COURSE SYLLABUS
Health Information Management Program

Course Title: Legal Aspects of Health Information

Course Number:

Credit Hours: 2

Term: Fall, 2013   Method of Delivery: Online

Prerequisites: BIO 111; CHE 101 or 110

Textbooks

Fundamentals of Law for Health Informatics and Information Management,
2nd Edition, Brodnik et al, AHIMA, ISBN 978-1-58426-263-3

Health Information Technology: An Applied Approach, edited by Nanette
Sayles, AHIMA, Fourth Edition   ISBN: 978-1-58426-352-7

Other Requirements:

- Access to a personal computer or laptop with current hardware and
  software including: Firefox 18 or higher and/or Microsoft Internet Explorer
  8.0 or higher; and, Microsoft Office applications 2003 or above.
    - (If using Internet Explorer 9.0 or above, some Blackboard
      functionality does not work. Must change compatibility.)

- Printer as necessary
- AHIMA membership
- Paper and supplies to print assignments, course materials, etc.

Course Description: This course will cover the U.S. legal system; health record as a legal document; state and federal regulations regarding release of information, confidentiality, privacy, etc. The medical staff organization, credentialing process and risk management activities are also covered.

Course Objectives: At the conclusion of this course, the student will be able to:

1. Describe the components and processes of the U.S. legal system and define key legal terms.
2. Explain the differences between a subpoena, a subpoena ad testificandum, and a subpoena duces tecum. List the appropriate steps for responding to each.
3. Discuss the phases of a lawsuit in a civil procedure.
4. Report the appropriate procedure for submitting the health record as evidence in court and the concepts of intentional and unintentional torts.
5. Identify the types of consents for treatment, informed consent and advance directives for health care.
6. Explain the components of the medical record as a legal document, correction of health information documentation, and, the legal responsibilities of healthcare practitioners.
7. Express the legal aspects of health record retention and destruction.
8. Discuss confidentiality of patient information and the HIPAA Privacy Rule. Apply the regulations regarding validity of a patient authorization and the appropriate methods for releasing patient information.
9. Discuss the effect of the American Recovery and Reinvestment Act (ARRA) and The Health Information Technology for Economic and Clinical Health Act (HITECH) on the legal aspects of health information management.
10. Compare and contrast the legal requirements of, and differences in handling requests for information for specialized records versus general health records.

11. Explain the concept of medical identity theft as it relates to the health record as well as the role of the HIM professional in correcting the record(s).
12. Discuss the role of Risk Management and evaluation of sentinel events in the healthcare setting.
13. Describe the role of ethical decision making in the healthcare setting.
14. Explain the medical staff organization including physician credentialing process, the National Practitioner Data Bank and categories of physicians.
15. Identify the legal requirements for mandatory reporting of protected health information to state and federal agencies.

Learning Tools for Course:

1. Lecture Notes/Power Point presentations
2. Reading
3. Textbook Exercises
4. Research Assignments
5. Unit Quizzes and assignments
6. Tests, Midterm and Final Examination

AHIMA Associate Degree Entry-Level Competencies:

I.B.1. Monitor and apply organization-wide health record documentation guidelines.

I.B.2. Apply policies and procedures to ensure organizational compliance with regulations and standards.

I.B.3. Maintain the accuracy and completeness of the patient record as defined by organizational policy and external regulations and standards.

II.A.1. Collect, maintain, and report data for clinical indices/databases/ registries to meet specific organization needs such as medical research and disease registries.

III.A.1. Apply current laws, accreditation, licensure, and certification standards related to health information initiatives from the national, state, local and facility levels.

III.A.2. Collect, organize, and present data for quality management, utilization management, risk management, and other related studies.

III.B.1 Adhere to the legal and regulatory requirements related to the health information infrastructure.

III.B.2. Apply policies and procedures for access and disclosure of personal health information.

III.B.3. Release patient-specific data to authorized users.

III.B.4. Maintain user access logs/systems to track access to and disclosure of identifiable patient data.

III.B. 5. Apply and promote ethical standards of practice.

IV.C.3. Apply retention and destruction policies for health information.

IV.D.1. Apply confidentiality and security measures to protect electronic health information.

AHIMA Knowledge Clusters:

I.B.   Healthcare Information Requirements and Standards
        1. Type and content of health record (paper, electronic, computer-based, e-health-personal, web-based), 5
        2. Health record documentation requirements (such as accreditation, certification, licensure), 5

II.A.   Health Statistics, Biomedical Research, and Quality Management
        1. Indices, databases, and registries, 4

III.A. Healthcare Delivery Systems
        3. External standards, regulations, and initiatives (such as licensure, certification, accreditation, HIPAA, ARRA), 4

4. Healthcare providers and disciplines, 4

III.B. Healthcare Privacy, Confidentiality, Legal, and Ethical Issues
1. Legislative and regulatory processes, 3
2. Legal terminology, 3
3. Health information/record laws and regulations (such as retention, patient rights/advocacy, advanced directives, privacy), 5
4. Confidentiality, privacy, and security policies, procedures, and monitoring, 5
5. Release of information policies and procedures, 5
6. Professional and practice-related ethical issues, 5

IV.C. Data Storage and Retrieval
2. Maintenance and monitoring of data storage systems, 4

IV.D. Data Security
4. Data security concepts, 3

Course Outline/Topics:

1. Fundamentals of U.S. Legal System
2. Civil Procedure and the Role of the HIM Professional in Lawsuits
3. Evidence and Tort Law
4. Consent to Treatment
5. Legal Health Record
6. HIPAA Privacy Rule
7. ARRA and HITECH
8. Disclosure of Health Information
9. Medical Identity Theft
10. Risk Management
11. Ethical Decision Making
12. Medical Staff Organization and Credentialing
13. Required Reporting/Mandatory Disclosure Laws

Grade Determination: The final grade is determined by the average of all tests, midterm and final exam along with the average of all assignments including quizzes.   The final course grade will be calculated as follows:

Assignments & Quizzes   30% of the final grade
Tests, Midterm and Final Exam   70% of the final grade

Grading Scale:

93-100	A
85- 92	B
77- 84	C
67- 76	D
66 or below	F

NOTE: Students enrolled in the Health Information Management Program must obtain a final course grade of "C" or better for all require courses in order to graduate. If the grade is below a "C", the student is required to repeat the course. A student who receives a grade of "U" "D" "F" or "W" twice for any technical course, or for two different technical courses, may be dismissed from the program for one year and cannot reapply for one year from the date of dismissal. The student must meet with the Health Excel Services advisor and his/her program advisor to develop a re-entry plan at least one term prior to continuation in his/her program. All entrance requirements to the program must be met prior to re-entry to the program or prior to placement on the waiting list. See Health and Public Safety Student Handbook.

Grading Process:

- Due dates will be posted for all graded assignments, quizzes, tests, the midterm and final exam. Assignments and quizzes submitted one to seven days after the due date will be accepted, but will result in a grade reduction of <u>one letter grade.</u>

    - Assignments and quizzes submitted more than seven days after the due date **will not be accepted.**
    - Due date extensions will be given at the discretion of the instructor and only if the student communicates extenuating circumstances to

the instructor within at least one week prior to the assignment due date or within 2 days after the assignment due date.

- Vacation time **will not** be considered as an extenuating circumstance. Students are strongly encouraged to refrain from taking vacations during the semester.

- Grading criteria for each assignment is included with the assignment instructions.

- **Tests, Mid-Term and Final Exam.**
  - Tests and Mid-term are administered online for a minimum of three days.
  - Unless otherwise stated, tests, mid-term and final exam are not open book or open notes.
  - It is common for computers to freeze, experience power outages, etc. Students are strongly recommended to refrain from taking tests and quizzes close to the due date deadline as the instructor may not be available to unlock the test on-line. Students who repeatedly have problems with tests locking up prior to completion may be required by the instructor to come to campus to complete their tests.
  - Make-up tests are given at the discretion of the instructor in the event a student cannot complete a test by the due date because of an extenuating circumstance. Documented proof of illness is required if applicable. Make-up tests are held on campus at a schedule time arranged by the instructor and student.
  - The midterm exam is a comprehensive exam covering material from all weeks up until the time of the mid-term.
  - The final exam is a comprehensive exam on all material covered during the course.
  - Final exams are proctored. Options for taking the final exam by proctor are:

- Scheduled times for taking the exam at the Cincinnati State Main Campus will be posted by the instructor. Students may come during these scheduled times and take the final exam.

- The student may find a proctor within close proximity to his/her home. The proctor must meet the qualifications included in the Proctor Agreement form. The student is responsible for completing the Student- Proctor Agreement form as well as ensuring that the proctor receives, completes, and returns the Proctor Agreement form to the instructor. Forms must be received no later than two weeks prior to the scheduled proctor exam. (See attached Student/Proctor Agreement forms.)

- Students may schedule an alternate time to take the final exam at the Main Campus with the instructor.

- Students may take the final exam by proctor at the Middletown Campus. Students are responsible for communicating their preference for the Middletown Campus to their instructor. The instructor will coordinate the proctored final exam with Middletown Campus staff.

Academic Integrity

It is assumed that students are honest. However, any observed dishonesty or plagiarism on a test or an assignment will result in either required revision (with points deducted), a grade of "0" for the assignment, a grade of "F" for the course or dismissal from the Health Information Management/Coding Certificate program (refer to College catalog/handbook). Each situation will be handled individually according to the discretion of the instructor.

COURSE SCHEDULE

Week	Course Topic	Reading Assignments/Tests	Due Date*
1	Fundamentals of the U.S. Legal System	<u>Chapters One and Two in Fundamentals of Law for Health Informatics and Information Management</u> **(Textbook)**	**Tuesday,** Sept 3rd
2	Civil Procedure and the Role of the HIM Professional in Lawsuits	Chapter Three in Textbook	Monday, Sept 9
3	Evidence and Tort Law	Chapters Four and Five and pages 128-129 in Textbook	Monday, Sept 16
4	Consent to Treatment	Chapter Seven in Textbook **Test One (Weeks 1-3)**	Monday Sept 23
5	Legal Health Record – Part One	Chapter Eight, pages 163-185 in Textbook	Monday, Sept 30
6	Legal Health Record – Part Two	Chapter Eight, pages 185-195 in Textbook	Monday, Oct 7
7	HIPAA Privacy Rule and HITECH Act – Part One	Chapter Nine, pages 213-240 in Textbook **Test Two (Weeks 1-6)**	Monday, Oct 14
8	HIPAA Privacy Rule and HITECH Act – Part Two	Chapter Nine, pages 240-257 in Textbook	Monday, Oct 21
9	Disclosure of Health Information Part One	Chapter 12 in Textbook **Midterm Exam (Weeks 1-8)**	Monday, Oct 28
10	Disclosure of Health Information Part One	No required reading	Monday Nov 4
11	Medical Identity Theft	Pages 295-303 in Textbook HIT**: Pages 737-742	Monday, Nov 11
12	Mandatory Reporting/Disclosure	Chapter 13 in Textbook **Test Three (Weeks 9-11)**	Monday, Nov 18
13	Risk Management	Pages 399-413 in Textbook HIT: Pages 612-622	Monday, Nov 25

14	Ethical Decision Making	HIT: Pages 715-737; 742-760	**Tuesday**, Dec 3
15	Medical Staff Organization and Credentialing	Chapter 16 in Textbook	Monday, Dec 9
16	Course Review	**Final Exam (Weeks 1-15)**	**Saturday, Dec 14**

*All assignments are due by 11:59 PM on the specified date

**HIT: Health Information Technology: An Applied Approach, Third Edition

Please note that this course schedule provides information regarding textbook reading assignments as well as tests/midterm/final exam. There will be additional assignments for each week. ALWAYS check for weekly assignments under the COURSE CONTENT tab in Blackboard.

PROCTOR AGREEMENT (please print legibly)

Proctor Name: _____

Employer: _____

Job Title: _____

Employer Address: _____

City:_____ State:_____ Zip Code:_____

Daytime Phone Number: _____

E-mail Address: _____

Relationship to Student: _____

As a proctor, I agree to the following:

- I am an instructor/advisor at a community college or university, a librarian, a supervisor/manager at the student's workplace, or supervisor or human resources training director at the facility in which the student is employed.
- I am not a current _____student. I am not a relative of the student. I am not employed by the student and I do not live at the same address as the student.
- I will personally, on a voluntary basis, administer and supervise the indicated exam.
- I will ensure that the student only has access to the test and any material specified in the testing instructions provide by the Cincinnati State faculty member.

If necessary, I will mail/e-mail the completed exam to the HIM faculty member by the specified due dates.

Proctor Signature_____Date_____

Student-Proctor Agreement

This form must be completed and returned to the HIM faculty member no later than two weeks prior to the scheduled proctor exam date. A proctor agreement must be completed for every semester in which the student will schedule proctored exams.

Semester:_____ Course(s):_____

Student Agreement (please print legibly)

Student Name:_____

Student ID number: _____

Address:_____

City:_____ State:_____ Zip Code:_____

Daytime Phone Number: _____

Home e-mail address: _____

Date and time scheduled for proctored exam:_____

As a student, I agree to the following:

- I will be responsible for locating a proctor and scheduling an appointment for the exam.
- I will be responsible for reimbursing the proctor for mailing expenses if necessary.
- I will practice academic honesty and professional integrity in the completion of the exam.
- I will take the exams by the due dates assigned by the instructor.
- I will only use materials during the exam that have been approved and specified by the Cincinnati State HIM faculty member.

Student Signature_____Date_____

HIM Course Syllabus Redacted 3.17.15