



Science, Allied Health, Health, & Engineering Department

Course: **HIM\*256 Legal and Ethical Issues of HIM**

Instructor: Elaine Ippolito

CRN: **1098**

Semester: **Spring 2019**

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Location: Online

Day/Time: Online

**Instructor**

Name: Elaine Ippolito

Phone: 860-343-5761 E-mail: eippolito@mxcc.edu

Office HOURS: [Wheaton Hall, Room 313]: Tuesday 12:30 pm -1:30 pm; Wednesday 10:00 am – 12 noon;  
Thursday 12:30 pm – 1:30 pm.

**Course Description (from college catalog):**

Students will learn about the legal and ethical issues affecting healthcare today, including legislative and regulatory processes and legal terminology. Special attention will be devoted to issues of electronic record systems from the legal and ethical perspective. Students will study health information/record laws and regulations (such as retention, patient rights/advocacy, advanced directives, privacy.) Confidentiality, privacy, and security policies, procedures and monitoring along with release of information policies and procedures, professional and practice-related ethical issues will also be studied. Students will investigate and recommend solutions to privacy issues and problems.

**Course Prerequisites:** HIM 201 with a “C” or better.

**Importance of Course in Program/Discipline**

**American Health Information Management Association (AHIMA) Curriculum Competencies:** The AHIMA Council for Excellence in Education developed competencies for associate degree students with the most recent update in the 2014 Curricula requirements. This program covers the AHIMA recommended competencies in six domains including (I) Data Content, Structure, and Standards, (II) Information Protection: Access, Disclosure, Archival, Privacy & Security, (III) Informatics, Analytics, and Data Use, (IV) Revenue Management, (V) Compliance, and (VI) Leadership. This course addresses the following AHIMA competencies (learning level this course/program goal):

Domain II: Information Protection: Access, Disclosure, Privacy & Security

Subdomain II.A. Health Law

II.A.1. Apply Healthcare Legal Terminology (3/3)

II.A.2. Identify the use of legal documents (3/3)

II.A.3. Apply legal concepts and principles to the practice of HIM (3/3)

Subdomain II.B. Data Privacy, Confidentiality, and Security

II.B.1. Apply confidentiality, privacy, and security measures and policies and procedures for internal and external use and exchange to protect health information. (3/3) II.B.2.

Apply retention and destruction policies for health information (3/3).

Subdomain II.C. Release of Information

II.C.1 Apply policies and procedures surrounding issues of access and disclosure of protected health information (3/3)

Domain III: Informatics, Analytics, and Data Use

Subdomain III.E. Research Methods

III.E.1. Explain common research methodologies and why they are used in healthcare (2/2)

Domain V: Compliance

Subdomain V.A. Regulatory

V.A.1 Analyze policies and procedures to ensure organizational compliance with regulations and standards (4/4)

V.A.2. Collaborate with staff in preparing the organization for accreditation, licensure, and/or certification (4/4)

V.A.3. Adhere to the legal and regulatory requirements related to the health information management (3/3).

Domain VI: Leadership

Subdomain VI.D. Human Resources Management

VI.D.2. Interpret compliance with local, state, and federal labor regulations (3/5)

Subdomain VI.H. Ethics

VI.H.1. Comply with ethical standards of practice (5/5)

VI.H.2. Evaluate the consequences of a breach of healthcare ethics (5/5)

VI.H.3 Assess how cultural issues affect health, healthcare quality, cost, and HIM (3/5)

**Program/Discipline Learning Outcomes Contained in Course  
Designated TAP Learning Outcomes (Competencies) of the Course**

**HIM Learning Outcomes (Competencies):**

At the conclusion of this course, the Health Information Management Student will be able to:

- Apply Healthcare Legal Terminology
- Identify the use of legal documents
- Apply legal concepts and principles to the practice of HIM
- Apply confidentiality, privacy, and security measures and policies and procedures for internal and external use and exchange to protect health information.
- Apply retention and destruction policies for health information
- Apply policies and procedures surrounding issues of access and disclosure of protected health information
- Explain common research methodologies and why they are used in healthcare
- Analyze policies and procedures to ensure organizational compliance with regulations and standards
- Collaborate with staff in preparing the organization for accreditation, licensure, and/or certification
- Adhere to the legal and regulatory requirements related to the health information management
- Interpret compliance with local, state, and federal labor regulations
- Comply with ethical standards of practice
- Evaluate the consequences of a breach of healthcare ethics
- Interpret how cultural issues affect health, healthcare quality, cost, and HIM

**Textbooks and other required readings/computer software/materials/library reserve:**

Legal and Ethical Aspects of Health Information Management, Fourth Edition, 2016, Dana McWay, Cengage, ISBN: 9781285867380.

Health Information Management Case Studies, 2016, Dianna M. Foley, AHIMA, ISBN: 9781584264583.

**Methods of Instruction:**

Learning will be achieved through reading, use of online videos, library resources, and web links and coding practice examples and assignments. Resources will be posted to the Blackboard Course space. Students may submit questions about course materials in through online discussion boards or may contact me via e-mail. It is important to read all the assigned material and view any video resources posted to the Blackboard Course.

**Attention Mobile Users:**

Some course content as presented in Blackboard Learn is not fully supported on mobile devices at this time. While mobile devices provide a convenient access to check in and read information about your courses, they should not be used to perform work such as taking tests, completing assignments or submitting substantive discussion posts.

**Communication Plan:**

These are my expectations for electronic communication:

- I will remove posts that I determine to be inappropriate or unprofessional.
- Post all questions regarding course readings, assignments, or assessments to the Discussion Boards
- Please use email (course messages) \*ONLY\* when the subject is of a personal and confidential matter. If the question you ask is of a nature that even one other person in the course could benefit from the answer, post the question in the appropriate discussion board forum.
- Use APA Style for written submissions in this course [www.apastyle.org](http://www.apastyle.org).
- The writing style of discussion boards should be formal and business-appropriate, including citation of sources.

**Technology and Social Media:**

- Students should not mix personal and academic/professional contacts and accounts when using social media. Students should create social media accounts specifically for professional/academic use to separate their personal online persona from their professional/academic work.
- The college assigns and e-mail account to all students. I will communicate with students through course e-mail or through e-mail directly to the student's Middlesex Community College e-mail address.

**Attendance Policy:**

Attendance in face-to-face courses and regular activity in online courses is essential to student success. If you have decided not to continue in a course, do not simply stop attending. You need to withdraw

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officially. Only students who withdraw from class will receive a grade of W. Otherwise, students will receive the grade they have earned.

**Course Evaluation and Grading:**

Use APA Style for written submissions in this course [www.apastyle.org](http://www.apastyle.org).

**Grading of Discussion Boards**

- Professional and respectful communication is required. Disrespectful or unprofessional posts will be removed and will receive a zero.
- Initial discussion posts must be completed **by Wednesday at 11:59pm., (with the exception of the Unit 1 which are due by Sunday, 1/27/19 at 11:59 pm)**
- The discussion board will not be available after the due date and no late posts will be accepted. Failure to participate in the discussion by the due date will result in a zero.
- You must cite sources using APA citation style (inline citations and a list of references). Listing only the url of an electronic source is not an APA style citation.
- You need 2 posts each week: (1) your own initial post addressing the discussion topic due by Wednesday at 11:59 pm (except for Unit 1 as noted above) and (2) a response to another student's posts that demonstrates that you read the post and have responded in a thoughtful way which is due by Sunday at 11:59 pm.
- Grammar, spelling, and punctuation always count.

Discussion Board posts (submitted on time) will be graded using the following rubric:

	Novice (0%)	Developing (50%)	Competent (75%)	Proficient (100%)
Quality and Content	Comments are not clearly connected to course materials; does not address all required elements.	Demonstrates difficulty connecting to course materials; does not address all required elements.	Somewhat connected to course materials; addresses most required elements in the assignment; somewhat thoughtful.	Connected to course materials; addresses all required elements; thoughtful and reflective.
Communication and Participation	There are no replies to questions or comments.	Postings sometimes contribute to ongoing conversations.	Postings contribute to the class' ongoing conversations	Postings actively stimulate and sustain discussion by building on peers' responses.

Grammar & Formatting	More than five incomplete sentence and/or misspelled/ improperly used words or punctuation errors.	No more than five incomplete sentence and/or misspelled/ improperly used words or punctuation errors.	No more than three incomplete sentence and/or misspelled/ improperly used words or punctuation errors.	No more than one incomplete sentence and/or misspelled/ improperly used words or punctuation errors.
Sources & Citation	No sources cited.	Sources of poor quality and/or failed to cite using APA format.	Good quality sources with citation in APA style with minor errors.	High quality relevant sources with correct APA citation(s).

**Grading of Assignments**

You may use the discussion board for questions about the assignments and you may discuss the assignments with and work with others in the class. Please complete the homework assignments on time. Homework submitted after the due date will receive a zero.

**Grading of Paper**

See paper instructions posted to Blackboard for full details of the assignment. There will be 3 grades for the paper, a topic and reference submission, a rough draft, and a final draft. The final paper will be graded using the following rubric:

**Name:** Information Literacy VALUE Rubric

**Description:** The ability to know when there is a need for information, to be able to identify, locate, evaluate, and effectively and responsibly use and share that information for the problem at hand. - Adopted from the National Forum on Information Literacy

**Rubric Detail**

**Levels of Achievement**

Criteria	Benchmark	Milestone	Milestone	Capstone
<b>Determine the Extent of Information Needed</b>	<b>10 Points</b> Has difficulty defining the scope of the research question or thesis. Has difficulty determining key concepts. Types of information (sources) selected do not relate to concepts or answer research question.	<b>15 Points</b> Defines the scope of the research question or thesis incompletely (parts are missing, remains too broad or too narrow, etc.). Can determine key concepts. Types of information (sources) selected partially relate to concepts or answer research question.	<b>18 Points</b> Defines the scope of the research question or thesis completely. Can determine key concepts. Types of information (sources) selected relate to concepts or answer research question.	<b>20 Points</b> Effectively defines the scope of the research question or thesis. Effectively determines key concepts. Types of information (sources) selected directly relate to concepts or answer research question.
<b>Access the Needed Information</b>	<b>10 Points</b> Accesses information randomly, retrieves	<b>15 Points</b> Accesses information using simple search	<b>18 Points</b> Accesses information using variety of search	<b>20 Points</b> Accesses information using effective, well

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	information that lacks relevance and quality.	strategies, retrieves information from limited and similar sources.	strategies and some relevant information sources. Demonstrates ability to refine search.	designed search strategies and most appropriate information sources.
<b>Evaluate Information and its Sources Critically</b>	<b>10 Points</b>  Shows an emerging awareness of present assumptions (sometimes labels assertions as assumptions). Begins to identify some contexts when presenting a position.	<b>15 Points</b>  Questions some assumptions. Identifies several relevant contexts when presenting a position. May be more aware of others' assumptions than one's own (or vice versa).	<b>18 Points</b>  Identifies own and others' assumptions and several relevant contexts when presenting a position.	<b>20 Points</b>  Thoroughly (systematically and methodically) analyzes own and others' assumptions and carefully evaluates the relevance of contexts when presenting a position.
<b>Use Information Effectively to Accomplish a Specific Purpose</b>	<b>10 Points</b>  Communicates information from sources. The information is fragmented and/or used inappropriately (misquoted, taken out of context, or incorrectly paraphrased, etc.), so the intended purpose is not achieved.	<b>15 Points</b>  Communicates and organizes information from sources. The information is not yet synthesized, so the intended purpose is not fully achieved.	<b>18 Points</b>  Communicates, organizes and synthesizes information from sources. Intended purpose is achieved.	<b>20 Points</b>  Communicates, organizes and synthesizes information from sources to fully achieve a specific purpose, with clarity and depth
<b>Access and Use Information Ethically and Legally</b>	<b>10 Points</b>  Students use correctly one of the following information use strategies (use of citations and references; choice of paraphrasing, summary, or quoting; using information in ways that are true to original context; distinguishing between common knowledge and ideas requiring attribution) and demonstrates a full understanding of the ethical and legal restrictions on the use of published, confidential, and/or proprietary information.	<b>15 Points</b>  Students use correctly two of the following information use strategies (use of citations and references; choice of paraphrasing, summary, or quoting; using information in ways that are true to original context; distinguishing between common knowledge and ideas requiring attribution) and demonstrates a full understanding of the ethical and legal restrictions on the use of published, confidential, and/or proprietary information.	<b>18 Points</b>  Students use correctly three of the following information use strategies (use of citations and references; choice of paraphrasing, summary, or quoting; using information in ways that are true to original context; distinguishing between common knowledge and ideas requiring attribution) and demonstrates a full understanding of the ethical and legal restrictions on the use of published, confidential, and/or proprietary information.	<b>20 Points</b>  Students use correctly all of the following information use strategies (use of citations and references; choice of paraphrasing, summary, or quoting; using information in ways that are true to original context; distinguishing between common knowledge and ideas requiring attribution) and demonstrate a full understanding of the ethical and legal restrictions on the use of published, confidential, and/or proprietary information.

**Grading of Quizzes, Tests, Final Exam**

The tests and final exam must be completed by the due date. Exams not completed by the due date will receive a grade of zero. Tests and the final exam must be completed independently. If there is an issue with the format/meaning of a question on a test, please ask me but do not post question/answers or other discussion of these items publicly in the course. You will not be

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able to access tests or the final exam after the due date has passed. Scores, submitted/correct responses, and feedback will be viewable after all quizzes/tests/final exams have been graded.

**Final Grade Calculation**

Discussion	130 points
Case Studies	270 points
HIM Case Studies assignments	225 points
Tests	150 points
Paper	175 points
<u>Final Exam</u>	<u>50 points</u>
Total	1000 points

The final grade will be evaluated as a percentage and will translate into letter grades as follows:

Letter Grade	Percent Grade
A	93.0-100.0
A-	90.0-92.9
B+	87.0-89.9
B	83.0-86.9
B-	80.0-82.9
C+	77.0-79.9
C	73.0-76.9
C-	70.0-72.9
D+	67.0-69.9
D	63.0-66.9
D-	60.0-62.9
F	Less than 60.0

**Additional Syllabus Information and College Policies:**

For information about the college's policies and procedures regarding academic honesty, accessibility/disability services, non-discrimination, attendance, audio-recording in the classroom, grade appeals, plagiarism, religious accommodations, weather/emergency closings, and more, please go to the following website: [www.mxcc.edu/catalog/syllabus-policies/](http://www.mxcc.edu/catalog/syllabus-policies/)

**Course Schedule:**

The following syllabus may be updated or modified at the discretion of the instructor; please refer to Weekly Assignments and Announcements for any changes during the course.

Unit # & Dates	Topics	Outcomes/Learning Objectives	Reading & Assignments (with due dates)

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<p><b>Unit 1</b></p> <p>Due Date for Unit: 1/27/2019</p>	<p><b>American Legal System</b></p>	<ul style="list-style-type: none"> <li>• Apply Healthcare Legal Terminology</li> </ul>	<p>Read text Chapter 1: American Legal System Discussion: D-1 Discuss your opinions and responses to the case studies. Use the discussion as an opportunity to develop complete and detailed responses to the following the case studies. You will need to submit the assignments as well.</p> <p>Assignment: A-1 a Case Study A Assignment: A-1 b Case Study B</p>
<p><b>Unit 2</b></p> <p>Due Date for Unit: 2/3/2019</p>	<p><b>Legal Procedures</b></p> <p><b>Court Systems</b></p>	<ul style="list-style-type: none"> <li>• Apply Healthcare Legal Terminology</li> <li>• Apply legal concepts and principles to the practice of HIM</li> <li>• Apply retention and destruction policies for health information</li> </ul>	<p>Read text Chapter 2: Court Systems Discussion: D-2 Discuss your response to the case study on page 48 of the McWay text. The two assignments for this week are taken from the Foley, <u>Health Information Management Case Studies</u> text. Assignment: 2.16, ROI cost, page 79. Assignment: 2.24 E-Discovery policy review, page 87.</p>
<p><b>Unit 3</b></p> <p>Due Date for Unit: 2/10/19</p>	<p><b>Health Records as Evidence</b></p>	<ul style="list-style-type: none"> <li>• Apply Healthcare Legal Terminology</li> <li>• Apply legal concepts and principles to the practice of HIM</li> </ul>	<p>Read text Chapter 3: Judicial Process Discussion: D-3 Rules and Rule Making</p> <p>Assignment: A-3a Case Study, McWay text, page 64. Assignment: A-3b from the Foley, <u>Health Information Management Case Studies</u> text, page 77, 2.14 Subpoenas and testifying.</p>
<p><b>Unit 4</b></p> <p>Due Date for Unit: 2/17/2019</p>	<p><b>Liability</b></p>	<ul style="list-style-type: none"> <li>• Apply Healthcare Legal Terminology</li> <li>• Apply legal concepts and principles to the practice of HIM</li> </ul>	<p>Read text Chapter 4: Liability Discussion: D-4 Medical Staff Privileges</p> <p>Assignment: A-4a Case Study, McWay, page 91 Assignment: A-4b from the Foley, <u>Health Information Management Case Studies</u> text, page 90 , 2.27 Legal Terminology</p> <p>Test T-4 Chapters 1-4</p>



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<p><b>Unit 5</b></p> <p>Due Date for Unit: 2/24/2019</p>	<p><b>Ethical Standards</b></p>	<ul style="list-style-type: none"> <li>• Comply with ethical standards of practice</li> <li>• Evaluate the consequences of a breach of healthcare ethics</li> <li>• Interpret how cultural issues affect health, healthcare quality, cost, and HIM</li> <li>• Apply confidentiality, privacy, and security measures and policies for internal and external use and exchange to protect health information.</li> </ul>	<p>Read text Chapter 5: Ethical Standards Discussion: D-5 Medical Decisions and Ethics in the News Assignment: A-5a Case Study, McWay, page 109 Assignment: A-5b from the Foley, <u>Health Information Management Case Studies</u> text, page 73 , 2.12 HIM department breach Assignment: A-5c Topic statement and References for Paper</p>
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Unit # & Dates	Topics	Outcomes/Learning Objectives	Reading & Assignments (with due dates)
<p><b>Unit 6</b></p> <p>Due Date for Unit: 3/3/2019</p>	<p><b>Ethical Decisions</b></p> <p><b>Bioethics</b></p>	<ul style="list-style-type: none"> <li>• Comply with ethical standards of practice</li> <li>• Evaluate the consequences of a breach of healthcare ethics</li> <li>• Interpret how cultural issues affect health, healthcare quality, cost, and HIM</li> </ul>	<p>Read text Chapter 6-7: Ethical Decisions and Bioethics Discussion: D-6 Durable Power of Attorney for Healthcare Assignment: A-6a Case Study, McWay, page 132 Assignment: A-6b Case Study, McWay, page 149 Assignment: A-6.c from the Foley, <u>Health Information Management Case Studies</u> text, page 221 , 6.7 Ethical Dilemma Assignment A-6.d from the Foley, <u>Health Information Management Case Studies</u> text page 219, 6.5 Ethical Situation.</p>
<p><b>Unit 7</b></p> <p>Due Date for Unit: 3/10/2019</p>	<p><b>The Legal Health Record</b></p> <p><b>Informed Consent</b></p>	<ul style="list-style-type: none"> <li>• Apply Healthcare Legal Terminology</li> <li>• Identify the use of legal documents</li> <li>• Apply confidentiality, privacy, and security measures and policies for internal and external use and exchange to protect health information.</li> </ul>	<p>Read text Chapter 8-9: Patient Record, Confidentiality and Consent Discussion: D-7 Health Information Exchange Assignment: A-7a Case Study, McWay, page 176. Assignment: A-7b Case Study, McWay, page 196. Assignment: A-7c from the Foley, <u>Health Information Management Case Studies</u> text, page 66, 2.6 Legal Document Conundrum Assignment: A-7d from the Foley, <u>Health Information Management Case Studies</u> text, page 93, 2.30 Consent</p>

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		<ul style="list-style-type: none"> <li>Apply retention and destruction policies for health information</li> </ul>	
<p><b>Unit 8</b></p> <p>Due Date for Unit: 3/24/2019</p>	<p><b>Access to Health Information</b></p>	<ul style="list-style-type: none"> <li>Apply Healthcare Legal Terminology</li> <li>Apply legal concepts and principles to the practice of HIM</li> <li>Apply confidentiality, privacy, and security measures and policies and procedures for internal and external use and exchange to protect health information.</li> <li>Apply policies and procedures surrounding issues of access and disclosure of protected health information</li> </ul>	<p>Read text Chapter 10: Access Discussion: D-8 Personal Health Records Assignment: A-8a Case Study A McWay, page 233 Assignment: A-8b Case Study B McWay, page 233 Assignment: A-8 c from the Foley, <u>Health Information Management Case Studies</u> text, page 65, 2.5 Information Access Test T-8 Chapters 5-9</p>
<p><b>Unit 9</b></p> <p>Due Date for Unit: 3/31/2019</p>	<p><b>Sensitive Content</b></p>	<ul style="list-style-type: none"> <li>Apply Healthcare Legal Terminology</li> <li>Identify the use of legal documents</li> <li>Apply policies and procedures surrounding issues of access and disclosure of protected health information</li> <li>Apply confidentiality, privacy, and security measures and policies and procedures for internal and external use and exchange to protect health information</li> </ul>	<p>Read text Chapter 11: Specialized records Discussion: D-9 Genetic Information Assignment: A-9a Case Study, McWay, page 261 Assignment: A-9b from the Foley, <u>Health Information Management Case Studies</u> text, page 80, 2.17 ROI Error Assignment: A-9c Rough Draft of Paper</p>
<p><b>Unit 10</b></p> <p>Due Date for Unit: 4/7/2019</p>	<p><b>Compliance</b></p>	<ul style="list-style-type: none"> <li>Interpret compliance with local, state, and federal labor regulations</li> <li>Comply with ethical standards of practice</li> <li>Apply legal concepts and principles to the practice of HIM</li> </ul>	<p>Read text Chapter 12: Risk Management Discussion: D-10 Incident Reports Assignment: A-10a Case Study, McWay, page 290. Assignment: A-10b from the Foley, <u>Health Information Management Case Studies</u> text, page 67, 2.7 Legal health record maintenance</p>

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<p><b>Unit 11</b></p> <p>Due Date for Unit: 4/14/2019</p>	<p><b>Information Security</b></p>	<ul style="list-style-type: none"> <li>• Apply confidentiality, privacy, and security measures and policies and procedures for internal and external use and exchange to protect health information.</li> <li>• Apply legal concepts and principles to the practice of HIM</li> </ul>	<p>Read text Chapter 13: Information Systems Discussion: D-11 Remote Access Assignment: A-11a Case Study, McWay, page 321 Assignment: A-11b from the Foley, <u>Health Information Management Case Studies</u> text, page 69, 2.8 Potential Privacy Violation</p>
<p><b>Unit 12</b></p> <p>Due Date for Unit: 4/21/2019</p>	<p><b>Fraud and Abuse</b></p>	<ul style="list-style-type: none"> <li>• Apply Healthcare Legal Terminology</li> <li>• Analyze policies and procedures to ensure organizational compliance with regulations and standards</li> </ul>	<p>Read text Chapter 14: Fraud and Abuse Discussion: D-12 Fraud and Abuse Assignment: A-12a Case Study A, McWay, page 339 Assignment: A-12b Case Study B, McWay, page 339 Assignment: A-12c from the Foley, <u>Health Information Management Case Studies</u> text, page 199, 5.18 Whistleblower Test T-12 Chapters 10-13</p>
<p><b>Unit 13</b></p> <p>Due Date for Unit: 4/28/2019</p>	<p><b>Employment Law</b></p>	<ul style="list-style-type: none"> <li>• Analyze policies and procedures to ensure organizational compliance with regulations and standards</li> <li>• Interpret compliance with local, state, and federal labor regulations</li> <li>• Apply Healthcare Legal Terminology</li> </ul>	<p>Read text Chapter 15: Workplace Discussion: D-13 Americans with Disabilities Act Assignment: A-13a Case Study, McWay, 373. Assignment: A-13b from the Foley, <u>Health Information Management Case Studies</u> text, page 224, 6.10 HIM job Interview</p>
<p><b>Unit 14</b></p> <p>Due Date for Unit: 5/5/2019</p>	<p><b>Review</b></p>	<p>Review</p>	<p>Review for Exam Assignment: A-9a Final Paper</p>
<p><b>Unit 15</b></p> <p>Due Date for Unit: 5/12/2019</p>	<p><b>Final Exam</b></p>	<p>Final Exam</p>	<p><b>Final Exam T-15 Comprehensive</b></p>