Ethical and Legal Issues in Healthcare Informatics
CS584

Course Description
Laws, regulations, and ethics guide the practice of health information management (HIM) and health informatics (HI). This course introduces students to the workings of the American legal system and concepts and theories of ethics, examines the legal, ethical, and regulatory issues that impact the protection of confidentiality and integrity of patient information, and, on the other hand, the improvement of accessibility of patient data to enable healthcare providers to make informed decisions based on complete patient data. We will cover laws and regulations that are central to the HIM and HI professions, including the Privacy Act of 1974, the Health Insurance Portability and Accountability Act (HIPAA), the Genetic Information Nondiscrimination Act of 2008 (GINA), the Health Information Technology for Economic and Clinical Health (HITECH) Act, the Food and Drug Administration Safety and Innovation Act (FDASIA), the 21st Century Cures Act, and the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations, and more. The goal is to enable HIM and HI practitioners to make effective and informed decisions that prompt patient safety and care quality improvement. Two or three guest speakers who are experts in legal and ethical issues on health information management will be invited to share their experience and knowledge with students.

Learning Objectives
By completing this course, you will be able to:
- Describe the workings of the American legal system
- Explain concepts and theories of ethics
- Analyze legal and ethical issues central to HIM and HI
- Apply the concepts of risk, quality, and utilization management to HIM and HI related issues
- Discuss healthcare fraud and abuse
- Make informed decisions that prompt patient safety and care quality improvement

Course Outline

This course is presented as a series of weekly modules. The course material is grouped into six modules. The seventh module represents the week of the Final Examination. For modules 1 – 5, each module comprises two lectures, one discussion topic, one quiz, and one assignment. There is also a term project. There is no quiz, discussion, or assignment for module 6.

Discussions - There are weekly discussions on selected topics that were covered in the module. The facilitator(s) and the professor moderate these discussions. You are expected to write an

original post and make thoughtful responses to at least two different posts of your classmates. You are strongly encouraged to get your original post in early to leave sufficient time for your classmates to read and comment on your posts. Please check the Study Guide for due dates. There are also general discussion boards to ask non-urgent questions and download course materials.

Assignments - There are weekly assignments throughout the course. Please check the Study Guide for due dates.

Assessments - There are weekly quizzes throughout the course. Please check the Study Guide for due dates. Quizzes may be a combination of True/False, single/multiple-choice, matching, and short essay questions.

Term Project - The term project tests you overall understanding and grasp of the course content.

Final Examination—There will be a proctored Final Exam in this course using a proctoring service called Examity. Detailed instructions regarding your proctored exam will be forthcoming from the Assessment Administrator. You will be responsible for scheduling your appointment. The final exam is comprehensive and covers material from the entire course. It is an open-book exam consisting of questions similar to those in the quizzes and assignments.
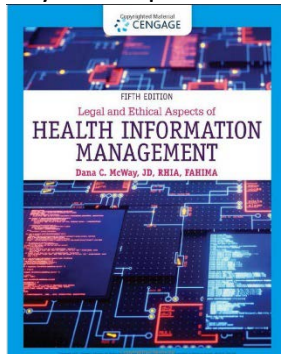
Prerequisites
None

Required Book
Legal and Ethical Aspects of Health Information Management, 5th Edition. Dana C. McWay. Cengage. SBN-13: 978-0357361542. ISBN-10: 0357361547.
Physical copies of the book are available at Mugar Memorial Library, BU.

Grading Criteria

The final grade for this course will be based on the following:

Deliverable	Weight
Quizzes	15%
Assignments	15%
Discussion	15%
Project	15%
Final Exam	40%

Timeliness

Because of the fast pace of this course, strict adherence to deadlines is crucial. Late submission of quizzes will not be accepted/graded. For assignments and discussions, a **15-point deduction** will be applied after the deadline, and this will increase by 15 points for each day of delay. There will be no credit for assignments or discussions that are submitted more than 3 days past the deadline. In case of an emergency and you are unable to meet any deadline, you must contact your facilitator (or the professor if there are no facilitator) **BEFORE** the deadline to discuss your situation.

Discussion Grading Rubric

Discussions are the way we "participate" in the online class. It is important that you post thoughtful messages that move the conversation forward in some way. "Yeah, I agree," and "Me, too" will not earn any points. Please check the Study Guide to find out the due dates for each discussion. Discussions are moderated by your lecturer and facilitator and are graded. You will be graded on your overall participation in that discussion thread. Late posts are welcome for their intellectual value but will not be considered in your grade. The discussion grading rubric below is the guide we use to evaluate your discussion contributions.

Your posts should show that you have read the discussion topics, readings and your classmates' posts and have applied all of that to the question at hand. You should engage with the material by analyzing and interpreting it. Your posts should be grammatically clear enough not to present anyone with a problem in understanding your point. To earn full points:

- Post your original post early in the week, preferably **by the end of each Saturday**
- Thoughtful and timely responses to **at least two different students**
- Content is complete, on-point, and thoughtful
- Supporting detail is appropriate (such as citations to other sources)
- Content often encourages further discussion on the topic or follows up on others' thoughts

- Postings are characterized by originality, engagement, and relevance to the topic
- Postings demonstrate an understanding of the material assigned and familiarity with the ideas of the course materials

The following chart represents the rubric employed for grading the threaded discussion entries and in-class discussions in the blended course version:

Points	Skills
90–100	Demonstrate excellence in grasping key concepts; Critique work of others; Stimulate discussions; Include proper citations for support of opinions; Offer new interpretations of discussion material; Express ideas clearly and concisely; Use appropriate vocabulary.
70–80	Show understanding of most course concepts; Offer an occasional divergent viewpoint or challenge; Show some skill in support for opinions; Show signs of disorganization with expression.
50–60	Have a primarily shallow grasp of the material; Rarely take a stand on issues; Offer inadequate levels of support; Poor language use; Garbles much of the message; Only an occasional idea surfaces clearly; Expressions seem disjointed; Overuse of simple sentences and redundancy with words and commentary; Paragraphs often appear unrelated to each other.
10–40	A minimal posting of material. Show no significant understanding of the material. Incoherent writing. Do not respond readily to prompting.

Credits: GRADING RUBRIC FOR THREADED DISCUSSIONS. From John F. Bauer, "Assessing Student Work from Chat Rooms and Bulletin Boards."

Study Guide
Module 1 (Lectures 1 & 2) – Introduction to American Government and Law
Required reading: Textbook Chapter 1 -2
- Introduction to American Government

- Introduction to American Legal System

- American Court systems and Legal Procedures

Module 2 (Lectures 3 & 4) – Introduction to American Healthcare System and judicial process
Required reading: Textbook Chapter 3 -4
- Introduction to American Healthcare System
- Summary of the judicial process of health information
- Explanation of concepts including physician-patient privilege, e-discovery, subpoena, etc.
- Principles of liability

Module 3 (Lectures 5 & 6) – A overview of ethics
Required reading: Textbook Chapter 5 - 7

Recommended reading: Code of ethics published by AHIMA, AMIA, and IMIA
- Understand the difference between ethics, morals, values, etiquette, and law
- Introduce ethical models
- Define codes of ethics and their importance
- Discuss ethical challenges in healthcare
- Discuss bioethical issues

Module 4 (Lectures 7 & 8) – Patient record requirements, confidentiality, and informed consent
Required reading: Textbook Chapter 8 -9
- Understand the legal requirements for health record content
- Learn health record retention requirements and the issues related to record destruction
- Explain the interrelationship between confidentiality and privacy
- Discuss the various laws on which the right of privacy is based
- Introduce the concept of informed consent and substituted consent

Module 5 (Lectures 9 & 10) – Access to health information and specialized patient records
Required reading: Textbook Chapter 10 -11
- Understand the ownership of health information
- Discuss the access of health information on behalf of the patient and by various parties, such as researchers and business associates
- Differentiate specialized patient records and general patient records
- Discuss the regulations governing patient identification and their practical applications
- Discuss the release of information in the substance abuse setting

Module 6 (Lectures 11 & 12) –Specialized areas of concern in HIM and HI
Required reading: Textbook Chapter 12 -15
- Discuss risk management, quality management, and utilization management
- Discuss legal and ethical trends in information technology affecting healthcare
- Discuss healthcare fraud and abuse and various related law enforcement agencies
- Learn the civil rights and workplace protection laws related to human resource management