

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

MASTER OF SCIENCE PROGRAM

Course Number: RADS 5023 3 Credits Fall 2024 (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. (2023). Legal aspects of health care administration. (14th ed.). Boston:

Jones & Bartlett Publishers. [ISBN 978-1-284-23152-6] - \$65.00+

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%
Oral 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.

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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.

Oral Presentation

Each student will develop and lead a presentation on his/her 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.

Oral presentation 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:

- **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. In an effort to transition more easily between student presentations, please upload presentations to the discussion board as an attachment by the due date listed in the course schedule.

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
August 26	Classes Open!
September 3 - <i>Tuesday</i>	Discussion board – Ethical/Legal Dilemma Topic (topic will be used the entire semester in the discussion boards)
September 6-7	Group activities & First class participation Syllabus Agreement signed to the discussion board by September 9th
September 9 - <i>Tuesday</i>	Expert witness batch one released
September 24 – <i>Tuesday</i>	Module 1 - Discussion Board - Original Post
September 24 – <i>Tuesday</i>	Oral Presentation Topics (2 weeks)
October 1 - <i>Tuesday</i>	Module 1 - Discussion Board – Peer Response
October 8 – <i>Tuesday</i>	Module 2 - Discussion Board - Original Post
October 10	Mid-semester check in via Zoom – 12:00 p.m.-1:00 p.m. CST (NOT mandatory)
October 15 – <i>Tuesday</i>	Module 2- Discussion Board - Peer Response
October 22 - <i>Tuesday</i>	Expert Witness Part One (6 weeks)

Date	Activities/Assignments
October 22 - Tuesday	Expert Witness Part Two Released
October 29 - Tuesday	Module 3 – Discussion Board – Original Post
November 5 – Tuesday	Module 3 - Discussion Board - Peer Response
November 12 - Tuesday	Expert Witness Part Two (9 weeks)
December 6 - Friday	Load Oral Presentation to Discussion Board
December 7-8	Second Class Participation & Oral Presentations (11 weeks)

The last day to withdraw with a grade of W is November 25th, 2024, 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, however small, academic dishonesty breaches academic integrity. Your participation in this course comes with the expectation that your work will be completed in full observance of the MSU Code of Student Conduct. You should consult the current Student Handbook for answers to any questions about the code.

All components of RADS 4743 are designed to represent the efforts of each student individually and are NOT to be shared, copied, or plagiarized from other sources. Therefore, when you submit your efforts for grading, you are attesting you have abided by this rule.

An online plagiarism and artificial intelligence screening service may be used in this course. Student assignments may be uploaded to the service to identify similarities to other student papers and published works and to detect AI-generated work.

Cheating includes but is not limited to

- Use of any unauthorized assistance in taking quizzes, tests, or examinations
- Dependence upon the aid of sources beyond those authorized by the professor in writing papers, preparing reports, solving problems, or completing other assignments
- The acquisition of tests or other academic materials belonging to the university faculty or staff without permission

Plagiarism includes but is not limited to

- The use of paraphrasing or direct quotation without correct citation in the text and the reference list

- The published or unpublished works of another person
- You may NOT submit papers and assignments you have previously submitted for this or any other course.
- Using materials generated by agencies engaged in "selling" term papers is also plagiarism.

Artificial Intelligence (AI)-Declaration of Generative AI in Academic Writing

For all writing assignments, the student will not use generative artificial intelligence (AI) to construct the content of the assignment. Doing so is similar to plagiarism, and the assignment may be subject to a grade of zero or failure of the course, depending on the severity of the incident. AI-assisted technologies should only be used to improve readability and language. If used, it is the responsibility of the student to carefully review and edit this content, as AI can generate incorrect, incomplete, or biased information. Using these technologies requires human oversight and control. Additionally, AI and AI-assisted technologies should not be listed as an author or co-author or cited as an author. If the student uses AI-assisted technologies, a disclosure must appear at the end of the document in a separate section before the references, using the following format.

Declaration of Generative AI and AI-Assisted Technologies in the Writing Process

Statement: During the preparation of this work the author(s) used [NAME TOOL / SERVICE] in order to [REASON]. After using this tool/service, the author(s) reviewed and edited the content as needed and take(s) full responsibility for the content of the publication.

Academic dishonesty will not be tolerated in this class. When unsure whether a situation will be interpreted as academic dishonesty, you should ask your professor for clarification. If you are guilty of academic dishonesty, a grade of zero (0) will be given for the quiz, assignment, etc. Cases may also be referred to the Dean of Students for possible dismissal from the University.

You are encouraged to review the tutorials and suggested websites for more information about plagiarism. If you have any questions about what constitutes plagiarism, please consult:

- The [University Academic Dishonesty Policy](#)
- The website [Plagiarism.Org](#), or
- The professor

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:

Interim Department Chair – Dr. Lynette Watts (940-397-4833)
Gunn College HSHS Dean – Dr. Jeff Killion (940-397-4594)
Dean of Students – Matthew Park (940-397-7500)