

**BERGEN COMMUNITY COLLEGE  
DIVISION OF BUSINESS, ARTS & SOCIAL SCIENCE  
DEPARTMENT OF LEGAL STUDIES**

**COURSE:** HSC/LGL-104-601 Healthcare Law and Ethics

**Instructor:**

**Email:**

**Office:**

**CREDITS:** 3 Credits

**PRE-REQUISITE:** None

**COURSE DESCRIPTION:** HSC/LGL-1XX Healthcare Law and Ethics is a survey course dedicated to the analysis and application of Healthcare Law and Ethics. Emphasis is placed on analysis of the legal and healthcare environment and its relationship to medical ethics. Students will examine case studies and will learn to identify and respond to legal and ethical issues.

**TEXTBOOK:** Medical Law and Ethics, Fremgen, 4<sup>th</sup> Ed., Pearson Education, 2012 (or most recent edition).

**SUPPLEMENTAL** Professor shall provide supplemental materials as appropriate to subject

**MATERIALS:** matter.

**PRACTICAL**

**ASSIGNMENTS:** Legal Memoranda on Healthcare Law and Medical/Legal Ethical Issues and examination of case studies.

**Learning Objectives:** 1. To provide the student with the ability to analyze and apply the Law of Ethics to the responsibilities and duties of the Healthcare Professional. Students will also exam ethical codes.

Measure: Students will take exams and submit projects at specific intervals during the course. These projects and exams will relate to analysis of the Healthcare Law and Ethics including regulatory and licensing laws. Students will learn how to navigate and research the appropriate law.

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

2. To provide the student with an understanding of how to identify medical/legal ethical issues and how to respond appropriately in the workplace environment.

Measure: Students will submit projects during intervals during the course, which will require the identification and research of ethical issues. Projects will include memoranda, case studies, use of forms and appropriate practice aides. Students will be required to utilize research and writing skills.

Standard: At least 80% of all students will receive an average grade of “70” or better on these examinations and projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

3. To provide the student with an understanding of the regulatory and licensing structure as it applies to medical professionals. Students will gain understanding through analysis of particular rules, statutes, case law, hypotheticals and examination of case studies.

Measure: Students will submit projects during intervals during the course, which will have required ethical considerations. The ethical considerations will relate to analysis of appropriate law including the state and federal court systems and administrative and professional agencies, licensure and disciplinary bodies.

Standard: At least 80% of all students will receive an average grade of “70” or better on these homework assignments and projects. Projects and homework assignments will be reviewed with students and concepts reinforced.

4. To provide the student with an understanding the legal and medical environments and the application to medical ethics. The student shall exam professional, civil and criminal ramifications of conduct not in compliance with applicable law.

Measure: Students will submit projects and homework assignments, which will examine situations where there has been conduct, which has not been in compliance with the applicable law.

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects and homework assignments will be reviewed with students and concepts reinforced.

## **COURSE CONTENT:**

1. (3 hours) Introduction to Medical Law, Ethics and Bioethics – Medical Law, Ethics, Bioethics, Ethics Committees and Quality Assurance Programs and Medical Etiquette.  
(Lecture, Chapter 1 – Fremgen)

2. (3 hours) The Legal System – Sources of Law, Classification of Law, the Court System and Trial Process. (Lecture, Chapter 2 – Fremgen)
3. (3 hours) Importance of the Legal System for the Physician and the Healthcare Professional – Medical Practice Acts, Licensure, Standards of Care, Confidentiality, Statute of Limitations, Good Samaritan Law, Respondeat Superior and Risk Management. (Lecture, Chapter 3 – Fremgen)
4. (3 hours) Today’s Healthcare Environment – Types of Medical Practice, Ethics of Fee Splitting, Medical Specialty Boards and Allied Health Professionals. (Lecture, Chapter 4 – Fremgen)
5. (3 hours) The Physician-Patient Relationship – Physician’s Rights and Responsibilities, Patient’s Rights, Rights of Minors, Patient’s Responsibilities and the Role of the Healthcare Consumer (Lecture, Chapter 5 – Fremgen)
6. (3 hours) Professional Liability and Medical Malpractice – Tort of Negligence, Fraud, Office of Inspector General, Defenses to Malpractice Suits, Alternative Dispute Resolution, Liability of Other Healthcare Professionals, Tort Reform and Malpractice Prevention. (Lecture, Chapter 6 – Fremgen)
7. (3 hours) Public Duties of the Physician and the Healthcare Professional – Public Health Records and Vital Statistics, Controlled Substances Act and Regulations, Protection for the Employee and the Environment. (Lecture, Chapter 7 – Fremgen)
8. (3 hours) Workplace Law and Ethics – Professionalism in the Workplace, Discrimination in the Workplace, Privacy, Cultural and Religious Considerations, Effective Hiring Practices (Lecture, Chapter 8 – Fremgen)
9. (3 hours) Workplace Law and Ethics (cont’d) Federal Regulations affect the Medical Professional, Equal Employment Opportunity and Employment Discrimination, Employee Health and Safety, Compensation and Benefits Regulations, Consumer Protection and Collection Practices. (Lecture, Chapter 8 – Fremgen)
10. (3 hours) The Medical Record – Purpose, Contents, Ownership, Confidentiality, Retention and Storage of the Medical Record. Reporting and Disclosure Requirement Use of the Medical Record in Court. (Lecture, Chapter 9 – Fremgen)
11. (3 hours) Patient Confidentiality and HIPAA – Examination of Confidentiality and HIPAA Law, Ethical Concerns with Technology (Informatics). (Lecture, Chapter 10 – Fremgen)
12. (3 hours) Ethical and Bioethical Issues in Medicine – history, Standards and Behavior, Code of Ethics, Bioethical Issues, Human Genome Project, Genetic Engineering, Healthcare Reform. (Lecture, Chapter 11 – Fremgen).
13. (3 hours) Ethical Issues Relating to Life – Fetal Development, Assisted or Artificial Conception, Contraception, Sterilization, Abortion, Genetic Counseling and Testing, Wrongful Life Suits. (Lecture, Chapter 12 – Fremgen)
14. (3 hours) Death and Dying – The Dying Process, Legal Definition of Death, Quality of Life Issues, Use of Medication, Hospice Care, Palliative Care, Viatical Settlements, Advanced Directives, Choices in Life and Death. (Lecture, Chapter 13 – Fremgen)
15. (3 hours) Final Project.

<b>Evaluation:</b> Projects (3)	25%
Homework	15%
Class Participation	<u>10%</u>
	100%

**Homework:** Assignment submission will be required for course credit as assigned and required by the Professor during the semester and will be integrated into final grade pursuant to evaluation procedures listed above.

**Attendance:** Will be taken at each session and is subject to the rules of the college. Attendance at lectures is imperative to acquisition and understanding of the substantive material of the course. Habitual absence (considered more than two unexcused absences) and/or tardiness may result in loss of credit for the course. Students are instructed to notify the professor prior to absences, if known and are responsible for the materials from classes, which are missed. Students are required to take all examinations on the announced date or otherwise scheduled at the discretion of the instructor. If a student has an excusable absence at the time of the scheduled exam, the student must be prepared to take the makeup exam no later than the next scheduled class session. Failure to do so will result in a failure grade for the relevant examination. All projects and examinations must be completed for credit for the course. Late submissions will be penalized a quarter grade for each day project is late.

**Faculty absence:** A daily listing will appear in the glass case located in the front lobby of the Administration Wing of the main building which will indicate all classes which are cancelled. Another listing will appear in the glass case adjacent to the Hotel/Restaurant bulletin board in Ender Hall and on the Bergen Community College website. Students should consult these bulletin boards before going to class.

**Cell Phones:** Use is not permitted in class and shall be turned off or on vibrate.