

**Health Services
Administration**

PHCY 5244 State Regulation of Health Professions



College of Health Sciences
School of Pharmacy

PHCY 5244 State Regulation of Health Professions

2 Credit Hours

Background:

While federal agencies such as the Food and Drug Administration (FDA) and the Drug Enforcement Administration (DEA) *primarily* regulate various aspects of the pharmaceutical product, it is state agencies that *primarily* regulate health care practitioners and the clinical sites where practitioners deliver health care to patients. Changes in regulation can produce changes in the quality of health care. Collaboration between those who regulate the pharmaceutical product, and those who regulate professionals who use pharmaceutical products, is necessary to promote beneficial outcomes from pharmaceutical care.

Course Description:

Focusing primarily on the pharmacy profession as an example of a regulated professional group that serves the public interest, this course examines how state regulatory agencies assure the initial competence of practitioners, as well as their continuing competence in the years following the completion of academic professional training. The course also examines the factors that are applied to the regulation of health care settings, such as clinics, pharmacies, hospitals, and long-term care facilities. Using the structure-process-outcomes typology of Avedis Donabedian, the course examines how state regulators can try to ensure that adequate structures and useful processes are employed by health care practitioners in order to promote positive public health outcomes.

Course Purpose:

The purpose of this course is to provide the student with expertise in the area of compliance with state-level health regulations that are intended to protect patients from avoidable harm and protect health care professionals and institutions from non-compliant practices that can lead to adverse regulatory consequences.

Place and Time of Class Sessions:

This is a condensed course that will be taught over a five week period. Live courses will be taught on Sundays, beginning at 5PM Mountain Time, through Big Blue Button. Learning materials will be posted on WyoCourses and may be accessed at any time. There will be five exams that will start at 7am on Fridays and will end at noon on Sundays.

Course Instructor: Cody Wiberg, Pharm.D., M.S., R.Ph.

Phone: (651)888-9197

Email: codywiberg@msn.com

Office Hours: Dr. Wiberg does not have an on campus office. He will try to respond to e-mails about the course within 24 hours of receiving them. Please e-mail Dr. Wiberg to schedule any telephone conversation that you feel is necessary.

Course Structure & Outline:

This course is comprised of five modules, to be completed over a period of five weeks. The five modules are:

- **Overview – History and Purpose of State Regulation; Comparison with Federal Regulation**
- **Means and Methods of State Regulation**
- **Compliance and Discipline**
- **Judicial Perspectives on State Regulation of Health Professionals**
- **Emerging Challenges in Health Care Regulation**

Course Learning Resources:

- **Book Chapter**
 - Fox, William F. *Chapter 1: Understanding Administrative Law*, 4th Copyright 2000.
- **Monographs**
 - The State Board of Pharmacy Regulatory Role
 - Responsibility and Professionalism in Pharmacy
 - Emerging Challenges in Pharmacy Regulation
 - Licensure as Assurance of Competence
 - Compliance with Expanded Expectations of Pharmacists
 - Compliance with Patient Safety Requirements
 - Compliance With Managed Care Standards
- **Journal Articles**
 - Casey et al. Current Practices and State Regulations Regarding Telepharmacy in Rural Hospitals
 - Chaudhry et al. Medical Board Expectations for Physicians Recommending Marijuana
 - Ford et al An Assessment of State Board of Pharmacy Legal Documents for Public Health Emergency Preparedness
 - Kleiner, Morris M. *A License for Protection*. Regulation (a journal of the Cato Institute). Fall, 2006.
- **Legal Case Studies**
 - Whalen, Commissioner of Health of New York v. Roe et. al.
 - Storman's, Inc., DBA Ralph's Thriftway, et. al. v. John Wiesman, Secretary, Washington State Department of Health et. al.
 - Jefferson County Pharmaceutical Assn v. Abbott
 - Sorrell v. IMS Health
 - Storman's v. Weisman

- **Other Documents**

- Apex Drugstore Mock Disciplinary Letter
- Apex Drugstore Mock Notice of Conference
- Wiberg, Cody C. *Minnesota Board of Pharmacy Sunset Report 2011*
- Law, Marc T. and Kim, Sukkoo. *Specialization and Regulation: The Rise of Professionals and the Emergence of Occupational Licensing Regulation*. National Bureau of Economic Research Working Papers Series. May, 2004.
- Minnesota Legislature House Research: Health Professions Discipline Laws
- Minnesota Board of Pharmacy Overview of Complaints
- Minnesota Tennessee Warning for Subjects of Investigations
- Minnesota Statutes - Chapter 214 Excerpts
- Minnesota 2017 Rule-Making Manual (Chapter 1 only)
- NABP Telepharmacy Articles
- Pharmacists Tread Carefully into the World of Medical Cannabis
- Wyoming Board of Pharmacy Complaint Form
- Wyoming Board of Pharmacy Telepharmacy Rules

Course Schedule:

Week 1: Overview – History and Purpose of State Regulation; Comparison with Federal Regulation

- Live class meets on April 7.
- One or two page paper is due at 11:59 PM on April 14.
- Exam 1 opens on Friday, April 12 at 7:00 AM, closes on Sunday, April 14 at 11:59PM.

Week 2: Means and Methods of State Regulation

- Live class meets on April 14.
- One or two page paper is due at 11:59 PM on April 24.
- Exam 2 opens on Friday, April 19 at 7:00 AM, closes on **Wednesday**, April 24 at 11:59 PM.

Week 3: Licensure, Compliance and Discipline

- No live class on April 21. Recorded lecture will be available on April 20th.
- One or two page paper is due at 11:59PM on May 1.
- Exam 3 opens on Friday, April 26 at 7:00 AM, closes on **Wednesday**, May 1 at 11:59 PM.

Week 4: Judicial Perspectives on State Regulation of Health Professionals

- Live class meets on April 28.
- One or two page paper is due at 11:59 PM on May 8.
- Exam 4 opens on Friday, May 3 at 7:00 AM, closes on **Wednesday**, May 8 at 11:59 PM.

Week 5: **Emerging Challenges in Health Care Regulation**

- Live class meets on May 5.
- Exam 5 opens on **Thursday**, May 9 at 7:00 AM, closes on **Saturday**, May 11 at 11:59 PM.

Evaluation Techniques:

Class participation - 10%

Exams - 30%

Papers - 60%

Grading:

A: 90.0 – 100.0

B: 80.0 – 89.9

C: 70.0 – 79.9

D: 60.0 – 69.9

F: <60.0

Class Attendance Policy:

Attendance at scheduled online classes through Big Blue Button is mandatory. However, the course coordinator will excuse students from class for valid reason. Classes will be recorded for later viewing (within two weeks) by students who have been excused from attendance. All students are expected to participate during online class sessions by responding to or asking questions.

Exams/Written Exercises Policy:

Inquiries regarding exams and written exercises should be directed to the course coordinator, preferably prior to the assessment, and always within a week following the assessment.

Make-up Exam Policy:

Students are expected to take all exams – but may be excused from taking an exam for certain significant reasons. Students who are excused from an exam will not be required to make up that assessment and their final grade will be calculated without consideration

of the missed assessment. Students who are not excused from a missed quiz or exam will receive a grade of zero on that missed assessment. Any student who misses quizzes and/or exams of a sufficient number that indicate the student has not completed enough coursework to achieve the objectives of the course will be given an incomplete (I) grade for the course.

Policy on Old Exams and Assignments:

At the discretion of the instructor, exams and written exercises may be posted, with answers, to the course discussion board.

Academic Dishonesty Statement:

The University of Wyoming is built upon a strong foundation of integrity, respect and trust. All members of the university community have a responsibility to be honest and the right to expect honesty from others. Any form of academic dishonesty is unacceptable to our community and will not be tolerated. Teachers and students should report suspected violations of standards of academic honesty to the instructor, department head, or dean. Other University regulations can be found at: <http://www.uwyo.edu/generalcounsel/current-uw-regulations-and-presidential-directives/>[Links to an external site.](#)

Disability Support Statement:

The University of Wyoming is an affirmative action/equal opportunity educator and employer. If you have a physical, learning, or psychological disability and require accommodations, please let the instructor know as soon as possible. You will need to register with, and provide documentation of your disability to University Disability Support Services (UDSS) in SEO, room 330 Knight Hall. The University Disability Support Services website, which may be found at: <http://www.uwyo.edu/udss/information-for-faculty-and-staff/>[Links to an external site.](#) or you may contact UDSS for more information at (307) 766-6189, TTY: (307) 766-3073

Course Summary:

Date	Details	Due
Sun Apr 7, 2019	Calendar Event Live Class: Week 1	5pm to 8pm
Sun Apr 14, 2019	Calendar Event Live Class: Week 2	5pm to 8pm
	Quiz Quiz 1	due by 11:59pm

Date	Details	Due
	Assignment Week 1 Paper Assignment - History and Purpose of State Regulation; Comparison with Federal Regulation	due by 11:59pm
Sat Apr 20, 2019	Calendar Event Week 3 Recorded Class Session Available	12am
	Quiz Quiz 2	due by 11:59pm
Wed Apr 24, 2019	Assignment Week 2 Paper Assignment: Means and Methods of State Regulation	due by 11:59pm
Sun Apr 28, 2019	Calendar Event Live Class: Week 4	5pm to 8pm
	Quiz Quiz 3	due by 11:59pm
Wed May 1, 2019	Assignment Week 3 Paper Assignment - Licensure, Compliance and Discipline	due by 11:59pm
Sun May 5, 2019	Calendar Event Live Class: Week 5	5pm to 8pm
	Quiz Quiz 4	due by 11:59pm
Wed May 8, 2019	Assignment Week 4 Paper Assignment - Judicial Perspectives on State Regulation of Health Professionals	due by 11:59pm
Sat May 11, 2019	Quiz Quiz 5	due by 11:59pm