**ESSEX COUNTY COLLEGE**

**Social Sciences Division**

**PLS 211 *–* Medical Legal Ethics**

**Course Outline**

**Course Number & Name:**  PLS 211 Medical Legal Ethics

**Credit Hours:**  3.0 **Contact Hours:**  3.0 **Lecture:** 3.0 **Lab:**  N/A **Other:**  N/A

**Prerequisites**:  Grade of “C” or better in PLS 108

**Co-requisites:** None **Concurrent Courses:** None

**Course Outline Revision Date:**  Spring 2011

**Course Description**: This course primarily focuses on the legal and ethical rights of both the client and the professional registered nurse who is working as a legal nurse consultant and/or nurse paralegal. Emphasis is placed on knowing the responsibilities and obligations of the currently practicing professional registered nurse and the professional practice of the legal nurse consultant and nurse paralegal in a constantly changing health care and legal environment. The student will study the ethical codes of the major medical and legal professional organizations as set forth by the ABA, ANA, AMA, AALNC, NALA, and NFPA. The student will be encouraged to use these ethical and legal codes as a basis to examine and analyze the implications for legal and ethical decision making in patient care situations. Structured practice exercises selected from actual work settings will assist the student in learning how to incorporate these fundamental ethical and legal principles into the role of the professional legal nurse practitioner. The student is also required know the law promulgated by the New Jersey Board of Nursing through instruments such as the New Jersey Nurse Practice Act and relevant statutory laws in selected titles of the New Jersey Statutes Annotated (NJSA).

**Course Goals:** Upon successful completion of this course, students should be able to do the following:

1. define, discuss, and explain ethics;

2. define, discuss, and explain medical and legal ethics;

3. define, discuss, and explain standards of care;

1. discuss and explain the purpose of policies and procedures;
2. distinguish negligence from malpractice;
3. analyze various aspects of patient records; and
4. draft legal documents and presentations.

**Measurable Course Performance Objectives (MPOs)**: Upon successful completion of this course, students should specifically be able to do the following:

1. Define, discuss, and explain ethics:

1.1 *distinguish law from ethics;*

1.2 *define and apply to nursing practice the eight ethical principles, i.e., autonomy, beneficence, nonmaleficence, veracity, fidelity, justice, paternalism, and respect for others;* and

1.3 *identify and explain the ethical principles espoused in the New Jersey Nurse Practice Act*

2. Define, discuss, and explain medical and legal ethics:

2.1 *analyze and debate the practice of medical and legal ethics in selected situations;* and

2.2 *explain the ethical codes of medical and legal organizations*

3. Define, discuss, and explain standards of care:

3.1 *state the purpose of standards of care;*

3.2 *apply the standards of care to duty;*

3.3 *relate the standards of care to negligence;*

3.4 *relate the standards of care to duty to malpractice;*

3.5 *discuss the concept of the reasonably prudent nurse in defining standards of care;* and

3.6 *describe the role of the nurse expert witness in determining the standards of care*

4. Discuss and explain the purpose of policies and procedures:

4.1 *state the purpose of policies and procedures*;

4.2 *apply policies and procedures to duty*;

4.3 *relate policies and procedures to negligence;*

4.4 *relate policies and procedures to malpractice;* and

4.5 *describe statutes of limitation including their significance and purpose in law*

5. Distinguish negligence from malpractice:

5.1 *analyze the doctrine of res ipsa loquitor and given an example of when the doctrine would apply to professional nursing practice*;

5.2 *list eight ways to avoid or lessen the potential of future malpractice cases*;

5.3 *define the term ‘defenses’ and give examples of defenses that may be used against intentional torts, quasi-intentional torts, and negligence torts;* and

5.4 *compare and contrast three standards of informed consent*

6. Analyze various aspects of patient records:

6.1 *discuss alteration of patient records*;

6.2 *discuss retention of patient records;*

6.3 *discuss ownership of patient medical records;* and

6.4 *discuss computerized charting*

**Measurable Course Performance Objectives (MPOs)** (continued):

7. Draft legal documents and presentations:

7.1 *draft a legal memorandum;*

7.2 *draft a legal brief;*

7.3 *write a professional report for the plaintiff and defendant from the same medical fact(s) describing the legal issue(s);* and

7.4 *produce a* *powerful visual illustration of the medical fact(s) so a jury can easily understand the legal issue(s) involved in the case*

**Methods of Instruction**: Instruction will consist of a combination of any of the following instructional methods: legal case reviews, lectures, group activities, role play, oral presentations, document drafting, essays, research assignments, films, cable, news and television programs, field trips, and community outreach projects.

**Outcomes Assessment:** Quiz and exam questions (if applicable) are blueprinted to course objectives. Checklist rubrics are used to evaluate non-test type assessment instruments (e.g., journals, written assignments, and projects), for the presence of course objectives. Data collected will be analyzed to provide direction for the improvement of program instruction, viability of class assignments, relevancy of assigned course materials, and evaluation of instructional time spent on specific topics.

**Course Requirements:** All students are required to:

1. Maintain regular and prompt attendance to all class sessions.
2. Complete homework assignments on time.
3. Complete all written, oral, and lab exercises (scored grading) inside and outside of class as assigned.
4. Take quizzes, the midterm exam, and the final exam as scheduled.
5. Voluntarily participate in class discussions, exercises, and group projects.
6. Complete all assessment activities as scheduled.
7. Follow any specific class requirements mandated by the instructor.

**Methods of Evaluation:** Final course grades will be computed as follows:

 **% of**

**Grading Components final course grade**

* Attendance/Class Participation  **10%**

Attendance points will be computed based on the ratio of the number of days attending the course during a regular semester (i.e., 28 contact days). A similar procedure will be used to determine participation points.

**Methods of Evaluation** (continued)**:**

 **% of**

**Grading Components final course grade**

* **Laboratory Exercises using Software**  10%

Smartdraw, Microsoft Visio, and LexisNexis CaseSoft Suite software are used in exercise designed to enhance student mastery of course objectives.

* **Profession Memorandum**  10%

The professional memorandum, which requires students to identify, analyze, and organize medical records based on the medical fact pattern and legal issues, is designed to enhance students’ written communication skills while engaging in legal analysis related to course objectives.

* **Profession Brief**  10%

The professional brief, which requires students to identify, analyze, and organize medical records based on the medical fact pattern and legal issues, is designed to enhance students’ written communication skills while engaging in legal analysis related to course objectives.

* **Weekly Quizzes**  10%

50-multiple-choice-objective-question quizzes will provide evidence of the level of student mastery of course objectives.

* **Diary & Journal** 10%

Diary and journal entries related to course objectives are designed to enhance students’ written communication skills while engaging in legal analysis.

* **Final Exam**  10%

The 50-multiple-choice-objective-question final exam will provide increased evidence of synthesis of course content and student mastery of course objectives.

* **Final Project**   20%

The final project consists of the analysis of a medical record, preparation of reports of the medical facts using appropriate computer software, preparation of reports of the medical facts analyzing ethical and legal issues, recommendations of a case based on merit, visual productions of medical facts, and a final report for the attorney with tabs and pagination.

**Academic Integrity:** Dishonesty disrupts the search for truth that is inherent in the learning process and so devalues the purpose and the mission of the College. Academic dishonesty includes, but is not limited to, the following:

* plagiarism – the failure to acknowledge another writer’s words or ideas or to give proper credit to sources of information;
* cheating – knowingly obtaining or giving unauthorized information on any test/exam or any other academic assignment;
* interference – any interruption of the academic process that prevents others from the proper engagement in learning or teaching; and
* fraud – any act or instance of willful deceit or trickery.

Violations of academic integrity will be dealt with by imposing appropriate sanctions. Sanctions for acts of academic dishonesty could include the resubmission of an assignment, failure of the test/exam, failure in the course, probation, suspension from the College, and even expulsion from the College.

**Student Code of Conduct:** All students are expected to conduct themselves as responsible and considerate adults who respect the rights of others. Disruptive behavior will not be tolerated. All students are also expected to attend and be on time for all class meetings. No cell phones or similar electronic devices are permitted in class. Please refer to the Essex County College student handbook, *Lifeline*, for more specific information about the College’s Code of Conduct and attendance requirements.

Note: Students shall conduct themselves in a professional manner at all times. See National Federation of Paralegals Associations, Inc. Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement.

**Course Content Outline:** based on the text **Legal and Ethical Issues in Nursing**, 5th edition, by Cindy Wacker Guido; published by Pearson Prentice Hall.

**Week Topics to be Covered**

1 Ethics – Course introduction & overview; history of legal nursing; application of ethics in nursing practice settings

 Chapter 1: Ethics & Chapter 2: Application of Ethics in Nursing Practice Settings

2 Law and the Judicial Process

**Quiz 1**

 Chapter 3: Legal Concepts and the Judicial Process & Chapter 4: Anatomy of a Lawsuit

3 Liability Issues

**Quiz 2**

 Chapter 5: Standards of Care

4 Liability Issues (continued)

**Quiz 3**

 Chapter 6: Tort Law

5 Liability Issues (continued)

**Quiz 4**

 Chapter 7: Nursing Liability – Defenses

6 Liability Issues (continued)

**Quiz 5**

 Chapter 9: Documentation and Confidentiality & Chapter 10: Professional Liability Insurance

7 Impact of the Law on the Professional Practice of Nursing

**Quiz 6**

 Chapter 11: Nurse Practice Acts, Licensure, and Scope of Practice & Chapter 12: Advanced Nursing Practice Roles

8 Impact of the Law on the Professional Practice of Nursing (continued)

**Quiz 7**

 Chapter 13: Employment Laws – Corporate Liability Issues & Chapter 14: Nursing Administration and the Nurse-Manager

9 Impact of the Law on the Professional Practice of Nursing (continued)

**Quiz 8**

 Chapter 15: Delegation and Supervision & Chapter 16: Selected Federal Laws

**Week Topics to be Covered**

10 Impact of the Law on Nursing in Selected Practice Settings

**Quiz 9**

 Chapter 17: Acute Care Settings & Chapter 18: Ambulatory Care Settings

11 Impact of the Law on Nursing in Selected Practice Settings (continued)

**Quiz 10**

 Chapter 19: Managed Care Settings & Chapter 20: Community Health Settings

12 Impact of the Law on Nursing in Selected Practice Settings (continued)

**Quiz 11**

 Chapter 21: Long-Term Care Settings & Case Handouts

13 Legal and Ethical Issues

**Quiz 12**

 Case Analyses

 Diary & Journal Review

14 Legal and Ethical Issues (continued)

 Case Analyses & Presentations

 Diary & Journal Review

15 Review of Course Material

Case Analyses & Presentations (continued)

**Final Examination**

**Final Project** (see note below)

Note: Guidelines for the **Final Project** are as follows: The student will analyze and report on medical legal ethics in a Capstone project requiring the preparation of two written reports and two visual presentations from the same fact pattern. One report and visual presentation is for the attorney of the plaintiff and the other is for the defendant. As the professional legal nurse consultant and nurse paralegal the student must submit a memorandum and a brief based on documented professional opinion. A professional report in the standard format including pagination and tabs is required. The visual presentations must use Microsoft PowerPoint, Microsoft Visio, Smartdraw, and LexisNexis CaseSoft Suite for graphics and illustrations.