

Legal, Ethical, and Access Issues in Pharmacy

University of Kentucky College of Pharmacy

PHR 930-001

Meeting Time: Monday, Tuesday, Thursday, Friday 8:00am – 8:50am

Meeting Location: Ph-220

Instructors: Joseph L. Fink III, B.S.Pharm., J.D. (Course Coordinator)
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Resource Materials:

Buerki RA and Vottero LD. (eds.) **Ethical Responsibility in Pharmacy Practice** (2nd Ed.)
Madison, WI: American Institute of the History of Pharmacy (2002).

Fink III JL, Vivian JC and Bernstein IG. (eds.) **Pharmacy Law Digest** (40th Ed.) St. Louis, MO:
Wolters Kluwer Health (2006).

Montagne M and McCarthy RL. "Ethics and Professionalism" Chapter 3 in Hendrickson, R. (ed.)
Remington: The Science and Practice of Pharmacy (21st Ed.) Baltimore, MD: Lippincott
Williams & Wilkins (2005), pp 20-29.

Vivian JC and Fink III JL. "Laws Governing Pharmacy," Chapter 111 in Hendrickson, R. (ed.)
Remington: The Science and Practice of Pharmacy (21st Ed.) Baltimore, MD: Lippincott
Williams & Wilkins (2005), pp. 2015-2054.

Supplemental reading assignments may also be distributed.

Course Goal and Objectives:

The goal of this course is to provide the pharmacy student with an introduction to legal issues, ethical issues and issues surrounding access to medications that surface in the course of

professional practice. A corollary goal is to give the student experience in listening to professional communication and discerning points of relevance and importance.

Objectives: Upon satisfactory completion of this course, the student should be able to [1] discern when significant legal issues exist in a situation and when consultation with legal counsel is appropriate; [2] have a basic familiarity and facility with legal terminology to be in a position to consult well with legal counsel; and [3] understand the legal system in a way that facilitates being a leader in society and being able to understand and critically assess news reports related to legal issues in pharmacy and health care.

Course Content:

This course will include an introduction to the law and its impact on pharmacy practice. Topics covered will include:

Law

What is “the law?”

Legal systems – legislative, executive and judicial

Specific sources of law related to pharmacy practice

Legal issues regarding authority to prescribe

Legal issues regarding prescriptions – non-controlled medications

Legal issues regarding pharmacies

Legal issues regarding pharmacists

Legal issues regarding pharmacy technicians and interns

The prescription label and packaging issues

Omnibus Budget Reconciliation Act of 1990 mandates

Special considerations with controlled substance medications

The Board of Pharmacy – composition and authority

Drug product interchange

Professional judgment in pharmacy practice

Health Insurance Portability and Accountability Act

Law related to manufacturing and distribution of pharmaceuticals

Law related to medical devices

Issues related to pharmacy practice arising under the U.S. Constitution

The law of contracts and the law of sales

Professional liability and professional liability insurance

Intentional torts

Business organizational forms

Antitrust issues in pharmacy

Legal issues related to employment

Intellectual property issues of importance to pharmacists

Ethics

Theoretical foundations of ethics

APhA Code of Ethics for Pharmacists

Other ethical codes and standards

Ethics, morals and pharmacy practice issues

Interplay of ethical responsibilities and legal responsibilities

Patient rights in health care

Informed consent to treatment

Patients' rights as research volunteers

Access to health care and pharmaceuticals

Integrated health care delivery systems

Health insurance – private and public

Managed care organizations and issues

Specific issues with prescription drug insurance programs

Pharmacy benefits management companies and programs

Course Credit:

Four semester credit hours

Course Grading:

The grade will be determined by four examinations spread across the semester, each with equal weight. Additionally, up to ten percent of the course grade will be derived from quizzes given in class. Each examination grade will count as 25 percent of the course grade. For conversion from numerical to letter grades this scale will be used:

A = 90 -100	C = 70 - 79
B = 80 - 89	E = below 70

Review of Examinations:

An examination will be reviewed in class at the next session following administration of the test. Following that discussion in class, individual examination papers will be available for review by appointment. If a student feels there has been an error in grading an examination this must be brought to the attention of the Course Coordinator within one week of the examination review session in class.

Missed Examinations or Quizzes:

Examinations or quizzes missed without prior notification will be graded as zero. If you have an excused absence you may be administered either a written or oral make-up examination, at the discretion of the course coordinator.

College Honor Code:

All examinations are taken under the UK College of Pharmacy Honor Code. It is the students' responsibility to assure that behavior during examinations is such that no doubt could possibly exist about their honesty and academic integrity in the examination process. A copy of the Honor Code is available in the College of Pharmacy Student Handbook, and at <http://www.mc.uky.edu/Pharmacy/acaffairs/handbook.pdf>.

College On-Line Course Evaluation Policy

Regular course and instructor evaluations are required by state, University and College regulations. These evaluations are essential for improving student learning by providing feedback to faculty about their classroom presentations. Based on your feedback, important decisions are made about courses and how they are taught. This process cannot work without your input. Please complete a course and instructor evaluation for this course. Your individual responses are completely anonymous. However, the Office of Education Innovation can track who has or has not completed each evaluation and send reminder notices. Summary reports of aggregate data will be provided to the faculty after the semester is completed and grades have been submitted.

Please be certain that the College has your current email address at all times so that you will receive timely e-mail notification throughout the semester of course-related announcements, distribution of materials, and notice that on-line course evaluations are available.

If you do not complete an evaluation, you will receive an incomplete (“I”) grade for the semester because you have not completed all of the course requirements. When you complete the course evaluation, the incomplete grade will be changed to the grade earned in the course.

Students with Disabilities

Students with documented disabilities who seek special accommodations must notify the Director of Student Services and the Course Coordinator for PHR 930 no later than the third day of classes as outlined in the College of Pharmacy Student Handbook.

Professionalism

PHR 930 is a professional practice course. Course faculty strive to create a positive educational environment that affords all students the opportunity to achieve their potential. Students are expected to conduct themselves in a professional manner at all times, demonstrating respect for each other and course instructors, while participating in all course activities with a positive attitude. Behaviors expected of a “professional in training” include: dressing professionally as outlined below and in the Department policy; preparing adequately for class; arriving on time; completing assignments efficiently, cooperatively and on time; maintaining a clean, safe learning environment; and communicating with course faculty and peers in a respectful manner.

Attendance/Punctuality

Regular class attendance and participation is required of all students enrolled in PHR 930. For the definition of excused absences, please refer to the College of Pharmacy Student Handbook. The instructors reserve the right to exclude from the classroom students whose conduct or behaviors in the sole judgment of the instructor interfere with the learning environment for others.

Severe Weather Policy

PHR 930 will operate according to University guidelines for classes and exams in the event of severe weather. Official University announcements about closings are made on local radio and television stations and through the University’s website. If a student has a local power outage, it is the student’s responsibility to obtain information regarding the status of the University; if the University is open, PHR 930 will proceed as scheduled. If the University is closed, then PHR 930 classes and exams will be postponed during that period. Once the University is reopened, PHR 930 will resume regularly scheduled meeting times, and details for making up any missed lectures or exams will be discussed at the next regularly scheduled class meeting of PHR 930.

Severe Weather Policy -- Missed regular class material and quizzes

Regular classes and quizzes will generally be made up during the course of the semester either with special sessions or through the regularly scheduled class times remaining during the semester. Students should be prepared for possible additional course meetings to make up the missed time.

Severe Weather Policy -- Missed examinations

A missed exam will generally be rescheduled whenever rooms are available. Students should be prepared to take a missed examination on the day classes resume.

Acceptable Standards in English

Rule 5.2.4.3 of the University Senate provides that “teachers in all courses are expected to call attention to and penalize for errors in English usage and to require the rewriting of papers which do not meet acceptable standards in English.”

Policy on Professionalism of the Department of Pharmacy Practice and Science

This policy is applicable to PHR 930 and is reproduced here for the convenience and guidance of students in the course. Questions about these matters should be referred to the course coordinator. The following activities are relevant to this policy:

A. General behavior

According to the UK Academic Ombud, “Instructors in professional preparation programs have a special responsibility to assist students in learning what constitutes professionalism, ethical and professional behavior and conversely, what actions and forms of behavior would be deemed unprofessional, unethical or otherwise unacceptable within the profession for which they are preparing.”

Students will be expected to behave in a manner consistent with that of a professional during all scheduled College activities as outlined in the Health Science Student Professional Behavior Code and the APhA Code of Ethics for Pharmacists.

All actions taken due to inappropriate behavior will be documented and forwarded for the student’s record in the College of Pharmacy Office of Academic Affairs.

B. Civility in the classroom

According to the UK Academic Ombud, “To describe someone as a ‘scholar’ is to acknowledge the many traits and abilities exhibited by an individual that are consistent with scholarship. Scholars (faculty and students alike) expect a certain degree of respect from other scholars regardless of the similarity or divergence of viewpoint and irrespective of age or experience. Faculty have the right – and the responsibility – to ensure that all academic discourse, both oral and written, occurs in a context characterized by respect and civility.”

The Department of Pharmacy Practice and Science agrees with and accepts this philosophy; therefore student behavior in the classroom and during Early and Advanced Pharmacy Practice Experiences that detracts from the educational environment will not be tolerated. Examples of inappropriate behaviors include: entering the classroom after class has begun, engaging in disrespectful debate, holding disruptive conversations with fellow classmates, receiving phone calls during class, reading newspapers during class, playing electronic games during class, sleeping during class meetings, attacks of a personal nature, written or verbal statements or actions denigrating another on the basis of race, sex, religion, sexual orientation, age, national/regional origin, disability or other such factors.

All actions taken due to inappropriate behavior will be documented and forwarded for the student’s record in the College of Pharmacy Office of Academic Affairs.

C. Dress code

In general, students should dress so that their most conservative classmate, instructor, client or patient would not be offended.

Students must be neat and clean whenever they are attending classes in the College or the Medical Center. Shoulders must be covered. The midriff area of the body or undergarments must not be visible. Short-shorts and miniskirts should not be worn.

Extremes in hairstyles, cosmetics and jewelry should be avoided. Nose rings, eyebrow rings and visible piercings other than earrings are not permitted during class in either the College of Pharmacy or other parts of the Medical Center. All jewelry is prohibited when working in the aseptic compounding area as outlined in individual course syllabi.

Professional dress is expected in the professional laboratories and at other times as specified by course instructors in course syllabi. Professional dress means business-like attire – dress pants and dress shirt/sweater for men and dresses or skirts/dress slacks and blouses/sweaters/jackets for women. White lab coats (short length) are required when working in the professional laboratory and when participating in patient care activities. No hats may be worn in class.

All students must wear the approved identification badge, issued and validated by Medical Center Security, at all times when they are in the College or other parts of the Medical Center. Name badges will be worn clipped on the pocket of shirts or jackets, or worn around the neck. Name badges shall not be worn at the waist level or in other inappropriate locations.

D. Attendance

Regular class attendance and participation is required of all students. Students who anticipate a need to miss class or an examination for a professional activity should notify the course coordinator in advance of the session to ascertain whether this will be viewed as an excused absence.

PHR930-Syllabus.doc	Draft 1	11/14/05
	Draft 2	11/15/05
	Draft 3	11/29/05
	Draft 4	1/27/06
	Draft 5	2/14/06
	Draft 6	3/15/06
	Draft 7	4/5/06
	Draft 8	4/18/06
	Draft 9	4/20/06