Tasmanian School of Business and Economics

BAA753
HEALTH ETHICS, LAW AND GOVERNANCE

Semester 2, 2018
Unit Outline

Professor David Greenfield and Dr Kathy Eljiz
CONTACT DETAILS

Unit coordinators

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Consultation hours: By appointment
# Contents

- **What is the Unit About?**
  - Unit Description 2
  - Intended Learning Outcomes 2
  - Alterations to the Unit as a Result of Student Feedback 3

- **How Will I be Assessed?**
  - Assessment Schedule 3
  - Assessment Details 3

- **What Learning Opportunities are There?**
  - Resources 6
  - Activities 7
  - Unit Schedule 9

- **Accreditation**
  - AACSB Accreditation 10
NOTICE

This Unit Outline refers to the *Unit Outline Essential Information* resource which includes information, policies and requirements relevant to this unit. You must read the Essential Information resource as it is considered part of this Unit Outline.

WHAT IS THE UNIT ABOUT?

Unit description

This unit provides students an opportunity to investigate the link between ethics, legislation and governance. The unit examines the need for ethics to inform legislation, the translation of that legislation into policy, then how policy is enacted through governance. The unit presents the fundamentals of health sector governance in a cross-disciplinary way by integrating legal, management, administration, social cultural and financial issues and policy perspectives. The ethical principles germane to clinical practice, research, and quality improvement processes will also be covered in the same applied fashion. Current issues will be examined including debates associated with Aboriginal health, end of life care, fertility, rationing of resources, involvement of community in decision making, regulation of clinical practices and risk management. Students will have opportunities to hear from experts across Australia and participate in industry case studies and analysis.

Intended Learning Outcomes

On completion of this unit, you will be able to:

1. Critically appraise health ethics and law requirements and formulate strategies to address these from a management perspective.

2. Evaluate governance structures, policy and processes with a comparative view to other jurisdictions.

3. Consider governance in the public and private sectors to provide accessible and equitable services.

4. Justify the role of governance for strategic objectives in health e.g. cost-effectiveness, quality and safety in care delivery through performance, collaboration and openness.

5. Critique the social and ethical considerations when managing health organisations.
Alterations to the unit as a result of student feedback

Students reported some overlap between Health, Law and Ethics and Public Sector Governance. The combination of the two subjects in this unit is in response to that feedback.

HOW WILL I BE ASSESSED?

<table>
<thead>
<tr>
<th>Assessment task</th>
<th>Date due</th>
<th>Percent weighting</th>
<th>Links to Intended Learning Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment Task 1:</td>
<td>Monday 30 July 2018, 2pm</td>
<td>40%</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>Critical Argument</td>
<td>AEST (Week 3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment Task 2:</td>
<td>Monday 27 August 2018,</td>
<td>40%</td>
<td>1, 2, 3, 4, 5</td>
</tr>
<tr>
<td>Case Study</td>
<td>2pm AEST (Week 7)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment Task 3:</td>
<td>Friday, 19 October 2018,</td>
<td>20%</td>
<td>3, 4, 5</td>
</tr>
<tr>
<td>Presentation</td>
<td>2pm AEDT (Week 13)</td>
<td></td>
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</tbody>
</table>

Assessment details

**Assessment Task 1: Critical Argument**

**Task description**

The electronic medical record (EMR) has been a revolution for healthcare organisations. However, the EMR has also enabled healthcare staff to access records of patients who they were not involved in their care (for example, family, friends, or other person). Considering this issue, you are to present a critical argument addressing the following questions:

1. Introduction.
2. Applying ethical principles, what assessment do you make of this situation? (10 marks. Sections 1-2)(approx. 800 words)
3. What are the legal and governance considerations, including the specific legislation relevant for your context, that impacts on the issue? (15 marks) (approx. 1,000 words)
4. What are the management responsibilities, structures and processes that need to be addressed, and what strategies do you recommend?
5. Conclusion.
6. Quality of presentation and academic writing (15 marks, sections 4-6) (approx. 1,200 words)

This assessment follows the Essay style in the AIHSM Writing and Presentation Style Guide.

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>A copy of the assessment criteria and marking scheme will be available through the Assessment area in MyLO.</td>
<td>Intended Learning Outcome: 1, 2, 3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Task length</th>
<th>3,000 words</th>
</tr>
</thead>
<tbody>
<tr>
<td>10% +/- word count. Any other variance will attract a penalty. The word count includes such items as headings, quotes and in-text citations. It does not include the any appendices, and reference list at the end of the assignment.</td>
<td></td>
</tr>
</tbody>
</table>

| Due by date | Monday 30 July 2018, 2pm AEST (Week 3) |

Assessment Task 2: Case Study

Task description: The health unit/department you are working in has been asked to prepare a proposal for a public-private partnership. Prepare a report outlining your assessment of the opportunity and risks associated with the legislative, governance and privacy requirements, and their potential impacts upon patients/communities, staff and continuity of services. The case study should specifically include:

1. Introduction.
2. Describe the organisational and service context, including relevant legislation applying to public-private partnerships for your state/territory.
3. Detail the governance arrangements and management strategy, identifying stakeholders and their roles and responsibilities. (15 marks, sections 1-3) (approx. 1,000 words)
4. Outline the opportunities and risks, explaining the potential impact for the managerial, service/clinical team and patient care levels, and required action to mediate any harm. (15 marks) (approx. 1,000 words)
5. Identify reporting arrangements to stakeholders internal and external to the organisation.
6. Prepare recommendations, specifying position accountability and timelines.

7. Conclusion.

8. Quality of presentation and academic writing (10 marks, sections 5-8) (approx. 1000 words)

This assessment follows the General Report style in the AIHSM Writing and Presentation Style Guide. Please note, the Executive Summary, while not having individual weighting for marking, is also included in the word count (approx. 150 words).

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Measures Intended Learning Outcome:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A copy of the assessment criteria and marking scheme will be available through the Assessment area in MyLO.</td>
<td>1, 2, 3, 4, 5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Task length</th>
<th>Description / conditions</th>
</tr>
</thead>
</table>
| 3,000 words | You are to prepare a presentation for the executive about a future challenge – drawn from the table in module six - facing your health service. The presentation should specifically include: Overview of the issue, potential risks and consideration of the issue from ethics, legal and governance perspectives. (6 marks, approx. 4 mins)  
  1. Explanation of proposed strategies, processes and activities to address the potential risks (10 marks, sections 1-2). (6 marks, approx. 4 mins)  
  2. Stakeholder communication plan. (3 marks, approx. 2 mins)  
  3. Oral presentation and referencing: embedded continuous voice presentation. (5 marks) |

| Due by date    | | Monday 27 August 2018, 2pm AEST (Week 7) |

This assessment follows the Presentations style in the AIHSM Writing and Presentation Style Guide. Please note, the max. 15 slides include the title page with the following information: the
WHAT LEARNING OPPORTUNITIES ARE THERE?

Required readings

There is no prescribed text or software for this unit. The learning materials of the unit will be drawn from publications, journal articles and other credible sources/websites. You will be able to access the learning materials through the Learning Hub section of the MyLO unit. Journal articles and other readings will be made available throughout the semester via MyLO.

Recommended readings

There is a set of recommended and supplementary readings available in the learning content section of MyLO.

In addition to the resources recommended above, you are also expected to be familiar with the key academic journals in the discipline from which useful insights may be derived. In particular, you are encouraged to review regularly the relevant papers that are published in:

Health Law Review
Journal of Health Law
Journal of Health, Safety and Environment
Journal of Contemporary Health Law and Policy
Journal of Law and Medicine
Journal of Mental Health Law
Medical Law Review
Useful websites include:

Australian Nation Audit Office: http://www.anao.gov.au


Australian Commission on Safety & Quality in healthcare: http://www.safetyandquality.gov.au


Australasian Legal Information Institute: https://www.austlii.edu.au/

Reading Lists
Refer to resources on MyLO.

Activities

Details of teaching arrangements

Master-class

There is an intensive one-day master-class incorporated into this unit. Master-classes are voluntary. They are designed to expose students to industry leaders in their field and are highly valued. The lecturers will employ a range of teaching techniques to foster participation and critical and applied thinking around the topic. There will be a particular emphasis on practical and problem-based-learning. Class discussions will begin with practice examples and then apply critical and theoretical reasoning to the
problems faced. Master-classes are not specifically designed to address the assessment tasks. The topics, format and guest lecturers will be announced early in the session.

The Master-class will be held on **Friday 17 August, 2018** at the Rozelle Campus, University of Tasmania, Sydney. Details of the class will be posted via MyLO once semester has started. Students should make arrangements to attend the Master-class as soon as possible.

**Online tutorials**

There will be online tutorials arranged around the learning modules. These will be held using the web conferencing facility available in MyLO and will be on nominated **Wednesday 5:00 pm AEST** (or ADST where applicable), except where this falls on a public holiday. Some tutorials may include a guest speaker whilst others will focus on an upcoming assessment. Whilst these are not compulsory and are recorded, in the event that no student attends the live session, the tutorial will be closed for that session. Low attendance will reduce the value of the discussion. Attendance allows you to ask any questions you have and receive an immediate response. The dates and times for these online tutorials can be found in the Study Schedule at the end of this unit outline.

**Specific attendance/performance requirements**

As the average study time recommended for a unit in the Master program is approximately 10 hours per week (though this can vary considerably from student to student), you might expect to devote around 130 hours during the semester. The master-classes represent 8 hours of this total. This means that the remaining time should be allocated to reading, participating in MyLO discussion forums, and completing assessment tasks.

In this unit, your active engagement will be monitored in the following way:

1. Attendance at online tutorials or downloading and listening to online tutorial recordings.

2. Online discussions, including introducing yourself.

If you do not demonstrate evidence of having engaged actively with this unit by completing these two activities by Week 4 of semester, your enrolment may be cancelled or you may be withdrawn from the unit.
## Unit schedule

<table>
<thead>
<tr>
<th>WEEK</th>
<th>WEEK BEGINNING</th>
<th>MODULE</th>
<th>ONLINE TUTORIAL (WEDNESDAY 5:00 PM)</th>
<th>DUE DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-Week</td>
<td>Monday 9 July</td>
<td>Orientation – log into MyLO and familiarise yourself with the unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Monday 16 July</td>
<td><strong>Module 1:</strong> An overview of healthcare ethics, law and governance</td>
<td><strong>Online tutorial 1:</strong> 5:00 pm AEST Wednesday 18 July</td>
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</tr>
<tr>
<td>2</td>
<td>Monday 23 July</td>
<td><strong>Module 2:</strong> Legislation</td>
<td><strong>Online tutorial 2:</strong> 5:00 pm AEST Wednesday 1 August</td>
<td><strong>Assessment 1:</strong> Monday 30 July 2pm AEST</td>
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<tr>
<td>3</td>
<td>Monday 30 July</td>
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<tr>
<td>4</td>
<td>Monday 6 August</td>
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<tr>
<td>5</td>
<td>Monday 13 August</td>
<td><strong>Module 3:</strong> Governance in healthcare</td>
<td><strong>Online tutorial 3:</strong> 5:00 pm AEST Wednesday 15 August</td>
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<tr>
<td><strong>MASTER CLASS Friday 17 August 2018</strong></td>
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<tr>
<td>6</td>
<td>Monday 20 August</td>
<td><strong>Module 3:</strong> Governance in healthcare</td>
<td></td>
<td><strong>Assessment 2:</strong> Monday 27 August 2pm AEST</td>
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<tr>
<td>7</td>
<td>Monday 27 August</td>
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<tr>
<td>8</td>
<td>Monday 17 September</td>
<td><strong>Module 4:</strong> The regulation of healthcare professionals</td>
<td><strong>Online tutorial 4:</strong> 5:00 pm AEST Wednesday 19 September</td>
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<tr>
<td><strong>MID-SEMESTER BREAK 3 – 7 September 2018 (INCLUSIVE)</strong></td>
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<tr>
<td>9</td>
<td>Monday 10 September</td>
<td><strong>Module 4:</strong> The regulation of healthcare professionals</td>
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<td>10</td>
<td>Monday 17 September</td>
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<tr>
<td>11</td>
<td>Monday 1 October</td>
<td><strong>Module 5:</strong> The rights of and involvement of patients and community</td>
<td><strong>Online tutorial 5:</strong> 5:00 pm AEST Wednesday 3 October</td>
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<td>12</td>
<td>Monday 8 October</td>
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<tr>
<td>13</td>
<td>Monday 15 October</td>
<td><strong>Module 6:</strong> Future challenges for health ethics, law and governance</td>
<td><strong>Online tutorial 6:</strong> 5:00 pm AEST Wednesday 17 October</td>
<td><strong>Assessment 3:</strong> Friday 19 October 2pm AEDT</td>
</tr>
</tbody>
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The Tasmanian School of Business and Economics (TSBE) is currently in the process of applying for business accreditation with the Association to Advance Collegiate Schools of Business (AACSB) – the lead program for accrediting business schools globally. AACSB seeks to connect educators, students, and business to achieve a common goal – to create the next generation of business leaders.

By joining AACSB and going through the accreditation process, TSBE is joining a global alliance committed to improve the quality of business education around the world, and to share the latest innovations in business education. Gaining Business Accreditation with AACSB is a multi-year process involving TSBE demonstrating our performance against the 15 accreditation standards.

Once complete, TSBE will join a select community of accredited business schools, with only 7% of all business schools globally having completed the AACSB process. This will further enhance the reputation of TSBE, and further enhance the global recognition of your qualifications. To find out more about AACSB click here.