



Course Syllabus: **HSAD 5143 Health Care and Personnel Law**
Gunn College of Health Sciences and Human Services
Spring 2026

INSTRUCTOR:

Joel M Brown II MSM-HCA, RRT, FAARC, FNAP

Office hours: By appointment via email

E-mail: joel.brown@msutexas.edu

EMAIL:

My university email is joel.brown@msutexas.edu. I may not reply to emails during weekends, or after 5:00 PM, so plan accordingly. Most emails will be returned within 48 hours, except on weekends. Please plan ahead and do not expect an immediate email response at the last minute. If you email me and do not hear from me within 48 hours, just email me again. Sometimes technology doesn't work like we want it to and can cause me to miss your emails.

COURSE MEETINGS:

HSAD 5143 X20 - Online-This course is an online, asynchronous class conducted via D2L.

COURSE DESCRIPTION:

This graduate course is intended to serve as an introduction to the specifics of health-related legislation and programs and their legal and ethical implications for providers and consumers of health care. The course examines the basic principles and practices of law affecting health facilities, medical practice, patient care and treatment, medical services, and other health-related functions relating to health employment law. Ethical issues relating to health care, such as genetics, euthanasia, and privacy, will be examined.

COURSE OBJECTIVES:

After completion, students should be able:

- To understand the structure of the American legal system, its application to our health care system and gain insights on federal healthcare policy making
- To learn how rights and responsibilities of patients, providers, and health plans (both governmental and commercial) are described in contracts and federal and state laws
- To appreciate general rules, and exceptions to those rules, related to the creation and operation of health care facilities
- To understand the range of patients' rights and how those are expressed in formal, binding documents and interpreted by the courts
- To gain a basic understanding of legal principles associated with contracts, antitrust law, behavioral health law, intellectual property, bioethics, clinical research and reproductive rights
- To understand how technology is shaping the creation, transmission, storage and use of personal health information and how those activities are regulated by federal and state laws

INSTRUCTOR COURSE POLICIES:

Students are required to participate in class in a respectful manner whether or not the interactions are online or face-to-face. All course assignments must be submitted to D2L in Microsoft format including, Word documents

and Power Point. For students without Microsoft software, Microsoft offers students a free download of Office 365.

GRADING:

Table 1: Final Grades will be calculated based on the following percentages:

Assignments	Percentage of Final Grade
Discussions	25%
Case Law to Policy Brief (Robinson v. Shah)	15%
Case Law to Policy Brief (Brown v. Belinfante)	15%
Case Law to Policy Brief (Bush v. Schiavo)	15%
Capstone Project	30%

Table 2: Total points for final grade.

Grade	Percentage
A	90-100%
B	80 to 89%
C	70 to 79%
D	60 to 69%
F	Less than 60

Any student who receives two grades of C or less, or one F will be administratively removed from the program the term following the second C or D or the one F. The student in the master's or the graduate certificate programs may repeat one course in which a grade of C or lower has been earned with the approval of the department's academic review committee. **A 3.0 OVERALL GRADE POINT AVERAGE IS REQUIRED FOR GRADUATION, AND STUDENTS MUST HAVE A GRADE OF B OR BETTER IN ALL COURSES IN THE MAJOR. STUDENTS WHO ARE SEEKING THE GRADUATE CERTIFICATE MUST EARN A GRADE OF B OR BETTER IN EACH OF THE COURSES TO BE AWARDED THE CERTIFICATE.**

REQUIRED TEXTBOOK & INSTRUCTIONAL MATERIALS:

- Pozgar. (2026). Legal and Ethical Essentials of Health Care Administration (4th Ed.) Jones and Bartlett. ISBN- 9781284298321
- Supplemental readings, information, and PowerPoints may be made available at times during the course in D2L.

REQUIRED TECHNOLOGY:

- Laptop/PC with internet connection.

INSTRUCTIONAL METHODS:

Instructional strategies for this class will include assigned readings, participation in discussions, exams, and written assignments which will include independent research.

WEEKLY MODULES:

Modules specific to each course week are posted on D2L. Each module consists of assigned readings and may have a written assignment or a discussion question due. One module will include a Midterm Exam and one module will include a Final Exam. Please follow the instructions for assignment completion posted within each module in D2L. Each module must be completed by the due date specified in the tentative course schedule attached to this syllabus.

ACTIVITIES AND ASSIGNMENTS:

All assignment submissions made by students in D2L are considered final submissions. It is the student's responsibility to ensure that the correct and complete file has been uploaded. If a student

submits an incorrect document, an incomplete draft, or any unintended version, the assignment will be graded as submitted. Students are strongly encouraged to double-check their upload before finalizing the submission.

Additionally, Apple file formats such as .pages or Keynote files will not be accepted. All submissions must be uploaded in Microsoft Office formats—such as .doc, .docx, .ppt, or .xlsx—or as otherwise specified in the assignment instructions.

See the Course Schedule in this syllabus, as well as the course calendar in D2L, for specific information about activities and due dates. **DETAILED INFORMATION REGARDING DISCUSSIONS AND ASSIGNMENTS CAN BE FOUND AFTER THE COURSE SCHEDULE WITHIN THIS SYLLABUS.**

If students have technical difficulties, they should use the “Help” link on D2L, contact the MSU Information Systems Support Staff, and send an email to the professor explaining what happened. Waiting until the last minute to ask for help or reporting incidents AFTER a due date or an exam expires may result in a grade of zero, even if it was a failure of D2L.

- For all written assignments and discussion board posts, students are expected to follow APA 7th edition formatting guidelines.
- All work submitted to the instructor will be considered complete and final, and will be graded as such.
- All assignments must be written at the graduate level and will be graded for accuracy, completeness, quality, spelling, grammar, and integrity.
- Because of the nature of the assignments, late submissions will not be accepted. *It is the expectation of the faculty that you complete work on time.*
- Rubrics are available for all written assignments and can (and should) be viewed by the students prior to submitting any work.

CLASS DISCUSSIONS: Some modules will have a discussion question posted by the instructor. The discussion question will be related to assigned readings for that module. Students are required to read assigned materials and answer the discussion question. In order to obtain full points for the discussion post, you must post an initial discussion answering the discussion question and reply to at least two other threads on the discussion board. The discussion boards will not open and you will not be able to see anyone else’s posts until you have created your original post.

- Initial posts are due on Thursdays and should be at least 250 words and thoughtfully respond to all parts of the prompt.
- Response posts to at least two classmates are due on Sundays and should be at least 150 words and build on their ideas, offer a different perspective, and/or ask a follow-up question.
- Use examples from your own experience and course concepts when possible.

Discussion posts will be graded based on quality of the content, length of the content, and compliance with APA guidelines for citations and references. **Students are encouraged to post both comments and questions and treat the discussion posts as discussions in the classroom.** This is a great platform to share your experiences and thoughts related to weekly topics.

Students must post original posts to the discussion board by **THURSDAYS AT 11:59PM** and response posts must be posted by **SUNDAYS AT 11:59PM** on the week of the discussion assignment. This ensures all students have equal opportunity to engage in discussion and read everyone’s post. It is also the students’ responsibility to facilitate discussion within their own post if classmates have questions or comments. If students wait until the deadline to complete original posts, or fail to facilitate discussion, it is not fair to peers and defeats the purpose of the discussion. Failing to adhere to these policies will result in a loss of credit for the discussion board assignment.

All Discussion Boards will use the following Grading Rubric:

Criteria	Exemplary 5	Proficient 4	Satisfactory 3	Limited 2	Minimal 1	Not Submitted 0
Initial Post - Completeness	Initial post is submitted by Thursday, meets or exceeds the 250-word requirement, and fully addresses all components of the prompt in a thorough and thoughtful manner.	Initial post is submitted by Thursday, meets the 250-word requirement, and addresses most aspects of the prompt, though some areas may lack depth or full development.	Initial post is submitted by Thursday but may be slightly under the word requirement or address the prompt unevenly. Some elements of the prompt are underdeveloped.	Initial post is late, incomplete, or significantly under the word requirement, and fails to adequately address the prompt.	Initial post is extremely brief, poorly focused, or only marginally related to the prompt.	No initial post submitted.
Critical Thinking, Application, Mechanics & Professionalism	Demonstrates high-level critical thinking and analysis. Effectively integrates course concepts with relevant personal or professional examples to support ideas. Writing is clear, well organized, and professional, with correct grammar, spelling, and academic tone.	Demonstrates solid understanding of course material with appropriate critical thinking. Uses course concepts and examples, though connections may be somewhat general. Writing is professional with minor mechanical errors that do not affect clarity.	Demonstrates basic comprehension of course concepts with limited analysis. Application of personal experience or course material is minimal or superficial. Writing is understandable but may contain noticeable mechanical or organizational issues.	Shows minimal engagement with course concepts and little evidence of critical thinking or application. Examples are vague, missing, or unrelated. Writing contains frequent errors or lacks professional tone.	Demonstrates little to no understanding of course concepts. No meaningful analysis or examples are provided. Writing quality and professionalism are poor.	No evaluable content submitted.
Replies to Classmates	At least two response posts are submitted by Sunday, each meeting or exceeding 150 words. Responses meaningfully build on classmates' ideas, offer new insights or perspectives, and/or pose thoughtful follow-up questions that advance the discussion.	Two response posts are submitted by Sunday and meet the 150-word requirement. Responses engage with classmates' ideas and add value, though expansion or questioning may be limited.	Two responses are submitted but may be brief, close to the minimum length, or primarily restate classmates' ideas without meaningful expansion.	Only one response is submitted, responses are very brief, or posts show minimal engagement with classmates' ideas.	Responses are superficial, extremely short, or do not meaningfully engage with classmates' posts.	No response posts submitted.

LATE WORK

All work **MUST** be turned in on time. Late work **will not** be accepted unless you have prior permission to turn it in late. Permission must be requested at least 3 days prior to the due date (e.g., if it's due on the 10th you must request permission to turn it in late by no later than the morning of the 7th). Permission will only be given if very unusual circumstances arise. Computer nor work issues count as unusual circumstances as you have plenty of time to complete each assignment. Don't wait until the last minute to complete your assignments as technical, family, or work-related issues could arise.

CLASS PARTICIPATION:

Since this is a distance learning course, your discussion posts will be counted as your participation in the class. So, communicating through discussion posts is critical.

ONLINE COMPUTER REQUIREMENTS:

Taking this class with an online component requires you to have access to a computer (with Internet access) to complete and upload your assignments. It is your responsibility to have (or have access to) a working computer in this class. *Assignments and tests are due by the due date, and personal computer technical difficulties will not be considered reason for the instructor to allow students extra time to submit assignments, tests, or discussion postings. Computers are available on campus in various areas of the buildings as well as the Academic Success Center. ***YOUR COMPUTER BEING DOWN IS NOT AN EXCUSE FOR MISSING A DEADLINE!!** There are many places to access your class! Our online classes can be accessed from any computer in the world which is connected to the internet. Contact your instructor immediately upon having computer trouble. If you have technical difficulties in the course, there is also a student helpdesk available to you. The college cannot work directly on student computers due to both liability and resource limitations however they are able to help you get connected to our online services. For help, log into D2L.

DISABILITY SUPPORT SERVICES:

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 Support Services (DSS) provides information and assistance, arranges accommodations, and serves as a liaison for students, instructors, and staff. The DSS has assistance 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 Support Services in the Clark Student Center Room 168 or call 940-397-4140 for more information. 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 ADA Coordinator may be contacted at (940) 397.4140, or 3410 Taft Blvd., Clark Student Center Room 168.

College Policies:

Campus Carry Rules/Policies

Refer to: [Campus Carry Rules and Policies](#)

Smoking/Tobacco Policy

Refer to: [Smoking and Tobacco Policy](#)

Alcohol and Drug Policy

Refer to: [Alcohol and Drug Policy](#)

STUDENT HANDBOOK:

Refer to: [Student Handbook](#)

OBLIGATION TO REPORT SEX DISCRIMINATION UNDER STATE AND FEDERAL LAW

Midwestern State University is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. State and federal law require University employees to report sex discrimination and sexual misconduct to the University's Office of Title IX. As a faculty member, I am required to report to the Title IX Coordinator any allegations, personally observed behavior, or other direct or indirect knowledge of conduct that reasonably may constitute sex discrimination or sexual misconduct, which includes sexual assault, sexual harassment, dating violence, or stalking, involving a student or employee. After a report is made, the office of Title IX will reach out to the affected student or employee in an effort to connect such person(s) with resources and options in addressing the allegations made in the report. You are also encouraged to report any incidents to the office of Title IX. You may do so by contacting:

Laura Hetrick

Title IX Coordinator

Sunwatcher Village Clubhouse

940-397-4213

laura.hetrick@msutexas.edu

You may also file an online report 24/7 at https://cm.maxient.com/reportingform.php?MSUTexas&layout_id=6

Should you wish to visit with someone about your experience in confidence, you may contact the MSU Counseling Center at 940-397-4618. For more information on the University's policy on Title IX or sexual misconduct, please visit <https://msutexas.edu/titleix/>

CONDUCT/HONESTY/HONOR SYSTEM:

This course adheres to the MSU Code of Conduct. Academic dishonesty, however small, creates a breach in academic integrity. A student's participation in this course comes with the expectation that his/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.

Students are encouraged to take full advantage of many resources available including Internet sites, handouts, other textbooks & journals, faculty, and peers. This interactive collegial learning environment is conducive to life-long learning. The components of this course are designed to represent the efforts of each student individually and are NOT to be shared. Submitting someone else's work as your own or improperly cited work constitutes plagiarism. Please see the Midwestern State University Catalog for further discussion of plagiarism. Plagiarism will constitute in an F for the course and the student will be referred to administration for further action. When students submit their efforts for grading, they are attesting they abided by this rule.

Cheating includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or completing other assignments; or (3) 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, by paraphrase or direct quotation without correct citation in the text and on the reference list, the published or unpublished works of another person. Students may not submit papers and assignments that they have previously submitted for this or other courses. The use of materials generated by agencies engaged in "selling" term papers is also plagiarism.

AI Statement:

Writing, analytical, and critical thinking skills are part of the learning outcomes of this course. The student will prepare all writing assignments. Developing strong competencies in this area prepares the student for a competitive workplace. Therefore, AI-generated submissions are not permitted and will be treated as plagiarism.

Students are encouraged to review the tutorials and suggested websites for more information about plagiarism. 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.

TURNITIN: MSU takes plagiarism very seriously and the university has provided a multitude of resources to help students avoid intentional and non-intentional plagiarism. TurnItIn is an excellent plagiarism and AI checker and runs a report each time you submit an assignment. You have access to a version of the report through the Assignments area and this report provides a similarity index. I encourage you to review your TurnItIn report as it highlights areas that need better paraphrasing. Many times it will also highlight resources and headers, so please ignore these as they are not of concern. I review the TurnItIn report for EVERY assignment and if I see concerns, I will contact you and we will discuss the situation. It is good practice to always paraphrase, cite and reference throughout most of your papers. While there are times when students like to provide direct quotes, please note that the majority of your paper needs to be written in your own words (paraphrased) with appropriate citation. Please let me know if you have questions.

Note: The contents of the syllabus are as accurate as possible. The instructor reserves the right to make any changes necessary to the syllabus and course material. Every effort will be made to inform students about the changes in the syllabus, however, it's student's responsibility to know what changes have been made and complete the course requirements. There are no extra credit opportunities in this course. ***BELOW YOU WILL FIND A TENTATIVE SCHEDULE FOR THE SEMESTER. THE PROFESSOR DOES HOLD THE RIGHT TO MAKE CHANGES AND MODIFICATION AS NEEDED.**

Course Schedule:

Week	Readings	Assignments	Start Date	Due Date
Week 1	Chapter 1 Hospitals Through the Ages Chapter 2 Government, Law, and Ethics	Review Syllabus Getting to Know You Discussion	1/20	1/25
Week 2	Chapter 3 Tort Law Chapter 4 Criminal Aspects of Health Care	Case Study - Case Law to Policy Brief Robinson v. Shah (1990) Due 2/1	1/26	2/1
Week 3	Chapter 5 Contracts Chapter 6 Civil Procedure and Trial Practice	Discussion Board: When Professional Judgment Crosses the Legal Line Initial Post Due Thursday Response Posts Due Sunday	2/2	2/8
Week 4	Chapter 7 Corporate Structure and Legal Issues	N/A	2/9	2/15
Week 5	Chapter 8 Medical Staff Organization and Physician Liability	Case Study – Case Law to Policy Brief Brown v. Belinfante Due 2/22	2/16	2/22
Week 6	Chapter 9 Nursing and the Law Chapter 10 Hospital Departments and Allied Professionals	N/A	2/23	3/1
Week 7	Chapter 11 Medical Records Chapter 12 Patient Consent	Discussion Board: When Yes Isn't Enough Initial Post Due Thursday Response Posts Due Sunday	3/2	3/8
Week 8	Chapter 13 Patient Rights and Responsibilities Chapter 14 Healthcare Ethics	N/A	3/9	3/15
Week 9	Chapter 16 End-of-Life Issues	Case Study – Case Law to Policy Brief Bush v. Schiavo Due 3/22	3/16	3/22
Week 10	Chapter 17 Legal Reporting Requirement Chapter 18 Labor Relations	Discussion Board: When Safety Becomes Law Initial Post Due Thursday Response Posts Due Sunday	3/23	3/29
Week 11	N/A	Holiday Break from 4/2 – 4/4	3/30	4/5
Week 12	Chapter 19 Employment – At Will and Discharge Chapter 20 Employee Rights and Responsibilities	Begin working on Capstone Project	4/6	4/12
Week 13	Chapter 21 Professional Liability Insurance	Continue working on Capstone Project	4/13	4/19
Week 14	N/A	Capstone Project: Due 4/26	4/20	4/26
Week 15	N/A	Course Evaluations	4/27	5/3

- **ASSIGNMENT BREAKDOWN:**
- **WEEK 1: GET TO KNOW YOU:**

DISCUSSION BOARD PROMPT:

Welcome to the course! To kick things off, please introduce yourself to the class. In your post, include the following:

1. **YOUR NAME, CURRENT ROLE, AND BACKGROUND IN HEALTHCARE OR RELATED FIELDS.**
2. **ONE EXPERIENCE YOU OR SOMEONE YOU KNOW HAVE HAD AS A HEALTHCARE CONSUMER OR PROVIDER THAT HIGHLIGHTS THE IMPORTANCE OF HEALTHCARE PERSONNEL AND LAW**
3. **WHAT YOU HOPE TO GAIN FROM THIS COURSE AND HOW IT CONNECTS TO YOUR PROFESSIONAL GOALS.**

Feel free to respond to at least one classmate to start building connections early in the semester!

- **Week 2: Case Law to Policy Brief – Robinson v. Shah (1990)**

Assignment Objective: By completing this project, students will be able to:

1. Interpret and analyze a real healthcare malpractice case.
2. Evaluate the ethical and legal failures within the case.
3. Translate case law into practical, actionable policy recommendations for healthcare organizations.
4. Communicate findings in a concise, professional policy brief targeted to healthcare leaders

Assignment Instructions: You will analyze the case of *Robinson v. Shah* (1990) page 54 of your text, in which a physician concealed the presence of retained surgical sponges from a patient. You will prepare a policy brief directed at hospital administrators or healthcare leaders.

Your Policy Brief must include the following sections:

- **Executive Summary (1 paragraph)**
 - Provide a concise overview of the case and why it matters.
- **Case Background (1–2 paragraphs)**
 - Identify the key facts of *Robinson v. Shah* (patient harm, concealment, delayed diagnosis).
 - Highlight the central legal issue (fraudulent concealment and statute of limitations).
- **Legal & Ethical Analysis (2–3 paragraphs)**
 - Explain the court’s ruling and reasoning.
 - Discuss what ethical principles and organizational responsibilities were violated.
 - Consider how modern compliance and ethics frameworks (corporate ethics codes, Sarbanes–Oxley protections, compliance programs) apply.
- **Policy Recommendations (2–3 actionable recommendations)**
 - Propose specific, evidence-based policies a healthcare organization should implement to prevent a similar case. Examples:
 - Mandatory disclosure policies for adverse events.
 - Strengthened compliance hotlines and whistleblower protections.
 - Documentation and audit systems for surgical procedures.
 - Recommendations should be practical, realistic, and tied to the case lessons.
- **Conclusion (1 paragraph)**
 - Summarize the implications for healthcare organizations.
 - Reinforce the importance of ethical transparency and patient trust.
- **References**
 - Include APA citations for the case and any supporting scholarly/professional sources (minimum of 2 additional sources).

Format Requirements

- **Length:** 3–4 pages (single-spaced policy brief format).
- **Style:** Professional, concise, written for healthcare leaders (not lawyers).
- **Structure:** Use headings and bullet points where appropriate.
- **Tone:** Action-oriented, focused on solutions.

Grading Rubric (5 points per category, 35 points total)

Category	Excellent (5 pts)	Proficient (4-3 pts)	Needs Improvement (2-1 pts)	Not Completed (0)
Executive Summary	Clear, compelling overview; immediately shows relevance of the case.	Overview provided but vague or lacks focus.	Unclear.	Not Completed
Case Background	Concise, accurate summary of facts and issues.	Includes facts but omits key details or lacks clarity.	Background or inaccurate.	Not Completed
Legal & Ethical Analysis	Strong explanation of ruling and ethical implications; integrates frameworks.	Some analysis provided but limited depth or clarity.	Analysis vague or incorrect.	Not Completed
Policy Recommendations	Actionable, specific, and realistic; clearly tied to case lessons.	Recommendations included but generic or not well-connected to case.	Recommendations impractical or irrelevant.	Not Completed
Conclusion	Clear summary reinforcing lessons for healthcare leaders.	Conclusion present but brief or generic.	Conclusion weak.	Not Completed
References (APA)	At least 2+ scholarly/professional sources beyond the case; correct APA style.	Sources included but not in proper APA or insufficient.	Major APA errors.	Not Completed
Professionalism	Brief is well-organized, concise, and written in a professional style.	Organization adequate but lacks polish or clarity.	Disorganized, unprofessional, or difficult to follow.	Not Completed

- **Week 3: When Professional Judgment Crosses the Legal Line**

Discussion Scenario:

Health care professionals occupy a position of deep trust. However, when clinical negligence, documentation falsification, patient abuse, drug diversion, or billing fraud occurs, that trust, and the law, are broken. Criminal liability in healthcare doesn't always stem from malicious intent; sometimes it's the result of poor judgment, negligence, or systemic pressure.

For this week's discussion, reflect on how criminal law applies to health care personnel and what differentiates a civil wrong (tort) from a criminal act in a healthcare setting. Consider how intent, patient harm, and professional ethics intersect when determining criminal responsibility. Answer the following questions within your discussion:

1. Many healthcare workers are legally obligated to report suspected abuse, neglect, or impairment of colleagues. What potential *criminal consequences* could result from failing to report these issues? Should moral responsibility outweigh fear of retaliation?
2. How does a criminal conviction—whether for patient abuse, controlled substance diversion, or fraud, impact a healthcare worker's licensure, employment, and the reputation of the organization?
3. What compliance measures, training programs, or workplace cultures best reduce the likelihood of criminal behavior in healthcare organizations?
4. Consider the balance between *individual accountability* and *organizational responsibility*. Should a nurse, therapist, or physician be held criminally liable if a fatal mistake occurred under poor staffing ratios or unsafe workloads? Discuss how the law should address systemic failure versus personal negligence.

Instructions for Students:

- Initial posts are due on Thursdays and should be at least 250 words and thoughtfully respond to all parts of the prompt.
- Response posts to at least two classmates are due on Sundays and should be at least 150 words and build on their ideas, offer a different perspective, and/or ask a follow-up question.
- Use examples from your own experience and course concepts when possible.

- **Week 5: Case Law to Policy Brief – Brown v. Belinfante**

Assignment Objective: By completing this project, students will be able to:

1. Interpret and analyze a real healthcare malpractice case.
2. Evaluate the ethical and legal failures within the case.
3. Translate case law into practical, actionable policy recommendations for healthcare organizations.
4. Communicate findings in a concise, professional policy brief targeted to healthcare leaders.

Assignment Instructions: You will analyze the case of **Brown v. Belinfante page 183** of your text, in which a dentist performed procedures outside his scope of practice. You will prepare a policy brief directed at hospital administrators or healthcare leaders.

Your Policy Brief must include the following sections:

- **Executive Summary (1 paragraph)**
 - Provide a concise overview of the case and why it matters.
- **Case Background (1–2 paragraphs)**
 - Identify the key facts of Brown v. Belinfante.
 - Highlight the central legal issues.
- **Legal & Ethical Analysis (2–3 paragraphs)**
 - Explain the court’s ruling and reasoning.
 - Discuss what ethical principles and organizational responsibilities were violated.
 - Consider how modern compliance and ethics frameworks (corporate ethics codes, Sarbanes–Oxley protections, compliance programs) apply.
- **Policy Recommendations (2–3 actionable recommendations)**
 - Propose specific, evidence-based policies a healthcare organization should implement to prevent a similar case.
 - Recommendations should be practical, realistic, and tied to the case lessons.
- **Conclusion (1 paragraph)**
 - Summarize the implications for healthcare organizations.
- **References**
 - Include APA citations for the case and any supporting scholarly/professional sources (minimum of 2 additional sources).

Format Requirements

- **Length:** 2-3 pages (single-spaced policy brief format).
- **Style:** Professional, concise, written for healthcare leaders (not lawyers).
- **Structure:** Use headings and bullet points where appropriate.
- **Tone:** Action-oriented, focused on solutions.

Grading Rubric (5 points per category, 35 points total)

Category	Excellent (5 pts)	Proficient (4-3 pts)	Needs Improvement (2-1 pts)	Not Completed (0)
Executive Summary	Clear, compelling overview; immediately shows relevance of the case.	Overview provided but vague or lacks focus.	Unclear.	Not Completed
Case Background	Concise, accurate summary of facts and issues.	Includes facts but omits key details or lacks clarity.	Background or inaccurate.	Not Completed
Legal & Ethical Analysis	Strong explanation of ruling and ethical implications; integrates frameworks.	Some analysis provided but limited depth or clarity.	Analysis vague or incorrect.	Not Completed
Policy Recommendations	Actionable, specific, and realistic; clearly tied to case lessons.	Recommendations included but generic or not well-connected to case.	Recommendations impractical or irrelevant.	Not Completed
Conclusion	Clear summary reinforcing lessons for healthcare leaders.	Conclusion present but brief or generic.	Conclusion weak.	Not Completed
References (APA)	At least 2+ scholarly/professional sources beyond the case; correct APA style.	Sources included but not in proper APA or insufficient.	Major APA errors.	Not Completed
Professionalism	Brief is well-organized, concise, and written in a professional style.	Organization adequate but lacks polish or clarity.	Disorganized, unprofessional, or difficult to follow.	Not Completed

Week 7: Understanding Patient Consent: When “Yes” Isn’t Enough

Discussion Scenario:

In health care, patient consent is more than a signature—it’s the foundation of patient autonomy and professional ethics. Every patient has the right to understand the nature, purpose, benefits, and risks of treatment before agreeing to it. When healthcare providers fail to obtain valid informed consent, they risk not only civil liability but also potential criminal charges and professional discipline.

The 2020 case *Nordgren v. State* (page 275 of your text) illustrates the gravity of this issue. In this case, a physician assistant in Alaska, Jeffrey Nordgren, was convicted of medical assistance fraud and reckless endangerment after performing medical procedures without proper physician supervision or adequate patient consent. The court determined that his actions violated the standard of care and consent protocols, leading to criminal conviction and loss of licensure.

This case highlights a critical question: What does *true consent* look like, and when does a failure in the process become a *criminal act* rather than a civil or administrative issue? For your discussion, answer the following questions:

1. Based on your understanding of informed consent, what are the *key elements* that must be present for consent to be legally valid? How might those elements have been violated in *Nordgren v. State (2020)*?
2. Even when a patient signs a consent form, ethical responsibility extends beyond paperwork. How should healthcare providers ensure that patients truly understand their procedures, particularly when language barriers, cognitive limitations, or emotional distress are involved?
3. At what point does a failure to obtain proper consent move from being a *civil malpractice issue* to a *criminal offense*? Use examples from *Nordgren v. State* or other cases to support your position.
4. What documentation strategies can healthcare personnel use to demonstrate that informed consent was properly obtained and understood? Why is this so important in legal proceedings?

Instructions for Students:

- Initial posts are due on Thursdays and should be at least 250 words and thoughtfully respond to all parts of the prompt.
- Response posts to at least two classmates are due on Sundays and should be at least 150 words and build on their ideas, offer a different perspective, and/or ask a follow-up question.
- Use examples from your own experience and course concepts when possible.

- **Week 9: Case Law to Policy Brief – Bush v. Schiavo**

Assignment Objective: By completing this project, students will be able to:

1. Interpret and analyze a real healthcare malpractice case.
2. Evaluate the ethical and legal failures within the case.
3. Translate case law into practical, actionable policy recommendations for healthcare organizations.
4. Communicate findings in a concise, professional policy brief targeted to healthcare leaders

Assignment Instructions: You will analyze the case of **Bush v. Schiavo page 372** of your text, in which a Governor intervened to reinstate a feeding tube after it had been removed per a court order. You will prepare a policy brief directed at hospital administrators or healthcare leaders.

Your Policy Brief must include the following sections:

- **Executive Summary (1 paragraph)**
 - Provide a concise overview of the case and why it matters.
- **Case Background (1–2 paragraphs)**
 - Identify the key facts of Bush v. Schiavo.
 - Highlight the central legal issue.
- **Legal & Ethical Analysis (2–3 paragraphs)**
 - Explain the court’s ruling and reasoning.
 - Discuss what ethical principles and organizational responsibilities were violated.
 - Consider how modern compliance and ethics frameworks (corporate ethics codes, Sarbanes–Oxley protections, compliance programs) apply.
- **Policy Recommendations (2–3 actionable recommendations)**
 - Propose specific, evidence-based policies a healthcare organization should implement to prevent a similar case.
 - Recommendations should be practical, realistic, and tied to the case lessons.
- **Conclusion (1 paragraph)**
 - Summarize the implications for healthcare organizations.
- **References**
 - Include APA citations for the case and any supporting scholarly/professional sources (minimum of 2 additional sources).

Format Requirements

- **Length:** 2-3 pages (single-spaced policy brief format).
- **Style:** Professional, concise, written for healthcare leaders (not lawyers).
- **Structure:** Use headings and bullet points where appropriate.
- **Tone:** Action-oriented, focused on solutions.

Grading Rubric (5 points per category, 35 points total)

Category	Excellent (5 pts)	Proficient (4-3 pts)	Needs Improvement (2-1 pts)	Not Completed (0)
Executive Summary	Clear, compelling overview; immediately shows relevance of the case.	Overview provided but vague or lacks focus.	Unclear.	Not Completed
Case Background	Concise, accurate summary of facts and issues.	Includes facts but omits key details or lacks clarity.	Background or inaccurate.	Not Completed
Legal & Ethical Analysis	Strong explanation of ruling and ethical implications; integrates frameworks.	Some analysis provided but limited depth or clarity.	Analysis vague or incorrect.	Not Completed
Policy Recommendations	Actionable, specific, and realistic; clearly tied to case lessons.	Recommendations included but generic or not well-connected to case.	Recommendations impractical or irrelevant.	Not Completed
Conclusion	Clear summary reinforcing lessons for healthcare leaders.	Conclusion present but brief or generic.	Conclusion weak.	Not Completed
References (APA)	At least 2+ scholarly/professional sources beyond the case; correct APA style.	Sources included but not in proper APA or insufficient.	Major APA errors.	Not Completed
Professionalism	Brief is well-organized, concise, and written in a professional style.	Organization adequate but lacks polish or clarity.	Disorganized, unprofessional, or difficult to follow.	Not Completed

- **Week 10: Legal and Ethical Duties in Protecting Healthcare Workers and Patients: When Safety Becomes Law**

Discussion Scenario:

Healthcare professionals are routinely exposed to infectious diseases, including bloodborne pathogens like HIV and hepatitis. The Occupational Safety and Health Administration (OSHA) mandates that employers protect healthcare workers by providing safety education, training programs, and compliance with universal precautions. Likewise, the Centers for Disease Control and Prevention (CDC) sets guidelines for preventing occupational exposure and transmission.

Despite these safeguards, breaches still occur—from inadequate personal protective equipment (PPE) training to noncompliance with infection control procedures. When a healthcare provider's negligence results in exposure or transmission of an infectious disease, legal accountability may extend beyond civil penalties to include criminal liability or loss of licensure.

This week's discussion focuses on the intersection of occupational safety, infection control law, and ethical duty. You will consider how organizations and individual providers share responsibility for protecting themselves, their patients, and their colleagues. For your discussion, answer the following questions:

1. Under OSHA regulations, what are the key responsibilities of healthcare employers versus individual employees in preventing exposure to infectious diseases? How might failure to meet these responsibilities lead to legal consequences?
2. Suppose a healthcare worker contracts HIV from a patient after the employer failed to provide adequate training on universal precautions. Who bears legal responsibility—the employer, the individual, or both? Support your reasoning with legal and ethical principles.
3. The reading emphasizes the *process of staff education* in infection prevention. What training elements should be legally required for new employees working in direct patient care? How do these requirements impact patient and staff safety?

Instructions for Students:

- Initial posts are due on Thursdays and should be at least 250 words and thoughtfully respond to all parts of the prompt.
- Response posts to at least two classmates are due on Sundays and should be at least 150 words and build on their ideas, offer a different perspective, and/or ask a follow-up question.
- Use examples from your own experience and course concepts when possible.

- **Weeks 12-14: Capstone Project: Healthcare Law & Ethics Board Presentation**

Assignment Objective: By completing this project, students will be able to:

1. Integrate course concepts (torts, contracts, trial practice, corporate structure, compliance, and ethics).
2. Analyze a complex legal and ethical scenario in healthcare.
3. Develop practical, leadership-level recommendations to address organizational risks.
4. Communicate findings effectively in a professional, narrated presentation.

Scenario: Data Breach and Patient Harm: A large multi-hospital healthcare system experiences the following events in the same quarter:

1. **Cybersecurity Breach:** Hackers access thousands of patient records, including financial and medical information. Patients file lawsuits citing negligence in protecting their data.
2. **Contract Dispute:** A major physician group threatens to terminate its services contract early, citing unfair terms. The hospital fears disruption of patient care and potential litigation.
3. **Malpractice Case:** A patient undergoes a surgical procedure in which a foreign object is left behind. The surgical team allegedly failed to follow established “count” protocols.
4. **Compliance Concerns:** Whistleblower staff members report that managers discouraged them from reporting safety events, raising Sarbanes–Oxley and compliance program issues.

You have been asked to brief the hospital’s board of directors on the legal and ethical risks involved and to present actionable recommendations. Approach this as if you are presenting to the hospital’s Board of Directors. Be concise, professional, and action-oriented. Your job is not just to describe the issues — it’s to convince leaders to act.

Assignment Instructions: Create a **narrated PowerPoint presentation** (12–15 slides, 15–20 minutes total) addressing the following:

- **Title Slide**
 - Include project title, your name, course, and date.
- **Executive Overview**
 - Briefly describe the crisis (data breach, malpractice, contract dispute, compliance concerns).
 - Explain why this is urgent for the board’s attention.
- **Legal Analysis**
 - Identify key **tort, contract, and liability issues**.
 - Discuss potential **civil and criminal exposure** for the organization.
 - Highlight relevant trial practice considerations.
- **Ethical Analysis**
 - Explain which ethical principles have been violated (e.g., patient autonomy, beneficence, justice, honesty).
 - Connect violations to the corporate code of ethics.
- **Corporate & Compliance Implications**
 - Address how corporate structure, governance, and Sarbanes–Oxley affect accountability.
 - Evaluate weaknesses in the compliance program.
- **Policy & Leadership Recommendations**
 - Provide **3–5 actionable recommendations** the organization should adopt. Examples:

- Strengthen cybersecurity policies and staff training.
- Implement stricter adverse event disclosure protocols.
- Redesign compliance reporting channels with whistleblower protections.
- Reevaluate contract negotiation procedures.
- **Conclusion**
 - Summarize key risks and recommendations.
 - Reinforce why proactive action is essential for patient safety and organizational trust.
- **References**
 - Include APA-formatted citations (textbook + at least 4 scholarly/professional sources).

Format Requirements

- **Slides:** 12-15 total (not including references).
- **Narration:** 15-20 minutes total (about 1-2 minutes per slide).
- **Design:** Professional, clear visuals; minimal on-slide text (focus on narration).
- **Delivery:** Submit as a PowerPoint with embedded narration.

Grading Rubric (5 points per category, 40 points total)

Category	Excellent (5 pts)	Proficient (4-3 pts)	Needs Improvement (2-1 pts)	Not Completed (0)
Executive Overview	Compelling summary of the crisis and its urgency.	Adequate summary but lacks clarity or focus.	Overview confusing.	Not Completed
Legal Analysis	Thorough, accurate identification of tort, contract, and liability issues.	Some issues identified but limited depth.	Legal analysis vague or inaccurate.	Not Completed
Ethical Analysis	Clear application of ethical principles and corporate ethics.	Ethical issues mentioned but not well developed.	Ethical analysis minimal.	Not Completed
Corporate & Compliance	Strong evaluation of compliance failures, SOX, and governance issues.	Some compliance/corporate issues addressed but shallow.	Minimal compliance discussion.	Not Completed
Recommendations	Actionable, realistic, tied directly to legal/ethical analysis.	Recommendations included but generic or weakly tied to case.	Recommendations impractical.	Not Completed
Conclusion	Strong wrap-up reinforcing	Present but brief or generic.	Conclusion weak.	Not Completed

Category	Excellent (5 pts)	Proficient (4-3 pts)	Needs Improvement (2-1 pts)	Not Completed (0)
	urgency and accountability.			
Professionalism of Slides	Slides polished, professional, visually clear.	Slides adequate but lack polish.	Slides messy, unclear, or unprofessional.	Not Completed
Narration & Delivery	Narration is clear, engaging, and professional.	Narration adequate but uneven or repetitive.	Narration unclear, or unprofessional.	Not Completed