develop a form to collect data; develop an inventory record-keeping system; produce a report using graphics; make an oral presentation using various media; use on-line computer data bases to research a report; use a computer spreadsheet to develop a budget.

- d) **Systems:** A worker must understand complex interrelationships.

- i) **Understand Systems:** know how social, organizational, and technological systems work and operate effectively with them.
- ii) **Monitor and Correct Performance:** distinguish trends, predict impacts on system operations, diagnose deviations in systems' performance and correct malfunctions.
- iii) **Improve or Design Systems:** suggest modifications to existing systems and develop new or alternative systems to improve performance.

Examples: draw and interpret an organizational chart; develop a monitoring process; choose a situation needing improvement, break it down, examine it, propose an improvement, and implement it.

- e) **Technology:** A worker must be able to work with a variety of technologies.

- i) **Select Technology:** choose procedures, tools or equipment including computers and related technologies.
- ii) **Apply Technologies to Task:** understand overall intent and proper procedures for setup and operation of equipment.
- iii) **Maintain and Troubleshoot Equipment:** Prevent, identify, or solve problems with equipment, including computers and other technologies.

Examples: read equipment descriptions and technical specifications to select equipment to meet needs; set up and assemble appropriate equipment from instructions; read and follow directions for troubleshooting and repairing equipment.