



Department: Nursing
Course Title: Legal and Ethical Issues for Nurses
Section Name: RNSG 1146
Semester: Fall 2013
Time: Online Course
Classroom: Online Course

Instructor: Sandra Shaw MSN, RN
Email: sshaw@odessa.edu
Office: CT213
Phone: 432-335-6670
Office Hours: Monday, Wednesday, Thursday 12-1pm

Course Description:

Study of the laws and regulations related to the provision of safe and effective professional nursing care; attention given to the development of a framework for addressing ethical issues; and topics to include confidentiality, the Nursing Practice Act, professional boundaries, ethics, and health care legislation

Required Texts:

Guido, Ginny (2006). Legal & Ethical Issues in Nursing. (5th Ed.) Pearson Prentice Hall: New Jersey. ISBN-13: 978-0-13-507998-0

Texas Nursing Practice Act - May be purchased in Odessa College Bookstore or may be found on line at <http://www.bon.state.tx.us/> effective September 2007

Description of Institutional Core Objectives (ICO's)

Given the rapid evolution of necessary knowledge and skills and the need to take into account global, national, state, and local cultures, the core curriculum must ensure that students will develop the essential knowledge and skills they need to be successful in college, in a career, in their communities, and in life. Therefore, with the assistance of the Undergraduate Education Advisory Committee, the Coordinating Board has approved guidelines for a core curriculum for all undergraduate students in Texas.

Through the application and assessment of objectives within the institution's core curriculum, students will gain a foundation of knowledge of human cultures and the physical and natural world; develop principles of personal and social responsibility for living in a diverse world; and advance intellectual and practical skills that are essential for all learning. Appropriate Odessa College faculty periodically evaluates all of the courses listed in the descriptions on the following pages of this catalog and keys them to Odessa College's Institutional Core Objectives (ICOs), as defined by the Texas Higher Education Coordinating Board (THECB). (Source: *Odessa College Catalog of Courses 2012-2013*, page 73)

Odessa College's Institutional Core Objectives (ICOs):

- 1) *Critical Thinking Skills* - to include creative thinking, innovation, inquiry, and analysis, evaluation and synthesis of information
- 2) *Communication Skills* - to include effective development, interpretation and expression of ideas through written, oral and visual communication
- 3) *Empirical and Quantitative Skills* - to include the manipulation and analysis of numerical data or observable facts resulting in informed conclusions
- 4) *Teamwork* - to include the ability to consider different points of view and to work effectively with others to support a shared purpose or goal
- 5) *Personal Responsibility* - to include the ability to connect choices, actions and consequences to ethical decision-making
- 6) *Social Responsibility* - to include intercultural competence, knowledge of civic responsibility, and the ability to engage effectively in regional, national, and global communities

Learning Outcomes for RNSG 1146 (Source: *Odessa College Catalog of Courses*)

Outcome	ICO
LIST LEARNING OUTCOMES HERE THAT WILL ALIGN WITH ICO'S	<i>Critical Thinking Skills</i> - to include creative thinking, innovation, inquiry, and analysis, evaluation and synthesis of information
	<i>Communication Skills</i> - to include effective development, interpretation and expression of ideas through written, oral and visual communication
	<i>Empirical and Quantitative Skills</i> - to include the manipulation and analysis of numerical data or observable facts resulting in informed conclusions
	<i>Teamwork</i> - to include the ability to consider different points of view and to work effectively with others to support a shared purpose or goal
	<i>Personal Responsibility</i> - to include the ability to connect choices, actions and consequences to ethical decision-making
	<i>Social Responsibility</i> - to include intercultural competence, knowledge of civic responsibility, and the ability to engage effectively in regional, national, and global communities

Comment [RJ1]: List an OUTCOME for the courses. What will your students be able to know and do at the end of the course as that activity relates to the ICO's? NOTE: not all ICO's have to be addressed in one specific course. Conceptually, all ICO's must be covered throughout a program.

Odessa College Policies

Academic Policies

Note that the OC Student Handbook states (page 32) that “[i]n cases of academic dishonesty, the instructor has the authority to impose appropriate scholastic penalties. Complaints or appeals of disciplinary sanctions may be filed in accordance with the college due process procedure. Copies of the college due process procedure are available in the office of The Director of Student Life (CC104).”

For more information on your rights and responsibilities as a student at Odessa College, please refer to the following: *The 411 of OC: Student Handbook 2012-2013; Student Rights & Responsibilities*

<http://www.odessa.edu/dept/studenthandbook/handbook.pdf>

Scholastic Dishonesty

Scholastic dishonesty shall constitute a violation of these rules and regulations and is punishable as prescribed by board policies. Scholastic dishonesty shall include, but not be limited to, cheating on a test, plagiarism and collusion.

"Cheating on a test" shall include:

- Copying from another student's test paper
- Using test materials not authorized by the person administering the test.
- Collaborating with or seeking aid from another student during a test without permission from the test administrator.
- Knowingly using, buying, selling, stealing or soliciting, in whole or in part, the contents of an unadministered test.
- The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test.
- Substituting for another student, or permitting another student to substitute for one's self, to take a test.
- Bribing another person to obtain an unadministered test or information about an unadministered test.
- "Plagiarism" shall be defined as the appropriating, buying, receiving as a gift, or obtaining by any means another's work and the unacknowledged submission or incorporation of it in one's own written work.
- "Collusion" shall be defined as the unauthorized collaboration with another person in preparing written work for fulfillment of course requirements. (Source: *Odessa College Student Handbook 2012-2013, page 29-30*)

Special Populations/Disability Services/Learning Assistance

Odessa College complies with Section 504 of the Vocational Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. If you have any special needs or issues pertaining to your access to and participation in this or any other class at Odessa College, please feel free to contact me to discuss your concerns. You may also call the Office of Disability services at 432-335-6861 to request assistance and accommodations.

Odessa College affirms that it will provide access to programs, services and activities to qualified individuals with known disabilities as required by **Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (ADA)**, unless doing so poses an undue hardship or fundamentally alters the nature of the program or activity. Disabilities may include hearing, mobility or visual impairments as well as hidden disabilities such as chronic medical conditions (arthritis, cancer, diabetes, heart disease, kidney

disorders, lupus, seizure disorders, etc.), learning disabilities or psychiatric or emotional disabilities. A student who comes to Odessa College with diagnosed disabilities which may interfere with learning may receive accommodations when the student requests them and submits proper documentation of the diagnosis. A Request for Accommodations form and guidelines for beginning the request process are available in the OC Help Center or on the Odessa College web site at www.odessa.edu/dept/counseling/disabilities.htm. The college strives to provide a complete and appropriate range of services for students with disabilities such as assistance with testing, registration, information on adaptive and assistive equipment, tutoring, assistance with access and accommodations for the classroom where appropriate. For information regarding services, students with disabilities should contact the Office of Disability Services in the OC Help Center located in Room 204 of the Student Union Building or call 432-335-6433. (Source: *Odessa College Catalog of Courses 2012-2013*, page 52)

Dropping a Course or Withdrawing from College

Students wishing to drop a non-developmental course may do so online using WebAdvisor, at the Wrangler Express, or Registrar's Office. A student wishing to drop a developmental course or withdraw from college should obtain a drop or withdrawal form from the Wrangler Express or the Registrar's Office. Students are encouraged to consult with instructors prior to dropping a class. Students may not completely withdraw from the college by use of the Web. Students must drop a class or withdraw from college before the official withdrawal date stated in the class schedule. Students who are part of the Armed Forces Reserves may withdraw with a full refund if the withdrawal is due to their being ordered into active duty. A copy of the student's orders must be presented to the Registrar's Office at the time of the withdrawal. For details, please contact the Office of the Registrar. **No longer attending class does not automatically constitute withdrawal from that class, nor does a student's notification to an instructor that the student wishes to be dropped. Failure of a student to complete the drop/withdrawal process will result in a grade of "F."** (Source: *Odessa College Catalog of Courses 2012-2013*, page 36)

Learning Resource Center (LRC; Library)

The Library, known as the Learning Resources Center, provides research assistance via the LRC's catalog (print books, videos, e-books) and databases (journal and magazine articles). Research guides covering specific subject areas, tutorials, and the "Ask a Librarian " service provide additional help.

Student Success Center (SCC)

Located in the LRC, the Student Success Center (SSC) provides assistance to students in meeting their academic and career goals. We strive to provide new and updated resources and services at no charge to OC students. Academic support services include tutoring, study skills training, workshops, and the mentoring program. Tutoring is available for a variety of subjects including college mathematics, English, government, history, speech, chemistry, biology, and all developmental coursework. Appointments are preferred, but walk-ins will be served as soon as possible. Smarthinking online tutoring is also available. All computers in the center have Internet access, Microsoft Office, and software resources to assist OC students in improving their reading, writing and mathematical skills. The center also offers special assistance to students preparing for the THEA/COMPASS test. Computer lab assistants are available to assist students with student email, Blackboard, OC portal, Course Compass and more. For more information or to make an appointment, please call 432-335-6673 or visit www.odessa.edu/dept/ssc/ (Source: *Odessa College Catalog of Courses 2012-2013*, page 54)

Student E-mail

Please access your Odessa College Student E-mail, by following the link to either set up or update your account: <http://www.odessa.edu/gmail/>. **Correspondence will be submitted using your Odessa College email as an alternative method to contact you with information regarding this course.**

Technical Support

For Blackboard username and password help and for help accessing your online course availability and student email account contact the Student Success Center at 432-335-6878 or online at https://www.odessa.edu/dept/ssc/helpdesk_form.htm.

Expectations for Engagement – Face to Face Learning

To help make the learning experience fulfilling and rewarding, the following Expectations for Engagement provide the parameters for reasonable engagement between students and instructors for the learning environment. Students and instructors are welcome to exceed these requirements.

Reasonable Expectations of Engagement for Instructors

1. As an instructor, I understand the importance of clear, timely communication with my students. In order to maintain sufficient communication, I will
 - provided my contact information at the beginning of the syllabus;
 - respond to all messages in a timely manner through telephone, email, or next classroom contact; and,
 - notify students of any extended times that I will be unavailable and provide them with alternative contact information (for me or for my supervisor) in case of emergencies during the time I'm unavailable.
2. As an instructor, I understand that my students will work to the best of their abilities to fulfill the course requirements. In order to help them in this area, I will
 - provide clear information about grading policies and assignment requirements in the course syllabus, and
 - communicate any changes to assignments and/or to the course calendar to students as quickly as possible.
3. As an instructor, I understand that I need to provide regular, timely feedback to students about their performance in the course. To keep students informed about their progress, I will
 - return classroom activities and homework within one week of the due date and
 - provide grades for major assignments within 2 weeks of the due date or at least 3 days before the next major assignment is due, whichever comes first.

Reasonable Expectations of Engagement for Students

1. As a student, I understand that I am responsible for keeping up with the course. To help with this, I will
 - attend the course regularly and line up alternative transportation in case my primary means of transportation is unavailable;
 - recognize that the college provides free wi-fi, computer labs, and library resources during regular campus hours to help me with completing my assignments; and,

- understand that my instructor does not have to accept my technical issues as a legitimate reason for late or missing work if my personal computer equipment or internet service is unreliable.
2. As a student, I understand that it is my responsibility to communicate quickly with the instructor any issue or emergency that will impact my involvement with or performance in the class. This includes, but is not limited to,
- missing class when a major test is planned or a major assignment is due;
 - having trouble submitting assignments;
 - dealing with a traumatic personal event; and,
 - having my work or childcare schedule changed so that my classroom attendance is affected.
3. As a student, I understand that it is my responsibility to understand course material and requirements and to keep up with the course calendar. While my instructor is available for help and clarification, I will
- seek out help from my instructor and/or from tutors;
 - ask questions if I don't understand; and,
 - attend class regularly to keep up with assignments and announcements.

Institutional Calendar Fall 2012 (8/27-12/14)

Fall 2013 (8/26/13-12/14/13)

NOTE: College business offices are closed from Wed., Nov 27 through Sun., Dec 1.

FALL & SPRING BUSINESS HOURS :

Wrangler Express Center: M-Th: 7:30 am-7 pm; Fri: 7:30 am-5 pm; Sat: 9 am-noon

Other offices: M-Th: 8 am-5:30 pm; Fri: 8 am-1 pm

Classes Begin.....	Aug 26 (Mon)
Late Registration & Schedule Changes (Add/Drop):	
On the Web (5 am to Midnight, 7 days a week).....	Aug 26-27 (Mon-Tues)
In Person (See Business Hours Above).....	Aug 26-27 (Mon-Tues)
Holiday (Labor Day – Offices closed except for Wrangler Express – No Classes).....	Sep 2 (Mon)
Census Day.....	Sep 11 (Wed)
Last Day to Drop or Withdraw with a “W” (1st eight week courses).....	Oct 4 (Fri)
First Eight Weeks End.....	Oct 18 (Fri)
Second Eight Weeks Begin.....	Oct 21 (Mon)
Deadline for Fall Degree Application.....	Nov 1 (Fri)
Last Day to Drop or Withdraw with a “W” (full semester length courses).....	Nov 12 (Tues)
Last Day to Drop or Withdraw with a “W” (2nd eight week courses).....	Nov 26 (Tues)
Student Evaluation of Instruction Survey Available Online.....	Nov 18-22 (Mon-Fri)
Thanksgiving Holiday (begins 9 pm Tues, Nov 26).....	Nov 27-30 (Thurs-Sat)
Last Class Day.....	Dec 7 (Sat)
Final Exams.....	Dec 9-12 (Mon-Thurs)
End of Semester.....	Dec 12 (Thurs)
Fall Graduation.....	Dec 14 (Sat)
College Offices Closed.....	Dec 21-Jan 5 (Sat-Sun)

Course Policies

Nursing Student Handbook:

Students must follow the policies in the Nursing Student Handbook. The Handbook is available on the Odessa College home page (www.odessa.edu) under the Nursing Department. Individual copies may be made available to students on request in the Nursing Office.

Exam Question Policies:

Any student who wishes to challenge an exam question must do so within a week of the exam. No test question challenges are permitted on the final exam.

Course Calendar:

The course calendar is also available in the “Syllabus” link on Blackboard. It is advisable for the student to place the assignment dates from the Course Calendar on your regular calendar as a reminder as to when assignments for this course are due. Calendar and weekly assignments are posted on Blackboard.

Disclaimer

This syllabus is tentative and subject to change in any part at the discretion of the instructor. Any changes will be in accordance with Odessa College policies. Students will be notified of changes, if any, in timely manner.

Original Effort

The work submitted for this course must be original work prepared by the student enrolled in this course. Efforts will be recognized and graded in terms of individual participation and in terms of ability to collaborate with other students in this course.

Course prerequisites

RNSG 1443 (Source: *Odessa College Catalog of Courses 2012-2013, page 178*)

Course Alignment with Industry Standards: The Differentiated Essential Competencies (DECs) is the third generation of Texas Board of Nursing (BON) education competencies with differentiation based upon the education outcomes of three levels of pre-licensure nursing education programs. They were written with input from the BON Advisory Committee for Education (ACE) with input from nursing programs, nursing organizations, affiliating agencies, employers, and other stakeholders. The 2010 revision incorporates concepts from current literature, national standards, and research. The DECs were designed to provide nursing education to for curriculum development and revision and for effective preparation of graduates who will provide safe, competent, compassionate care. The DECS outline knowledge, clinical behaviors, and judgments necessary to meet the essential competencies, but it is acknowledged that all competencies can be evaluated upon graduation.

As a Member of the Profession:

1. Utilize critical thinking to assess the nurse's legal scope of practice in relationship to policies, procedures, and delegation of medical acts (PO 1)
2. Determine professional characteristics, communication techniques, and management skills which maintain professional boundaries. (PO 2)

As a Provider of Patient-Centered Care:

3. Discuss how professional standards of practice, professional ethics, and professional characteristics and values provide safe, compassionate and effective care for patients and their families. (PO 8)
4. Determine delegation and supervision strategies which provide safe, compassionate, and effective care for patients and their families. (PO 8)

As a Patient Safety Advocate:

5. Examine the Texas Nursing Practice Act and Board of Nursing rules to determine nursing practices which provide safe care for patients. (PO 13)

As a Member of the Health Care Team:

6. Distinguish the role and responsibility of the nurse in maintaining public safety and welfare in conjunction with other members of the health care team (PO 20)
7. Analyze the nurse's responsibility in maintaining patient confidentiality when working with other members of the health care team. (PO 21)

Digital Protocol

Cell phones must be placed on either *vibrate* or *silent* mode and are to be accessed in emergency cases

only. The use of laptops or any other digital device is permitted in order to facilitate note-taking relative to instruction. Any written assignments will be submitted electronically on Blackboard. **The electronic recording of the time on Blackboard will be considered the time of assignment submission. Take necessary steps to ensure that your assignments are submitted on “Blackboard” time.** Back-up and/or additional copies of all assignments submitted is encouraged. **Computers/printers are available to OC students in the LRC (301-303); therefore, not having access to a computer due to technical issues (crash; corrupted files) will not be considered as an acceptable reason for not completing assignments.** If there is a loss of server connection with Odessa College due to maintenance, then an email will be sent to student with pertinent information and status reports. Assignments submitted electronically need to be **WORD documents (doc or docx).**

Attendance Policy

This is an on-line course using Blackboard. Basic computer skills are required for this course. Students needing assistance with Blackboard should contact the Blackboard help desk at 432-335-6781. Textbook assignments, on-line discussion, on-line testing and various on-line assignments may be used in this course. *The Final Exam Must Be Taken In A Computer Classroom at Odessa College With An Instructor.*

AVID

This course has been identified as a course by Career, Technical, and Workforce Education as one in which teaching and learning strategies adopted by AVID will be implemented. As a student in the legal program, you will be expected to develop an understanding of the strategies, to model the strategies, to maintain fidelity of implementation, and to examine how these strategies may impact your effectiveness as a professional in your chosen area of occupation, either through coursework or practicum experience as outlined by the course instructor.

Grading Policy.

No assignment is optional. All work must be submitted in order to earn a grade for the assignment unless the student has made prior arrangements with the instructor to receive a grade of “I”, Incomplete or “W”, withdrawal. Assignments are due on or before 11:59pm Central Time (Odessa College observes daylight savings time) on the due date. Late assignments will be graded 10 points off for each day, including weekends, that the assignment is late. No assignments will be accepted after midnight the Monday of finals week. *Assignments must be submitted as Microsoft Word documents unless otherwise specified (such as discussion questions on Blackboard). Files submitted in any other format will be returned to the student and not graded until submitted in the correct format. Late penalties will apply to documents not submitted in this format.*

The Mid-Term Exam and the Final Exam cannot be made up without arrangements being made with the instructor before the date(s) of the exams.

The final exam must be taken on campus with an instructor during the assigned time finals week. Picture ID is required for admission. *No electronic devices, not limited to but including mobile phones, iPods, MP3 players, or scanning devices, are allowed in the classroom during the final exam.*

On-line discussion must relate to course topics and should not be a forum for personal conversations. On-line discussions containing items of a personal nature will receive a grade of “0”. Any derogatory statements addressed towards the opinions of classmates during on-line discussions will also result in a grade of “0”.

Internet etiquette is expected in all postings, discussions, and emails. Please remember that internet communications do not have non-verbal cues, and sarcasm, kidding, jokes, teasing, slang and/or other indirect do not generally come across on email as intended and can be taken by the recipient as very negative or rude. All caps (also known as flaming) should be avoided as this is considered shouting at someone. If you wish to emphasize a point, please use italics, an exclamation point, or underline. Points will be deducted from assignments, discussion boards that do not pay attention to internet etiquette. Emails to the instructor that do not follow internet etiquette will be dealt with in accordance with OC policy regarding student behavior. Case Studies are based upon actual disciplinary action cases from the Texas Board of Nursing website <http://www.bon.state.tx.us/disciplinaryaction/recentaction.html>

Grade Inquiry Policy

It is the responsibility of the individual taking this course to maintain accurate track of assignment submissions and grades. There will be opportunities during the semester to meet with the instructor to discuss your academic progress. Contact the instructor to schedule an appointment. Class time will not be used for grade inquiries. All grades are final.

Communication Plan

The best way to communicate with the course instructor is via email through Blackboard. Also, check in Blackboard regularly for announcements, including any changes in the course schedule due to instructor illness or conference attendance. Appointments with the instructor may also be scheduled.

General Course Requirements

1. Attend class and participate.
2. Contribute and cooperate with civility.
3. **Submit assignments on time. Late work will not be accepted. Medical and/or family circumstances that warrant an extension on assignments need to be presented to the instructor. Extensions will be allowed at the instructor's discretion.**

Grading Scale:

- “A” = 90-100
- “B” = 80-89
- “C” = 70-79
- “D” = 60-69
- “F” = 0-59

Incomplete Policy

An ‘Incomplete’ grade may be given only if:

1. The student has passed all completed work
2. If he/she has completed a minimum of 75% of the required coursework. A grade of an "I" will only be assigned when the conditions for completions have been discussed and agreed upon by the instructor and the student.

Overview of assignments

1. Mid-Term Exam	20%
2. Discussion Questions	15%
3. On-line Discussion Replies	15%
4. Case Studies	30%
5. Final Exam	20%
6. Total	100%

Schedule (Tentative and Subject to Change)

Date	Topic	Assignment
Week 1	Ethics	Chapter 1 Exercise 1.1
Week 2	Legal Concepts and the Judicial Process Anatomy of a Lawsuit	Chapter 2 Chapter 3
Week 3	Standards of Care	Chapter 4
Week 4	Tort Law Nursing Liability: Defenses	Chapter 5 Chapter 6
Week 5	Informed Consent and Patient Self-Determination	Chapter 7
Week 6	Documentation and Confidentiality Professional Liability Insurance	Chapter 8 Chapter 9
Week 7	Nurse Practice Acts, Licensure, and the Scope of Practice	Chapter 10
Week 8	Review	Final

TOPICAL OUTLINE AND UNIT OBJECTIVES:

Upon completion of this course the student will be able to meet the objectives of each of the following units:

CO = Corresponding Course Objective

Unit I. Introduction to Ethics

A. ETHICS

1. Distinguish law from ethics.(CO3)
2. Compare and contrast the three different ethical theories of deontology, teleology, and principalism. (CO3)
3. Define and apply to nursing practice the either ethical principles of autonomy, beneficence, nonmaleficence, veracity, fidelity, justice, paternalism, and respect for others. (CO3)

B. APPLICATION OF ETHICS IN NURSING PRACTICE SETTINGS

4. Examine professional codes of ethics. (CO3)
5. Analyze and apply decision-making models in resolving ethical dilemmas, with specific application of the MORAL model. (CO2, 3)
6. Analyze the role of advocacy from an ethical perspective. (CO2, 3)

Unit II. Introduction to the Law and the Judicial Process

A. LEGAL CONCEPTS AND THE JUDICIAL PROCESS

1. Define the term law and describe four sources from which law is derived, including constitutional, statutory, administrative, and judicial (decisional) law. (CO1)
2. Define classifications of law including common, civil, criminal, public, and private law. (CO1)
3. Distinguish between substantive law and procedural law, and state why each is Important to professional nursing. (CO1)
4. Discuss due process and equal protection of the law. (CO1)

B. ANATOMY OF A LAWSUIT

5. List and explain the purpose of the six procedural steps in the trial process. (CO1)
6. Examine alternate means of resolving controversies, including alternate dispute resolution, mediation, arbitration, and prelitigation panels. (CO1)

Unit III. Liability Issues

A. STANDARDS OF CARE

1. Define standards of care from a legal and a nursing perspective. (CO5)
2. Discuss the concept of the reasonably prudent nurse in defining standards of care. (CO5)
3. Describe the importance of standards of care to the individual nurse. (CO5)

B. TORT LAW

4. Distinguish negligence from malpractice. (CO1)
5. List the six elements of malpractice and give examples of each element in professional nursing practice, including ways to avoid or lessen the potential of future malpractice cases. (CO1)

C. NURSING LIABILITY DEFENSES

6. Define the term *defense* and give examples of defenses that may be used. (CO1)
7. Review the concept of statute of limitations. (CO1)
8. Examine the Good Samaritan laws and their relevance for health care deliverers.

(CO6)

D. INFORMED CONSENT

9. Define informed consent. (CO5)
10. Describe one's right to refuse consent for medical care. (CO5)

E. DOCUMENTATION AND CONFIDENTIALITY

11. Discuss purposes of the medical record. (CO6)
12. Analyze the concepts of:
 - a. Alteration of records
 - b. Retention of records
 - c. Ownership of the medical record
 - d. Access to medical records
 - e. Computerized charting. (CO6)
13. Describe important aspects of incident reports. (CO6)
14. Define and analyze applications of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). (CO7)

F. PROFESSIONAL LIABILITY INSURANCE

15. List elements common to all professional liability insurance policies and list and refute reasons given against having individual coverage. (CO6)

Unit IV. Impact of the Law on the Professional Practice of Nursing

A. NURSE PRACTICE ACTS, LICENSURE AND THE SCOPE OF PRACTICE

1. Define licensure, including mandatory, permissive, and institutional licensure. (CO6)
2. Discuss in detail and analyze the Texas Nursing Practice Act. (CO5)
 - a. The mission of the Texas Board of Nursing
 - b. The roles and functions of the BON
 - c. The role of the employer versus the role of the BON
 - d. The role of the Texas Legislature in relation to the state statutes that related to Nursing.
 - e. Use of a temporary permit to practice nursing.
 - f. The nurse licensure compact
 - g. Good professional character
 - h. Professional boundaries and violations
 - i. Supervision and roles of the LVN
 - j. Nurse's duty to the patient
 - k. Scope of practice
 - l. Six Step Decision Making Process
 - m. Peer Review
 - n. Safe Harbor
 - o. Whistleblower Protections
 - p. Mandatory Reporting
 - q. Differentiate between delegation, assignment, and supervision.
3. Define three separate issues concerning temporary staffing from the aspect of legal liability. (CO4)

B. ADVANCED NURSING PRACTICE ROLES

4. Outline the roles of advanced practice nurses.(CO4)

C. CORPORATE LIABILITY ISSUES AND EMPLOYMENT LAWS

5. Describe the doctrines of respondeat superior, borrowed and dual servant. (CO4)

D. NURSING MANAGEMENT AND THE NURSE-MANAGER

6. Analyze the concept of corporate liability, including the nurse-manager's role in

preventing such liability. (CO4)

7. Define three separate issues concerning staffing from the aspect of the nurse-manager's legal liability. (CO4)

E. DELEGATION AND SUPERVISION

8. Differentiate delegation from assignment. (CO4)
9. Discuss the concept of supervision in effective delegation and distinguish between direct and indirect supervision. (CO4)

F. FEDERAL LAWS: THE AMERICANS WITH DISABILITIES ACT OF 1990 AND THE CIVIL RIGHTS ACT OF 1991

10. Describe the various sections, necessary definitions, and intended purposes of the two acts. (CO3)

Unit V. Impact of the Law on Nursing in Selected Practice Settings

A. NURSING IN ACUTE CARE SETTINGS

1. Differentiate two types of restraints, and describe the difference between those restraints, including nursing management of the restrained patient. (CO5)
2. Describe the nurse's responsibility in medication errors and five means to avoid such errors. (CO5)
3. Analyze the potential liability for nurses when using technological advances and specialized equipment. (CO5)

B. NURSING IN AMBULATORY AND MANAGED CARE SETTINGS

4. Describe the area of ambulatory nursing, including its emergence, the role of risk management, and the focus on patient education in ambulatory nursing. (CO3)

C. COMMUNITY HEALTH SETTINGS

5. Describe legal responsibilities of community health nurses. (CO3)

D. LONG-TERM CARE SETTINGS

6. Discuss areas of professional liability in long-term care settings, including:
 - a. Falls and restraints
 - b. Quality care (CO3)