EMS LEGAL & POLITICAL ISSUES

20 FST 3093

FALL 2012 SEMESTER

SYLLABUS

UC Course Description

EMS LEGAL & POLITICAL ISSUES -- 3 cr. -- This course examines the legal aspects of emergency medical services and the political and social impacts of EMS. This course includes a review of the American legal system and in-depth coverage of legal and political issues involving administrative and operational matters, and legislative and political processes with regard to EMS. If student is not an active paramedic or EMT, must establish mentor who is a FD Officer and also a paramedic or EMT.

CORE COURSE: This is a National Fire Academy core course in FESHE program (Fire & Emergency Services Higher Education), new EMS curriculum:
http://www.usfa.fema.gov/nfa/higher_ed/feshe/feshe_model.shtm#ems

Professor: Lawrence T. Bennett, Esq.
Program Chair, Fire Science & Emergency Management,
College of Engineering & Applied Science
E-mail: lawrence.bennett@uc.edu
Cell: 513-470-2744
**Student Learning Outcomes:**

Upon completion of this course, students will be able to:

1. Identify potential legal and political issues in EMS.
2. Describe legal lessons learned from recent cases, and identify best practices in the EMS to avoid legal liability.
3. Analyze and apply legal rules and political issues to manage risk in EMS services.
4. Formulate political and legal conclusions and recommendations based on the analysis.
5. Locate and apply recent legal and legislative online resources concerning EMS.

**Resume:**

Professor’s resume and photo are posted on Blackboard - Discussion Board; each student shall post their resume or work history summary, as well as your telephone numbers (cell, home, work), and photo.

**Mentor:**

If you are not an active member of a fire or EMS department, you must have a Mentor for this class. You can establish a Mentor relationship with an Officer who is a paramedic or EMT on a paid or part-paid fire department from your community (not volunteer FD since not facing similar legal issues covered in this class), or you may contact one of the UC Fire Science graduates who have kindly agreed to serve as a Mentor: [http://aerospace.ceas.uc.edu/FireScience – FACULTY / MENTORS](http://aerospace.ceas.uc.edu/FireScience).

Students using a mentor shall post along with your resume, their Mentor’s name, rank, fire department and cell phone number.

**Textbook:**

EMS LAW – LEGAL LESSONS LEARNED: electronic textbook, published by MBS Direct, Columbia, MO (800-325-5108; Production Manager is Josh Wheatley).

**Online Bennett:**

See recent EMS case decisions, posted in Chapter 13 on UC Fire Science web page: [http://aerospace.ceas.uc.edu/FireScience.html](http://aerospace.ceas.uc.edu/FireScience.html) (ONLINE BENNETT).

SIGN UP: Approximately 2,000 Fire Chiefs, students, others now signed up.
Each student shall sign up for free updates of the professor’s free newsletter, Fire & EMS and Safety Newsletter: [http://aerospace.ceas.uc.edu/FireScience](http://aerospace.ceas.uc.edu/FireScience) (ONLINE BENNETT; see SIGN UP HERE).

**Current Events:**

Current Events items are posted by professor on first page of your Blackboard course. Try to locate an item on the Internet related to your local community or state.

**Best Term Papers:**

In each course, your professor will select the “best” term paper. With the student’s written permission, it will be posted at [http://aerospace.ceas.uc.edu/FireScience-BEST PAPERS](http://aerospace.ceas.uc.edu/FireScience-BEST PAPERS). Please review posted papers prior to writing your term paper – great topics. (Note: Recent term papers follow the National Fire Academy’s Executive Fire Officer format: CERTIFICATE, ABSTRACT and INDEX.)

**E-mails:**

When sending e-mails, please use only your UC e-mail address. Each e-mail shall identify name / number of the course, since professor is teaching multiple courses.

**UC Blackboard Help Desk:**

If need technical advice, call 513-556-1602.

**Grading:**

Grades will be based on maximum of 100 points.

- **A** 90 – 100
- **B** 80-89
- **C** 70-79
- **D** 60-69
- **F** Below 60
a. Grading weekly Discussion Board postings – post each Friday & Sunday (max of 70 points; 5 points per week for 14 weeks):

Discussion Board Grading Rubric:

- Weekly scores will focus on how well you have educated the rest of the class and the Professor on “real world” issues / lessons learned concerning your fire department or your mentor’s fire department.

- Particular emphasis will be on your sharing personal experiences in the fire service, or the experiences of your Mentor.

b. Grading Term Paper – due Week 14 (maximum of 30 points)

Term Paper Grading Rubric:

- This will be an “Applied Research” term paper, where the score will reflect the student’s quality research, as applied to a current issue or lesson learned relevant to the student’s fire department [students encouraged to discuss with Professor].

- Length: 8 to 10 pages.

- Format: follow the format of National Fire Academy, Executive Fire Officer (EFO), including CERTIFICATE, ABSTRACT, and INDEX.

For example, see current EFO Outstanding Research Award Winners:

See also http://www.lrc.fema.gov/efop.html:

“Welcome to the Executive Fire Officer Program (EFOP) Applied Research Project Resource Page. This resource page allows you to search and explore our collection of nearly 7000 EFOP papers dating from 1986 to present.”
National Fire Academy’s Learning Resource Center is also a great source of information. Director of the Center, Ed Metz (301-447-1046), edward.metz@dhs.gov, and his staff are very helpful.

- Score will also reflect the fulfillment of the following requirement on Week 12, post by Friday your Proposed Topic in one paragraph, and a 2-minute video of yourself discussing the topic. Post in Discussion Board - Proposed Term Paper folder.

  Post by Sunday on Week 12 your written comments to two (2) fellow students’ postings. [This is designed for students to be helping fellow students. It will not be graded.]

- Final Term Papers are due Week 14, Sunday night. Post in Discussion Board / Final Term Paper folder. [You do not need to post replies to fellow students.]

  Late term papers result in a COURSE FINAL GRADE REDUCED BY ONE LETTER (for example, final course grade of “B” is reduced to “C”).

**Weekly Posts - Each Friday - Three Posts:**

Students shall post by Friday night in Blackboard - Discussion Board, three (3) separate posts. SEPARATE POSTS SO YOUR FELLOW STUDENTS CAN REPLY TO YOUR INDIVIDUAL POSTS.

**TEXTBOOK – ABC’s:**

1. **ACTUAL CASES** (discuss lessons learned; each post shall end with paragraph entitled “RELEVANCY TO MY DEPARTMENT”)

2. **BEST PRACTICES** (each Chapter has a best practice article; discuss the article; each post shall end with a paragraph entitled “RELEVANCY TO MY DEPARTMENT”)

3. **CURRENT EVENTS** (find relevant current event for the chapter via GOOGLE search, or comment on a current event which I have posted in textbook or on Blackboard; each post shall end with paragraph entitled “RELEVANCY TO MY DEPARTMENT”)

Write each post as if you have 10 minutes to present (suggest 3 pages / post).
Prepare your weekly Friday postings in this UC class as if you were giving a presentation to a National Fire Academy, Executive Fire Officer (EFO) residency class. Note: The EFO is a wonderful 4-year program (two weeks residential per year, with a research project due after each session). Effective in 2009, to enroll in the EFO students must now have a Bachelor degree from a regionally accredited university or college. [Your professor has lectured numerous times in the EFO program.]

I suggest you use PowerPoint or PREZI. What is a PREZI? Your professor took UC seminar in August, 2011 on new technologies for classroom. See my presentation: http://prezi.com/i6-gaaauow1tz/sprinklers-smoke-detectors/.

An effective presenter gets the attention of the class. Students are encouraged to attach to their posting any “war story” or “show & tell” items. Photos, newspaper articles, lawsuits, EEOC complaints, SOGs, policies, training presentations, etc. are welcomed.

Please protect the privacy of your personnel by not identifying them by name unless this has already been a matter of public record in a newspaper or other general circulation publication.

**Each Sunday – Post Replies To Two Fellow Students**

Students shall reply to two fellow students by Sunday night, after reading all the class posts. Let your fellow student know how their post is helpful and RELEVANT TO YOUR DEPARTMENT.

**Weekly Assignments:**

They are also posted in Discussion Board. They may be updated during the course to reflect breaking news events or new fire & EMS service studies.

Week 1  Chapter 1 – Basic Framework of the American Legal System  
Week 2  Chapter 2 – The Many Faces of Negligence  
Week 3  Chapter 3 – History of EMS Law  
Week 4  Chapter 4 – Forming an EMS System  
Week 5  Chapter 5 - Safety Considerations  
Week 6  Chapter 6 – Hiring  
Week 7  Chapter 7 – Staffing  
Week 8  Chapter 8 – Compensation and Benefits  
Week 9  Chapter 9 – Operational Laws  
Week 10  Chapter 10 – Funding Laws  
Week 11  Chapter 11 – Legal Pitfalls of Discipline, Terminations, Layoffs  
Week 12  Chapter 12 – Records Retention  
Week 13  Chapter 13 – National EMS Representation / and Chapter 14, Professional Org.  
Week 14  Chapter 15 – Lobbying For Change

If any questions, feel free to call Prof. Larry Bennett (Cell 513-470-2744).