

Check Your Understanding

1. Discuss the importance of policy and procedure manuals in applying healthcare laws.
2. Write three appropriate interview questions and explain why they are appropriate.
3. Explain the steps in the progressive discipline process.
4. What are some examples of infractions that would result in immediate termination?
5. Differentiate between arbitration and mediation.

Case Study

Objectives

- Assess employment laws that impact healthcare particularly as they relate to the management functions of employees
- Develop an educational set of slides on employment laws that impact the management responsibilities of employees
- Develop a needs assessment and post-educational survey to deploy in order to assess the efficacy of the educational session regarding employment laws in healthcare

Instructions

Review the following scenario and create the appropriate deliverables.

Scenario

The HIM department of Memorial Hospital recently hired two new managers, a second shift supervisor and a day shift coding manager. During the hiring process, the HIM director realized that all HIM management staff needed a refresher course on the legal requirements that a manager must be familiar with in regard to employee hiring, training, discipline, and retention. The HIM director and the human resource consultant met and discussed the training needs of managerial employees in light of employment laws and their impact on the healthcare workforce. The HIM management team meets monthly to discuss pertinent topics and next month the HIM director is going to provide training on employment laws and how they impact the management of HIM employees.

Assumptions

- HIM management staff has not received previous training at this facility on the legal aspects of healthcare management.
- HIM management staff are always advised to consult with their human resource consultant if there are any legal issues involving HIM employees.
- The needs assessment results will suggest that HIM management staff require training on all employment laws covered in this chapter.
- The needs assessment and post-education survey will be created, but they will not actually be deployed. If the process were actually performed within an HIM department, the needs assessment would be performed, the training program would be created, and then a post-education survey would be performed to assess learning. There would be data to aggregate to assess pre- and post-learning.

Deliverables

1. Develop a needs assessment reflecting questions regarding the knowledge level of HIM staff in terms of employment laws and how they impact the management of HIM employees. The needs assessment must include one question regarding each of the laws covered in this chapter. The needs assessment should contain at least eight questions and responses to the questions should include a five-point response scale: 5 = Strongly Agree, 4 = Agree, 3 = Neutral, 2 = Disagree or 1 = Strongly Disagree. You may create other responses but make sure that you use a five-point scale.
2. Develop a set of slides to present at a training program that incorporates education on all of the employment laws discussed in this chapter and how they impact the management of HIM employees. The slide set should include:
 - Title slide
 - Learning objectives for the program
 - Six to eight content slides that include the particular law as well as examples of how the law impacts management of HIM employees
 - Summary slide
 - Reference slide to support your research or to provide sites for further research that may be required to fully complete this educational session
 - Each slide should contain notes pages on how the information on the slide will be presented to the audience; the information does not have to be in complete sentences but must clearly convey the intent of the slide without repeating the slide content.
3. Develop a post-education survey that addresses the topics covered within the educational program to be given to HIM management staff one month after the presentation. Use the same five-point scale that was incorporated within the needs assessment. The post-education survey should include at least eight questions.

Review Questions

1. Jennifer applied for a promotion within her department. During her interview for the new job, John, the department head, told Jennifer that if she agrees to have sex with him the promotion would be hers. For Jennifer, this may constitute an example of what type of sexual harassment?
 - a. Hostile work environment
 - b. Illegal discrimination
 - c. *Quid pro quo*
 - d. Statistical discrimination
2. Maryann resigned her position as transcription supervisor at Memorial Hospital in order to start her own transcription company. She does not have extra money to purchase health insurance, so elects to receive health benefits from Memorial's group health plan for the next six months. Maryann's request is covered under the:
 - a. Americans with Disabilities Act
 - b. Civil Rights Act of 1964
 - c. Consolidated Omnibus Budget Reconciliation Act
 - d. Fair Labor Standards Act