

**The University of Texas at El Paso
College of Health Sciences
Doctor of Physical Therapy Program**

PT 6201

Law and Ethics in PT Practice

Summer 2020

COURSE SYLLABUS

Credit Hours: 2

Contact Hours: Total: 30 hrs
Lecture: 2 hrs; Lab: 0 hrs; Clinic: 0 hrs

Schedule:

Tuesday	9:00 am - 10:30 am
Wednesday	9:00 am - 10:30 am
Thursday	9:00 am - 10:30 am
Friday	9:00 am - 10:30 am

Coordinator/Instructor(s):

Faculty: Rhonda Manning, PT, DPT, PCS
Office location: *Campbell building Room 307*
Phone #: 915-747-7610
E-mail: rajeske@utep.edu
Office hours: As requested – please email and request an appointment

Teaching Assistant: N/A

Course Description: Ethical principles and legal factors which influence healthcare in general and physical therapy practice in Texas are introduced.

Course Prerequisites for DPT Students: The UTEP DPT Program curriculum is a lock-step curriculum. Therefore, students must pass all courses in the prior semester of the DPT Program in order to enroll in courses in the subsequent semester. Faculty may consider exceptions for PT 6116 PT Capstone Project I and PT 6117 PT Capstone Project II.

Course Objectives:

1. Explain content and purposes of key legal, ethical, and professional documents and principles that guide physical therapy practice (including APTA Code of Ethics, Texas PT Practice Act and Rules, APTA Guide for Professional Conduct, APTA Standards of Practice, APTA Core Professional Values, and health care principles). (7B, 7D1, 7D4-5) (Comprehension)
2. Explain how federal, state, and institutional regulations effect patient/client care and fiscal management of a physical therapy clinic. (7B, 7D1, 7D3, 7D41) (Comprehension)
3. Explain the limits of direct access in the state of Texas and how to advance it through the legislative process. (7B, 7D14, 7D35) (Comprehension)

4. Determine the role of the physical therapist assistant in the plan of care based on professional and legal standards. (7B, 7D25, 7D29) (Comprehension)
5. Apply legal and ethical guiding documents and principles for physical therapy in the analysis of given scenarios. (7B, 7D1, 7D4-5) (Application)
6. Assess federal statutes and health care policies pertaining to the practice of physical therapy and patient rights (including ADA, HIPAA, Patient Self-Determination Act) and their impact on the healthcare environment and practice. (7B, 7D41) (Evaluation)
7. Explain malpractice and risk management strategies related to the practice of physical therapy (including documentation and use of informed consent). (7B, 7D37, 7D43) (Comprehension)
8. Identify signs of domestic, child, and elder abuse, and legal and ethical implications for physical therapy practice. (7B) (Comprehension)
9. Identify appropriate reporting agencies with regard to HIPAA, patient privacy, and fraud/waste/abuse laws. (7B,7D3) (Comprehension)
10. Demonstrate effective communication and active teaching methods during a formal teaching presentation. (7B, 7D7, 7D12) (Application)
11. Complete an accurate peer assessment including providing substantive suggestions for improvements. (7B, 7D7) (Analysis)
12. Explain how you may use key legal, ethical, and professional documents and principles that guide physical therapy practice (including APTA Code of Ethics, Texas PT Practice Act and Rules, APTA Guide for Professional Conduct, APTA Standards of Practice, APTA Core Professional Values, and health care principles) to challenge the status quo of current practice. (7B, 7D6, 7D14) (Comprehension)

Methods of Instruction: Primarily active learning activities including but not limited to: small group work, writing activities, group discussions, and video review.

Methods of Evaluation: Student competence and attainment of course objectives are assessed using a variety of methods. These methods and their contribution to the final grade are listed in the table below.

Item	Grade Composition
Quizzes (written)	0%
Lab Assignments (written, psychomotor)	0%
Skills Check (psychomotor)	0%
Ethics Paper (written)	20%
Discussion Board contributions	30%
Mid-Term Exam (written)	25%
Practical exam (psychomotor)	0%
Final Exam (written)	25%
Total	100%

Grading Scale: The following letter grade scale is used for the UTEP Doctor of Physical Therapy Program:

<u>Letter Grade Scale</u>	<u>Numerical Grade Scale</u>
A	90-100
B	80-89
C	75-79
F	Below 75

Required Textbooks and Other Learning Resources:

APTA membership for online member only readings, including:

APTA Learning Center: Professionalism Module 3 – Ethical Compass

http://learningcenter.apta.org/tp_professionalissues.aspx

Guide to Physical Therapist Practice 3.0. Alexandria, VA: American Physical Therapy Association; 2014. Available at:

<http://guidetoptpractice.apta.org/>

Bodenheimer T, Grumbach K. eds. *Understanding Health Policy: A Clinical Approach, 7e* New York, NY: McGraw-Hill; . <http://0-accessphysiotherapy.mhmedical.com/lib.utep.edu/content.aspx?bookid=1790§ionid=121192090>.

Recommended Textbooks and Other Learning Resources:

- 1) Pozgar GD. *Legal and Ethical Issues for Health Professionals 4th ed.* Burlington, MA: Jones & Barlett Learning; 2016. ISN-13:978-1-284-03679-4

Resources Available for Student Success:

Confidential Resources:

- **Center for Accommodations and Support Services (CASS):** If you have or suspect a disability and need accommodations, you should contact the Center for Accommodations and Support Services (CASS) at 747-5148. You can also e-mail the office at cass@utep.edu or go by their office in Union Building East, room 106 (next to the UTEP post-office). For additional information, visit the CASS website at <http://sa.utep.edu/cass>.
- **The UTEP Student Health Center:** Union East Suite 100; 915.747.5624; www.utep.edu/chs/shc
- **The UTEP Counseling and Psychological Services:** 202 Union West, 915.747.5302; www.utep.edu/student-affairs/counsel

Additional Resources:

- Division of Student Affairs. 915.747.5076, www.utep.edu/student-affairs
- DPT Library Research Guide: <http://libguides.utep.edu/pt>

- Writing Center: 915.747.5112. <https://uwc.utep.edu>
- Computer Labs: Independent Learning Center (ILC), 1st floor Campbell Building
- Military Student Success Center: 915.747.5342, www.utep.edu/student-affairs/mssc
- Student Wellness Program. 915.747.6738, www.utep.edu/chs/wellness

University Policies: All students are responsible for following UTEP policies and procedures found in the Handbook of Operating Procedures at www.utep.edu/vpba/hoop

Program Policies: All DPT students are responsible for following all policies and procedures documented in the current DPT Student Handbook. Course policies found in the DPT Student Handbook apply to all courses in the DPT curriculum. The current DPT Student Handbook may be found on the DPT Student Resources site on Blackboard.

Academic Integrity: The UTEP DPT Program has a “zero tolerance policy” for scholastic dishonesty. DPT students must demonstrate academic integrity at all times. The current DPT Student Handbook outlines specific definitions, expectations, details, and consequences related to academic integrity and scholastic dishonesty. Additional information related to academic integrity is available through the UTEP Division of Student Affairs at www.utep.edu/student-affairs/osccr/student-conduct/academic-integrity.html

Course-Specific Policies:

- **Attendance Policy - Absences:** Refer to current DPT Student Handbook “Attendance and Classroom Behavior” for the DPT Program policy. Additional course-specific policy are as follows:
 - *Attendance should be considered mandatory for all class meetings.*
- **Attendance Policy - Tardiness & Early Departures:** Refer to current DPT Student Handbook “Attendance and Classroom Behavior” for DPT Program policy. Additional course-specific policy is as follows:
 - I use the clock on the computer to determine when class should start and end. If you expect to arrive late or leave early (eg, doctor’s appointment), you should notify me in writing by email in at least 2 hours in advance. If you are consistently late &/or leaving early for any reasons, I will contact you to meet with me to discuss the problem in person or by email. Each subsequent incidence of tardiness &/or early departure may result in 1% deduction from your final semester grade.
 - **NOTE:** *Being “on time” in the online learning environment means that you have arrived into the virtual classroom & are fully “connected” PRIOR to the start of class.*
- **Professional Behavior Policy:** See DPT Student Handbook “Attendance and Classroom Behavior”, “Professional Behaviors” and “Unprofessional Behavior:” for general program policy. Additional course-specific policies are as follows:
 - I expect you to arrive to class prepared and to actively participate while not being disruptive. If you are consistently ill-prepared, not actively

participating, and/or being disruptive, I will contact you to meet with me to discuss the problem in person or by email. Each subsequent incidence of poor preparation, poor participation, and/or disruption may result in 1% deduction from your final semester grade.

- University spaces are intended to be safe, welcoming environments that support learning and are respectful of all individuals. Discrimination or harassment based on cultural beliefs, gender identity, sexual orientation, or personal viewpoints will not be tolerated. Diversity is a welcome part of all learning settings. Any direct or indirect instances of discrimination should be reported to Dr Pechak immediately.
- **NOTE:** *The online learning environment is generally not optimally conducive to promoting a professional environment. Dogs bark and kids scream, and most of us have “offices” in bedrooms. I understand that flexibility is necessary. However, I expect students to be sitting or standing upright during class – as opposed to lying down. Lying down would not be acceptable in a face-to-face classroom. Additionally, I expect your cameras to be turned on so that we may maximize our engagement with each other; I consider having your camera on to be a component of active participation. Mute your microphone when you are not contributing to the discussion in the virtual classroom to avoid being unnecessarily disruptive. If you must “leave” briefly (eg, to go to the toilet), then please use the relevant online symbol to indicate to me that you have “stepped out” or send me a private message in the Chat box.*
 - i. *If your Internet bandwidth is too poor to allow consistent use of video, please contact me to discuss it.*
- **Late or Missed Assignments and Assessments Policy:** See current DPT Student Handbook “Written Examination Policy”. Additional course-specific policy is as follows:
 - *Always use the DPT student writing guidelines found in your handbook.*
 - *If you are turning a hand-written document (i.e. a quiz) it **must be in ink.** **Items written in pencil will not be graded.***
- **Skills Check Policy:**
 - Not applicable.
- **Practical Exam Policy:**
 - Not applicable

Course Content and Schedule: (Note: Students will be notified of changes via Blackboard or email. Additional details may be available in supporting course documents provided by the course instructor).

Student course description: During this course you will learn the bases of legal and ethical decision making in physical therapy and the wider medical field. We will explore the core documents of the APTA, the Texas State Practice Act and Rules, and key pieces of legislation that apply to the practice of physical therapy at a federal level.

Date	Topic	Readings	Objectives
May 26 9:00-10:30	Intro to Law and Ethics Role of the APTA	APTA Core documents: <ul style="list-style-type: none"> • <i>Guide for Professional Conduct</i> • <i>Standards of Practice for Physical Therapy</i> • <i>Guide to Physical Therapist Practice</i> • <i>Code of Ethics for the Physical Therapist</i> • <i>Professionalism and Core Values</i> Professional Behaviors Document	<ol style="list-style-type: none"> 1. Explain the content, usage, and purpose of the APTA “Core Documents”. 2. Apply these documents to case scenarios using the APTA RIPS model. 3. Differentiate between malpractice and negligence. 4. Describe the different levels of Professional Behaviors described in the Professional Behaviors Document. 5. Rate your current behaviors using the Professional Behaviors Document. 6. Compare and contrast the APTA Core Documents with the Medical Ethics presented in Chapter 13. 7. Use the RIPS model to complete ethical decision making in a given case scenario. 8. Explain the structure of the US government and how it applies to the passage of legislation. 9. Explain the 3 types of laws that exist in the US. 10. Explain the hierarchy of federal, state, and local regulations and laws.
May 27	Values and Ethics -Video lecture that must be completed prior to class on Wednesday, May 27		
May 28	Professional Behaviors Document <i>Standards of Practice for PT</i>		
May 29	Ethical decision making- Video lecture on RIPS to be viewed prior to Discussion Board activity. Medical Ethics This will be a Discussion Board activity. APTA module 3 is due today!	<ul style="list-style-type: none"> • Complete <i>APTA Module 3</i> – submit on Blackboard (Must be APTA member to access) RIPS Model (on Blackboard) <ul style="list-style-type: none"> • Curtis pp. 71-75 • Chapter 13 of the <i>Understanding Health Policy: A Clinical Approach text.</i> 	

June 2	Medicare & Student Supervision Professional conduct	See Blackboard	<ol style="list-style-type: none"> 1. Explain the “Parts” of Medicare and the health care services they each cover. 2. Explain the CMS required supervision of students in different health care settings. 3. Discuss the impact of CMS on the delivery of healthcare in the USA.
June 3	<i>Texas PT Practice Act</i> <i>Texas PT Rules</i>	www.ptot.texas.gov for the current Texas PT Practice Act and Rules	<ol style="list-style-type: none"> 1. Define the rules for direct access to PT in TX. 2. Explain behaviors defined as “Detrimental to the Public Health and Welfare” and how they apply to the practice of PT. 3. Explain the process to get an initial license, a license by endorsement, and how to renew a PT license in TX. 4. List at least 5 activities that can be used for continuing competency. 5. Explain the use and limitations of a temporary license. 6. Explain the structure of the ECPTOTE. 7. Explain why the PT Act has a Sunset date. 8. Define supervision requirements by a PT. 8. Identify the elements of documentation and when documentation/re-evaluations/discharge summaries are required.
June 4	<i>Texas PT Practice Act</i> <i>Texas PT Rules</i>		
June 5	Physician Owned Physical Therapy Services Video lecture on POPTS	Discussion Board	

June 9	Midterm		
June 10	<p>Patient Rights/Disability Rights</p> <p>Patient Self-determination Act; DNR; Living will; POA</p>	<p>Patient's Bill of Rights (link on Blackboard)</p> <p>A Guide to Disability Rights Laws (on Blackboard)</p>	<ol style="list-style-type: none"> 1. Explain the purpose of the Patient's Bill of Rights. 2. Differentiate between a DNR, living will, and POA in terms of health care decisions. 3. Explain the Patient Self-determination Act and its implications on PT services. 4. Discuss the impact of ADA on communities and health care. 4. Discuss IDEA and how this relates to the ADA. 5. Discuss the role of the ethics panel in hospitals.
June 11	<ul style="list-style-type: none"> • Sexual harassment • Inappropriate Patient Sexual Behavior • Harassment legislation 	IPSB article	<ol style="list-style-type: none"> 1. Define "sexual harassment." 2. Explain common methods to deter sexual harassment from patients and co-workers. 3. List common medical or mental health diagnoses that may be at more risk for IPSB. 4. Identify the "protected classes" for harassment and disability legislation.
June 12		Discussion Board	

June 16	HIPAA; FERPA	Blackboard	<ol style="list-style-type: none"> 1. Define HIPAA and FERPA. 2. Explain the application and limits of these Acts. 3. Explain the consequences for failing to abide by these statutes. 4. Differentiate between HIPAA and HITECH. 5. Identify the appropriate agency and method of reporting violations of HIPAA and FERPA. 6. List possible consequences of violating HIPAA.
June 17	Risk Management in Health care – intro and basic concepts Role of Compliance programs	Blackboard	<ol style="list-style-type: none"> 1. Define common risks that are encountered in health care environments. 2. Explain the role of compliance programs in risk management. 3. Explain the role of Policies and Procedures in risk management.
June 18	Abuse: Domestic, child, elder	Blackboard Video lecture to be viewed prior to class.	<ol style="list-style-type: none"> 1. List signs of abuse in children, adults, elders, and disability populations. 2. Explain the legal reporting process, including agency and mode, of reporting abuse/suspected abuse. 3. Explain the ethical implications of reporting abuse/suspected abuse of patients.
June 19	Liability insurance Incident Reports OSHA	Blackboard	<ol style="list-style-type: none"> 1. Explain how OSHA applies to the health care environment. 2. Explain the purpose of incident reports in risk management. 3. Explain the difference between health insurance, general liability insurance, and professional liability insurance.

June 23	Physical Therapist Assistants	Blackboard Video lecture to be viewed prior to class.	1. Explain the role of PTA in the delivery of PT.
June 24	Documentation	Blackboard	1. Explain elements of proper documentation. 2. Explain the purpose and documentation of informed consent.
June 25	Other legal and ethical issues you need to be aware of.	Blackboard	Wrap up and discussion prior to Final Exam tomorrow.
June 26	FINAL EXAM		

Ethics Paper

Presidential primary/election season has started. Your assignment is to pick ANY candidate that is currently running for their political party and analyze the ethical and legal aspects of their position on health care, Medicare, and public assistance programs. You should use a minimum of 5 sources that are **not** the candidate's website. All UTEP DPT Student Handbook writing guidelines apply. This document should be no less than 4 pages of substantive discussion. You may state your opinions as long as they can be backed up with facts from a credible source.

DUE: June 21st end of the day.