

H341/S441: LEGAL ASPECTS OF HEALTH CARE ADMINISTRATION

Indiana University Bloomington – Spring 2017

INSTRUCTORS: James L. Whitlatch, J.D.
William J. Beggs, J.D.
Office: Bunger & Robertson
226 South College Avenue
Bloomington, Indiana 47404
Tel: (812) 332-9295
Email: jwhit@lawbr.com
wjbeggs@lawbr.com
Office hours by appointment

REQUIRED TEXTS:

Showalter, *The Law of Healthcare Administration*, 7th Ed., Health Administration Press, 2015.

TEACHING METHOD:

Lecture, guest lectures and Socratic/case method. Students are expected to read all written assignments. The very nature of this class requires student participation in class discussions.

*Cases will be posted on **Canvas** throughout the semester.*

GRADING:

Grading will be based upon student's classroom participation, homework, and tests during the semester. **Attendance is necessary and will be part of your grade!**

ATTENDANCE:

Class attendance is important. We will periodically have quizzes; sign ins and other ways to reward attendance. Class participation is also a way in which you can raise your final grade half a point or more with good participation. We will use a seating chart for the class.

SPEA ACADEMIC POLICIES ATTACHED

H341/S441 SYLLABUS
IU Bloomington – Spring 2017

<u>CLASS</u>	<u>DATE</u>	<u>READINGS</u>	<u>TOPIC</u>
1	Jan 10		Class Introduction, Introduction to the Legal System
2	Jan 12	Chapter 1	Introduction to the Anglo-American Legal System
3	Jan 17	Chapter 1	Introduction to the Anglo-American Legal System
4	Jan 19	Chapter 1	Introduction to the Anglo-American Legal System
5	Jan 24	Chapter 4	Contracts and intentional torts
6	Jan 26	Chapter 4	Contracts and Intentional torts
7	Jan 1		Catch-Up and Exam Review
8	Feb 2		EXAM #1
9	Feb 7	Chapter 5	Negligence; Malpractice; Indiana Malpractice
10	Feb 9	Chapter 5	Negligence (<i>cont.</i>); Malpractice; Indiana Malpractice
11	Feb 14	Chapter 5	Negligence (<i>cont.</i>); Malpractice; Indiana Malpractice
12	Feb 16	Chapter 7	Liability of the healthcare institution
13	Feb 21	Chapter 7	Liability of the healthcare institution
14	Feb 23		Catch-Up and Exam Review
15	Feb 28		EXAM #2
16	Mar 2	Chapter 3	Health Reform, Access to Care, Admission and Discharge
17	Mar 7	Chapter 3	Health Reform, Access to Care, Admission and Discharge
18	Mar 9	Chapter 10	Emergency Care
	Mar 12-19		Spring Break – No Classes
19	Mar 21	Chapter 6 ,12	Organization and Management and Taxation of Healthcare Institutions
20	Mar 23	Chapter 6. 12	Organization and Management and Taxation of Healthcare Institutions
21	Mar 28	Chapter 15	Fraud Laws and Corporate Compliance
22	Mar 30		EXAM #3
23	Apr 4	Chapter 11	Consent and death and dying issues
24	Apr 6		Consent and death and dying issues
25	Apr 11	Chapter 14	Issues on reproduction
26	Apr 13		Issues on reproduction
27	Apr 18	Chapter 8	Medical Staff issues
28	Apr 20	Chapter 9	Health Information management
29	Apr 25		Catch-Up and Exam Review
30	Apr 27		Catch-Up and Exam Review
	May 4 8-10 a.m.		<u>FINAL EXAMINATION</u> See Enrollment and Student Academic Information Bulletin for Examination Policies and Examination Schedule at: http://enrollmentbulletin.indiana.edu/pages/finexpol.php

H341/S441 SYLLABUS
IU Bloomington – Spring 2017

SPEA Academic Policies

Academic Dishonesty

SPEA faculty do not tolerate cheating, plagiarism, or any other form of academic dishonesty. If you have not done so, you should read the IUB *Code of Student Rights, Responsibilities, and Conduct*, which can be accessed at <http://www.iu.edu/~code/code/index.shtml> so you will be sure to understand what these terms mean and what penalties can be issued for academic dishonesty. Academic dishonesty can result in a grade of F for the class (an F for academic dishonesty cannot be removed from the transcript). Significant violations of the Code can result in expulsion from the University.

Plagiarism is using another person's words, ideas, artistic creations, or other intellectual property without giving proper credit. According to the *Code of Student Rights, Responsibilities, and Conduct*, a student must give credit to the work of another person when he/she does any of the following:

- a. Quotes another person's actual words, either oral or written;
- b. Paraphrases another person's words, either oral or written;
- c. Uses another person's idea, opinion, or theory; or
- d. Borrows facts, statistics, or other illustrative material, unless the information is common knowledge.

Civility

Civility is important in an academic community to ensure that all parties—students, staff, and faculty—are working in an environment that fosters achievement of the individual's and community's goals and objectives. Civility requires all parties to demonstrate personal integrity and conduct themselves in a manner that shows respect, courtesy and tolerance to others. Examples of discourteous behaviors during class include reading the newspaper, listening to headphones, talking or laughing with others, chronically arriving late, and so forth. These behaviors are distracting to the instructor and classmates, and SPEA faculty will address these problems as they arise. Maintaining and fostering civility inside and outside the classroom is especially important to SPEA, which is a professional school.

Pursuant to the Indiana University Student Code of Conduct, disorderly conduct which interferes with teaching, research, administration, or other university or university-authorized activity will not be tolerated and will be immediately reported to the Office of The Dean of Students for appropriate disposition which may result in disciplinary action including possible suspension and/or expulsion from the university.

Communication between Faculty and Students

In order to verify the identity of all parties involved, effective September 1, 2004, all email communication from current SPEA students to SPEA staff must originate from an Indiana University email account. For email communication with SPEA faculty, current SPEA students should refer to course syllabi for instructors' preferences (Oncourse, Webmail, etc.). This policy applies to current students only. Instructions for forwarding your IUB email to another account can be found at:

<http://kb.indiana.edu/data/beoj.html?cust=687481.87815.30>

Course Withdrawals

Students who stop attending class without properly withdrawing from the class may receive a grade of F. It is important to withdraw from a course within specified timeframes (see chart below). Note that withdrawals after Week 12 of a regular session or Week 4 of a summer session are rarely granted. **Poor performance in a course is not grounds for a late withdrawal.**

H341/S441 SYLLABUS
IU Bloomington – Spring 2017

No withdrawal forms will be processed in the Office of the Registrar after the last day of classes. Any requests for a late withdrawal after the last day of classes must go through the

SPEA Academic Policies (continued)

grade appeal process, but each student should remember that in accordance with campus policy, SPEA does not permit a student to withdraw from a course if he/she has completed the course requirements. Grade replacement should be used in this case. To withdraw, obtain a withdrawal slip (DROP/ADD Form) from the SPEA Student Services window. Instructions for completing it are given on the form.

Withdrawal Deadlines	
Course deleted from record, no grade assigned, 100% refund (Advisor signature IS NOT required)	Week 1 (last day)
Withdrawal with automatic grade of W (Advisor signature IS required)	Week 2– Week 7 (regular session) Week 2 – Week 3 (summer session)
Withdrawal with grade of W or F (Advisor and instructor signatures ARE required)	Week 8 – Week 12 (regular session) Week 3 – Week 4 (summer session)

Incompletes

A grade of incomplete (I) indicates that a 'substantial portion' of the work in a course has been satisfactorily but not entirely completed by the student as of the end of the semester. The incomplete can be given to a student facing a hardship such that it would be unjust to hold the student to the established time limits for completing the work. To be eligible for the incomplete in a SPEA course, the student's work must be of passing quality, and the student must have completed 75% of the course requirements. **Poor performance in a course is not grounds for an incomplete.** SPEA follows the campus guidelines in awarding incompletes which may be accessed at the Office of the Registrar's website at:

http://registrar.indiana.edu/stu_grades.shtml

Incompletes must be removed within a time period not to exceed one year after the semester in which the student was enrolled in the course. The incomplete will revert to an 'F' if the work is not completed within the allotted timeframe established by the instructor.

Students Called to Active Duty

SPEA encourages any student who is in the Indiana Military Reserves and is called to active duty to finish his/her coursework if at all possible. Students who cannot complete their courses have the option of withdrawing with 100% fee refund, but this request must be made within one week of being called to active duty. Students who are called to active duty may qualify for an incomplete (provided that all the above criteria have been met). For further information, please see the Office of the Registrar's website at:

http://registrar.indiana.edu/stu_infopoli.shtml

Final Exam Schedule

If a final exam is given, it must be held on the day and time set in the final exam schedule. If an instructor has changed the final exam date, the student should first consult with the instructor. Students who have more than three final exams in one day or insufficient time to get from one exam to another should consult with their instructors to resolve these conflicts. Exams may not be given in the week before the final exam week. If a student is not able to resolve a final exam problem with the instructor, the student may report the problem to the Director of Undergraduate or Graduate programs. The final exam week schedule can be found at the Office of the Registrar's website at:

H341/S441 SYLLABUS
IU Bloomington – Spring 2017

http://registrar.indiana.edu/stu_calsche.shtml