

McLennan
C O M M U N I T Y
COLLEGE

WACO, TEXAS

COURSE SYLLABUS
AND
INSTRUCTOR PLAN

Medical Law and Ethics

MDCA 1305.02

Alyssa Van Vleet

NOTE: This is a 16-week course.

COVID 19 Notice:

McLennan Community College is committed to providing you with every resource you need to reach your academic goals including your safety. We will continue to monitor the evolving situation with COVID 19 and adjust our safety guidelines to make sure we offer a safe environment for you and our faculty. Please make sure to consult your faculty and the MCC website at <https://www.mclennan.edu/crisis-management/coronavirus-updates/index.html> on any changes to these guidelines.

Course Description:

Instruction in principles, procedures, and regulations involving legal and ethical relationships among physicians, patients, and medical assistants.

Prerequisites and/or Corequisites:

None

Semester hours: 3 (3 lecture)

Course Notes and Instructor Recommendations:

This course will be taught in a face-to-face format on Tuesdays and Thursdays in room 107 in the Science Building basement. To be successful in this class, it will require several things:

- Spending time outside of class, preparing for the lectures by (GASP) reading the chapters in the book and reviewing the PowerPoints (I also advise that you print them off as well so you aren't trying to scribble all the notes from the PowerPoint during the lectures. I promise, you'll thank me for this tip!)
- Deadlines are important. Deadlines are just that "deadlines." Therefore, the students need to make sure that they read the tentative schedule to know when deadlines are and need to organize their time to meet those deadlines.
- Study for tests. Students need to set aside a certain time of the day to study for the exams given in this class. It is also important to advise family and friends when this time is to avoid distractions from becoming a problem.

I also recommend that you bring your laptop to class everyday. We will be reviewing assignments that you submit via Brightspace and if you are someone that doesn't print assignments, then you will still be able to access them on your laptop.

Instructor Information:

Instructor Name: Alyssa Van Vleet

MCC Email: avanvleet@mclennan.edu

Office Phone Number: 254-299-8319

Office Location: HP Bldg. Rm. 129

Office/Teacher Conference Hours: Monday/Wednesday: 2:00 PM-4:00 PM.

Tuesday/Thursday: 1:00 PM-3:00 PM

Friday: 8:00 AM-10:00 AM

Other Instruction Information:

*****INSTRUCTOR NOTE:*****

When contacting your professor by email for this course, you must follow these rules:

1. Write using formal English only (as if to the president of the company where you work.) This means no slang, or being “lazy” with your wording. You are in college, preparing for your future, please communicate like it!
2. Use your MCC student email address
3. I check my email several times a day and try to respond as quickly as possible. However, I still have my own schedule and may not be able to respond instantly.
4. I do not respond to emails after 9 PM. If you need to contact me, please do it before then.

Required Text & Materials:

Title: Medical Law and Ethics

Author: Bonnie F. Fremgen, Ph.D.

Edition: 6th

Publisher: Pearson

ISBN: 9780135414521

MCC Bookstore Website: <http://www.mclennan.edu/bookstore/>

Methods of Teaching and Learning:

This course will be held in a face-to-face format. Methods of teaching include (but not limited to): on campus lectures, discussions, projects, service learning assignments, student performances/presentations, portfolio, exams, quizzes, simulators, and/or tutorial software.

Course Objectives and/or Competencies:

Chapters 1-5

Chapter 1: Introduction to Medical Law, Ethics, and Bioethics

1. Define the glossary terms
2. Describe the similarities and differences between laws and ethics
3. Discuss the reasons for studying law, ethics, bioethics
4. Describe how to apply the three decision making models discussed in this chapter
5. Explain why ethics is not just about the sincerity of one’s beliefs, emotions, or religious viewpoints

Chapter 2: The Legal System

1. Define glossary terms
2. Discuss why an understanding of the legal profession is necessary for the healthcare professional
3. Describe the sources of law
4. Describe the steps for a bill to become a law
5. Discuss the difference between civil law and criminal law, explaining areas covered by each
6. List six intentional torts and give examples of each
7. List examples of criminal actions that relate to the health care worker
8. Discuss the difference between a felony and a misdemeanor
9. Describe the types of courts in the legal system
10. Explain the trial process
11. Discuss why an expert witness might be used during a lawsuit

Chapter 3: Essentials of the Legal System for Health Care Professionals

1. Define all glossary Terms
2. List the four basic characteristics of state medical practice acts
3. Describe the three methods by which a state grants a license to practice medicine
4. Discuss conduct that may result in a physician's loss of license to practice medicine
5. Identify the difference between licensure and certification
6. Discuss what the term standard of care means for the physician and what it means for someone in your profession
7. Describe the importance of the discovery rule as it relates to the statute of limitations
8. Discuss the importance of the phase respondent superior as it relates to the physician

Chapter 4: Working in Today's Health Care Environment

1. Define all glossary terms
2. Describe today's healthcare environment
3. Discuss the similarities and differences among HMO's, PPO's and EPO's
4. Describe five types of medical practice
5. Discuss the term diplomat as it relates to medical specialty boards
6. Identify three categories of licensed nurses and describe their educational requirements
7. Describe the diagnostic related group (DRG) system of classification
8. State the differences between Medicare and Medicaid

Chapter 5: The Physician-Patient Relationship

1. Define the glossary terms
2. Describe the rights a physician has when practicing medicine and when accepting a patient
3. Discuss the nine principles of medical ethics as designed by the American Medical Association (AAMA)

4. Summarize “A patient’s bill of rights”.
5. Understand standard of care and how it is applied to the practice of medicine
6. Discuss three patient self-determination acts
7. Describe the difference between implied consent and informed consent

Chapters 6-10

Chapter 6. Professional Liability and Medical Malpractice

1. Define the glossary terms
2. Define the four D’s of negligence for the physician
3. Discuss the meaning of respondeat superior for the physician and the employee
4. Discuss the meaning of res ipsa loquitur
5. Explain the term liability and what it means for the physician and other healthcare professionals
6. List ten ways to prevent malpractice
7. State two advantages of arbitration
8. Discuss three types of damage awards
9. Describe two types of malpractice insurance
10. Explain the law of agency

Chapter 7: Public Duties of the Health Care Professional

1. Define the glossary terms
2. Describe the public duties of a physician
3. Discuss the guidelines that should be used when completing a legal record
4. List the information that must be included in a death certificate
5. Describe the cases in which a coroner or health official would have to sign a death certificate
6. List ten communicable diseases
7. Discuss the child abuse prevention and treatment act of 1974
8. Describe eight signs that indicate a child, spouse, or elderly person maybe abused
9. Discuss the federal legislation of controlled substances
10. List and explain the five schedules of drugs
11. Explain how an employee assistance program (EAP) can help troubled employees

Chapter 8: Workplace Law and Ethics

1. Define the glossary terms
2. Discuss the regulations concerning equal employment opportunity and employment discrimination
3. Describe the regulations affecting employee health and safety
4. Discuss the regulations affecting employee compensation and benefits
5. Give examples of regulations affecting consumer protection and collection practices

6. Describe accommodation's that can be made in the workplace for persons with disabilities
7. List several questions that may be legally asked during an employment interview and several questions that are illegal to ask during the interview
8. Discuss guidelines for good hiring practices

Chapter 9: The Medical Record

1. Define the glossary terms
2. List five purposes of the medical record
3. List seven requirements for maintaining medical records as recommend by the Joint Commission on Accreditation of Healthcare Organizations
4. Discuss guidelines for effective charting
5. Discuss what is meant by timeliness of charting and why it is important in a legal context
6. Define the Privacy Act of 1974
7. Describe ways to protect patient confidentiality that relate to the use of fax, copiers, email, and computers
8. Discuss the time periods for retaining adults' and minors' records, fetal heart monitor records, birth records, death, and surgical procedures
9. Explain thirteen guidelines to follow when a subpoena duces tecum is in effect
10. Describe confidentiality obligations using electronic medical record keeping

Chapter 10: Patient Confidentiality and HIPAA

1. Define the glossary terms
2. Identify the problems associated with patient confidential
3. Discuss the purpose of The Health Insurance Portability and Accountability Act (HIPAA) of 1996
4. Describe the information to which the privacy rule refers and how it applies to your profession
5. List which entities are affected by HIPAA
6. Discuss the penalties for noncompliance with HIPAA
7. List the patients' rights under the Privacy Standards
8. Discuss the ethical issues concerning information technology

Chapters 11-14

Chapter 11: Ethical and Bioethical Issues in Medicine

1. Define the glossary terms
2. List and discuss at least ten bioethical issues the modern physician and healthcare professional face

3. Describe how ethical decision-making model, such as the Seven-Step Decision Model, can be used when confronted with difficult ethical dilemmas
4. Discuss ethical issues relating to genetic testing
5. Describe the advances in human stem cell research
6. Summarize the ethical issues of organ transplantation
7. Discuss the importance of codes of ethics such as the Nuremberg Code

Chapter 12: Ethical Issues Relating to Life:

1. Define the glossary terms
2. Discuss the ethical considerations relating to artificial insemination
3. Describe the Baby M Case
4. Discuss the ethical considerations relating to surrogate motherhood and contraception
5. List several ethical issues surrounding sterilization and contraception
6. Explain the importance of Roe V. Wade

Chapter 13: Death and Dying

1. Define the glossary terms
2. Discuss the difference between cardiac and brain-oriented death
3. Describe the Harvard Criteria for a Definition of Irreversible Coma
4. Discuss the pros and cons of euthanasia
5. Provide examples of ordinary versus extraordinary means used in the treatment of terminally ill
6. List and discuss the five stages of dying as described by Dr. Kubler-Ross

Chapter 14: Trends in Health Care

1. Define glossary terms
2. Discuss what is meant by the phrase “First do no harm”
3. Discuss the Children’s Health Initiative Program (CHIP)
4. Discuss issues relating to deafness
5. Discuss issues relating to visual impairment and blindness
6. Discuss life issues of the elderly

All of the following CAAHEPs competencies must be met by each student

Cognitive Domain

IX. Legal Implications

1. Discuss legal scope of practice for medical assistants
2. Explore issue of confidentiality as it applies to the medical assistant

3. Describe the implications of HIPAA for the medical assistant in various medical settings
4. Summarize the Patient Bill of Rights
5. Discuss licensure and certification as it applies to healthcare
6. Describe liability, professional, personal injury, and third party insurance
7. Compare and contrast physician and medical assistant roles in terms of standard of care
8. Compare criminal and civil law as it applies to the practicing medical assistant
9. Provide an example of tort law as it would apply to a medical assistant
10. Explain how the following impact the medical assistant's practice and give examples
 - a. Negligence
 - b. Malpractice
 - c. Statute of Limitations
 - d. Good Samaritan Act(s)
 - e. Uniform Anatomical Gift Act
 - f. Living will/Advanced directives
 - g. Medical durable power of attorney
11. Identify how the Americans with Disabilities Act (ADA) applies to the medical assisting profession
12. List and discuss legal and illegal interview questions
13. Discuss all levels of government legislation and regulation as they apply to medical assisting practice, including FDA and DEA
14. Describe the process to follow if an error is made in patient care

X. Ethical Considerations

1. Differentiate between legal, ethical, and moral issues affecting healthcare
2. Compare personal, professional and organizational ethics
3. Discuss the role of cultural, social and ethnic diversity in ethical performance of medical assisting practice
4. Identify where to report illegal and/or unsafe activities and behaviors that affect health, safety and welfare of others
5. Identify the effect personal ethics may have on professional performance

Psychomotor Domain

IX. Legal Implications

1. Respond to issues of confidentiality
 2. Perform within scope of practice
 3. Apply HIPAA rules in regard to privacy/release of information
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4. Practice within the standard of care for a medical assistant
5. Incorporate the Patient's Bill of Rights into personal practice and medical office policies and procedures
6. Complete an incident report
7. Document accurately in the patient record
8. Apply local, state and federal health care legislation and regulation appropriate to the medical assistant practice setting

X. Ethical Considerations

1. Report illegal and/or unsafe activities and behaviors that affect health, safety and welfare of others to proper authorities
2. Develop a plan for separation of personal and professional ethics

Affective Domain

IX. Legal Implications

1. Demonstrate sensitivite to patient's rights
2. Demonstrate awareness of the consequences of not working within the legal scopeof practice
3. Recognize the importance of local, state and federal legislation and regulations in the practice setting

X. Ethical Considerations

1. Apply ethical behaviors, including honesty/integrity in performance of medical assisting practice
2. Examine the impact personal ethics and morals may have on the individuals practice
3. Demonstrate awareness of diversity in providing patient care

Course Outline or Schedule:

Chapters 1-5

Week 1: Syllabus review and begin lecture Chapter 1

Week 2: Review Chapter 1 questions and lecture Chapters 2 and 3

Week 3: Review Chapters 2 & 3 questions and lecture Chapter 4

Week 4: Review Chapter 4 questions and lecture Chapter 5

Week 5: **Exam #1: Chapters 1-5**

Chapters 6-10

Week 5: Lecture Chapter 6

Week 6: Review Chapter 6 questions and lecture Chapter 7

Week 7: Review Chapter 7 questions and lecture Chapter 8

Week 8: Review Chapter 8 questions and lecture Chapter 9

Week 9: Review Chapter 9 questions and lecture Chapter 10

Week 10: Review Chapter 10 questions and **Exam #2: Chapters 6-10**

Chapters 11-14

Week 11: Lecture Chapter 11 and review Chapter 11 questions

Week 12: Lecture Chapter 12, review Chapter 12 questions and start Chapter 13 lecture

Week 13: Finish Chapter 13 lecture, review Chapter 13 questions and lecture Chapter 14

Week 14: Review Chapter 14 questions

Week 15: **Exam #3: Chapters 11-14** and review for final

Week 16: **Final Exam**

This schedule is tentative and may change throughout the semester. Students will be notified in advance of any necessary changes.

Course Grading Information:

- 1) EXAMS AND FINAL EXAMINATION: There are a total of 3 exams and one final exam.
- 2) Homework/bookwork will be submitted via Brightspace.
- 3) See break down for grading practices

GRADE BREAKDOWN

Homework 20%

Participation 10%

Exams 40%

Final Exam 30%

Homework:

After every chapter we lecture over, there will be assigned homework that is to be completed and submitted via Brightspace. Before each lecture, we review and discuss the previous chapters homework to make sure there is a complete understanding of all the questions. Should the homework not be submitted by the due date/time, you will received a 0 for that particular grade.

Class Participation:

This should be the easiest 100 you will ever earn! Every class we have, you will be graded on your participation which includes (but not limited to) being actively involved in the lectures including expression of opinions (always respectful though) and questions on classroom lectures, listening attentively, and completing all assigned work. Points will be deducted should you cause distraction, being on your phone, repeatedly showing up late to class, falling asleep, etc.

Exams:

Like mentioned above, there will be a total of 3 exams and 1 final exam at the end of the semester.

HOW THE COURSE GRADE WILL BE DETERMINED

A = 90-100

B = 80-89

C = 70-79

You must maintain a 70% or higher to pass all MDCA courses

*****Instructor Note*****

Cheating or plagiarism will not be tolerated in any form. First offence will result in a grade of zero on the said work/exam. Second offence will result in expulsion from the program.

Late Work, Attendance, and Make Up Work Policies:

Late Work/Make Up Work:

Exams are to be taken as scheduled. Failure to take the examinations as scheduled may result in receiving a zero for a grade. Students are responsible for assuring all examinations have been taken and it is the students responsibility to schedule a makeup date to take the exam. Any exam that has not been taken by the end of the semester will be given a grade of zero. The final exam must be taken on the scheduled date and time unless prior arrangements have been made with the instructor.

Attendance:

Attendance will be checked at the start of class. Should you be absent, I request that you send me an email, letting me know that you will not be present.

Absence from 25 percent of scheduled lecture and/or laboratory meetings (8 days) will be taken as evidence that a student does not intend to complete the course, and the student will be withdrawn from the course with a grade of W. If the student's 25 percent absences are reached after the official drop date, the instructor may assign a W, if the student is passing and requests to be withdrawn. However, if a student who is not passing reaches the 25 percent point after the official drop date, the student will receive an F. Each absence will count toward attendance requirements in each course.

Student Behavioral Expectations or Conduct Policy:

Proper student behavior during class is expected at all times. This includes proper respect for your classmates and their opinions, the instructor, dress code, language, attitude, and respect for the field in which you are entering. During class, you are expected to participate in the lecture. Cell phones are to be placed on silent and put away. If you need to answer a call, please excuse yourself into the hall to answer. Sleeping in class will not be tolerated. If you are caught sleeping, points will be deducted from your participation grade. During exams, you are required to remove all watches and place them along with your phone, books, notes, etc. away in your backpack. Consequences for failure to comply with all class rules/guidelines stated in this syllabus as well as other rules stated in the MCC Student Handbook will have the following consequences:

- (1) The student will be asked to comply with the rules (penalties will stand as stated).
- (2) If the student fails to comply, the student will be asked to leave the room for the remainder of the class for that day.
- (3) Subsequent incidents will result in a conference with the program director, the campus disciplinary specialist, and/or the dean of workforce education for further disciplinary actions which could include being dropped from the course. It is the student's responsibility to make up any missed work by the original deadline for the work missed due to a disciplinary action.

*****INSTRUCTOR NOTE:*****

Often, your success in the course can be maintained through discussion with me. Please let me know if you are experiencing difficulties. If you have concerns, tell me immediately. I can only help if I am aware of the situation. Communicate issues as early as possible. There is absolutely nothing I can do to prevent failure if I find out about the issue too late.

I expect every student within this program to behave with the upmost professionalism and respect at all times. You are preparing to enter a field into which both of those qualities are valued. Please do not tarnish your reputation by behaving in such a way that causes others to lose respect for you.

[Click Here for the MCC Attendance/Absences Policy](https://www.mclennan.edu/highlander-guide/policies.html)

(<https://www.mclennan.edu/highlander-guide/policies.html>)

Click on the link above for the college policies on attendance and absences. Your instructor may have additional guidelines specific to this course.

*****INSTRUCTOR NOTE:*****

Please understand that I care for each of my students, especially when it comes to their safety and well-being. If during the course of our discussions an issue arises in which I feel warrants a referral for Title IX or to our success coaches, I will not hesitate to make the referral. I will do my best to notify you in advance of the referral and will stand by your side as part of your circle of care for as long as you and the college will allow. Should these circumstances arise, please understand that the referral is not disciplinary, but rather an opportunity to intervene early and identify all resources that can help you find academic and personal success.

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ACADEMIC RESOURCES/POLICIES

Accommodations/ADA Statement:

Any student who is a qualified individual with a disability may request reasonable accommodations to assist with providing equal access to educational opportunities. Students should contact the Accommodations Coordinator as soon as possible to provide documentation and make necessary arrangements. Once that process is completed, appropriate verification will be provided to the student and instructor. Please note that instructors are not required to provide classroom accommodations to students until appropriate verification has been provided by the Accommodations Coordinator. For additional information, please visit www.mclennan.edu/disability.

Students with questions or who require assistance with disabilities involving physical, classroom, or testing accommodations should contact:

disabilities@mclennan.edu

254-299-8122

Room 319, Student Services Center

Title IX:

We care about your safety, and value an environment where students and instructors can successfully teach and learn together. If you or someone you know experiences unwelcomed behavior, we are here to help. Individuals who would like to report an incident of sexual misconduct are encouraged to immediately contact the Title IX Coordinator at titleix@mclennan.edu or by calling Dr. Drew Canham (Chief of Staff for Diversity, Equity & Inclusion/Title IX) at (254) 299-8645. Individuals also may contact the MCC Police Department at 299-8911 or the MCC Student Counseling Center at MCC at (254) 299-8210. The MCC Student Counseling Center is a confidential resource for students. Any student or employee may report sexual harassment anonymously by visiting <http://www.lighthouse-services.com/mclennan/>.

Go to McLennan's Title IX webpage at www.mclennan.edu/titleix/. It contains more information about definitions, reporting, confidentiality, resources, and what to do if you or someone you know is a victim of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence.

Student Support/Resources:

MCC provides a variety of services to support student success in the classroom and in your academic pursuits to include counseling, tutors, technology help desk, advising, financial aid, etc. A listing of these and the many other services available to our students is available at <http://www.mclennan.edu/campus-resource-guide/>

College personnel recognize that food, housing, and transportation are essential for student success. If you are having trouble securing these resources or want to explore strategies for balancing life and school, we encourage you to contact a Success Coach by calling (254) 299-8226 or emailing SuccessCoach@mclennan.edu. Students may visit the Completion Center Monday-Friday from 8 a.m.-5 p.m. to schedule a meeting with a Success Coach and receive additional resources and support to help reach academic and personal goals. Paulanne's Pantry (MCC's food pantry) provides free food by appointment to students, faculty and staff based on household size. Text (254) 870-7573 to schedule a pantry appointment. The Completion Center and pantry are located on the Second Floor of the Student Services Center (SSC).

MCC Foundation Emergency Grant Fund:

Unanticipated expenses, such as car repairs, medical bills, housing, or job loss can affect us all. Should an unexpected expense arise, the MCC Foundation has an emergency grant fund that may be able to assist you. Please go to <https://www.mclennan.edu/foundation/scholarships-and-resources/emergencygrant.html> to find out more about the emergency grant. The application can be found at https://www.mclennan.edu/foundation/docs/Emergency_Grant_Application.pdf.

MCC Academic Integrity Statement:

Go to www.mclennan.edu/academic-integrity for information about academic integrity, dishonesty, and cheating.

Minimum System Requirements to Utilize MCC's D2L|Brightspace:

Go to <https://www.mclennan.edu/center-for-teaching-and-learning/Faculty-and-Staff-Commons/requirements.html> for information on the minimum system requirements needed to reliably access your courses in MCC's D2L|Brightspace learning management system.

Minimum Technical Skills:

Students should have basic computer skills, knowledge of word processing software, and a basic understanding of how to use search engines and common web browsers.

Backup Plan for Technology:

In the event MCC's technology systems are down, you will be notified via your MCC student email address. Please note that all assignments and activities will be due on the date specified in the Instructor Plan, unless otherwise noted by the instructor.

Email Policy:

McLennan Community College would like to remind you of the policy (<http://www.mclennan.edu/employees/policy-manual/docs/E-XXXI-B.pdf>) regarding college email. All students, faculty, and staff are encouraged to use their McLennan email addresses when conducting college business.

A student's McLennan email address is the preferred email address that college employees should use for official college information or business. Students are expected to read and, if needed, respond in a timely manner to college emails. For more information about your student email account, go to www.mclennan.edu/student-email.

Instructional Uses of Email:

Faculty members can determine classroom use of email or electronic communications. Faculty should expect and encourage students to check the college email on a regular basis. Faculty should inform students in the course syllabus if another communication method is to be used and of any special or unusual expectations for electronic communications.

If a faculty member prefers not to communicate by email with their students, it should be reflected in the course syllabus and information should be provided for the preferred form of communication.

Email on Mobile Devices:

The College recommends that you set up your mobile device to receive McLennan emails. If you need assistance with set-up, you may email Helpdesk@mclennan.edu for help.

You can find help on the McLennan website about connecting your McLennan email account to your mobile device:

- [Email Setup for iPhones and iPads](https://support.microsoft.com/en-us/office/set-up-an-outlook-account-in-the-ios-mail-app-b2de2161-cc1d-49ef-9ef9-81acd1c8e234?ui=en-us&rs=en-us&ad=us) (https://support.microsoft.com/en-us/office/set-up-an-outlook-account-in-the-ios-mail-app-b2de2161-cc1d-49ef-9ef9-81acd1c8e234?ui=en-us&rs=en-us&ad=us)
- [Email Setup for Androids](https://support.microsoft.com/en-us/office/set-up-email-in-android-email-app-71147974-7aca-491b-978a-ab15e360434c?ui=en-us&rs=en-us&ad=us) (https://support.microsoft.com/en-us/office/set-up-email-in-android-email-app-71147974-7aca-491b-978a-ab15e360434c?ui=en-us&rs=en-us&ad=us)

Forwarding Emails:

You may forward emails that come to your McLennan address to alternate email addresses; however, the College will not be held responsible for emails forwarded to an alternate address that may be lost or placed in junk or spam filters.

For more helpful information about technology at MCC, go to [MCC's Tech Support Cheat Sheet](#) or email helpdesk@mclennan.edu.

Disclaimer:

The resources and policies listed above are merely for informational purposes and are subject to change without notice or obligation. The College reserves the right to change policies and other requirements in compliance with State and Federal laws. The provisions of this document do not constitute a contract.