



**Sherman College of Straight Chiropractic Syllabus
Department of Clinical Sciences**

Course Instructor

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**Bus 011 (Ethics & Jurisprudence)
Winter Quarter 2003**

College Mission

The mission of Sherman College of Straight Chiropractic is to prepare its students as straight chiropractors who are fully qualified, as primary health care providers who specialized in the area of vertebral subluxation, to assume and discharge their responsibility to their patients and society.

Prerequisites: 9th Quarter or above

Co-requisites: None

Credit Hours: 4 **Clock Hours:** 48

This Course Is A Pre-Requisite For: None

Course Description

This 48-hour lecture/ directed learning course introduces the senior chiropractic student to ethical and legal considerations of chiropractic practice. The traditional ethical codes of the healing arts are explored, as are modern considerations of ethical problems arising from insurance dealings and managed care contracts. Legal aspects of chiropractic are presented including malpractice law, contracts and business law. Students must be in 9th quarter or above.

Required Textbook(s) and Study Resources

No required text

Recommended Reading and Other Course Resources

- Articles at <http://www.cbmalpractice.com/report/archives.htm>
- Barge, F. Are You the Doctor, Doctor?, LaCrosse, 1983
- Foreman, Stahl and Sportelli, Medical-Legal Issues in Chiropractic, Practicemakers Products, Inc., 2000
- Strang, V.V., Essential Principles of Chiropractic, Williams-Wilkins, 1989

On-line Resources

This class is conducted as a web-centric course. We will meet frequently to discuss topics of interest and importance, however most of the readings, and many of the lectures may be accessed through the website.

The class web page is found at www.chiroethics.org

On the front page click on the student section, and enter password **scsc**

Assignments may be accessed to receive your assignments and due dates.

Media may be accessed to watch the on-line QuickTime lecture presentations. Topics and length of the lecture topic is given here. As an alternative, a CD-ROM containing all the video lectures is available on loan.

Forum will be accessed to complete your short writing assignments, and to complete required comments and questions. I will occasionally ask you to write multiple-choice questions suitable for an exam. I will select some of your questions for the midterm and final exam. I will e-mail articles of interest for your perusal. It is important that you read the articles, since a few questions from these mailings will be included on the final exam.

Your **Midterm** exam will be an on-line test. We will meet in the computer lab at 8:00 AM on the specified day. When you are finished, your answers are e-mailed to me. I will post your scores on the website by the last 4 digits of your SS number. They will not be in alphabetical order.

As a backup to the Quicktime Video lectures, the library also has the lectures on videotape. You may view them in the library, in the study rooms equipped with TV/VCRs.

Student Outcomes

Upon completion of this course, the student will be able to:

- Explain the elements of a profession and briefly describe the history of the professions.
- Describe the role of confidentiality in the doctor/patient relationship.
- List the ethical attributes that are obligatory to the professional.
- Recognize the nature of professional boundaries as they relate to sexual misconduct and describe recommended guidelines for D.C.s.
- Describe inter-professional and intra-professional obligations and courtesies.
- Define ethical and legal elements of professional advertising and public relations and delineate recommended guidelines for DCs.
- Explain the legal responsibilities of a chiropractor concerning standard of care and scope of practice.
- Define and describe the legal aspects of chiropractic practice concerning malpractice and defense against litigation.
- Describe common practices which will guard against malpractice claims.
- Explain the role of the expert witness in malpractice litigation.
- Describe three internet websites dealing with issues of an ethical nature
- Define informed consent, and create an informed consent document
- List three documents dealing with the chiropractic standard of care
- Define vicarious liability and describe its' relevance to chiropractors
- Describe PPOs and HMOs and discuss their attributes and relevance
- State the Medicare guidelines for chiropractic
- Define and describe guidelines for documentation of chiropractic services
- Describe the recommended practices for giving court testimony
- Define Ethics, and describe ethical behavior in human interactions.

Expected Clinical Competencies

Sherman College of Straight Chiropractic is committed to presenting an instructional program, which graduates doctors of chiropractic prepared to practice as primary health care providers having those clinical competencies requisite to entrance into the chiropractic profession.

The objectives for this course include, but are not limited to, the clinical competencies listed below.

- Appreciate the need for empathy, respect and an awareness of the patient's right for privacy and confidentiality
- Recognize patient apprehension, and avoid exclamatory, misleading or inappropriate verbal or physical responses
- Recognize the professional and ethical boundaries expected of the doctor/patient relationship
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- Recognize circumstances that legally require doctors to report patient information to appropriate authorities
- Record psychosocial information in a manner that is accurate, complete and complies with legal standards
- Discuss sensitive psychosocial and health behavior issues
- Deal effectively with aberrant behavior from a patient in an office setting
- Understand federal and state regulatory guidelines governing procedures and the use of equipment employed in diagnostic studies
- Appreciate the need to obtain the patient's informed consent, cooperation and compliance with care and/or referral recommendations
- Identify personal and/or professional care limitations and recognize the need for referral or collaborative care
- Be aware of the need to ensure that all records relevant to the patient's management contain adequate, accurate and current information
- Be aware of the confidential nature of the doctor-patient relationship, and ensure that appropriate information is properly released only to agencies or individuals authorized for its review
- Comply with requests for patient records and reports in an adequate, accurate and timely manner
- Understand professionally and legally acceptable methods of recording and organizing patient records including information about the patient history and examination findings, diagnosis and patient care plan, progress notes, correspondence, services provided and care rendered, and financial transactions
- Appreciate the need to explain what will be done when administering the chiropractic adjustment, discuss risks, and recognize the potential for patient apprehension and concern
- Recognize the responsibility to provide emergency care procedures
- Understand the legal implications associated with providing emergency care
- Appreciate the benefits of appropriate consultation and/or referral in the management of the patient, and be considerate of patient questions regarding second opinions and alternative forms of care
- Record data relevant to case management decisions in an organized manner
- Communicate appropriately when referring to other health care providers
- Recognize the need to ensure that all records relevant to the patient's care and management contain legible, accurate, complete and current information
- Recognize the patient's right to privacy and ensure that information from the record is released only upon legal and/or written authorization
- Be willing to respond to requests for patient records, or information from patient records, in an adequate and timely manner
- Recognize the need to ensure patient record security and confidentiality
- Be sensitive to the interests that patients may have in accessing their records, and follow accepted legal guidelines when it is deemed necessary to provide or withhold specific information regarding the patient

- Recognize the need to keep abreast of current trends and technologies for record-keeping and data control
- Be aware of and follow accepted procedures and protocols when requesting patient records or information from other health care providers or agencies
- Know what elements of the record must be released to the patient, or other health care providers or agencies, and those elements that can be legally withheld
- Know and understand those elements essential to the patient record including demographic data, clinical findings and patient care information, financial transactions, reports, correspondence and communications
- Be aware of accepted methods and legal requirements for record maintenance, storage and security
- Be aware of the need to provide a key with records if abbreviations or symbols are used
- Construct the patient record in a manner that is accurate, legible, complete and current, and is neither inflammatory, prejudicial nor degrading to the patient
- Recognize the importance of developing and maintaining professional attitudes and behavior within and outside the office setting
- Appreciate the importance of developing a professional relationship with the patient based on trust, confidence, respect, and confidentiality
- Recognize and accept the importance and seriousness of the role that doctors of chiropractic have in the care of patients
- Be aware of and be willing to respond to the needs, concerns and fears that patients may have relative to their health complaints and problems
- Recognize the importance of both the doctor and patient working together as partners in promoting optimum health
- Recognize the need to appropriately manage patients who may develop unrealistic expectations of and a dependency on chiropractic care
- Appreciate and be willing to adapt to the cultural, social, religious, gender and age differences that may exist between the doctor and his or her patients
- Know what patient care and office procedures can be employed that will reduce potential risk and professional liability
- Develop and exhibit behavior and a communication style that project a professional image and enhance the doctor-patient relationship
- Use appropriate techniques that may be employed when managing a patient who exhibits inappropriate behavior
- Appreciate the importance of supporting and participating in professional activities and organizations
- Recognize the need to support and participate in the activities and affairs of the community
- Exhibit ethical attitudes regarding the provision of patient care services, fees, financial arrangements, billing practices and collection procedures

- Identify and acknowledge an obligation to refrain from illegal and unethical patient care and practice management procedures
- Understand the need to maintain a breadth and depth of knowledge and skills necessary for the practice of chiropractic through continuing education
- Be aware of and comply with, the professional reporting requirements and procedures of commercial, federal, state and local agencies
- Know patient care and office procedures which can be employed to reduce potential risk and professional liability
- Be aware of the types, policy limits and coverage levels available for professional liability insurance
- Develop a knowledge of ethical practice development strategies including marketing, community demographics, and patient management techniques

Course Schedule:

- Week 1: Introduction - elements of professionalism
Doctor/patient relationship
- Week 2: Obligations of the chiropractor to patients
Confidentiality and Privileged Communication
Professional boundaries and sexual misconduct
- Week 3: Terms of acceptance - informed consent
Guarantees of cure- appropriate expectations
Consultants and referrals
- Week 4: Standard of care: Mercy, CCP and ICA
Continuing education requirements
- Week 5: Obligations for record keeping
SOAP notes - history, exam
- Week 6: Dr. / Dr. relationships
Solicitation of patients
Inter and Intra professional communications-reports/exchange of information
Referral, consultation and second opinions
- MIDTERM EXAM February 11, 2003***
- Week 7: Dr. / Public relationship
Insurance ethics
Advertising standards of professionalism
- Week 8: Malpractice / Tort Law
Professional Negligence
Vicarious Liability - associates, assistants
School Rule
- Week 9: Relationships with attorneys
The Narrative Report as a communication tool

- Week 10: The Litigation Process
The chiropractor as an expert witness
Depositions and interrogatories
Mock Trial Video
Testimony in court
- Week 11: Avoidance of malpractice suits
Board of Examiners Actions
Malpractice Policies- Claims made & Occurrence
- Week 12: Review
Final Exam : March 20, 2003

Assignments

- Two articles with a brief (1 page or less) analysis from current literature concerning ethical or legal issues in chiropractic or a related field are due in week 5. Include a copy of the article.
- One brief article expounding the attributes and content of an ethics oriented website. Due in week 9.
- Create an informed consent document, suitable for use in your office, which satisfies the elements delineated in the article on informed consent at www.chiroethics.org

Evaluation/Assessment

Grade Weighting:

	Date	Points	Weight
Midterm	Feb 11, 2003	35	35%
Assignments	5 th week	10	10%
Daily Preparation	attendance & participation	5	5%
Final Exam	March 20, 2003	70	50%
Total		120	100%

College Grading Scale:

90 – 100 =	A
80 – 89 =	B
70 – 79 =	C
60 – 69 =	D
Below 60 =	F

****A grade of C or higher is required to pass this course**

Note: There are no makeup exams.

Test Score Posting

Each student will be assigned an identification number for this class. The course instructor may choose to post test scores using the number. If a student does not wish to have his/her test scores posted, he/she must notify the instructor prior to the first exam or quiz in writing.

Course Policies

Attendance, Preparation and Participation

Successful completion of the doctor of chiropractic degree program requires a significant commitment of time for class participation and outside study each day. Students are expected to attend all classes, laboratories, tutorials, and seminars, and to complete all clinical requirements. Only complete attendance in all course work will enable the student to fully develop the complement of knowledge, skills, and attitudes needed to complete the program and become a successful doctor of chiropractic.

This class will only meet in a classroom one or two days per week; therefore, it is essential that students attend all classes. Important material will be provided in class meetings which will enhance the web instruction. Attendance will

be recorded at every scheduled class meeting. **The instructor's grade book will serve as the official record of attendance.**

The maximum number of allowable absences for this course: 3 hours

If a student exceeds the maximum allowable absences in this course, **for any reason**, he/she will receive a grade of "N" for this course. A grade of "N" will be factored as an "F" in calculating the quarterly and cumulative grade point averages and requires the student to repeat the course. A grade of "N" may not be appealed.

If a student enters the class late (within the first five minutes after the class starting time) he/she will receive a tardy for that class. **Two tardies will constitute one absence.** If a student enters the class beyond the first five minutes or leaves the class early, he/she will receive an absence for that class meeting. Should a student's late entry into a class disrupt the learning environment, he/she will be asked to leave.

It is the student's responsibility to keep track of class absences.

I will report absences once, at midterm.

A student may not be absent from final exams. Under exceptional circumstances, such as the imminent death or the death of a family member, serious personal illness or required military duty, the instructor may allow a student to make up a missed final exam. The student must make arrangements to accommodate for this type of make up directly with the course instructor.

Late Entry into Exams/Tests

A student may not take an exam if he/she arrives after another student has completed the exam. The student will receive a grade of zero for the exam.

Exam and Quiz Review

Review of tests and quizzes must be completed within two weeks immediately following the respective examination.

Course-Related Issues

Please bring course-related concerns first to the instructor's attention. Unresolved issues must then be referred to the appropriate dean listed on this syllabus.

Make up Work

Make up work is not available in this class, since much of the course is at your own pace and is self directed.

Food and Drink Policy

Food is not permitted in classroom. Non-alcoholic beverages are allowed in the classrooms in the Scallon and Olsen buildings in non-disposable, sealed containers. Food and beverages are not permitted in the Library, the Computer Labs, or in the lower level of the Health Center.

Withdrawal Policy

A student has the first five (5) days to drop or add a course. The appropriate form for dropping or adding a course is available in the registrar's office.

After five days, a student wishing to drop a course must obtain a drop form to withdraw from the class. The student must complete the form and obtain the instructor's signature. The policy for withdrawal is as follows:

1. Withdrawal before the end of week 7 = "W" on transcript
2. Withdrawal between weeks 7 – 9 with a passing grade = "WP" on transcript
3. Withdrawal between weeks 7 – 9 with a failing grade = "WF" on transcript
4. Withdrawal after week 9 regardless of performance = "WF"

A "WF" will be computed as a failing grade in the quarter and cumulative grade point average calculations.

Academic Integrity

Students are expected to do their own work and refrain from cheating, copying or plagiarizing the work of others. Academic dishonesty is a serious offense that weakens the quality of the doctor of chiropractic degree program and compromises the safety of chiropractic patients who depend on the integrity of chiropractic educational programs, chiropractic interns and doctors of chiropractic.

Academic Dishonesty includes but is not limited to:

1. **Cheating** – intentionally utilizing someone else’s work, exam answers or other materials as one’s own. Unauthorized exchange of information during an exam.
2. **Fabrication** – intentional falsification of information on class assignments or presentations
3. **Facilitating Academic Dishonesty** – knowingly assisting others commit an act of academic dishonesty
4. **Plagiarism** – knowingly using or representing the ideas, words or work of another as one’s own
5. **Unauthorized possession of exams**

Available Support Services

1. **Accommodations**
Students with disabilities must provide the instructor with the official disability verification from the Office of Student Services.
2. **Learning Resource Center**
Sherman College of Straight Chiropractic maintains an excellent library. Contact the director of learning resources or library assistant for information or assistance in locating a learning resource.
3. **Computer Center**
The college computer center maintains a number of on-line databases for student research needs. Contact the director of learning resources or the computer lab assistant for information and assistance.
4. **Tutoring**
The college offers no-cost tutoring for most classes. Contact the registrar to schedule tutoring services.

Bibliography

- Fishman, S., Choosing the Best Legal Entity for Your One-Person Business, Nolo Press, Berkeley, 2001
- Foreman, Stahl and Sportelli, Medical-Legal Issues in Chiropractic, Practicemakers Products, Inc., 2000
- Steingold, F. Buying a Business: Legal and Practical Steps, Nolo Press, Berkeley, 2000
- Scott, R. Health Care Malpractice: A Primer on Legal Issues for Professionals, McGraw-Hill, 1998
- Zobel and Rous, Doctors and the Law: Defendants and Expert Witnesses, Norton, 1993

Syllabus Update

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