Syllabus GEY 5935 (Summer B 2018)
Ethical, Legal, and Business Aspects of Geriatric Care Management

Course Overview

GEY 5935 Ethical, Legal, and Business Aspects of Geriatric Care Management provides the student with an overview of the ethical and legal issues encountered in the practice of geriatric care management including informed consent, decision-making capacity, advanced directives, and the regulation and financing of long-term care. The course addresses issues associated with starting or advancing a geriatric practice including potential marketing entities, fees, billing, demographics and related topics.

Course Objectives

1. Identify business and professional ethics associated with geriatric care management;

2. Understand the legal structure of a business and risk management issues collaborative with the provision of geriatric care;

3. Explore the types of Geriatric Care Management businesses with respect to structure, location, and method of service delivery;

4. Examine the steps in a business planning paradigm including starting a new business or adding geriatric care management services to an existing practice, agency, or facility;

5. Investigate the aspects of a business plan for a new or existing geriatric care management practice with a focus on marketing, referral opportunities, insurance concerns, etc.;

6. Procure first-hand knowledge of working and practicing care managers for insight and feedback as to the approaches of geriatric care for consideration in one’s own business opportunities.

Required Textbooks

Jones and Bartlett, 2017

Legal Aspects of Elder Care by Marshall Kapp
Jones and Bartlett, 2010
Discussion Forums (4 Discussion Forums - 10 points each) 40 Points

The course Discussion Forum provides a venue to increase interaction and is used to replicate a traditional class (face to face) discussion. Students are expected to participate in four mandatory (asynchronous) Discussion Forums for which there will be an initial question(s) or topic posted on the Discussion Forum by the course instructor for each week. Students are required to review all four Discussion Forums as they are presented. Students then should post their initial response to the forum discussion topic for the assigned week by Wednesday, 11:00 pm ET of the week indicated on the course syllabus schedule (see below). Once you have posted your initial response to the opening question, you should then proceed to review the postings of your classmates and to respond to the postings of your classmates, just as you would in a traditional (face to face) class discussion. During the week, you should monitor the Discussion Forum in order to respond to the postings of the course instructor and your classmates. All responses to the discussion question among students will close on Sunday, 11:00 pm ET of the same week indicated on the course schedule (see below). The four Discussion Forum questions/topics are worth a maximum of 10 points per Discussion Forum for a total of 40 points. The Fourth Discussion Forum requires the student to post their PowerPoint presentation and to use that same presentation for their Individual Conference Reports. Discussion responses will be based on content, creativity, flow of ideas, personal or professional experiences (if any), and responses relative to the topic.

Note: Assessment of full participation will entail your instructor’s evaluation of both quality (subjective) and quantity (objective):

Quality: Posts should reflect thoughtful consideration of the material assigned as well as thoughtful responses to others' postings that extend or expand on the conversation and/or a personal or professional experience that furthers the discussions.

Quantity: Credit for full participation will be awarded to those who post both an individual response and subsequently respond to others’ postings in a timely manner for every discussion forum.

Geriatric Care Manager Interview Assignment 20 points

For the purpose of this assignment, students are required to interview two different Geriatric Care Managers within a reasonable distance of the student’s residence. It is encouraged that a face-to-face interview be conducted whenever possible. If a care manager is not within a reasonable distance, then a telephonic interview will be accepted. Instructions and guidelines for the interview are posted on the course homepage/start page. Due date is listed on your syllabus.
Your **Individual Conference Report** is in conjunction with this **Week 8 – Fourth Discussion Forum** posting as you are instructed to use the same PowerPoint presentation in your Conference Report and to post in the **Week 8 - Fourth Forum Discussion**. **Participants in the course are required** to present their PowerPoint Conference Presentation of their Geriatric Care Manager Interview Assignment in a live Conference Report Session. Additional information can be found on the course Home/Course Materials under **Individual Conference Reports**.

**Topics of Interest - Open Forum Conferences** *(2 conferences – 5 points each)* 10 Points

I wanted to take another opportunity for live interaction and to share your thoughts on some topics or situations through verbal interactions rather than in written form as in other Discussion Forums. There are two of them. One Open Conference Forum positioned in the middle of week three and the second Open Forum Conference is in the middle of week seven. Please refer to the link on the course Home Page called, **Topics of Interest – Open Forum Conferences**, to review the two topics we will cover this semester.

**Open Book Quiz** 20 Points

There will be one **Open Book Quiz**. The quiz will be all the chapter material covered through all weeks of both text books used in the course. The quiz consists of 20 multiple choice questions and 90 minutes is allotted to complete the quiz. Once your time is up, you will not be able to change any responses. You will have one opportunity to complete the quiz and you should use your text books as references and sources. The quiz date is listed in your syllabus. Please go to the **Quizzes** section of the course website. The quiz will be available during the time frame listed on your syllabus.

**NOTE:** The instructor can always be reached by the course email system. It is encouraged that this venue be used for questions specific to the student. There will be an open Q & A forum for any general questions regarding anything related to the course content, dates, assignments, etc. I encourage this format so that others might benefit by your questions and responses.

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## Course Schedule

**Week 1  July 9 - July 15**

**Topics**

- Ethical Conflicts Between the Client's Needs and the Client's Wants
- Ethical Conflicts Regarding Client Exploitation
- Conflicts Between the Client's Safety and the Client's Autonomy

**Assigned Reading**

- Legal Aspects of Elder Care - Chapters 1 & 2

**Additional Reading**

- Policing Ourselves: When a Colleague Violates Professional Standards of Ethics - Inside GCM
- On Competency and Capacity of Older Adults to Make Decisions (Links to an external site.)
- How Do We Balance Autonomy and Risk for Older Adults? - Dan Browning - Next Avenue - The question is not, ‘What do I let her do?’, but rather, ‘How do I support her?’
- Autonomy and Quality of Life for Elderly Patients. - AMA Journal of Ethics

**Presentations**

- Ethical Issues in Health Care - another look at ethical considerations from a medical perspective
- Elder Law - What Is A Loss Of Capacity? - Bridget Mackay - Attorney at Law

**Discussion Forum**

Please click on Week - 1 Discussion Forum "Welcome" and provide a brief summary as to how you became interested and involved in aging and adult services.

**Welcome Conference**

You are invited to the Welcome and Orientation Conference - Thursday, July 12, from 7 to 8 pm ET. We will review the syllabus, course content, assignments, due dates, required participation conferences, Canvas navigation and any questions or issues regarding the course. Please click the Conferences button to the left on the day and time listed and proceed to Welcome Conference. Click on the Welcome Conference tab and follow the directions to join. This would be a good time to review your audio capabilities as you will need to present information in a live conference starting with the First Open Forum Conference in Week 3.

**Online Content**

- Making an Ethical Decision: A practical tool for thinking through tough choices (Links to an external site.)
- Making and ethical decision: A practical tool for thinking through tough decisions - Markulla Center for Applied Ethics - Take a look at this and try out a scenario for yourself
Ethical Issues and the Elderly: Guidance for Eldercare Providers. - Mark R. Ensign, jd, cpa
Capacity and Competency Assessment in Older Adults: A Case Study Approach - 1:05 - Peter A. Lichtenberg, Ph.D., ABPP

Guardianship - Good discussion on Guardianship

Abuse and Exploitation - Aging Matters | NPT Reports.
It is estimated that one in ten adults over the age of 60 is a victim. But the truth is we don’t know for certain how many older adults are suffering from abuse. In the eighth edition of Aging Matters, Nashville Public Television explores the issues behind elder abuse, neglect and exploitation.

Next Week - Readings, Lectures, First Discussion Forum, Online Content

Week 2    July 16 - July 22
Topics
Legal status of older persons
Law and social values
Informed consent
Risk management implications
Legal aspects of death and dying
Legal interventions for incapacitated older persons
Artificial nutrition and hydration
Assisted Death
Euthanasia

Assigned Reading
Legal Aspects of Elder Care - Chapters 3 & 4

Additional Reading
Do You Hear the Alarm Bells? - Inside GCM
End of Life Care: An Ethical Overview - Center for Bioethics - University of Minnesota (the statistics have changed over time but I like the content and coverage of material)
Informed Consent. - American Cancer Society - Pretty good overview of medical informed consent
The Legal Issues of Death. - Thomas Rudy - Lawyer.com - Actually, it is the legal issues after death that they present and often not thought of by survivors
Artificial Nutrition and Hydration at the End of Life: Beneficial or Harmful? - Cheryl Arenella MD, MPH - American Hospice Foundation - This article will define and describe in a straightforward manner what each treatment is, when each treatment might be useful, when each treatment is not likely to be useful, and the known burdens, side effects and complications of each treatment.

Presentations
Risk Management    Lecture slide notes
Legal Aspects of Incapacity - 28 mins.
First Discussion Forum
Please click Week 2 - First Discussion Forum. Read and respond to the topic or questions provided. Initial responses are due by Wednesday, July 19 at 11:00 pm ET. Comments to other posts continue through Sunday evening. Please refer to your Discussions Forum section in your syllabus for suggestions for appropriate responses. This is a graded Discussion Forum.

Online Content
2016 Florida Statutes 744.331 (Procedures to Determine Incapacity)
What is Informed Consent and What does it Mean? from http://www.cancer.org/index
The Death Problem? - Alan Watts, Jason Silva
A rather unique perspective on life and death

Legal Link Eldercare Crisis Strikes
Next Week - Readings, Presentations, First Open Forum Conference, Online Content

Week 3  July 23 - July 29
Topics
Organizational principles
State practice acts
Reporting medical conditions
Older individuals and the right to privacy
Family care giving and confidentially
Family caregiver legal concerns
Family medical leave act
Elder mistreatment
Grandparents' rights
Kinship care
Assigned Reading
Legal Aspects of Elder Care - Chapters 6 & 8

Additional Reading
Family Care Contracts - Opportunities for Geriatric Care Managers and Our Clients
How HIPAA Interferes with Caregiving for the Elderly. By Carol Levine The Hastings Center
Privacy Framework for Older Adults - Garg, Vaibhav & Camp, L & Connelly, Katherine & Shankar, Kalpana & Lesa, Mae & Lorenzen-Huber. (2018). Privacy Framework for Older Adults. - The challenges of an aging population require the adoption of in-home and medical technologies to complement the traditional caregiver model. Adoption of such technology is, however, mediated by privacy concerns. (scroll down one page to get to narrative)
Presentations
These two videos might be a bit lengthy and not very exciting but I think they offer a good background to privacy law and perhaps the genesis of what might be know as HIPAA today. Take a listen and see if you find anything useful.
Information Privacy Law - 1 Origins of Privacy.

Script by Professor Randy Dryer, design by Aaron Dewald, University of Utah S.J. Quinney College (c) 2013

Information Privacy Law - 2 Reasonable Expectation of Privacy.

Script by Professor Randy Dryer, design by Aaron Dewald, University of Utah S.J. Quinney College (c) 2013

Elder Abuse: An Overview.

Topics of Interest - Open Forum Conference
This is the first of two Open Forum Conferences and participation is required as one of the course assignments for this semester. We will have two consecutive evenings, Tuesday, July 25 and Wednesday, July 26 and you only need to attend and present your thoughts on one of the two days. Click First Open Forum Conference Tuesday, July 25 & Wednesday, July 26 at 7 pm ET for the topics to be discussed in the conference. Participation in this Open Forum Conference is mandatory and worth a maximum of 5 points or 5% of your total grade.

Online Content
Grandparent Rights (State by State). - American Grandparents Association
Family and Medical Leave Act.

An Age for Justice: Confronting Elder Abuse in America - 16 minutes.
Next Week - Readings, Presentations, Second Discussion Forum, Online Content

Week 4    July 30 - August 5
Topics
Entrepreneurial risks
Types of geriatric care management businesses
Creating a business plan
Procedures and Forms
Business insurance
Hiring staff
Integrating a GCM business into another practice, business or agency
Models of geriatric care management
Marketing
Information packet
Professional consultants and associations
Financing a GCM business

Assigned Reading
Handbook for Geriatric Care Management - Chapters 13
Additional Reading

Integrating Care Management in Corporations

Ethical Dilemmas of Dual Practitioners

Who Is The Client? - Inside GCM


The association is focused on active aging—an approach to aging that helps older adults live as fully as possible within all dimensions of wellness (i.e., physical, social, environmental, vocational, intellectual, emotional and spiritual)—and provides its members with education, information, resources and tools.

Presentations

Starting and Expanding a Care Management

Lecture slide notes

Definition of a Geriatric Care Manager.

Second Discussion Forum

Please click Week 4 - Second Discussion Forum. Read and respond to the topic or questions provided. Initial responses are due by Wednesday, August 1 at 11:00 pm ET. Comments to other posts continue through Sunday evening. Please refer to your Discussions Forum section in your syllabus for suggestions for appropriate responses. This is a graded Discussion Forum.

Online Content

What is a Geriatric Care Manager?. - Senior Magazine Online

U.S. Small Business Administration (Links to an external site.) - https://www.sba.gov/

Risk Management Basics: What Exactly Is It?

Next Week - Readings, Presentations, Second Open Forum Conference, Online Content

Week 5 August 6 - August 12

Topics

Development of fee for service in GCM

Public not-for-profit and private settings

Critical success factors in adding a care manager to a nonprofit

Brief history of case management

Financial modeling

Fee-for-service in a not-for-profit setting

Not-for-profit, FFS program development challenges

Rebranding

Combining a PDHC agency and a care management practice

Assigned Reading

Handbook for Geriatric Care Management - Chapter 15 & 16
Additional Reading
Creative Care Management in a Non-Profit Setting
Managing Inquires and Intakes, Where Do We Start?

Presentations
Personal Histories: Models of Individual and Group Markets
Starting and Expanding a Care Management
Make a Timeline To Start Your Profitable Geriatric Care Management Business
- Jeff Bettencourt

Topics of Interest - Open Forum Conference
This is the second of two Open Forum Conferences and participation is required as one of the course assignments for this semester. Second Open Forum Conference Thursday, August 9 at 7 pm ET for the topics to be discussed in the conference. Participation in this Open Forum Conference is mandatory and worth a maximum of 5 points or 5% of your total grade.

Online Content
Customer Development and the Business Model Canvas.
Stanford University

How Geriatric Care Management Can Save You Money
Linda Fodrini-Johnson - MA, MFT, CMA

The New Idea Entrepreneurs.

Next Week - Readings, Lectures, Third Discussion Forum, Online Content

Week 6   August 13 - August 19
Topics
Strategic planning
Defining your niche
Marketing to the geriatric population
Creating a marketing strategy
Developing a strategic marketing plan
Brand development
Target audiences
Sales and marketing objectives
Positioning strategy
Selling and lead generation tactics
Communication strategy
Marketing goals
Setting yourself apart from competition

Assigned Reading
Handbook for Geriatric Care Management - Chapters 14 & 17

Additional Reading
Customer Relationship Management: An Overview of Five Best Practices - Inside GCM
Managing Your Business with Technology - Journal of GCM
Care Coordination Under the Affordable Care Act Opportunities and Challenges for Geriatric Care Managers - Journal of GCM
Niche Marketing - Small Business Encyclopedia

Presentations
Formally, National Association of Professional Geriatric Care Managers - now Aging Life Care AssociationTM

Branding Presentation - Hazel R. Tanilon

Third Discussion Forum
Please click Week 6 - Third Discussion Forum. Read and respond to the topic or questions provided. Initial responses are due by Wednesday, August 16 at 11:00 pm ET. Comments to other posts continue through Sunday evening. Please refer to your Discussions Forum section in your syllabus for suggestions for appropriate responses. This is a graded Discussion Forum.

Online Content
GCM: Business Customer Relationship Management - Marlene Dube
Working Cooperatively: Geriatric Care Managers and Elder Law Attorneys - Shannon Martin
More start-ups are targeting baby boomers. - Lauren Thomas, Aditi Roy - Published 11:06 AM ET Thu, 11 Aug 2016
Updated 11:56 PM ET Thu, 11 Aug 2016 - contributing Jill Silvestri - CNBC
Startup Business Plan - Marketing Strategy Section - Kathy VerEecke

Branding Your Business - Panel Discussion - Connect to Buy.
A bit dry but some good points - 41 minutes

Next Week - Readings, Lectures, Geriatric Care Manager Interview Assignment, Online Content

Week 7 August 21 - August 27
Topics
Private revenue sources for the fee-based care manager
Need versus demand in the private elder-care market

Is the demand for eldercare large enough to support fee-based eldercare professionals?

Basing a private eldercare business model on demographics: The reality of a need vs. demand-based revenue model

Funding sources for long-term care

Targeting specific groups and resources to grow a professional practice

Assigned Reading

Handbook for Geriatric Care Management - Chapter 18

Additional Reading

LifeCare Planning: Future Potential For GCMs - Lori Lomahan & Shay Jacobson.

Using a Person-Centered Approach to Improve Care Coordination Opportunities Emerging from the Affordable Care Act - Kathryn G. Kietzman, PhD, MSW - Journal of GCM - Journal of GCM - Fall 2012.

Giving Time Away & Marketing Your Practice - Preview the document - Carol S. Heape - MSW, CMC, practices care management in Placerville, CA.

GCM: Business Current Trends - Preview the document - By Jennifer Elizabeth Voorlas -Jennifer Voorlas, MSG is a geriatric care manager in the Southern California area working for Geriatric Care Management Solutions Inc, and the Brain Longevity Center.

Technology Managing Your Business? - Preview the document - By Lisa Moody - Lisa Moody is the Founder and President of JewelCode Corporation, which is a provider of professional care management software and associated technology services to members of NAPGCM.

Presentations

Future of Care Management Lecture slide notes

Market Size and Competition - Key Aspects of a Business Plan - docstock TV

Geriatric Care Manager Interview Assignment

Instructions: Please click on Inbox to go to the Canvas email system. Start a new email to the instructor and attach your interview assignment to the email. Should there be any issues, please inform your instructor.

This assignment is due on Tuesday, August 21 by 11:00 pm ET.

Online Content

Geriatric Care Management: 10 Points to Consider - After Fifty Living

Starting a Home Care Business. - Antony Cirillo

Is it worth paying an expert to help you navigate the health-care system?. - Joseph F. Coughlin, PhD - Published: Aug 12, 2016 2:59 p.m. ET - MarketWatch, Inc.

Next Week - Readings, Presentations, Conference Reports Begin, Online Content
Week 8   August 27 - September 2

Topics
The regulatory landscape
What is the relevance of a person's age?
Age discrimination in employment
Disability discrimination
Housing
Health care rationing
Voting
Discrimination in favor of older persons
Motivation for Care Management Credentialing
What is Credentialing?
History of Care Management Certification

Assigned Reading
Legal Aspects of Elder Care - Chapters 9 & 10
Handbook for Geriatric Care Management - Chapter 19

Additional Reading
What Does the GCM Do When Payment Becomes an Issue Without Abrogating Responsibilities to the Client? Preview the document- Dorothy Fried - Inside GCM
Termination Viewed Through an Ethical Lens - Stephanie Swerdlow - Stephanie Swerdlow has her Masters degree in Social Work and is a Fellow Certified Care Manager.

Presentations
What healthcare will look like in the year 2020 - Stephen Klesko - TEDx
Healthcare Rationing: Horror or Hope? - Emily Friedman

Fourth Discussion Forum
Please click Week 8 - Fourth Discussion Forum. Please note the presentation instructions and the initial posting times and requirements for this Discussion Forum as they are different from past Discussion Forums. Comments to other posts continue through Sunday of Week 9. Please refer to your Discussions Forum section in your syllabus for suggestions for appropriate responses. This is a graded Discussion Forum.

Individual Conference Reports
The intention for this assignment is for the student to present their PowerPoint interviews in an interactive, conference-style format. These informal presentations serve as an exercise in expressing your thoughts and ideas to friends and colleagues within an interactive and dynamic conference setting. The assignment is to review with the class your PowerPoint summary of your Geriatric Care Manager interviews on the evening you chose.

Individual Conference Reports begin on Wednesday, August 29 and continue on August 30, and August 31 (All evenings start at 7 pm ET). To join, click on Conferences tab to the left and click on the corresponding evening.
Please refer to Discussion Forum - Week 8 for additional information about posting and responding to your presentations. Remember that the Fourth Discussion Forum starts on August 29.

Contact your instructor should you have questions or concerns regarding this assignment.

Online Content
International Commission on Health Care Certification (ICHCC).
National Academy of Certified Care Managers (NACCM).
Aging Life Care Association (ALCA).
This is Not Your Parents' Aging Experience How Geriatric Care Managers Can Leverage Their Knowledge and Know-How and Network to Respond to Baby Boomer Trends - Claudia Cook Journal of GCM Fall 2012
With certification, Geriatric Care Managers hold a credential aimed at evoking confidence, confirming competence. - June Saunders - SeniorsMatter.com
Next Week - Conference Reports, Forth Discussion Forum continues, Open Books Quiz, Online Content

Week 9  September 3 - September 9
Happy Labor Day!

Fourth Discussion Forum Continues
Following the Labor Day weekend, we will continue to respond and comment in the Week 8 - Fourth Discussion Forum. Comments to other posts continue through Sunday evening. Please refer to your Discussions Forum section in your syllabus for suggestions for appropriate responses. This is a graded Discussion Forum.

Open Books Quiz
Quiz will be available starting Monday, September 3 and conclude on Sunday, September 9 at midnight. You will have 90 minutes to answer 20 multiple choice and true/false questions. Click on the Quizzes button on the left or use Open Books Quiz to access the quiz.

Semester Wrap-up Conference
Everyone is invited to the last Wrap-up Conference to review course content and materials covered, ease of use and quality of information, and any other aspect to the course you wish to share. All suggestions are welcome and attendance in this Conference is not mandatory and does not count in your overall grade but I do hope you get a chance to stop in. Conference will be held on Thursday, September 6, from 7 to 8 pm ET Click on the Conferences button on the left to join the Wrap-up Conference.

Online Content
What Makes a Website Effective .- Video - Online Marketing Fundamentals with Brad Batesole
Eight Predictions on the Future of Senior Care. - http://www.aplaceformom.com
Geriatric Care Manager Job Description. - Anthony Cirillo - verywell.com
As America Grays, A Call For Dignity In Aging and Elder Care
Click to view undefined   NPR RADIO Audio only
Steve Jobs Explains the Rules for Success.

**Recommended Readings:**

- Ellenberger, D and Ellenberger, C. Do you have the right to copy? The Journal of Legal Nurse Consulting, 2009;20.2 3-7.
- Kraus A. Before you leap: A start-up guide for the beginner. Part I: Do you have the soul of an entrepreneur? *GCMJ.* 1993; 3, 2-10.
- Brostoff, P and Stewart H. Basic components of private geriatric care management, Part II. Presented at: The National Association of Professional Geriatric Care Managers; October 14-17; Tucson, AZ.
- Zoss, M. Data Management & Security

**Academic Integrity**

Please review the University’s honor code at the following website: [http://www.dso.ufl.edu/judicial/honorcode.php](http://www.dso.ufl.edu/judicial/honorcode.php)

**Copyright Information**

Please also review the use of copyrighted materials, which can be found on the Health Science Center Library’s web page: [http://www.library.health.ufl.edu/services/copyright.htm](http://www.library.health.ufl.edu/services/copyright.htm)

**Make-up Exams or Other Work Policy**

Students are expected to submit a written request to the instructor for any work not completed.

**Accommodation Policy**

Students requesting classroom accommodation must first register with the Dean of Students’ office, 202 Peabody Hall, 392-1261. The DSO will provide documentation to the student who must then provide this documentation to the instructor.