

MIDWESTERN STATE UNIVERSITY
COLLEGE OF HEALTH SCIENCES & HUMAN SERVICES
RADIOLOGIC SCIENCES

MASTER OF SCIENCE PROGRAM

Course Number: RADS 5023 3 Credits Spring 2023 (No Prerequisites)

Course Title: Legal & Regulatory Considerations

Faculty:

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Course Overview:

This course presents an overview of the legal issues, concepts, laws, and regulations facing the health care industry and higher education. Students will explore these in the context of the daily professional practice of radiology administrators and educators.

Course Objectives:

Upon completion of this course, a student will be able to:

- Discuss legal issues, concepts, laws and regulations such as malpractice, standards of care, scopes of practice, tort and contract liability, accreditation, academic freedom and tenure.
- Perform basic legal research to find relevant laws and court decisions.
- Identify important areas of legal concern in clinical practice and education.
- Demonstrate the ability to read, understand, and synthesize existing research, laws, and legal precedents and apply them to current problems.

Textbooks:

Pozgar, G. D. (2012). Legal aspects of health care administration. (13th ed.). Boston:

Jones & Bartlett Publishers. [ISBN 978-1-284-06592-3] - \$84.00+

Students need to be familiar with chapters 2-5, 7, 11, and 19 prior to coming to the first weekend of class.

American Psychological Association. (2020). *Publication manual of the American Psychological Association*. 7th ed. Washington, DC: Author. [ISBN:978-1-4338-3216-1] - \$18.00+

Teaching Strategies:

Lecture/discussion, seminar group activities, independent reading assignments, group discussion, written assignments, case studies, and student presentations. For the fall semester, we will be on campus for our face-to-face meetings, and we will hold a **virtual mid-semester check-in** (please see the course schedule for the date and time).

Attendance:

Without exception, students **MUST** attend and participate in **both** graduate seminar weekends to receive credit for this course. We understand students have multiple responsibilities and may need to receive or make a phone call to address an urgent matter during class time; please make the instructors aware this may happen, and please return to the classroom as soon as possible.

Evaluation:

Expert Witness case study – 40%
Electronic Discussion Board – 15%
“Take Issue” Presentation – 30%
Group Activities/Class Participation – 15%

Grade Scale

A = 100 - 90
B = 89 - 80
C = 79 - 70
D = 69 - 60
F = 59 and below

Incompletes:

Incomplete grades are given only at the instructor’s discretion and **MUST** be requested by the student. If the instructor grants the “Incomplete,” the student has until ninety (90) days after the beginning of the next regular (long) semester to complete the course requirements. If the student does not complete the course requirements within the deadline, the grade of “Incomplete” will automatically convert into a grade of “F.” Please note that incompletes are given only in an emergency or when there are extenuating circumstances. Refer to the Graduate Bulletin for additional details about receiving a grade of “Incomplete” in a course.

The last opportunity to drop this course with a grade of “W” is 4:00 pm **March 23, 2023**. Refer to the Graduate Bulletin for details about receiving a grade of “Incomplete” in a course. In an emergency or extenuating circumstance, a student may request a grade of “Incomplete” in a course before grades are submitted. If the instructor grants the “Incomplete,” the student has until ninety (90) days after the beginning of the next long semester to complete the course requirements. If the student does not complete the course requirements within the deadline, the grade of “Incomplete” will automatically convert into a grade of “F.”

CLASS ACTIVITIES AND ASSIGNMENTS

Any assignments submitted electronically as a *Word document* to the course dropbox should follow these guidelines:

Times New Roman 12 point font

1” margins on all sides

Standard MSU Title Page

Late submission of assignments and quizzes:

All assignments and quizzes have due dates listed in the syllabus. Due dates are in place to keep students on target for the semester and allow for instructors to provide detailed, constructive feedback. Assignments/quizzes not turned in on time will result in a “0” being assessed for that assignment.

With that being said, instructors understand that students who are enrolled in the MSRS program tracks may be responsible for managing many employees/students and family matters. If you need any assistance regarding a deadline, you must contact the instructor(s) at least 2 days before the due date to discuss the issue. “After the fact” will not be accepted and will result in the “0” grade.

We also realize emergencies (death, severe illness, etc.) occur; students must contact the instructor as soon as possible to resolve any due date conflicts. Extensions will be decided on a case-by-case basis.

Expert Witness Case Study

For this assignment, students will review a case as an expert witness. A case will be introduced, and each student will review legal documents, answer questions, and formulate a report. This assignment will be in two parts (20% each). This assignment will be released on the course homepage (D2L).

Due dates are listed in the chart at the end of the syllabus

Electronic Discussion

Due: Throughout the semester on specific dates.

Each student must describe an ethical situation or legal issue you know about or are currently experiencing in your workplace; you will use your situation throughout the semester in the discussions, so find something you would like to “stick” with for the

semester. You will have 4 original posts (the initial ethical or legal issue plus an original post for each of the three numbered modules) and 6 total responses to peers (you will respond to 2 peers for each of the numbered module discussions). ***Please note, it is possible to change topics if students are unable to link the textbook content to their chosen topic. Please contact the instructors for approval of the new topic.***

(To make this discussion format work smoothly, students should become familiar with techniques to follow existing electronic discussion threads and to open new discussion threads using the D2L Discussion Tool.)

Syllabus Agreement Discussion Board

Students will need to read the syllabus in its entirety and agree they have read it and understood it. There is a discussion board where students can copy and paste the statement in a new thread and sign the agreement. Please see the course schedule for the due date.

"Take Issue" Presentation

Each student will develop and lead a presentation on his/her "Take Issue" topic. Each presentation (the student lecturing to the class) will be at least fifteen (15) minutes and not more than twenty (20) minutes in length. An additional 5 minutes after the conclusion of the presentation will be allotted for questions/answers. Presentations will occur during the second class weekend.

"Take Issue" topics must be related to legal issues affecting Education, Administration, or Clinical Practice (preferably in the student's current Radiologic Sciences workplace and preferably linked to one of the textbook chapters). Topics must be approved by the instructor (first come – first serve). See the chart at the end of the syllabus for due dates.

The presentation will include the following areas:

- **"Take Issue" Topic and Background:** in this section, introduce the topic and provide textbook reference (if applicable) as well as all background information necessary to understand the situation at hand.
- **Legal and Regulatory Implications:** in this section, provide the legal/regulatory information regarding the topic such as laws related to the topic, punishment or fines for noncompliance, regulatory agencies involved (punishment or fines for noncompliance), etc.
- **Personnel (not personal) Impact:** in this section, describe the effects of compliance or noncompliance on professionals, patients, students, public, etc. who may be impacted by this issue.
- **Financial Impact:** in this section, discuss the monetary costs of compliance or noncompliance as well as annual costs to the healthcare, system, legal system, or educational system as applicable.

- **Solutions:** in this section, discuss the possible solutions to the issue and how each may be implemented. Include costs/benefit analysis of solutions and any legal or regulatory changes that may be needed.

Students should avoid reading their presentations to the

class. Presentations should be informative AND interactive. Students may use PowerPoint, but they are not required to use PowerPoint. Students must incorporate a group activity to reinforce their topic. Examples include: role-playing, before class assignments, audiovisual technology, handouts, games, competitions, and discussion. Students may provide classmates with preparatory reading materials before the class period if necessary. Students **MUST** upload their presentations to the discussion board as an attachment prior to their presentation in class.

Group Activities & Class Participation

Each student is expected to prepare and to participate in class discussions and activities on each topic. The quality, relevancy, and consistency of each student's participation will be evaluated by the instructors according to the following factors:

- Verbal and nonverbal participation;
- Awareness of group dynamics and supportive behavior towards others encouraging discussion and clarifying issues;
- Evidence of familiarity with the issues involved in each topic scheduled for discussion;
- Contribution of relevant observations from personal, professional, and/or academic experiences

Date	Activities/Assignments
January 17th	Classes Open!
January 30th	Discussion board – Ethical/Legal Dilemma Topic (topic will be used the entire semester in the <i>discussion boards</i>)
February 4th-5th	Group activities & First class participation <i>Syllabus Agreement signed to the discussion board by February 5th</i>
February 6th	Expert witness batch one released
February 20th	Module 1 - Discussion Board - Original Post
February 20th	"Take Issue Topics Due (2 weeks)
February 27th	Module 1 - Discussion Board – Peer Response
March 6th	Module 2 - Discussion Board - Original Post
March 13th	Module 2- Discussion Board - Peer Response
March 20th	Expert Witness Part One Due (6 weeks)
March 20 th	Expert Witness Part Two Released
<i>March 23rd</i>	<i>Mid-semester check in via Zoom – 12:00 p.m.-1:00 p.m. CST</i>

Date	Activities/Assignments
March 27th	Last day to withdraw with a "W" – 4:00 p.m. CST
March 27 th	Module 3 – Discussion Board – Original Post
April 3 rd	Module 3 - Discussion Board - Peer Response
April 17 th	Expert Witness Part Two Due (10 weeks)
April 28 th	Load Take Issue Presentation to Discussion Board
April 29 th -30 th	Second Class Participation & "Take Issue" Presentations (11 weeks)

Virtual mid-semester check in – March 23rd (Thursday) – 12:00 – 1:00 p.m. CST

The last day to withdraw with a grade of W is March 27th, CST, 4:00 p.m.

RADS 5023 Legal Topic Outline

Law sources in the United States

- Common law
- Constitutional/statutory law
- Administrative law
- Criminal law
- Civil law
- Case law
- Tort law

Government Organization

- Legislative branch
- Executive branch
- Judicial branch
- Administrative departments and agencies
- State court system
- Federal court system
- Ethics and the law

Tort Law

- Negligent and intentional torts
- Negligence
- Malpractice
- Intentional Torts
- Products Liability
- Legal concerns in clinical practice and education

Laws and Regulations in Health care

Standards of care
Scopes of practice
Contracts/contract liability

Tort Reform

Mediation/Arbitration
Structured awards
Pretrial screening panel
Collateral source rule
Contingency fee limitations
Frivolous claims
Joint/Several liability
No-fault claims
Reducing risks

Honor System:

RADS 5023 adheres to the MSU Code of Conduct. In particular, academic dishonesty, however small, creates a breach in academic integrity. A student's participation in this course comes with the expectation that his or her work will be completed in full observance of the MSU Code of Student Conduct. A student should consult the Student Handbook for answers to any questions about the code.

Many components of RADS 5023 are designed to be highly interactive with students helping each other learn. Students are encouraged to take full advantage of many resources available including Internet sites, handouts and module notebooks, other textbooks and journals, faculty, and peers. This interactive collegial learning environment is conducive for life-long learning.

Specific components of RADS 5023 are designed to represent the efforts of each student individually and are NOT to be shared. These components include the case summaries and paper. Students SHOULD NOT share their efforts in ANY WAY (including but not limited to discussion, electronic files, print copies, notes, etc). The only exception to this rule is during the final class presentations.

When students submit their efforts (paper and case summaries) for grading, they are attesting that they have abided by this rule.

By enrolling in this course, the student expressly grants MSU a "limited right" in all intellectual property created by the student for the purpose of this course. The "limited right" shall include but shall not be limited to the right to reproduce the student's work product in order to verify originality and authenticity, and for educational purposes.

PRONOUNS

Names and pronouns are deeply personal. Assumptions about them can cause harm. In this class, we will respectfully use whatever name and pronouns peers, authors, and community members ask us to use. If we make a mistake, we will respectfully correct ourselves. To learn more about personal pronouns and why they are important, please visit MSU Texas' [Guide to Pronouns](#) and pronouns.org

Campus Carry

Senate Bill 11, passed by the 84th Texas Legislature, allows licensed handgun holders to carry concealed handguns on campus, effective August 1, 2016. Areas excluded from concealed carry are appropriately marked in accordance with state law. For more information regarding campus carry, please refer to the [University's campus carry webpage](#). If you have questions or concerns, please get in touch with MSU Interim Chief of Police [Steven Callarman](#) by email at steven.callarman@msutexas.edu.

Active Shooter

The safety and security of our campus is the responsibility of everyone in our community. Each of us has an obligation to be prepared to appropriately respond to threats to our campus, such as an active aggressor. Please review the information provided by MSU Police Department regarding the options and strategies we can all use to stay safe during difficult situations. For more information, visit [Safety / Emergency Procedures](#). Students are encouraged to watch the video entitled "Run. Hide. Fight." which may be electronically accessed via the University police department's webpage: ["Run. Hide. Fight."](#)

Special needs:

In accordance with Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Midwestern State University endeavors to make reasonable adjustments in its policies, practices, services, and facilities to ensure equal opportunity for qualified persons with disabilities to participate in all educational programs and activities.

The Office of Disability Services (ODS) provides information and assistance, arranges accommodations, and serves as a liaison for students, instructors, and staff. The ODS has assistive devices such as books on tape, recorders, and adaptive software which can be loaned to qualified individuals. A student/employee who seeks accommodations on the basis of disability must register with the Office of Disability Services in the Counseling Center, Clark Student Center Room 108. Documentation of disability from a competent professional is required.

Individuals with grievances related to discrimination or lack of accommodation on the basis of a disability are encouraged to resolve the problem directly with the area involved. If the matter remains unresolved, advice and/or assistance will be provided by the Office of Disability Services for resolution. The grievance procedure may be found in the Student Handbook and Activities Calendar.

The Director of the Counseling Center serves as the ADA Coordinator and may be contacted at (940)397-4618, TDD (940)397-4515, or 3410 Taft Blvd., Clark Student Center Room 108.

Administrative Process:

Unresolved issues related to this course should be first addressed between the student and the course instructor. If there is no resolution, students must follow this sequence:

Department Chair – Dr. Beth Veale' (940-397-4611)

Gunn College HSHS Dean – Dr. Jeff Killion (940-397-4594)

Dean of Students – Matthew Park (940-397-7500)