Syllabus GEY 5935 (Summer B 2016)
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 opportunity
Required Textbooks

Jones and Bartlett, 2017

Legal Aspects of Elder Care by Marshall Kapp
Jones and Bartlett, 2010

Course Participation -- Discussion Forums 40 Points (Four Discussion Forums - 10 points each)

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, 7:00 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, 7:00 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 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**  
30 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.**

**Conference Report**  
10 Points

Your **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 ~ Forth Forum Discussion**. **Participants in the course are required to present their Power Point Conference Presentation of their Geriatric Care Manager Interview Assignment in a live Conference Session.** Additional information can be found on the course Home/Course Materials under **Conference Reports.**

**Open Book Quiz**  
20 Points

There will be one open book quiz. The quiz will be all the material covered through all of the text material covered in the course. The quiz consists of 20 multiple choice questions and one hour is allotted to complete the quiz. Once your hour 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 texts 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.

**Conferences Sessions**

Conference sessions will be available as indicated on the syllabus. It is possible for any student to request to open a Conference Session if scheduled with the instructor. There are no points assigned to the Conference Sessions **~ with the exception of Conference Reports ~** but your input and discussions are important in terms of real time content. It also gives us a chance to clarify and to discuss current issues or questions presented in the material or in a professional setting. While there may be a formal topic or speaker presentation I, or others, might also suggest a topic, article, or item for discussion. **Conferences Sessions are typically scheduled for Sunday evenings from 7 to 8 pm ET except during Conference Reports.** There is the availability and opportunity for other Conference Session arrangements based on the majority of student’s preferences.
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.

### Grading Scale

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### Course Schedule

#### Week 1  -  July 11- July 17

**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* - Inside GCM
- *Respect for Autonomy* - Alzheimer's Association
- *Autonomy and Quality of Life for Elderly Patients* - AMA Journal of Ethics

**Presentation Lectures**

- *Negotiating Ethical Problems*  [Lecture slide notes]
• Ethical Underpinnings of a Business

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
Welcome and Orientation Conference - Thursday, July 14th, from 7 to 8 pm ET. We will review the syllabus, course content, assignments, due dates, required participation, Canvas navigation and any questions or issues regarding the course. Please click the Conferences button and proceed to Welcome Conference and follow the directions to join. Note: I would suggest you visit at least one Conference Session before your assigned Conference reports at the end of the semester.

Online Content
• 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

Next Week Readings, Lectures, Discussion Forum, Online Content

Week 2 - July 18 - July 24
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
- Who Is The Client? - Inside GCM
- Informed Consent (Links to an external site.) - American Cancer Society - Pretty good overview of medical informed consent
- The Legal Issues of Death (Links to an external site.) - Thomas Rudy - Lawyer.com - Actually, it is the legal issues after death that they present and often not thought of by survivors

Presentation Lectures

- Risk Management [Lecture slide notes] Legal Aspects of Incapacity - 28 mins. (Links to an external site.)

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 20th at 7:00 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

- 2015 Florida Statutes 744.331 (Procedures to Determine Incapacity) (Links to an external site.)
- What is Informed Consent and What does it Mean? (Links to an external site.) from http://www.cancer.org/index (Links to an external site.)
- The Death Problem? - Alan Watts, Jason Silva (Links to an external site.)
  A rather unique perspective on life and death
- Legal Link Eldercare Crisis Strikes (Links to an external site.)

Next Week

Readings, Lectures, Online Content

Week 3 - July 25 - July 31

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 - Inside GCM
• How HIPAA Interferes with Caregiving for the Elderly (Links to an external site.) By Carol Levine The Hastings Center

Presentation Lectures
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 HIPAA

Information Privacy Law - 1 Origins of Privacy (Links to an external site.)
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 (Links to an external site.)
Script by Professor Randy Dryer, design by Aaron Dewald, University of Utah S.J. Quinney College (c) 2013
Elder Abuse: An Overview (Links to an external site.)

Conference Session
To be determined - Please continue to check your Inbox email and Announcements for the status of this conference.

Conferences are provided as an interactive and engaging learning experience. Conference for this week include the week's course content, topics and interest for discussion, review of the literature, individual interests, etc.

Attendance in this Conference is not mandatory and does not count in your overall grade. Conference will be held on Sunday, July 31st from 7 to 8 pm ET. Click on the Conferences button on the left and click on Week 3 Conference. Follow the directions to join.

Online Content
• Grandparent Rights (State by State) (Links to an external site.) - American Grandparents Association
Family and Medical Leave Act (Links to an external site.)
An Age for Justice: Confronting Elder Abuse in America - 16 minutes (Links to an external site.)

Next Week Readings, Lectures, Discussion Forum, Online Content
Week 4 - August 1 - August 7

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](#) - Inside GCM
- [Ethical Dilemmas of Duel Practitioners](#) - Inside GCM
- [Who Is The Client?](#) - Inside GCM

Presentation Lectures
- [Future of Care Management](#)  [Lecture slide notes](#)
- [Starting and Expanding a Care Management Practice](#)  [Lecture slide notes](#)

Definition of a Geriatric Care Manager (Links to an external site.)

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 3rd 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/ (Links to an external site.)
Risk Management Basics: What Exactly Is It? (Links to an external site.)

Next Week  
Readings, Lectures, Online Content

Week 5 - August 8 - August 14

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 - Inside GCM – Summer 2013
• Managing Inquiries and Intakes, Where Do We Start? - Inside GCM - Volume 24, Number 1 – Spring 2013

Presentation Lectures
• Personal Histories: Models of Individual and Group Markets [Lecture slide notes]
• Starting and Expanding a Care Management Practice [Lecture slide notes]

Online Content
Customer Development and the Business Model Canvas (Links to an external site.)
Stanford University
How Geriatric Care Management Can Save You Money (Links to an external site.)
Linda Fodrini-Johnson - MA, MFT, CMA
The New Idea Entrepreneurs (Links to an external site.)
Next Week Readings, Lectures, Discussion Forum, Online Content

Week 6  -  August 15 - August 21

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 (Links to an external site.) - Small Business Encyclopedia

Presentation Lecture
National Association of Professional Geriatric Care Managers - now Aging Life Care Association™ (Links to an external site.)
Branding Presentation (Links to an external site.) - Hazel R. Tanilon
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 17th 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.

Conference Session

Conferences are provided as an interactive and engaging learning experience. Conference for this week include the week’s course content, topics and interest for discussion, review of the literature, individual interests, etc.

Attendance in this Conference is not mandatory and does not count in your overall grade. Conference will be held on Sunday, August 21st from 7 to 8 pm ET. Click on the Conferences button on the left and click on Week 6 Conference. Follow the directions to join.

Online Content

- GCM: Business Customer Relationship Management - Marlene Dube
- Working Cooperatively: Geriatric Care Managers and Elder Law Attorneys - Shannon Martin

Startup Business Plan - Marketing Strategy Section - Kathy VerEecke (Links to an external site.)
Branding Your Business - Panel Discussion - Connect to Buy (Links to an external site.)
A bit dry but some good points - 41 minutes

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

Week 7 - August 22 - August 28

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 - Chapters 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
- Giving Time Away & Marketing Your Practice - Carol S. Heape
• "GCM: Business Current Trends" - By Jennifer Elizabeth Voorlas
• "Technology Managing Your Business?" - By Lisa Moody

Presentation Lecture

Future of Care Management [Lecture slide notes]
Market Size and Competition - Key Aspects of a Business Plan - docstock TV (Links to an external site.)

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 assignment report to the email. Should there be any issues, please inform your instructor.

The assignment is due on August 26th by 5:00 pm ET.

Online Content

Geriatric Care Management: 10 Points to Consider - After Fifty Living (Links to an external site.)
Starting a Home Care Business (Links to an external site.) - Antony Cirillo

Next Week Readings, Lectures, Discussion Forum, Conference Reports, Online Content

Week 8 - August 29 - September 4

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 & 19

Additional Reading
• What Does the GCM Do When Payment Becomes an Issue Without Abrogating Responsibilities to the Client?
  - Inside GCM
• Termination Viewed Through an Ethical Lens - Stephanie Swerdlow

Presentation Lecture
What healthcare will look like in 2020 - Stephen Klesko - TEDx (Links to an external site.)
Healthcare Rationing: Horror or Hope? - Emily Friedman (Links to an external site.)

Discussion Forum
Please click Week 8 - Fourth Discussion Forum. Please note the presentation instructions regarding this 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.

Conference Session - Conference Reports
Conferences are provided as an interactive and engaging learning experience. Conferences for this Sunday and Monday and Tuesday of next week are a series of presentations you have assembled outlining your interview assignment.

Attendance in this Conference is mandatory for the three days of Sunday, Monday, and Tuesday - September 4, 5, and 6 from 7 to 8:30 pm ET or until the Conference Reports are concluded. Click on the Conferences button on the left and click Week 8 Conference Sunday, Week 8 Conference Monday, and so on (we will have a new conference each evening.) Follow the directions provided to join the conference on the appropriate day.
Please refer to Discussion Forum - Week 8 for additional information about posting and responding to your presentations.
Engage with your instructor should you have questions or concerns regarding this assignment.

Online Content
• International Commission on Health Care Certification (ICHCC) (Links to an external site.)
• National Academy of Certified Care Managers (NACCM) (Links to an external site.)
• Aging Life Care Association (ALCA) (Links to an external site.)
• 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

Next Week
Open Books Quiz, Conference Reports, Online Content
Week 9 - September 5 - September 11

Steve Jobs Explains the Rules for Success (Links to an external site.) Perhaps the greatest entrepreneur of the boomer generation

Open Books Quiz

Quiz will be available starting Monday, September 5th and conclude on Sunday, September 11th at midnight. You will have 60 minutes to answer 20 multiple choice and true/false questions. Click on Open Books Quiz to access the quiz.

Conference Session - Conference Reports

Conferences are provided as an interactive and engaging learning experience. Conferences for this Monday and Tuesday continue with a series of presentations you have assembled outlining your interview assignment.

Attendance in these Conferences is mandatory for the two days of September 5th and 6th from 7 to 8:30 pm ET or until the Conference Reports are concluded. Click on the Conferences button on the left and click Week 8 Conference Sunday, Week 8 Conference Monday, and so on (we will have a new conference each evening.) Follow the directions provided to join the conference on the appropriate day.

Please refer to Discussion Forum - Week 8 for additional information about posting and responding to your presentations.

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

Online Content

- Legal Clinical Records - Hugh Webster, Esq. is the legal counsel for ALCA
- Legal Emails - Hugh Webster, Esq. is the legal counsel for ALCA
- What Makes a Website Effective (Links to an external site.) - Video - Online Marketing Fundamentals with Brad Batesole
- Eight Predictions on the Future of Senior Care (Links to an external site.) - http://www.aplaceformom.com
- Geriatric Care Manager Job Description (Links to an external site.) - Anthony Cirillo - verywell.com
- As America Grays, A Call For Dignity In Aging and Elder Care (Links to an external site.) - NPR RADIO Audio only

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.

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.