

HARTFORD COLLEGE FOR WOMEN

LAH 400 ST: Health Care Law CRN 27123

Second Spring Term 2003

Wednesdays 5:30 – 9:45 p.m.

Instructor: Mary T.L. Bannon, Esq.

Court Description: This course examines the major legal issues encountered by health care institutions and individual health care practitioners as they operate and make business decisions in today's fluid health care environment.

Course Objectives: Upon completion of this course, participants should understand –

- The economic, social and legal forces that have shaped and are shaping the health care system in the United States and Connecticut;
- How legislatures, courts and regulatory agencies affect the American health care system;
- The important actual and potential legal issues that health care institutions and health care practitioners should be aware of as they function in today's changing environment.

Required Text: George D. Pozgar, *Legal Aspects of Health Care Administration*. Aspen Publishers, Inc. (2002). 8th Edition.

Additional Reading Material: To be provided in class.

Grading:

- | | |
|--------------------------------|-----|
| • Class Participation | 20% |
| • In-Class Written Assignments | 10% |
| • In-Class Mid-Term Exam | 20% |
| • Take-Home Final Exam | 20% |
| • Out-of-Class Project | 30% |

Course Requirements:

- Students are expected to be on time for all classes. If a student is late by one-half hour or more to a class, the student will be expected to complete a make-up assignment.
- Students are expected to attend every class appropriately prepared. Students must notify Ms. Bannon in advance of any absences and are expected to get notes and assignments from a classmate. Students who miss a class are expected to complete a make-up assignment.
- Written assignments are to be typed. Any assignment submitted late will be graded down.
- All students are expected to be familiar with and to adhere to the honor code of the Hartford College for Women. **STUDENTS MAY NOT WORK TOGETHER ON PROJECTS OR ASSIGNMENTS UNLESS SPECIFICALLY AUTHORIZED TO DO SO BY MS. BANNON.** Plagiarism is defined as “the use of someone else’s words or thoughts without attribution as to the source.” Plagiarism or any other violation of the honor code is cause for failure of this course and for expulsion from the Hartford College for Women.

CLASS SCHEDULE¹

Class I **Wednesday, March 26, 2003** **5:30 – 9:45 p.m.**

Topic: An Overview of Basic Legal Concepts in the Health Care Area; Regulation of Health Care Practitioners in Connecticut.

Class II **Wednesday, April 2, 2003** **5:30 – 9:45 p.m.**

Topic: The Evolution of the Health Care Delivery and Finance System in the United States; Criminal Aspects of Health Care.

Reading: Pozgar, pp. 48-67.

Choice of health care issue due.

Class III **Wednesday, April 9, 2003** **5:30 – 9:45 p.m.**

Topic: Torts in Health Care.

Reading: Pozgar, pp. 19-45, 124-144.

Interview questions developed in class.

Class IV **Wednesday, April 16, 2003** **5:30 – 9:45 p.m.**

In-Class Mid-Term Exam.

Topic: Labor Relations in Health Care.

Reading: Pozgar, pp. 382-395.

¹ As the course progresses, changes to the syllabus may be necessary. Ms. Bannon reserves the right to modify the syllabus in order to respond to specific instructional or class needs. Students will be given appropriate notification of any change to the syllabus.

Class V **Wednesday, April 23, 2003** **5:30 – 9:45 p.m.**

Topic: Contract and Antitrust Issues in Health Care.

Reading: Pozgar, pp. 70-88.

Annotated Bibliography due.

Class VI **Wednesday, April 30, 2003** **5:30 – 9:45 p.m.**

Topic: Patients' Rights and Responsibilities; Information Management and Medical Records; HIPAA.

Reading: pp. 274-292; 249-271.

Class VII **Wednesday, May 7, 2003** **5:30 – 9:45 p.m.**

Topic: ERISA; Managed Care.

Oral Report on Interview due.

Written Assignment on Out-of-Class Project due.

Take-Home Final exam distributed.

Class VIII **Wednesday, May 14, 2003** **5:30 – 9:45 p.m.**

Take-Home Final Exam due.

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ACADEMIC EXPRESS PROJECT

General Statement

This Project is to be completed by students in fulfillment of the out-of-class seven (7)-hour requirement for the course. Students, therefore, are expected to spend at least seven (7) hours working on and preparing this Project. The grade students receive on this Project will count as thirty percent (30%) of their final grade for the course.

Ms. Bannon is available for consultation, suggestions and guidance during the course of this Project. Her direct telephone number is: 860-673-6462. Her E-mail address is: mtlb49@aol.com.

Students should read carefully the following Directions and must adhere to the Assignment Deadlines listed below.

Directions

Background Research. Each student shall research a current legal issue in American health care. Research shall consist of locating and reading at least three (3) outside sources (e.g., book, magazine or newspaper article, Internet) that deals with the issue. Examples of current legal issues in American health care include:

- Hospital reporting of “adverse events” in Connecticut
- The right to sue HMOs under the federal “Patient Bill of Rights”
- The rising cost of health care in the United States
- “Any willing provider” statutes
- Right to strike vs. patient safety in nursing homes in Connecticut
- Effect of direct consumer advertising by drug companies on demand for and cost of prescription drugs
- Genetic testing
- Cloning of human beings
- Regulation of controversial drugs (e.g., Oxycontin)
- Obesity as a “disability” under the Americans with Disabilities Act
- Confidentiality of patient medical records
- The effect of rising malpractice insurance costs on practitioners

Personal Interview. Each student shall personally interview someone who is knowledgeable about the subject matter of the student's research. The interviewee can be, for example, a health care practitioner (e.g., medical doctor, dentist, pharmacist, optometrist, psychiatrist, registered nurse, physician's assistant, laboratory technician), someone who works in a health care setting (e.g., skilled nursing home administrator, hospital risk manager), someone who has recent personal experience as a patient or as the family member of a patient, a lawyer practicing in the health care area or someone who works in a regulatory agency.

The interview shall last at least one (1) hour, and shall cover at least the questions developed by the student during the April 9, 2003 in-class session (see below).

Written Assignment. The Written Assignment for this Project *is due on Wednesday, May 7, 2003.* Receipt can be effected by hand delivery to Ms. Bannon or by E-mail, confirmed by Ms. Bannon, at or before 5:00 p.m., Wednesday, May 7, 2003.

The Written Assignment consists of three parts: (1) a Summary (1-2 pp.) of the Personal Interview; (2) an Analysis (2-3 pp.) that discusses the health care issue, the interviewee's opinion about the health care issue, the student's evaluation of that opinion, and the student's own reasoned opinion about the health care issue; and (3) an annotated Bibliography of at least three (3) outside sources used by the student in researching and preparing for this Project.

A copy of at least one (1) of the articles listed in the Bibliography must be attached to the Written Assignment submitted by the student on May 7, 2003.

Oral Report. Each student shall be responsible for a short (5-10 minutes) presentation to the class on the subject of the student's Academic Express Project.

Assignment Deadlines

April 2, 2003	Choice of health care issue due.
April 9, 2003	Proposal of interviewee due. Questions for interview developed in class.
April 23, 2003	Annotated Bibliography due.
May 7, 2003	Written Assignment due. Oral Presentation in class due.

