

Thursday, September 29, 2022

LITIGATION AND
LIABILITY, COMPLIANCE
AND OTHER ETHICAL
CONCERNS FOR
REHABILITATION
THERAPISTS



Hosted by
MossRehab and Thomas Jefferson University
College of Rehabilitation Sciences



Course Description

Allied health professionals are bound by both ethical principles and the law. It is the responsibility of therapists to know and understand these principles and to use them to guide their behaviors. This 2.5-hour lecture will cover key legal and ethical issues and considerations for medical professionals with a focus on Allied Health professionals such as physical therapy, occupational therapy, speech language pathologists. Topics will range from a general overview of the medical malpractice law in Pennsylvania and what to expect if the professional is either named in a lawsuit or a witness in a lawsuit and the various ethical and legal issues involved, to the legal and ethical issues related to the Anti-Kickback Statute, Stark, the False Claims Act, and the Apology Act. The course is appropriate for clinicians of all levels, including students.

Target Audience: Physical Therapists, Physical Therapist Assistants, Occupational Therapists, Occupational Therapists Assistants and Speech Language Pathologists.

Course Learning Objectives: At the conclusion of this learning activity the participants should be able to:

1. Discuss the medical malpractice law in PA and how this law is applied to Allied Health Professionals.
2. Explain the basic process of a medical malpractice lawsuit.
3. Explain the Apology Act and its impact on the practice of health professionals and potential liability
4. Explain basic legal/ethical concerns with documentation practice, including Electronic Medical Records (EMR)
5. Explain the basics of the State Board actions.
6. Explain the basics of legal/ethical concerns regarding Medicare fraud/the False Claims Act
7. Explain the Anti-kickback/Stark law and potential liability of allied health providers

Conflict of interest statement: Faculty and all others who have the ability to control the content of continuing education activities are expected to disclose to the audience whether they do or do not have any real or apparent conflict(s) of interest or other relationships related to the content of their presentation (s).

Contact Hours: 2.5
CEU's 0.25



Agenda

Thursday, September 29, 2022—Live Webinar

- 5:45 pm **Zoom Sign in**
- 6:00 pm **Overview of Medical Malpractice Law in Pennsylvania and How this Law is Applied to Allied Health Professionals**
- 6:30 pm **Basic Process of a Medical Malpractice Lawsuit**
- 7:00 pm **Key Factor in How to Avoid Getting Sued, and What to do to Make a Lawsuit More Likely**
- 7:10 pm **The Apology Act and its impact on the practice of PT/OT/SLP and potential liability**
- 7:25 pm **Break**
- 7:35 pm **Basic Legal/Ethical Concerns with Documentation Practice, Including EMR**
- 7:55 pm **Basics of State Board Actions**
- 8:05 pm **Basics of Legal/Ethical Concerns regarding Medicare Fraud/the False Claims Act**
- 8:20 pm **Anti-kickback/Stark Law and Potential Liability of the PT/OT/SLP provider**
- 8:40 pm **Questions and Wrap Up**
- 8:50 pm **Adjourn**

Contact Hours: 2.5

Presenter

Jason W. Bialker, Esq.

Jason W Bialker has been practicing law since 2007 and is currently employed by Marshall Dennehey Warner Coleman & Goggin. Jason is a former physical therapist and specializes in medical malpractice, health care liability, and general professional liability. As an attorney, he has experience representing both individual health care providers, as well as medical facilities such as hospitals, private practices and skilled nursing facilities in legal cases.



Financial Disclosure: Mr. Bialker will receive an honorarium for this lecture.

Non-financial Disclosure: Mr. Bialker has no non-financial disclosures.

Policies/Continuing Education

Cancellation Policy:

All cancellations must be submitted to the MossRehab in writing. Please explain the circumstances of the cancellation in an e-mail to ensure a timely response. Requests received 3 days or 72 hours prior to course start will result in a full refund. Requests received less than 3 days (72 hours) prior to the course start will result in a non-refundable administration processing fee of \$50.00 or 50% of registration cost (whichever is less). No shows or cancellations within 24 hours of the course start will be ineligible for a refund. MossRehab will reimburse you the cost of the registration, if we have to cancel a course due to low enrollment, weather, or an emergency situation. We are not responsible for any other costs associated with attending a conference. If you are on the waiting list of a course and do not get in, we will not charge your credit card; if you paid by check we will send the check back to you.

Requirement for Successful Completion: Satisfactory completion of the continuing education units consists of full attendance of with monitored sign in and completion of a course feedback form that includes self assessment of learning outcomes. Completion of an assessment in which passing grade is 80 % for each lecture. Attendance in live webinar will be tracked online with registration and sign in.

MossRehab and Thomas Jefferson University do not discriminate on the basis of race, color, national origin, religion, sex, disability, military status, sexual orientation or age. MossRehab and Thomas Jefferson University is committed to accessibility and non-discrimination in all aspects of its continuing education activities. Participants who have special needs are encouraged to contact program organizers so that all reasonable efforts to accommodate these needs can be made.

Physical Therapy Statement:

This is a continuing education offering for Physical Therapists and Physical Therapy Assistants sponsored and approved in Pennsylvania by Thomas Jefferson University Department of Physical Therapy, Doctor of Physical Therapy Program. This course has been approved by the New Jersey State Board of Physical Therapy Examiners for 2.5 contact hours—2207-74. MossRehab is an approved provider for the University of New York State Education Department, Office of the Professions State Board of Physical Therapy.

Occupational Therapy Accreditation Statement:

MossRehab is an AOTA (American Occupational Therapy Association) approved provider of professional development. Course approval ID#5248. This Distance Learning—Interactive course is offered at 0.25 CEUs, educational level Introductory, Professional Issues. The assignment of AOTA CEUs does not imply endorsement of specific course content, products or clinical procedures by AOTA.



Temple University

Intermediate Level

.25 ASHA CEUs



Communication
Sciences and
Disorders

Registration is Online Only.

Registration Deadline is September 26, 2022

Visit

www.mossrehab.com/continuingeducation

For questions or concerns contact:

Sheila Wallace at sheila.wallace@jefferson.edu

Fee: \$50

This course is FREE to all full-time/part-time MossRehab and Jefferson Enterprise employees and Thomas Jefferson University Clinical Education Partners

MossRehab and Jefferson Per Diem fee: \$25



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