COURSE SYLLABUS

Credit Hours: 2

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

Schedule:
Wednesday 8:30 am – 10:00 am
Friday 8:30 am – 10:00 am

Coordinator/Instructor(s):
Faculty: Rhonda Manning, PT, DPT, PCS
Office location: Mesa Building 115R
Phone #: 915-747-7610
E-mail: rajaske@utep.edu

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 Ethics and values, 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. (7D2,7B) (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 Teaching and learning, 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)

Curricular Threads:

- **Cultural / Linguistic Engagement and Competence:**
  - Students will consider cultural considerations when completing ethical decision making

- **Evidence-Based Practice and Research:** n/a

- **Clinical Reasoning:**
  - Students will use clinical reasoning to apply the RIPS model to ethical situations presented.

- **Interprofessional Collaborative Practice:**
  - Students discuss the role of PTAs in therapy provision

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

<table>
<thead>
<tr>
<th>Item</th>
<th>Grade Composition</th>
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<tbody>
<tr>
<td>Quizzes (written)</td>
<td>10%</td>
</tr>
<tr>
<td>Lab Assignments (written, psychomotor)</td>
<td>0%</td>
</tr>
<tr>
<td>Skills Check (psychomotor)</td>
<td>0%</td>
</tr>
<tr>
<td>Ethics Paper (written)</td>
<td>20%</td>
</tr>
<tr>
<td>Ethics Presentation (oral)</td>
<td>15%</td>
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<tr>
<td>Letters to legislature (written)</td>
<td>5%</td>
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<tr>
<td>Exam #1 (written)</td>
<td>25%</td>
</tr>
<tr>
<td>Practical exam (psychomotor)</td>
<td>0%</td>
</tr>
<tr>
<td>Exam #2 (written)</td>
<td>25%</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Letter Grade Scale</th>
<th>Numerical Grade Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>90-100</td>
</tr>
<tr>
<td>B</td>
<td>80-89</td>
</tr>
<tr>
<td>C</td>
<td>75-79</td>
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<tr>
<td>F</td>
<td>Below 75</td>
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Required Textbooks and Other Learning Resources:
APTA membership for online member only readings, including:
Learning Center:
- Preventing Fraud, Abuse, and Waste: A Primer for Physical Therapists
- Professionalism Module 3: Ethical Compass
- HIPAA and Telehealth
- Skilled Physical Therapy Documentation Rules and Best Practices


Recommended Textbooks and Other Learning Resources:

Revised June 19, 2023

**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
- 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:**

Revised June 19, 2023
• **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 (e.g., 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 either the face to face or online learning environment means that you have arrived into the 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 Manning immediately.
• **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. Failure to use the writing guidelines will result in 10% deduction.
  - 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.
  - Items should be submitted on BlackBoard before the assigned. Late assignments will be penalized with a 10% deduction for every 24 hrs late.
    i. 0:01 – 23:59 hrs late (-10%)
    ii. 24:00 – 47:59 hrs late (-20%)
    iii. 48:00 – 71:59 hrs late (-30%)
• **Skills Check Policy**: 

Revised June 19, 2023
• 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.

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Readings</th>
<th>Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 31</td>
<td>• Review of Syllabus&lt;br&gt;• Explanation of assignments and deadlines&lt;br&gt;• Professional conduct</td>
<td>See Blackboard</td>
<td>1. Explain the structure of the US government and how it applies to the passage of legislation.&lt;br&gt;2. Explain the 3 types of laws that exist in the US.&lt;br&gt;3. Explain the hierarchy of federal, state, and local regulations and laws.&lt;br&gt;4. Describe how to find legislation related to healthcare.</td>
</tr>
<tr>
<td>June 2</td>
<td>Review of US Government Structure and Function</td>
<td></td>
<td>1. Define HIPAA and FERPA.&lt;br&gt;2. Explain the application and limits of these Acts.&lt;br&gt;3. Explain the consequences for failing to abide by these statutes.&lt;br&gt;4. Differentiate between HIPAA and HITECH.&lt;br&gt;5. Identify the appropriate agency and method of reporting violations of HIPAA and FERPA.&lt;br&gt;6. List possible consequences of violating HIPAA.</td>
</tr>
<tr>
<td>June 7</td>
<td>Privacy (HIPAA and FERPA)—Guest Speaker Mark Lawrence&lt;br&gt;HIPAA articles on BB&lt;br&gt;HIPAA and Telemedicine Due today</td>
<td>HIPAA articles on BB&lt;br&gt;HIPAA and Telemedicine Due today</td>
<td>1. Define HIPAA and FERPA.&lt;br&gt;2. Explain the application and limits of these Acts.&lt;br&gt;3. Explain the consequences for failing to abide by these statutes.&lt;br&gt;4. Differentiate between HIPAA and HITECH.&lt;br&gt;5. Identify the appropriate agency and method of reporting violations of HIPAA and FERPA.&lt;br&gt;6. List possible consequences of violating HIPAA.</td>
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<tr>
<td>Jun 9</td>
<td>• Medicare&lt;br&gt;• Medicare &amp; Student Supervision&lt;br&gt;• Review of the U.S. governmental system</td>
<td>Blackboard&lt;br&gt;&lt;br&gt;<a href="https://www.cms.gov/Outreach-and-">https://www.cms.gov/Outreach-and-</a></td>
<td>1. Explain the “Parts” of Medicare and the health care services they each cover.</td>
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Revised June 19, 2023
<table>
<thead>
<tr>
<th>June 14</th>
<th>Texas Physical Therapy Practice Act and Rules</th>
<th>Education/MLN/WBT/MLN93296 34-WOM/WOM/index.html Certificate to be loaded onto BB BEFORE class</th>
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<tbody>
<tr>
<td></td>
<td>1. Define the rules for direct access to PT in TX.</td>
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<td></td>
<td>2. Explain behaviors defined as “Detrimental to the Public Health and Welfare” and how they apply to the practice of PT.</td>
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<td>3. Explain the process to get an initial license, a license by endorsement, and how to renew a PT license in TX.</td>
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<td>4. List at least 5 activities that can be used for continuing competency.</td>
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<td>5. Explain the use and limitations of a temporary license.</td>
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<td>6. Explain the structure of the ECPTOTE.</td>
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<td>7. Explain why the PT Act has a Sunset date.</td>
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<td>8. Define supervision requirements by a PT.</td>
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<td>9. Identify the elements of documentation and when documentation/re-evaluations/discharge summaries are required.</td>
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<td>10. Explain the role of PTA in the delivery of PT.</td>
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<tr>
<th>June 16</th>
<th>Patient Rights/Disability Rights</th>
<th>Patient’s Bill of Rights (link on Blackboard) A Guide to Disability Rights Laws (on Blackboard)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. Explain the purpose of the Patient’s Bill of Rights.</td>
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<td></td>
<td>2. Differentiate between a DNR, living will, and POA in terms of health care decisions.</td>
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<td>3. Explain the Patient Self-determination Act and its implications on PT services.</td>
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<td>4. Discuss the impact of ADA on communities and health care.</td>
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<td></td>
<td>4. Discuss IDEA and how this relates to the ADA.</td>
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<td></td>
<td>5. Discuss the role of the ethics panel in hospitals.</td>
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<tr>
<td>June 21</td>
<td>Physician Owned Physical Therapy Services Stark Laws</td>
<td>Blackboard Skilled Physical Therapy Documentation Rules and Best Practices on APTA Learning Center</td>
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<tr>
<td>June 23</td>
<td>RIPS Decision making model Medical Ethics</td>
<td>RIPS Model (on Blackboard)</td>
</tr>
<tr>
<td></td>
<td>Documentation</td>
<td>Chapter 11 – posted on BB</td>
</tr>
<tr>
<td>June 28</td>
<td>PTA ethical decision making</td>
<td>1. Apply APTA documents to case scenarios using the APTA RIPS model. 2. Use the RIPS model to complete ethical decision making in a given case scenario.</td>
</tr>
<tr>
<td>June 30</td>
<td>Exam #1</td>
<td>Covers materials covered June 1 – June 21, 2022.</td>
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</tbody>
</table>
| July 5 | APTA Core Documents | APTA Core documents:  
- Guide for Professional Conduct  
- Standards of Practice for Physical Therapy  
- Guide to Physical Therapist Practice  
- Code of Ethics for the Physical Therapist  
- Professionalism and Core Values  

Professional Behaviors Document  

- 1. Explain the content, usage, and purpose of the APTA “Core Documents”. 2. Differentiate between malpractice and negligence. 3. Explain the different levels of Professional Behaviors described in the Professional Behaviors Document. 4. Rate your current behaviors using the Professional Behaviors Document. 5. Compare and contrast the APTA Core Documents with the Medical Ethics presented in Chapter 13. |
<table>
<thead>
<tr>
<th>July 7</th>
<th>Ethical decision making</th>
<th>Preventing Fraud, Abuse and Waste</th>
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<tbody>
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<tr>
<td>July 12</td>
<td>Ethics Presentations</td>
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<td>July 14</td>
<td>Ethics Presentations</td>
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<tr>
<td>July 19</td>
<td>Abuse: Domestic, child, elder</td>
<td>&quot;He just bumps into things&quot; article on BB</td>
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</table>
| July 21 | Risk Management in Health care – Intro, Basic Concepts, and Role of Compliance programs | RIPS Model (on Blackboard)  
- Curtis pp. 71-75  
- Chapter 13 of the *Understanding Health Policy: A Clinical Approach* text. |
|       |                         |                                  |

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.  

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.
| July 26 | Liability insurance  
Incident Reports  
OSHA | Blackboard  
HPSO Liability Exposure Claim  
2. Explain the purpose of incident reports in risk management.  
3. Explain the difference between health insurance, general liability insurance, and professional liability insurance. |
| July 28 | • Sexual harassment  
• Inappropriate Patient Sexual Behavior  
• Harassment legislation | Discussion Board  
-IPSB article  
Blackboard | 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. |
| Aug 2 | | | |
| Aug 3 | EXAM #2 | | |
Health Care Policy and Ethics Paper (100 pts)
Due 7/17/2022 end of day

You will need to research a health care policy that is either judicial, legislative or administrative law. You will use this as the basis for this ethics paper.

1. Outline the law that you are discussing. This should include the type of law it is, history of the law, who enforces it, and what penalties accompany violations of this law.

2. The impact of this law on the law on the provision of health care in the US. Focus should be placed primarily on the effect to physical therapy and rehabilitation services. Impacts on disparities in healthcare and social determinants of health should also be addressed.

3. An analysis of the policy using the RIPS model. Additional ethical texts or decision-making models may be used in addition to the RIPS model if you feel it adds to the discussion.

4. A discussion of any changes you would recommend to this law including the methods required to make this change.

5. A minimum of 5 sources documented in AMA format.

Checklist for this assignment:
- DPT student writing guidelines were followed
- Spelling and grammar with less than 5 errors
- Name and type of law is clearly identified.
- Enforcement and penalties of violation identified
- Effects of this law:
  - PT
  - Rehabilitation
  - Social determinants of health
  - Disparities in healthcare
- RIPS analysis
- Any additional analysis deemed appropriate
- Recommendations for changes
- Impact of changes to this law
- Discussion of how you would try to change this law
- AMA documentation for a minimum of 5 sources
Advocacy letters

You will need to write 2 letters of advocacy to the following agencies: Centers for Medicare and Medicaid Services (CMS) or APTA; and Tx legislature (may be state senator or house member), U.S. Senator, or U.S. House Representative.

In each of these letters you will identify a CURRENT policy or regulation that you would like to endorse or advocate against. You will state why you are for/against this policy or regulation. You need to provide the email address, phone number, and physical address for the person/agency you are contacting. The letter will be submitted on BlackBoard for this assignment. I urge you to submit these to the agency/office for whom the letter was written. I will provide extra credit on this assignment for any communication you receive as a result of this contact THAT IS NOT AUTO-GENERATED.

Ethics Presentation

You and a partner will find an ethical case/question from https://journalofethics.ama-assn.org/cases. This case will present this case, relevant laws, and a RIPS analysis of the case to the class. This should include an answer to the ethical question posed in the title of the article you chose. All presentations should be approximately 8-10 min in length with 3-5 slides to use as visual prompts for you and the audience.
Ethical Decision Making Presentation Assignment Rubric

Criteria Excellent (4) Good (3) Fair (2) Poor (1)

Content Clarity and Organization:
- Introduction clearly introduces the topic, its relevance, and sets the tone for the presentation.
- Logical flow of ideas and clear transitions between sections.
- Clear and concise explanations of ethical decision making framework steps.
- Appropriate examples and real-world scenarios used to support concepts.

Delivery and Engagement:
- Engaging and confident delivery, maintaining eye contact with the audience.
- Clear and articulate speech with appropriate pace and tone.
- Effective use of visuals (slides, props, etc.) to enhance understanding and engagement.
- Demonstrates enthusiasm and actively engages the audience through questions, discussions, or interactive activities.

Understanding of Ethical Decision Making:
- Accurate understanding and explanation of the concept of ethical decision making.
- Thorough knowledge and explanation of ethical principles/frameworks.
- Demonstrates an understanding of the importance and consequences of ethical decision making.
- Ability to apply the ethical decision-making process to real-life scenarios.

Critical Thinking and Analysis:
- Demonstrates critical thinking skills in evaluating alternative courses of action.
- Considers multiple perspectives and potential consequences of each alternative.
- Demonstrates a clear understanding of the potential ethical dilemmas and complexities.
- Offers insightful analysis and solutions for handling ethical dilemmas.

Conclusion and Takeaways:
- Provides a concise summary of the key points covered in the presentation.
- Clearly communicates the importance and relevance of ethical decision making.
- Provides actionable takeaways for participants to apply the ethical decision-making framework in their own lives or professions.
- Leaves the audience with a lasting impression and motivates them to consider ethical implications in their decision making.

Overall Presentation Quality:
- Presentation is well-prepared, polished, and professional.
- Demonstrates a comprehensive understanding of the topic and its application.
- Engages the audience effectively and maintains their interest throughout.
- Provides a clear and compelling argument for the importance of ethical decision making.

Presentation Skills:
- Effective use of visual aids, slides, or props that enhance understanding and engagement.
- Clear and concise verbal explanations with appropriate use of examples.
- Engages the audience through active participation, questions, or discussions.
- Uses appropriate body language and vocal variety to engage the audience.