

EXAMPLES OF DISCUSSION QUESTIONS:

Online Discussion Forum-Health Care Interactions

Describe an experience you had interacting with the health care system. What was your perception of the health care organization and/or providers who provided care in that situation? Team members should respond by discussing what changes could be made to improve the patient's experience and perceptions of care givers.

Online Discussion Forum-Health Care Workers Immunization Policy

This week we read *Jacobson v. Massachusetts*, a 1905 US Supreme Court case upholding a Massachusetts law requiring citizens to be vaccinated for smallpox. *Jacobson* is the first of many cases in which the Constitutional police powers are said to conflict with the individual rights of citizens. These cases and the article *An Epidemic of Meddling* demonstrated the significance of legal authority and delicate balance between collective and individual rights. Controversies surrounding vaccination are not new. In recent years, some states have passed laws regarding mandated vaccinations that reach beyond traditional boundaries (e.g. must have childhood vaccinations to enter school and/or daycare). For example, health care institutions have implemented policies mandating vaccination as a condition of employment for health care workers and others who interact with patients. While applauded by some constituencies, others believe these conditions/policies are an undue infringement on autonomy and other individual rights guaranteed by the U.S. Constitution. These questions have now been extended to the health care work place. Please read the scenario below and then participate in the discussion forum as assigned.

SCENARIO

Jordan is the administrator for Hill Clinic, a privately owned family clinic in Drakeville, Iowa. Persuaded by CDC alerts about the dangers influenza can pose to vulnerable patients, Jordan recently implemented the *Hill Clinic Policy on Influenza Vaccination for Health Care Personnel* [HERE](#). Below, each member of the team has been assigned a role/position to advocate for regarding the new Hill Clinic policy, as well as the position that person would likely take regarding the larger issue of mandating health care workers to be annually vaccinated against influenza.

INITIAL POSTS (Week 1): For Week 1 you are to review the content covered in this week's reading, lectures and class activities. Then review the attached Hill Clinic policy and think about how the person you are assigned to represent would respond, shortcomings or strengths of the policy that person would identify, legal, policy and ethical arguments they/or their representative can make, and reliable resources/authorities that support those positions and/or weaken the positions you don't agree with. You will then post an initial thread (in your team's discussion forum linked below), explaining who you are, explaining and supporting your person's position on the clinic policy and the larger issue of mandated influenza vaccinations for health care workers. Remember that you can refer to anything assigned or covered in class, as well as content you find in your own research. Be sure to cite to any sources you discuss and not to plagiarize. Post by the due date!

Roles are assigned by student Letter:

Student A --You are/represent Jordan the Clinic Manager who implemented the mandatory vaccination policy and is trying to convince employees, the board, and other stakeholders that this is the right thing to do.

Student B--You are/represent Alex a nurse who believes that vaccination is positive for society overall; but is concerned that the Clinic is overstepping by mandating employees to be vaccinated or lose their jobs.

Student C--You are/represent Skylar, a CNA who supports the requirement that healthcare workers should be vaccinated because it is best for patients and other employees--does not see what all the fuss is about.

Student D--You are/represent Jensen a clerk who works at the front desk doing patient intake/insurance and does not provide patient care. Jensen is into homeopathic and other natural approaches to health care. She has not been vaccinated because she does not want to be. She has read about the potential problems vaccines can cause and is worried people can catch the flu by having the vaccine injected, She told a co-worker "The decision to have a needle full of 'disease' put into your arm is a personal one that employees; not their employers, should make."

Student E--You are the facilitator this week. This week you are to post a welcome message, letting the team know you are the facilitator and establishing expectations (e.g. for the discussion members will try to review and/or post at least once a day etc.). You may want to set the stage for the next week's discussion by reminding the team the purpose for the discussion and/or sharing a relevant resource/current event that might be of interest to the group. In week 2 you should actively review the team member's initial posts and respond with relevant comments, questions, and resources etc. that might stimulate meaningful discussion and contribute to the team's learning. Point out what additional information may be needed and why it may be relevant to this scenario. Be sure to remind the team that they should focus not only on legal and policy arguments, but also considers ethical ramifications. You will lead the consensus discussion and post a final list of consensus recommendations about the Hill Clinic Mandatory Vaccination Policy. You will be graded based upon how well you complete your role as the facilitator.

TEAM DISCUSSION (Week 2): Read and respond to your team members' initial posts (reply to their threads) and be sure to respond to their comments to you and/or the facilitator or professor. I am looking for active discussion, not just posting to post. You are to have an ongoing and fully formed debate/discussion that addresses major issues/arguments from the perspective of your assigned roles. In the last two or three days of the discussion your facilitator will lead a team discussion regarding the policy itself and concerns raised by team members in the posts and responses to see if the team can come to consensus on a list of recommendations for how the policy could be amended to better meet the needs and concerns of all of the parties.

Remember that this is a two week discussion. The initial post is due by ___ pm CST on _____. The discussion should start as soon as possible and conclude by ___pm CST on _____. Your facilitator for this discussion forum is E.

Online Discussion Forum-Health Care Fraud & Abuse

We have spent the last few weeks focusing on health care fraud and abuse and corporate compliance. This exercise will allow you and your teammates to apply what you have learned about both topics.

FOR YOUR INITIAL POST (WEEK 1):

Team members A & D should do the following for your initial post--Find a court case decision or a current event that addresses an alleged violation of the Federal Anti-kickback Statute in a health care setting. For your initial post link to or share a copy of the case/article or hypothetical you chose and do the following: Identify the "parties" and other stakeholders; 2. Summarize the situation and include any material facts; 3. Describe the legal and/or ethical issues and any relevant statutes and/or regulations at play in the situation (may be more than just your assigned statute--for example is there an applicable state statute?); 4. Discuss the arguments made by the "parties"; 5. Conduct a legal analysis of the case by discussing how the requirements of the statute(s) apply/are not met; 6. Conduct an ethical analysis of the case; and 7. Share the outcome of the situation/case if known and explain whether or not you agree with the outcome--if not known explain what you think it should be and who and/or what if any additional information is needed.

Team members B & F should do the following for your initial post—Find a court case decision or a current event that addresses an alleged violation of the Stark Prohibition Against Self-Referral Act in a health care setting. For your initial post link to or share a copy of the case/article or hypothetical you chose and do the following:

Identify the "parties" and other stakeholders; 2. Summarize the situation and include any material facts; 3. Describe the legal and/or ethical issues and any relevant statutes and/or regulations at play in the situation (may be more than just your assigned statute--for example is there an applicable state statute?); 4. Discuss the arguments made by the "parties"; 5. Conduct a legal analysis of the case by discussing how the requirements of the statute(s) apply/are not met; 6. Conduct an ethical analysis of the case; and 7. Share the outcome of the situation/case if known and explain whether or not you agree with the outcome--if not known explain what you think it should be and who and/or what if any additional information is needed.

Team members C, G & H should do the following for your initial post—Find a court case decision or a current event that addresses an alleged violation of the Federal False Claims Act in a health care setting. For your initial post link to or share a copy of the case/article or hypothetical you chose and do the following: Identify the "parties" and other stakeholders; 2. Summarize the situation and include any material facts; 3. Describe the legal and/or ethical issues and any relevant statutes and/or regulations at play in the situation (may be more than just your assigned statute--for example is there an applicable state statute?); 4. Discuss the arguments made by the "parties"; 5. Conduct a legal analysis of the case by discussing how the requirements of the statute(s) apply/are not met; 6. Conduct an ethical analysis of the case; and 7. Share the outcome of the situation/case if known and explain whether or not you agree with the outcome--if not known explain what you think it should be and who and/or what if any additional information is needed.

Facilitator E is responsible for the following:

1. Your initial post should be to let team members know you are the facilitator this week, welcome them to the discussion forum and provide a few comments to get the team going on the discussion exercise. You may, but are not required to, share an article, current event or other resource that will contribute to the Team's understanding of this Week's topic at any time; 2. During the discussion in the second week you should make an extra effort to ask questions or make probative comments to promote discussion and encourage meaningful team dialog; 3. Your primary mission this week is to actively promote substantive dialog between all team members and encourage critical thinking that will support the team's learning as well as your own; and 4. End the week with a brief summary of lessons learned from the discussion. 5. Your grade this week will be **based upon how you carry out your role as the week's facilitator.**



FOR YOUR TEAM DISCUSSION (WEEK 2):

With the assistance of your facilitator respond to your fellow students by discussing any ethical duties and analysis, policy considerations, and additional legal points you think arise in your team members' posts. Also, comment on things you find interesting about the case and advise the person who posted what the organization/agency should have done to detect and/or avoid the situation, what follow up needs to be done now and what should be done in the future from a compliance and/or other relevant perspective (e.g. compliance steps, contact an attorney to follow up on____, change your policies and procedures to _____). Remember that this is not just opinion, there should be a basis provided/sources cited to support your findings and recommendations. Feel free to refer to the compliance panel, supplement and/or share any related and/or relevant resources with the team.

RELEVANT EXAMPLE OF DISCUSSION FORUM RUBRIC:

Discussion Forum Rubric 75 points

Criteria	Levels of Achievement			
	Exceeds Expectations	Competent	Proficient	Needs Improvement
Critical Thinking 	15 Points Clear evidence of critical thinking application, analysis, synthesis, and evaluation; Postings are characterized by clarity of argument and depth of insight into theoretical issues, originality of treatment, and relevance; Sometimes includes unusual insights; and Argument and statements are well supported.	11 Points Beginning of critical thinking; Postings tend to address peripheral issues; Generally accurate, but could be improved with more analysis and creative thought; and Tendency to recite facts rather than fully address issues.	7 Points Overly simplistic, Very limited or poor critical thinking demonstrated; posts primarily address peripheral issues; Little if any analysis and creative thought is included; or Tendency to rely on opinion or unsubstantiated statements.	0 Points Minimal, if any, analysis or critical thinking.
Application 	20 Points Identifies and addresses issues; and demonstrates an advanced	15 Points Identifies most relevant issues; and Demonstrates the ability to	10 Points Recognizes basic issues in a given situation; and makes a limited	0 Points Identifies few (if any) basic issues and fails to connect lessons

Criteria	Levels of Achievement			
	Exceeds Expectations	Competent	Proficient	Needs Improvement
	ability to meaningfully apply theory, lessons learned and key course content to a given situation.	meaningfully apply course content to a given situation.	connection between the situation and course content.	or course content to respond to a given situation.
Structure , Writing & Required Components 	15 Points Posts are well organized, articulated and understandable; proof read with few or no errors in conventions of writing; and posts fully meet all aspects of the assignment.	11 Points Overall posts are well written and understandable; a few minor errors in conventions of writing; and Meets all aspects of the assignment- or at least in principle.	7 Points Overall posts are readable, but may be hard to follow or disorganized; multiple errors in conventions of writing that suggest the post was not proofread; or May be missing some aspect of the assignment.	0 Points Posts are unintelligible, difficult to read, and include multiple errors in writing conventions or organization; Do not meet one or more key aspect of the assignment; and/or the posts are not present.
Quality of Discussion 	25 Points Actively engaged in true discussion with the team multiple times over the course of the discussion week. Multiple posts to other students demonstrating that read fellow students' initial posts and responds to comments and questions on own initial post. Well-developed ideas,	18 Points Engaged with team discussion at multiple points in time. 2-3 well written questions/discussion posts to other students demonstrating that read their initial posts and responds to comments and questions on their own initial post. Developing ideas, comments and questions raised;	11 Points Seemingly not engaged in team discussion; most if not all discussion is very limited and done at the same time/on the same day; Poorly developed ideas which do not add much value to the discussion and appear to be offered just to meet the obligations of the assignment; does	0 Points Does not enter the discussion or attempt is so poor that there is no value added by discussion posts.

Criteria	Levels of Achievement			Needs Improvement
	Exceeds Expectations	Competent	Proficient	
	<p>comments and questions raised; introduces new ideas, and stimulates discussion; and follows ground rules and is respectful and supportive of fellow students.</p>	<p>contributes to overall discussion; generally in line with ground rules and respectful of fellow students.</p>	<p>not always follow ground rules or makes comments that are not respectful during discussion.</p>	