New Course Request

Indiana University

Check Appropriate Boxes: Undergraduate credit [ ] Graduate credit [X] Professional credit [ ]

1. School/Division: College of Arts & Sciences
2. Academic Subject Code: POLS
3. Course Number: Y516 (must be cleared with University Enrollment Services)
4. Instructor: Tom Sutula
5. Course Title: Legal Aspects of Health Care Delivery

Recommended Abbreviation (Optional) ________________________________
(Limited to 32 Characters including spaces)

6. First time this course is to be offered (Semester/Year): Fall 2008
7. Credit Hours: Fixed at 3 or Variable from _______ to _______
8. Is this course to be graded S-F (only)? Yes [X] No [ ]
9. Is variable title approval being requested? Yes [X] No [ ]

10. Course description (not to exceed 50 words) for Bulletin publication: Problem-focused survey of the impact of legislation and case law on the delivery of health care in the U.S.

11. Lecture Contact Hours: Fixed at 3 or Variable from _______ to _______
12. Non-Lecture Contact Hours: Fixed at 0 or Variable from _______ to _______
13. Estimated enrollment: 25 of which 100 percent are expected to be graduate students.
14. Frequency of scheduling: annual Will this course be required for majors? [X] Yes

15. Justification for new course: This replaces the exiting H516 in the MPA program. Change due to TUSB SPEA restructuring.
16. Are the necessary reading materials currently available in the appropriate library? Yes [X]

17. Please append a complete outline of the proposed course, and indicate instructor (if known), textbooks, and other materials.

18. If this course overlaps with existing courses, please explain with which courses it overlaps and whether this overlap is necessary, desirable, or unimportant. No

19. A copy of every new course proposal must be submitted to departments, schools, or divisions in which there may be overlap of the new course with existing courses or areas of strong concern, with instructions that they send comments directly to the originating Curriculum Committee. Please append a list of departments, schools, or divisions thus consulted.

Submitted by:

[Signature]

Department Chairman/Division Director

Date 4/16/08

Approved by:

[Signature]

Dean of Graduate School (when required)

Date ____________________________

Dean of Graduate School

Date ____________________________

University Enrollment Services

After School/Division approval, forward the last copy (without attachments) to University Enrollment Services for initial processing, and the remaining four copies and attachments to the Campus Chancellor or Vice-President.

CPS 724
Course Description
This course is a problem-focused survey of the impact of legislation and case law on the delivery of health care in the United States. After two introductory classes designed to set the historical framework, each subsequent class will explore an issue or issues involved in patient care and examine the manner in which the law has acted to resolve such issues. The ever-present question will be whether such action promotes the delivery of health care services in a positive way or not. Students will be encouraged to criticize legal solutions and to think creatively.

Course Philosophy/Objectives
The objectives of this course are (1) to enable students to recognize legal issues that present themselves in the context of health services delivery, and (2) to assist them to prescribe appropriate courses of action, given sets of factual circumstances, to avoid or minimize adverse legal consequences to themselves and to their employers. (3) Students will also develop an appreciation for the fact that these issues do not exist in an historical vacuum, but have developed over time as a result of the tug and pull of social, economic, and political forces that often have little to do with the development of a reasonable national health care policy.

Questions on the midterm and final examinations will be mostly essay and short answer designed to allow you to demonstrate fully your intelligence. There are no right or wrong answers, but there are bad answers, good answers, and better answers. A bad answer is one that is poorly reasoned, or makes little, no, or incorrect reference to materials covered in the course. A good answer is well-reasoned, and refers to materials covered in the course in a manner demonstrating understanding. A better answer is a good answer that demonstrates clear understanding of the issues in question and often includes creative solutions to problems posed. Not every question will require creativity. The class participation grade will be based on 1) attendance, 2) meaningful contributions to discussion, and 3) occasional take-home assignments. It is understood that students may be required to sacrifice a class from time to time because of the requirements of job or family. However, it will be difficult to score any class participation points on the days one is not in attendance. The short paper may be on a topic of one’s choosing so long as it relates to legal issues surrounding health care delivery (please discuss the topic with Dr. Sutula ahead of time) and should contain standard references. In the alternative, for those who are more literarily inclined, the novel The Citadel by A.J. Cronin chronicles the life of a British physician in the first half of the 20th century. It anticipates and deals with many of the issues presented in this course as well as outstanding literature. A “book report” would discuss one, or some, of these issues and suggest how the author’s protagonist overcame them or how they overwhelmed him. One might relate his experience with other materials covered in the course. A student who has foreknowledge of a conflict with a test date should advise Dr. Sutula at least a week in advance in order to schedule another test date. A student who falls ill or has an emergency occur on the test date must advise Dr. Sutula as soon as possible in order to re-schedule the test. Because grading the papers is time-consuming and demanding, and because time after that date should be spent preparing for the final
exam, the date that papers are due is firm and an extension will be granted only under the most extreme circumstances.

Grades

Grades will be determined by the student’s performance on the following:

- Class participation 15%
- 5-8 page paper 20%
- Midterm 25%
- Final 40%

The following grading scale will be used:

93-100 = A  
90-92 = A- 
87-89 = B+ 
83-86 = B 
80-82 = B- 
77-79 = C+ 
73-76 = C 
70-72 = C- 
60-69 = D 
<60 = F

Text and Materials Required

The Doctor and the Devils, Thomas, D.

Academic Integrity

Work that you turn in for credit in this course must be your own. Cheating, fabrication, or plagiarism will result in a zero grade for the assignment involved for the first offense and a failing grade in the class for any subsequent offense. Please see the Code of Student Rights, Responsibilities, and Conduct for Indiana University, Parts III and IV for a full definition of academic misconduct and the penalties for such.

Disabilities

If you have a disability and need assistance, special arrangements can be made to accommodate most needs. Contact Eric Wagenfeld, Director of Disabled Student Services (Administration Building, Room 104, telephone number 520-4832) as soon as possible to work out the details. Once Mr. Wagenfeld has provided you with a letter attesting to your needs for modification please bring the letter to me.

Religious Accommodations

If any student will require academic accommodations for a religious observance, please provide me with a written request to consider a reasonable modification for that observance by the end of the second week of the course. Contact me after class, or call my voice mail
to schedule an individual appointment, to discuss the issue. If after discussion we reach no consensus, either party or both should seek the advise of the Dean, and if no consensus is reached, then the advice of the Vice Chancellor of Academic Affairs ("VCAA"). Either the instructor or the student may appeal the VCAA’s decision to the Office of Affirmative Action within ten business days of the determination.

Communications

Each student is responsible for activating an IUSB e-mail account. Students should regularly check this e-mail for class announcements and other information. You are not required to use this e-mail address, but you are responsible for monitoring it. This address is recognized as official university correspondence. Any emergency information will be relayed via this method. It would behoove the student to check e-mail for messages every few days and always on the day of class for any important announcements. We live in the 21st century and cell phones have become an important part of our lives. If you bring your cell phone to class, please have the alert on the vibratory mode. Please be as discreet as possible if you need to leave class to take a call.

Oncourse

All grades will be posted on Oncourse as well as class announcements. It is important that you are able to access Oncourse as it will be used as a feature in this course.

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<tr>
<th>Date</th>
<th>Topic</th>
<th>Reading</th>
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<tr>
<td>8/30/06</td>
<td>Culture Wars</td>
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<td>9/6/06</td>
<td>Historical Perspective</td>
<td>Thomas</td>
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<td>9/13/06</td>
<td>Quality Control Regulation</td>
<td>Furrow 114-126; 135-184</td>
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<td>9/20/06</td>
<td>Liability of Health Care Professionals I</td>
<td>Furrow 185-245</td>
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<tr>
<td>9/27/06</td>
<td>Liability of Health Care Professionals II</td>
<td>Furrow 245-294</td>
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Defenses to a malpractice suit. Good Samaritan statutes. Contributory negligence. Innovative claims.

10/4/06 Liability of Health Care Institutions Furrow 413-471; 580-607
  From charitable immunity to vicarious liability to direct liability. Does a hospital have a duty to treat? What about managed care organizations? Can they avoid liability? Is there a better way to assure quality of care? Furrow 580-607 will be discussed but students will not be responsible for this on the midterm. This reading may be done with the shortened reading assignment for the following class.

10/11/06 Midterm Exam

10/18/06 Tort Reform Furrow 473-492
  Is there a better system to redress medical wrongs. Sources of the malpractice crisis. Altering the litigation process. Caps on awards and pretrial screening panels. No-Fault. Restricting the creation of duty.

10/25/06 Professional/Patient Relationship I Furrow 294-302; 305-307; 317-356
  What promises are expressed or implied in the physician/patient relationship? Confidentiality and the duty to protect third parties. HIV-related information.

11/1/06 Professional/Patient Relationship II Furrow 356-410
  Informed consent.

11/8/06 Professional Relationships in Health Care Enterprises Furrow 810-866
  Relationship of professional with other entities such as hospitals, third-party payors, other professionals. Staff privileges. Managed care contracts. Employment relationships. The National Labor Relations Act. Discrimination. Practice Agreements.

11/15/06 Fraud and Abuse Furrow 976-1045

11/22/06 The Crisis in Health Care Spending and Coverage Furrow 494-527; 731-744; 772-787
  PAPER DUE

11/29/06 Medical Ethics Furrow 1192-1209; 1287-1305; 1344-1370; 1379-1386; 1403-1416.
  Legal, social, and ethical issues in human genetics. Life and death decisions.
12/6/06  Reading Period. No formal assignment. Dr. Sutula will be available to discuss any questions and review materials as requested. Papers will be returned. Attendance is not required.

12/13/06  Final Exam