

COURSE OUTLINE

Legal Issues of the Elderly

Course Description

NR 223. Legal Issues of the Elderly. 2 hours credit. Prerequisites: NR105 with a C or better, or RN/LPN, or prior approval of instructor. This course will enable the student to explore various legal issues specific to the elderly client. This information will assist the student to act as an advocate for the elderly population. Butler Community College is approved as a provider of continuing education by the Kansas State Board of Nursing. This course may be taken for continuing education credit in lieu of college credit hours.

Course Relevance

In response to the growing number of elderly clients seeking health care and legal resources, it is imperative that health care professionals demonstrate an understanding of the legal issues impacting this population. The concepts learned in this course will enhance the student's ability to provide information and available resources to elder adults.

Required Materials

Ebersole, P., Hess, P., & Luggen, A.S. (2004). *Toward healthy aging: Human needs and nursing response*. (6th ed.). St. Louis, MO: Mosby.

Learning Outcomes

The intention is for the student to be able to:

1. Identify the legal issues that impact elder adults and caregivers
2. Analyze common barriers to decision making in addressing the legal needs of elder adults and caregivers
3. Identify appropriate community resources to meet elder adult's legal needs
4. Demonstrate advocacy skills for elder adults

Primary Learning PACT Skills that will be DEVELOPED and/or documented in this course

Through the student's involvement in this course, he/she will develop his/her ability in the following primary PACT skill areas:

1. Critical Thinking
 - Through written assignments, review of state statutes, and other activities conducted in this course the student will develop critical thinking skills.
 - Through the analysis of case studies and legal documents the student will develop critical thinking skills.

2. Problem Solving
 - Through analysis and identification of common legal issues encountered by elder adults, the student will develop the problem solving skills needed to identify appropriate community resources for this population.

Secondary skills (developed but not documented):

Computer Literacy
Internet Use
Valuing Diversity
Ethical Conduct

Major Summative Assessment Task(s)

These learning outcomes and the primary Learning PACT skills will be demonstrated by

1. Analyzing issues of elder law
2. Creating a community resource guide focused on available legal resources
3. Analyzing case studies relevant to legal issues and elder adults

Course Content

- I. Themes – Key reoccurring concepts that run throughout this course:
 - A. Legal issues specific to elder adults and caregivers
 - B. The common barriers to decision making related to elder adults
 - C. Professional responsibility to serve as an advocate for elder adults
 - D. All elder adults have specific legal issues
- II. Issues – Key areas of conflict that must be understood in order to achieve the intended outcome:
 - A. Resistant behaviors demonstrated by elder adults and or caregivers to address necessary legal issues
 - B. Lack of knowledge about available community legal resources for elder adults
 - C. Awareness of professional responsibility as applied to confidentiality and reporting requirements
- III. Concepts – Key concepts that must be understood to address the issues:
 - A. Barriers to providing appropriate legal information and resources to elder adults
 - B. Accessing community and financial resources for elder adults
- IV. Skills/Competencies – Actions that are essential to achieve the course outcomes:
 - A. Assessment of legal needs of elder adults
 1. Health and personal care planning
 2. Residents' rights in long-term care
 3. Housing issues
 4. Litigation and administrative advocacy
 5. Fiduciary representation
 6. Retirement planning
 7. Legal capacity
 8. Income, estate, and gift taxes
 9. Public benefits
 10. Insurance matters
 - A. List community resources available to meet the legal needs of elder adults

1. Social Security Administration
 2. The Medicare System
 3. State Medicaid System
 4. Kansas Department of Health and Environment
 5. Kansas Department on Aging
 6. Adult Protective Service
- C. Discuss advocacy and professional responsibility in assisting elder adults in meeting legal needs
1. Discuss the concept of frailty and vulnerability
 2. Effective communication strategies
 3. Nursing interventions in support of elder adults
- D. Assess statutes and regulations
1. Federal regulation through the social security act
 2. State regulation
 3. Adult protective service laws
 4. Nursing Home Reform Amendments – Residents’ Bill of Rights

Learning Units

- I. Assessment of legal needs of the elder adult
- II. Community resources specific to legal support for the elder adult
- III. Professional responsibility and advocacy

Learning Activities

Independent study of materials supported by additional materials as required by the instructor as well as discussion of case studies, examination of professional journals, collaboration and interactive participation among class members and instructor.

Grade Determination

The student will be graded on completion of assessment tasks, class participation and discussion, as well as other methods of evaluation determined at the discretion of the instructor.