

**Houston Community College System
Health Information Technology Program
HITT 1353 - Legal and Ethical Aspects of Health Information
Spring 2015/Distance Education/RT/6152
CRN: 41738**

Syllabus is subject to change at the discretion of the instructor.

COURSE DESCRIPTION

Concepts of confidentiality, ethics, healthcare legislation, and regulations relating to the maintenance and use of health information.

INSTRUCTOR

Carolyn Stariha, MS, RHIA
Office hours: Conferences by appointments
Office: 713-718-7347
Suite 225, Room 227

HITT 1353 is a distance education class. The class will meet for the Midterm Exam, Final Exam, and Group Presentations on Wednesdays at 4:30pm at the Coleman College. The GoToMeetings will be on Wednesdays at 5:00pm-6:0pm.

TEXTBOOKS

Health Information Management Technology, 4th edition – Author: Nanette Sayles
Health Information: Management of a Strategic Resource, 4th ed. - Authors: Abdelhak, Grostick, Hankens, & Jacobs
Medical Records and the Law, 4th Edition – Authors: Roach, Chernoff & Esley
ISBN: 9781584261735
Fundamentals of Law for Health Informatics and Information Management-Authors: Brodник, McCain, Rinehart-Thompson, & Reynolds
ISBN: 9781584261735
Healthcare Information Technology Exam Guide for CompTIA-Authors: McCormick & Gugerty
ISB: 978-0-07-180280-2

COURSE OBJECTIVES (ref: AHIMA Domains)

- 3.a1 Interpret and apply laws and accreditation, licensure and certification standards, monitor changes and communicate information-related changes to other people in the facility.
- 3.b1 Release patient specific data to authorized users.
- 3.b2 Request patient specific information from other sources.
- 3.b3 Summarize patient encounter data for release to authorized users.
- 3.b4 Maintain and enforce patient health record confidentiality requirements.

COURSE GOALS

1. Describe the organization of the court system.
2. Identify laws and regulations pertinent to the health information professional.
3. Define and discuss the confidentiality of health information and the security of the health information.
4. Develop goals and objectives for computerized health information.
5. Develop policies and procedures for the release of information.
6. Identify ownership of health information.
7. Explain proper medical records documentation techniques.
8. Demonstrate the functions of the health information professional in court.

SCANS COMPETENCIES (*U.S. Department of Labor Secretary's Commission on Achieving Necessary Skills)

1. C5 Acquires and evaluates information, C15 Understanding systems, F1 Reading.
2. C5 Acquires and evaluates information, C8 Uses computers to process information.
3. C6 Organizes and maintains information, F8 Decision making.
4. C18 Selects technology, C19 Applies technology to task.
5. F1 Reading, F2 Writing, F7 Creative thinking, F8 Decision making, C12 Exercises Leadership.
6. F9 Problem solving, F8 Decision making.
7. C10 Teaches others.
8. C9 Participates as a member of a team, C10 Teaches others, F7 Creative thinking.

COURSE REQUIREMENTS

1. Review and read assignments prior to class.
2. Complete assignments on dates assigned.
3. Answer objectives in writing prior to class.

ATTENDANCE POLICY

All students need to send an email (in Eagle online) to their instructor informing her of any problems or questions. Students absent for more than three class sessions can be administratively dropped from the course without notification. Exceptions to this policy will be up to the discretion of the instructor. Attendance will be checked daily by the instructor. The instructor is required to report all absences for all students receiving financial aid (grants, VA, social security, etc.)

It is the student's responsibility to officially withdrawal from a class.

EQUAL EDUCATIONAL & EMPLOYMENT OPPORTUNITY

HCCS seeks to provide equal education opportunities without regard to race, color, religion, national origin, sex, age or handicap.

GRADING POLICY

Individual Project	3%
Group Project (Part 1)	4%
Group Project (Part 2)	4%
Homework Assignment	4%
Discussion Postings	3%
Advanced Academic Testing	2%
Video Assignments	2%
Journal Assignment	3%
Tests	25%
Midterm and Final	50%

GRADING SCALE

90 - 100	A
80 - 89	B
75 - 79	C
74 and below	F (no Ds will be given)

There will be no makeup exams given for the Midterm and Final Exam. The Midterm and Final Exam will be taken at the Coleman College on Mondays from 4:30pm-7:00pm. Students late for the exam will be allowed to take the exam with the remaining scheduled time. The percentage of each activity will weight in the final grade regardless if the student participated in the activity or test. Also, all assignments are due on the dates assigned. **No late assignments will be accepted. Please do not ask.** All students will be placed in a group. Students will need to contact each other and make plans to meet to complete the group assignment.

ABILITY CHALLENGED STUDENTS

Any student with a documented disability (e.g. physical, learning, psychiatric, vision, hearing, etc.) who needs to arrange reasonable accommodations must contact the Disability Services Office at the respective college at the beginning of each semester. Faculty is authorized to provide only the accommodations requested by the Disability Support Services Office. If you have any questions, please contact Donna Price at 713-718-5165. Also visit the ADA web site at: <http://www.hccs.edu/students/disability/index.htm>

HOMEWORK ASSIGNMENT: The homework questions are located under the objectives.

Students need to fully answer all of the questions. Assignment needs to be turned in on the assigned date. No late homework will be accepted. Do not email your assignment. Homework Assignment must be sent via Eagle online homework drop box.

DISCUSSION POSTINGS: Students will be assigned discussion postings. Students will complete research on the assigned topic and respond to at least two student learners. Information will be provided on the discussion postings.

ADVANCED ACADEMICS:

Students will read their assigned readings and create ten (10) test questions each week. The questions will be typed and submitted on a discussion board to share with the whole class. Be sure you provide an answer with your question. Test questions need to be Problem Solving Questions and may be True/False, Multiple Choice, Fill in the Blank, or Short Essay. ***Also, weekly test questions will be maintained in a binder which will be reviewed by the instructor during the Midterm and Final exam.*** On the weekly gotomeeting, some of the test questions will be discussed. Do not take questions from the RHIT exam prep books or from the text chapter test/reviews. These are your own made up test questions. This assignment will assist the question to prepare for their RHIT exam and give them the opportunity to get a large test bank. These questions will not be on the exams.

VIDEO ASSIGNMENTS:

Student will be assigned videos to review throughout the semester. The student will review the video and critique the video. Also, the student will need to answer questions regarding the video assignment. The video may have an exam which will replace the questions.

PROJECTS

INDIVIDUAL PROJECTS

1. Student will develop a Release of Information Log and Report on Activities and Work Accomplished by a Correspondence Clerk. Student needs no less than ten (10) entries in the ROI Log. Student will be given three (3) scenarios to solve. Submit via Eagle 2 Online.

Due Date:

GROUP PROJECTS

1. In your assigned groups, prepare the following assignments and present to class on the due dates:
 - a. Informed Consent/Laws and Regulations regarding Health Records (EHR) (Group 1)
 - b. Faxing Confidential Information/HIPAA (EHR) (Group 2)
 - c. Release of Health Records/Medical Records Documentation (EHR) (Group 3)
 - d. Subpoena Duces Tecum/Medical Records in Court (EHR) (Group 4)

Students need to research the above topic and present a 10 – 20 minute lecture. The report needs to be 5 to 7 pages in length. The group needs at least 5 references with only 2 from the internet. Be

sure references are documented according to APA guidelines. All presentations need two (2) visual aid such as examples of documents, posters, etc. Students will not be allowed to use a powerpoint to present their presentation. This is a group project and all students must present information in the lecture and provide information for the report. **The week prior to your presentations, give students an additional reading assignment (other lecture than textbooks).** You must also prepare a quiz to test students understanding of the lecture material and review answers with class. The quiz needs to have ten (10) questions. Provide your students with a grade for the quiz.

Due Date: April 8, 2015

2. On assigned project date, present the following (approximately 10 - 20 minutes in length):

Group 1 Utilizing a medium of your choice (poster board, presentation software, handouts) prepare a list of Dos and Don'ts in order to assure confidentiality of patient information. Subsequent to reviewing with list with the class, present a skit on the exchange of health care information. Have class to determine whether or not the skit demonstrated a breach of confidentiality. Be sure to include information on an electronic health record.

Prepare and present a display discussing the responsibilities of the health information professional in regards to the Patient Self-Determination Act. Utilizing a medium or your choice (poster board, presentation software, handouts) devise a release of information form; review form with the class.

Group 2 Pretend the class is a group of first year medical residents. Prepare a short presentation on the documentation of progress notes, history & physical reports and discharge summaries. Be sure you provide examples of good documentation practices.

Yesterday your hospital was informed of a breach of confidentiality within the health information department and among other departments. The medical record management staff must develop a plan in which to deal with this situation to ensure that appropriate action has been taken. You are the privacy officer and must head on this situation immediately. What are you going to do? Utilizing a poster board or another medium, list the steps your management team developed and followed to secure the electronic health records. Also, develop a policy on confidentiality of health information.

Group 3 Divide your group into two halves. Debate the release of information concerns of computerized health information versus traditional medical record keeping. Next, provide information on how confidentiality can be maintained in an electronic form.

Pretend the group is in court for a law suit. Prepare a skit on the court case. The case

needs to be a civil suit about health care.

Group 4 Pretend you are presenting HIPAA guidelines to new hospital employees. Prepare a short presentation on the importance of the HIM's department and how it affects the hospital, patient, and hospital departments.

Do two skits-The first skit will show violations of confidentiality and HIPAA. The second skit will show the appropriate way in which to handle confidential medical record information.

Date Due: April 8, 2015

JOURNAL ASSIGNMENT:

Students are to prepare at least a two (2) page, doubled spaced typed journal summary. One of the following Health Information Journals must be utilized "The American Health Information Management Association Journal, Advance, or For the Record." A **copy of the article must be attached to the summary**. The student must include a Cover Sheet & a Works Cited Page. References need to be cited according to APA guidelines. The article needs to address the EHR and legal issues related to the EHR. Students will need to answer the questions listed on the assignment. **Submit assignment via Eagle 2 online.**

Date Due: April 15, 2015

Cover Sheet:

All assignments must have a coversheet. Assignments turned in without a coversheet will result in points being deducted. The cover sheet must be centered on the sheet of paper and must include the following:

Student's Name

Student's ID #

Class Name and Class CRN #

Assignment Title

Date Due

Instructor's Name

COURSE SCHEDULE (Wednesday)

<u>Date</u>	<u>Topic</u>
Jan 12-Jan 18	Introduction to Class Class will meet on a gotomeeting on January 14, 2015 at 5:00pm-6:00pm (CST) to review the syllabus. After this meeting, all gotomeetings will continue to be conducted on Wednesdays at 5:00pm (CST)
Jan 19	Martin Luther King, JR. Holiday
Jan 20-Jan 26	Lesson 1 <i>Introduction to Legal System</i> Sayles Ch 13 Roach Ch. 1, appendix A & B Brodnik Ch. 1 Abdelhak Ch. 14 McWay Ch. 1
Jan 26-Feb 1	Lesson 2 <i>Organization of the Court System</i> Roach Ch. 2 Brodnik Ch. 2 McWay Ch. 2
Feb 2-Feb 8	Lesson 3 <i>Legal Aspects of Medical Records/Ethical Issues in Health Information</i> Sayles Ch. 12 Roach Ch.3 Brodnik Ch. 3, 7 McCormick Ch. 3 McWay Ch. 3
Feb 9-Feb 15	TEST 1 (lessons 1 - 3) Score_____
Feb 16	Presidents' Day Holiday
Feb 17-Feb 23	Lesson 4 <i>Confidentiality</i> Sayles Ch. 17 Roach Ch. 6,7, 8 Brodnik Ch. 5, 6, 8, 9 Abdelhak Ch. 14 McWay Ch. 5, 6, 7, 9, 10

Feb 23-Mar 1 **Lesson 5**

Laws & Regulations Regarding Medical Records

Roach Chapters 6, 9

Brodnik Ch. Appendix A-K

McWay Ch. Appendix C, D, E. & F –Given by Ms. Stariha

McCormick Ch. 8, 11, 13, 14

Mar 2-Mar 8 **Lesson 6**

Release of Information

Sayles Ch. 17

Roach Ch. 10, 11, 12

Brodnik Ch. 4, 10

McWay Ch. 4, 8, 10

March 11 **On Campus Mid-Term TEST 2 (lessons 1 - 6) Score _____**
Class will meet at the Coleman College at 4:30pm in Room 538.

Mar 16-Mar22 Spring Break Holiday

Mar 23-Mar 29 **Lesson 7**

Medical Record Documentation

Roach chapters 4, 5, 7, 8

Brodnik Ch. 7

Mar 30-Apr 5 **TEST 3 (lessons 1 - 7) Score _____**

*****Apr 8 Group Projects**
Class will meet at the Coleman College at 4:30pm in Room 538.

April 13-Apr 19 **Lesson 8**

Medical Records in Court

Brodnik Ch. 3

McWay Ch. 11

Journal Assignment Due: April 15

Apr 20-Apr 26 **Lesson 9**

Security of Medical Records/Specialized Areas of Concern in Health Information Management

Roach chapter 13, 14

Brodnik Ch.11, 12, 13, 14

McWay Ch. 12, 13, 14, 15

Apr 27-May3 **Lesson 10**

Electronic Health Record/Health IT Security, Privacy, and Confidentiality

Brodnik Ch. 15

McCormick Ch. 24, 25, 26, 27, 28, 29, 30, 31

Individual Project Due

May 6 **FINAL EXAM**

McWay Readings will be provided in a powerpoint by Ms. Stariha

LESSON OBJECTIVES

Jan 20-Jan 26, 2015: Lesson 1

Introduction to Legal System

Describe the basic sources of law and how law may be classified.

Identify the three levels of United States governments and the legal documents which outline their powers.

Define key terms.(Ms. Stariha will provide)

Brodnik Ch. 1 p. 3-Complete questions under the learning objectives.

Jan 26-Feb 1, 2015: Lesson 2

Organization of the Court System

Identify two types of court jurisdiction.

Identify the two basic types of courts and define the duties of each.

Identify the three sources of judicial power.

Describe the sequence of appeals for the state and federal court system.

Trace the legal proceeding before a trial and the steps in the trial process.

Describe the role of non-governmental rule making bodies.

Brodnik Ch.2 p. 13-Complete questions under the learning objectives.

Feb 2-Feb 8, 2015: Lesson 3

Legal Aspects of Medical Records / Self Determination Act

Discuss the legal requirements for medical record content.

Discuss record retention and destruction.

Discuss ownership of the medical record.

Identify the responsible party for generating the record.

Discuss Patient Self-Determination Act and Natural Death Act.

Define directive.

Brodnik Ch. 3 & 7- p. 25 & 123-Complete questions under the learning objectives.

Feb 17-Feb 23, 2015: Lesson 4

Confidentiality

Discuss confidential and privileged communication and the elements of privileged communication.

Describe the patient's right to confidentiality after his / her death.

Describe the patient's right to privacy.

Identify the need for patient information from outside agencies and the problems that might arise.

State some information that may be listed in a patient's bill of rights.

Describe the concerns of computerized patient records.

Describe the various types of consents, the need for consent, who may consent and the content of consent forms.

Brodnik Ch. 5, 6, 8, 9- p. 65, 95, 153, 195-Complete questions under the learning objectives.

Feb 23-March 1, 2015: Lesson 5

Laws & Regulations Regarding Medical Records

Discuss the statutes and regulations regarding medical records in Texas.

Describe the Privacy Act of 1974, Uniform Health Care Information Act and Freedom of Information Act.

Discuss public health laws.

Describe Drug and Alcohol Abuse regulations and privileged communication statutes.

Discuss HIPAA.

March 2-March 8, 2015: Lesson 6

Release of Information

Define and discuss the various subpoenas.

Identify who own the health record and the requirements related to who must authorize release of information from it.

Distinguish between personal use of a health record and impersonal use of a health record.

Describe the appropriate handling of incident reports.

List the items which should be included on the consent form signed by the patient for release of health record information.

Given various requests for health record information, describe the appropriate manner in which the information should be released.

Describe the special confidentiality issues related to alcohol and drug abuse patient records.

Describe legal cases in which health records are required as evidence.

Brodnik Ch. 4, 10-p. 43 & p. 237-Complete questions under the learning objectives.

March 23-March 29: Lesson 7

Medical Record Documentation

Discuss the quality issues of medical record documentation.

Identify the requirements for accuracy, completeness and timeliness of documentation.

Give examples of authentication of records.

Discuss corrections, alterations and verbal orders.

List the general guidelines for health record documentation.

Brodnik Ch. 7-p. 123-Complete questions under the learning objectives.

April 13-April 19, 2015: Lesson 8

Medical Records in Court

Define evidence and describe statutes which cover admission of records as evidence.

Discuss hearsay and business records exception.

Identify discoverability and admissibility of committee records, hospital and medical staff records.

Discuss hospital incident reports.

Discuss the medical record professional's conduct as a witness.

Brodnik Ch. 3 p 25-Complete questions under the learning objectives.

April 20-April 26, 2015: Lesson 9

Security of Medical Records

Define negligence and malpractice; distinguish between the two.

Discuss the doctrine of charitable immunity.

Describe the hospital's duty and breach of duty.

Identify the characteristics of informed consent.

Define res ipsa loquitur and respondeat superior.

Discuss statutes of limitations.

List means for securing the medical records and other health care information.

Discuss legal issues of automated health information.

Discuss legal issues of secondary records.

Describe the health information practitioner's role concerning ethical issues.

Identify the major ethical principles that guide health information management decision making.

Explain the steps in an ethical decision making model and how they are used to resolve ethical issues.

Brodnik Ch. 12, 13, 14, 15- p. 289,p. 315, p. 337, p. 355-Complete questions under the learning objectives.

April 27-May 3, 2015: Lesson 10

Health IT

Explain the HITECH Act.

Discuss the layers of the trust framework.

Explain in detail the Layer 6: Security Technology Safeguards.

Identify the difference between security, privacy, and other healthcare risk.

What are the different threats and associated mitigation strategies?

Explain the necessary physical safeguards for electronic systems, including location, access, and access-control devices.

Explain guidelines for security and preservation of electronic media for storage devices and secure disposal of electronic media.

Define operation safeguards.

Explain the value of an information security management process that includes information security training and awareness.

Explain operational safeguard fundamentals within emerging healthcare initiatives.

Explain the relationship between identity, access control, authorization, authentication, and role assignment.

Identify and explain how to apply security concepts to a healthcare information exchange (HIE).

Explain the importance of architectural safeguards for designing, building, purchasing, and implementing safe and secure IT systems and medical devices.

What is the relationship between reliability, availability, and safety as they impact healthcare IT systems?

What is the balance between usability and security?

Define usability safeguards including encryption.

Brodnik Ch.15 p. 355-Complete questions under the learning objectives.