



Western Technical College

31509309 Medical Law, Ethics & Profess

Course Outcome Summary

Course Information

Description	Prepares students to display professionalism and perform within ethical and legal boundaries in the health care setting. Students maintain confidentiality, examine legal aspects of the medical record, perform quality improvement procedures, examine legal and bioethical issues, and demonstrate awareness of diversity.
Career Cluster	Health Science
Instructional Level	Technical Diploma Courses
Total Credits	2
Total Hours	72

Textbooks

Law and Ethics for Health Professionals. 10th Edition. Copyright 2024. Judson, Karen and Carlene Harrison. Publisher: McGraw-Hill Publishing Company. **ISBN-13:** 978-1-264-90283-5. Required.

Success Abilities

1. Refine Professionalism: Act Ethically

Course Competencies

1. Display professionalism

Assessment Strategies

- 1.1. 3Cs reflection (courtesy, compassion, common sense)
- 1.2. Proper documentation activity
- 1.3. Professional bylaws reflection

Criteria

You will know you are successful when

- 1.1. you identify the characteristics of professionalism in health care settings
- 1.2. you illustrate professional behavior relevant to the situation
- 1.3. you identify professional behaviors of a medical assistant

Learning Objectives

- 1.a. Identify ways the MA can demonstrate professional behaviors: communication, courtesy, compassion, common sense, cultural competence, ethics
- 1.b. Demonstrate critical thinking skills related to proper documentation of health information

2. Practice confidentiality

Assessment Strategies

- 2.1. HIPAA privacy scenarios

Criteria

You will know you are successful when

- 2.1. you explore issue of confidentiality as it applies to medical assistants
- 2.2. you describe components of the Health Information Portability & Accountability Act (HIPAA)
- 2.3. you apply HIPAA rules in regard to: privacy and release of information
- 2.4. you describe the impact of the Health Information Technology for Economic and Clinical Health (HITECH) Act

Learning Objectives

- 2.a. Explain HIPAA requirements for disclosing protected health information
- 2.b. Explore ways to maintain confidentiality of patient info: on the telephone, reception area, EHRs and required reporting of diseases
- 2.c. Discuss patient rights as defined by HIPAA, PPACA and other laws

3. Perform within legal boundaries

Assessment Strategies

- 3.1. Scope of practice activities
- 3.2. Good Samaritan statute scenarios
- 3.3. Statute of Limitations research

Criteria

You will know you are successful when

- 3.1. you differentiate between scope of practice and standards of care for various healthcare professionals
- 3.2. you discuss licensure and certification as they apply to healthcare providers
- 3.3. you identify the purpose of medical malpractice insurance
- 3.4. you define the following medical legal terms: informed consent, implied consent, expressed consent, patient incompetence, emancipated minor, mature minor, subpoena duces tecum, respondeat superior, res ipsa loquitur, locum tenens, defendant-plaintiff, deposition, arbitration – mediation, and Good Samaritan laws

Learning Objectives

- 3.a. Discuss the purpose of a scope of practice
- 3.b. Determine the scope of practice for MAs in your state
- 3.c. Differentiate between scope of practice and standard of care for the MA
- 3.d. Differentiate among various types of consent - informed, implied, express
- 3.e. Describe the purpose of obtaining a patient's consent for release of medical information
- 3.f. Determine a patient's ability and right to make personal healthcare decisions based on competence, age, emancipated status
- 3.g. Determine steps to be taken in response to a subpoena duces tecum
- 3.h. Discuss contractual rights and responsibilities of patients and physicians
- 3.i. Relate how the law of agency and the doctrine of respondeat superior apply to health care contracts
- 3.j. Explain how the occurrence of an accident may imply negligence (res ipsa loquitur)
- 3.k. Describe how the working relationship between the MA and a locum tenens physician differs from the working relationship with a staff physician
- 3.l. Review the role of plaintiff and defendant in court proceedings

- 3.m. Outline the phases of a lawsuit
- 3.n. Describe differences between discovery depositions and depositions in lieu of trial
- 3.o. Describe alternative dispute resolution and discuss its advantages
- 3.p. Describe the reasonable person standard, standard of care and duty of care
- 3.q. Compare responsibilities of the provider and the MA concerning privacy, confidentiality and privileged communication
- 3.r. Interpret the AAMA Creed
- 3.s. Define licensure, certification, registration and accreditation
- 3.t. Describe how physicians are licensed, and regulated
- 3.u. Identify areas of general liability for which a physician/employer is responsible
- 3.v. Identify the purpose of/what is covered by various types of insurance: liability, professional (malpractice), personal injury
- 3.w. Explain the 4 Cs of medical malpractice prevention
- 3.x. Describe the various defenses to professional liability suits

4. Apply local, state and federal healthcare legislation and regulation appropriate to the ambulatory healthcare setting

Assessment Strategies

- 4.1. Demonstration of sensitivity to patients' rights
- 4.2. Legal and illegal interview questions activity
- 4.3. Privacy breach research
- 4.4. Negligence and malpractice scenarios

Criteria

You will know you are successful when

- 4.1. you summarize the patient care partnership (i.e. Patient Bill of Rights)
- 4.2. you compare criminal and civil law as they apply to the practicing medical assistant)
- 4.3. you define: negligence, malpractice, statute of limitation, Good Samaritan Act(s), Uniform Anatomical Gift Act, living will/advanced directives, medical durable power of attorney, and Patient Self Determination Act (PSDA)
- 4.4. you list and discuss legal and illegal applicant interview questions
- 4.5. you identify: Health Information Technology for Economic and Clinical Health (HITECH) Act, Genetic Information Nondiscrimination Act of 2008 (GINA), and Americans with Disabilities Act Amendments Act (ADAAA)

Learning Objectives

- 4.a. Describe how the HITECH Act uses technology to improve patient care
- 4.b. Describe how the HITECH Act strengthens privacy and confidentiality
- 4.c. Define genetic engineering and explain why cloning and stem cell research are controversial
- 4.d. Describe specific types of discrimination prevented by legislation: GINA, ADAAA
- 4.e. Describe each of the rights in the Patients' Bill of Rights
- 4.f. Relate how an MA could incorporate sensitivity to patient's rights into his/her practice
- 4.g. Explain primary sources of law
- 4.h. Explain classifications of law
- 4.i. Explain the 4 elements necessary to prove negligence (the 4 Ds)
- 4.j. Define the concept of torts and discuss how the tort of negligence affects healthcare
- 4.k. Identify areas of general liability for which a physician/employer is responsible
- 4.l. Describe how a practitioner can protect him/herself from medical malpractice lawsuits
- 4.m. Determine the time established by state law within which a lawsuit may be filed
- 4.n. Determine which acts fall under the definition of Good Samaritan according to state statute
- 4.o. Describe the major provisions of the Uniform Anatomical Gift Act
- 4.p. Differentiate between an advanced directive, living will and durable power of attorney for health care
- 4.q. Discuss the background and purpose of the Patient Self Determination Act
- 4.r. Identify how the workplace is affected by federal laws regarding hiring and firing, discrimination and other workplace regulations
- 4.s. Determine the appropriate legal process for hiring employees and maintaining the required paperwork while the person is employed
- 4.t. Determine legality of given interview questions and determine an appropriate response.

5. Perform within ethical boundaries

Assessment Strategies

- 5.1. Ethics problem solving scenarios
- 5.2. Ethics role play
- 5.3. Ethics discussion

Criteria

You will know you are successful when

- 5.1. you define ethics and morals
- 5.2. you differentiate between personal and professional ethics
- 5.3. you identify the potential effects of personal morals on professional performance
- 5.4. you demonstrate appropriate response(s) to ethical issues

Learning Objectives

- 5.a. Distinguish among law, ethics, bioethics, etiquette and protocol
- 5.b. Explain why knowledge of law and ethics is important to health care practitioners
- 5.c. Explain how moral values relate to law, ethics and etiquette
- 5.d. Describe the basic principles of healthcare ethics
- 5.e. Demonstrate appropriate response to ethical issues
- 5.f. Discuss how personal morals impact professional performance in healthcare
- 5.g. Differentiate personal and professional ethics

6. Participate in the continuous quality improvement process

Assessment Strategies

- 6.1. Incident report writing
- 6.2. Public health statutes compliance activity
- 6.3. Compliance and work safety activity

Criteria

You will know you are successful when

- 6.1. you define: risk management
- 6.2. you describe the process in compliance reporting: unsafe activities, errors in patient care, conflicts of interest, and incident reports
- 6.3. you describe compliance with public health statutes: communicable diseases, abuse, neglect, exploitation, and wounds of violence
- 6.4. you describe compliance reporting based on public health statutes
- 6.5. you outline the process for reporting an illegal activity in the healthcare setting
- 6.6. you explain the importance of an incident report related to an error in patient care

Learning Objectives

- 6.a. Determine what constitutes illegal activity for physicians under the law
- 6.b. Delineate reporting requirements for reporting unsafe incidents or illegal activities in the healthcare setting
- 6.c. Differentiate between "whistleblower" and one who breaches confidentiality
- 6.d. Identify circumstances requiring the completion of an incident report
- 6.e. Explain how self-referral and anti-kickback laws protect the patient
- 6.f. Discuss how a physician's conflict of interest may affect a patient
- 6.g. Identify components of a properly completed incident report
- 6.h. Explain how required reporting of diseases and procedures helps protect public health
- 6.i. Explain how laws impact public health issues
- 6.j. Determine required methods and timeframes for public health reporting
- 6.k. Describe the legal process for reporting communicable diseases
- 6.l. Describe the legal process for reporting abuse, neglect, and exploitation
- 6.m. Describe the legal process for reporting wounds of violence
- 6.n. Identify risk management techniques and explain how they may reduce liability

7. Demonstrate awareness of diversity in providing patient care

Assessment Strategies

- 7.1. Diversity scenarios
- 7.2. Equity in healthcare research

Criteria

You will know you are successful when

- 7.1. you identify types of diversity
- 7.2. you explain ways to respect diversity in healthcare
- 7.3. you examine the importance of equitable healthcare access
- 7.4. you examine legal policies in place to provide equitable healthcare

Learning Objectives

- 7.a. Differentiate various types of diversity (cultural, social, ethnic)
- 7.b. Evaluate personal biases that may impact respect for the individual diversity of patients and coworkers
- 7.c. Research how cultural practices impact patient care
- 7.d. Identify key issues of concern to health care stakeholders (cost, access, quality of care)
- 7.e. Identify legislation aimed at creating healthcare equity