

VI. Learning Outcomes and Performance Objectives with their methods of measurement as used to determine the students' mastery of those outcomes.

Learning Outcome 1: The student will be able to identify and apply legal guidelines for and requirements for health care.

Performance Objectives/Methods of Measurement for this outcome.

- 1 The student will be able to recognize the importance of, and be able to adhere to, the Patient's Bill of Rights.
Method of measurement: Written tests and quizzes
- 2 The student will be able to define general legal terms as they apply to the practice of medicine.
Method of measurement: Written tests and quizzes
- 3 The student will be able to discuss how to maintain and manage patient records in an ethical and legal manner.
Method of measurement: Written tests and quizzes
- 4 The student will be able to understand and describe the scope of practice of a medical assistant.
Method of measurement: Written tests and discussion of cases and scenarios.

Learning Outcome 2: The student will be able to discuss, in a non-judgmental fashion, medical ethics and related issues and their application in the health care setting.

Performance Objectives/Methods of Measurement for this outcome.

- 1 The student will be able to identify and differentiate among traditional and contemporary views and philosophical principles of bioethics and ethics relevant to medical practice.
Method of measurement: Written tests, discussion, and presentations.

Evaluation Ratio:

Major Exams (multiple choice, short answer, matching, fill in the blank)	25%
Out of Class Assignments	25%
Case Studies, Presentations	25%
Comprehensive Final Exam	25%

SCANS - Competencies: C-5, C-6, C-7, C-8, C-12

Foundations: F-1, F-2, F-5, F-6, F-11, F-12, F-14, F-15, F-17

CAAHEP Standards:

IX.C. 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 providers
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 governmental legislation and regulation as they apply to medical assisting practice, including FDA and DEA regulations
14. Describe the process to follow if an error is made in patient care

IX.P 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
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 assisting practice setting

IX.A. Legal Implications

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

X.C. 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

X. P. 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

X.A. 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 individual's practice
3. Demonstrate awareness of diversity in providing patient care

VII. Course requirements and grade computation.

A. College Requirements:

A written, comprehensive final examination, not to exceed two and one-half hours in length, shall be given at the end of each semester for each course at the regularly scheduled time. Any exceptions to these requirements must be approved by the appropriate dean. Other examinations are given at the discretion of the instructor.

A student who must be absent from a final examination should petition that instructor for permission to postpone the examination. **A student absent without permission from a final examination is graded "F."** Postponed examinations result in a grade of "I." The final exam must be taken within 120 calendar days from the end of the semester or the grade automatically becomes an "F." (San Antonio College Bulletin, Faculty Handbook - January 1995)

- B. Departmental Requirement:
Successful completion of the course with a minimum score of 74%.

Admission Requirements for Program:

Advisement by faculty member and completion of program admission forms.

Current Physical Examination.

Ability to meet the national medical assisting technical standards.

Up to date and complete immunizations, to include completed Hepatitis B vaccination series.

TB test.

Satisfactory Criminal Background Check.

Negative Drug Screening Results.

- C. Instructor Requirements:

Grading Policy:

93-100 = A

85-92 = B

74-84 = C

65-73 = D

0-64 = F

Only two (2) make up tests will be allowed for unauthorized absences.

Materials Required: Scantron Forms # 882-ES

See individual instructor course outlines for attendance policies.

VIII. College Policies:

- A. San Antonio College does not discriminate on the basis of race, religion, color, national origin, sex, age, or disability with respect to access, employment programs or services.
- B. Students are urged not to bring children to either a class or a lab. Minors under the age of twelve (12) must not be left unattended on campus. College Academic Council - April, 1998
- C. ADA Statement: "As per Section 504 of the Vocational Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, if accommodation is needed contact the Office of DisABILITY Support Services, CAC 124C, Phone: (210) 486-0020
- D. A Rapid Response Team exists for the purpose of responding to emergencies. If you have a disability that will require assistance in the event of a building evacuation, notify Disability Support Services, Chance Academic Center 124C, Phone: (210)486-0020.

- E. Academic Dishonesty: Students may be subject to disciplinary proceedings resulting in an academic penalty or disciplinary penalty for academic dishonesty. Academic Dishonesty includes, but is not limited to, cheating on a test, plagiarism and collusion. For additional information refer to the "Student Code of Conduct" in the San Antonio College Bulletin.
- F. Students are required to silence all electronic devices (e.g., pagers, cellular phones, etc.) when in classrooms, laboratories and the library. College Academic Council, 01/ 2000.
- G. San Antonio College Attendance Policy: Regular and punctual attendance at all classes and laboratories, day and/or evening is required. A student absent for any reason is responsible for all work missed. Both tardiness and early departure from class are forms of absenteeism. The instructor establishes the policy with regard to each. Absences of each student are recorded without exception. The counting of absences begins on the first day of class. A student absent the equivalent of two weeks of instruction in a 16-week semester may be dropped by the instructor. If a student is dropped from a class for excessive absences, the instructor will record a grade of "W" (withdraw). It is the student's responsibility to ensure that the withdrawals have been submitted.
- H. San Antonio College is a smoke free campus.
- I. ACCD DPS Emergency Phone Numbers:
 - ACCD DPS Emergency Phone (210) 222-0911
 - ACCD DPS General Phone (210) 208-8099
 - ACCD DPS Weather Phone (210) 208-8189 (For information on college closures)
- J. Students must also abide by the policies, procedures, and rules set forth in the "Student Code of Conduct" and all other policies set forth in the San Antonio College Bulletin. . www.alamo.edu/sac/sacmain/schedule/SAC_Bulletin_07-08.pdf

Learning Objectives and Outcomes

Upon completion of this course, the student will demonstrate competency with a minimum of 74% accuracy on written case studies, case presentations, written examinations and quizzes with multiple choice, matching, true/false, short answer, essay and fill-in the-blank questions.

Introduction to Law

- List four reasons for suits brought against health care professionals today.
- Distinguish between public and private law.
- Identify and describe briefly four branches of public law.
- Identify and describe briefly six branches of private law.
- Distinguish between the sources of statutory and common law.
- Distinguish between substantive and procedural law.
- Describe the three levels of the federal court system.

Licensure and Certification

- List at least four basic elements that state medical practice acts have in common.
- List the three ways in which a health care provider may obtain a license.
- Cite four reasons why a health care provider may lose a license.
- Identify at least two differences between licensure and certification.
- Discuss the difference between the CMA (AAMA) and RMA (AMT) credentials

The Doctor-Patient Relationship

- List the four elements of a contract.
- List three rights of the patient with regard to obtaining medical treatment.
- List the rights of doctors with regard to providing medical treatment.
- Identify the respective obligations of doctors and patients who have established doctor-patient contracts.
- Explain the three ways of terminating doctor-patient contract.
- Prepare an effective withdrawal letter.
- Describe three different types of situations in which a doctor could be charged with abandonment.
- Define and give examples of the following terms: abandonment, emancipated minor, implied contract, standard of care, and Good Samaritan law.

Confidentiality in the Doctor-Patient Relationship

- Identify the legal basis of the principle of confidentiality.
- Prepare a legally-binding form authorizing the disclosure of confidential patient information to a third party.
- State the purpose privileged communication statutes.
- List four precautions health professionals should take to reduce the possibility of inadvertently infringing on the patient's right to confidentiality.
- Define the following terms: subpoena, subpoena duces tecum, and privileged communication.

Consent to Medical Treatment

- Identify who must authorize treatment of a minor, an emancipated minor, and an adult under legal disability.
- Contrast a fiduciary relationship with the normal buyer-seller relationship.
- List four items of information that the doctrine of informed consent entitles each patient to have before authorizing medical treatment.

- Identify the guidelines for disclosing information to patients and obtaining informed consent.
- Explain the difference between the reasonable physician standard and the reasonable person standard with regard to determining negligence in informing patients of inherent risks.
- Prepare a written consent form that incorporates the required information.

Negligence

- Define and give examples of the terms reasonable doctor, reasonable allied health professional, reasonable care, and standard of care.
- Explain the locality rule and its application to current day lawsuits.
- List and explain the three major points the plaintiff in a professional negligence suit has to prove to be successful.
- State the most significant differences between the ordinary professional negligence suite and one based on the doctrine of res ipsa loquitur.
- Explain the purpose of damages in a civil suit and the three types of damages recognized by the legal system.
- Define the doctrine of respondeat superior and explain how it applies to the doctor-employer/allied health professional relationship.
- Define and give examples of the following terms: tort, course and scope of employment, vicarious liability, wrongful death, expert witness, and ordinary witness.

Defenses to Professional Liability Suits

- Name and give examples of at least three uses of medical records in professional liability suits.
- Contrast a denial defense to an affirmative defense.
- State the purpose of the statute of limitations and some common state policies for determining the beginning of the statutory period.

Intentional Torts and Criminal Offenses

- List and give examples of four intentional torts.
- Explain the differences between the following terms: defamation of character, libel, and slander.
- Discuss the tort of fraud and its relationship to the fiduciary nature of the physician-patient relationship.
- List four characteristics distinguishing crimes from torts.

Public Duties and Responsibilities

- Give two examples of vital statistics reports.
- State the health care provider's reporting responsibilities in each of the following situations.
 - a. Attending a home birth.
 - b. Attending a patient whose death occurs as a result of natural causes.
 - c. Attending a birth which occurs in a hospital.
- Briefly describe the types of drugs sought to be controlled by the Controlled Substance Act and give three examples.
- List two record keeping requirements of the Controlled Substances Act.
- State the primary purposes of the Controlled Substances Act of 1970.

Patient Health Records

- List and briefly describe four purposes served by keeping patient records.

- State who owns hospital, clinic, and office records, and who has a right to the information in them.
- List five record keeping practices that will enhance the legal value of a patient record.
- Describe three steps needed to properly correct a patient record entry.
- State specific steps that a custodian of records should take when served with a subpoena duces tecum.

Employment Safety and Rights Law

- Describe the primary purposes of the workers compensation and OSHA laws.
- Explain the responsibilities of both employer and employee under OSHA regulations.
- List and explain the basic rules governing employer and employee rights and responsibilities in the following:
 - a. Fair Labor Standards Act
 - b. Civil Rights Act, Title VII
 - c. Age Discrimination in Employment Act.
 - d. Americans with Disabilities Act
 - e. Family and Medical Leave Act
 - f. Immigration Reform

Consumer Protection Laws

- Explain the concept of professional courtesy.
- Outline the rule of confidentiality as it applies to financial information.
- Explain the Equal Credit Opportunity Act of 1975.
- Explain the purpose of the Fair Credit Reporting Act of 1971.
- Identify the charges that the American Medical Association consider unethical.
- Identify the significance of the statute of frauds in collections.
- Explain the terms of Regulation Z of the Consumer Protection Act of 1969 (Truth in Lending).
- Identify the major provisions of the Fair Debt.
- Explain the significance of each of the following in relation to the collection of debts:
 - a. Statutes of limitations
 - b. Small claims court
 - c. Garnishment
 - d. Liens in personal injury cases
 - e. Bankruptcy (Revised Bankruptcy Act of 1979).
 - f. Claims against estates

Litigation and Other Means of Preventing and Resolving Conflict

- Explain the differences among the four phases of the litigation process: pleadings, pretrial discovery, trial, and appeals.
- Explain complaint, answer, and reply.
- Identify and explain the procedures for gathering information during the pretrial discovery phase.
- Sequence the events that occur in a civil trial.
- Discuss the guidelines for filing an appeal.
- Review the causes of litigation (other than actual negligence) against health care facilities.
- Explain the concept of quality assurance/risk management in health care facilities.

- Itemize six preventative guidelines for avoiding litigation and conflict between health care professionals and patients.

Medical Ethics and Bioethical Issues

- Ethics in Clinical Situations
 - a. the paramount importance of the individual patient's welfare.
 - b. the right of patients to choose their physician; and
 - c. the right of physicians to choose their patients.