

# Law & Ethics



**Instructor:** *Linda J. Garrett, JD*

## ***Instructor Information:***

Linda Garrett is a risk manager and has practiced as a medical malpractice defense attorney for a law firm in San Francisco, California. She is a graduate of the University of California, Berkeley and University of California Hastings College of the Law. Ms. Garrett has been providing risk management services to healthcare facilities and providers for over 25 years.

## ***Course Description:***

This course helps participants learn about and understand new state legislation impacting healthcare providers; learn about federal regulations impacting substance use disorder confidentiality; review HIPAA and state law privacy as it applies to multi-disciplinary teams; review mandated reporting duties for healthcare providers (child abuse/neglect; elder and dependent adult abuse/neglect; Tarasoff "duty to warn" and other laws; and to review ethical challenges presented by social media and current events.

***Date:*** **September 9, 2020**

***Time:*** **9:00am – 4:30pm**

***Location:*** Virtual training- link will be sent to registrants

**RUHS-BH Staff - Please register for this course via COR at <http://corlearning.rc-hr.com>**

**All other interested partners, please visit [www.rcdmh.org/wet](http://www.rcdmh.org/wet)**

## ***Continuing Education Credits:***

This course meets the qualifications for **6** hours of continuing education credit for LMFTs, LCSWs, LPCCs, and/or LEPs as required by the California Board of Behavioral Sciences.

Linda Garrett is approved by the California Association of Marriage and Family Therapists to sponsor continuing education for LMFTs, LCSWs, LPCCs and/or LEPs. Linda Garrett maintains responsibility for this program/course and its content.

CAMFT approved continuing education provider number: # 136540

Provider approved by the California Board of Registered Nursing, Provider # CEP17400 for **6** Contact Hours.

Provider approved by CCAPP-EI, Provider Number 1N-98-402-2021 for **6** CEH'S.

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**Course Description:** This course helps participants learn about and understand new state legislation impacting healthcare providers; learn about federal regulations impacting substance use disorder confidentiality; review HIPAA and state law privacy as it applies to multi-disciplinary teams; review mandated reporting duties for healthcare providers (child abuse/neglect; elder and dependent adult abuse/neglect; Tarasoff "duty to warn" and other laws; and to review ethical challenges presented by social media and current events.

**Instructor Information:** Linda Garrett has been providing risk management services to healthcare facilities and providers for over 25 years. As the loss prevention consultant for the CSAC Excess Insurance Authority Medical Malpractice Programs, she provides services to over 50 California public entity health, mental health, and correctional healthcare programs, as well as to several county hospitals in California. She also consults with a group of Nevada rural hospitals, providing similar education and loss prevention services. She trains providers and administrative staff on a variety of medical/legal topics including consent, charting, mandated reporting, involuntary mental health treatment, patients' rights, and federal and state medical confidentiality laws (including HIPAA/HITECH Act, and 42 CFR Part 2). Before working as a risk manager, Ms. Garrett practiced as a medical malpractice defense attorney for a law firm in San Francisco, California. She is a graduate of the University of California, Berkeley and UC Hastings College of the Law.

**Audience:** RUHS-BH Clinical Therapists and other treatment staff. LMFTs, LCSWs, LPCCs, associate-level and support staff providing client care in the public behavioral health system. Level of presentation: intermediate - applicable to participants with working knowledge of the topic.

**Seat #:** 50

**Location:** Virtual training - link will be sent to registrants

This is an ADA compliant facility. If you require accommodations, please contact the Rustin Conference Center at (951) 955-7270 at least fourteen (14) days in advance of this event.

## **Educational Goals:**

1. Review relevant legal and ethical considerations in practice.
2. Analyze relevant updates and current research findings related to law and ethics.
3. Apply knowledge to inform legal and ethical practice.

## **Learning Objectives:**

1. Name two changes in licensing laws that impact healthcare providers' licensing boards or training requirements.
2. Describe the expansion of minor consent laws to include treatment for injuries caused by intimate partner violence;
3. Articulate two ways that state law has changed to address involuntary hold processes;

4. State two ways that consent forms for the release of SUD information have changed under the new regulations;
5. Describe three everyday situations where HIPAA breaches can easily occur;
6. Explain and discuss the two triggers for mandatory child abuse reporting and the three triggers for mandatory elder abuse reporting; and,
7. Provide three examples of social media participation that could create "dual relationship" or "boundary issues" with a client.

**Course outline:**

<b>9:00 - 10:00</b>	New legislation and caselaw
<b>10:00 - 10:30</b>	COVID-19
<b>10:30 - 10:45</b>	<b>Break (non CE time)</b>
<b>10:45 - 11:00</b>	Caselaw: Mathews v. Beccera, CA Atty. Gen. Op. - 805 reports, Ciox v. Azar
<b>11:00 - 11:30</b>	42 CFR Part 2 proposed changes; new statutory changes (CARES Act)
<b>11:30 - 12:00</b>	Minor Consent
<b>12:00 - 1:00</b>	<b>Lunch (non CE time)</b>
<b>1:00 - 2:00</b>	Minor Consent – continued
<b>2:00 - 2:45</b>	Multi-disciplinary teams focused; helping “high utilizers” and homeless patients
<b>2:45 - 3:00</b>	<b>Break (non CE time)</b>
<b>3:00 - 4:00</b>	Ethical issues: dual relationships, boundary issues, and the use of social media
<b>4:00 - 4:30</b>	Questions and discussion
<b>4:30 - 5:00</b>	Adjourn

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Mailing address: Garrett Consulting Group, LLC, PO Box 890, Larkspur, CA 94977, (415) 924-4980.

**Enrollment/Registration Policy:**

Register for this course via COR Learning Management System (<http://corlearning.rc-hr.com/>). The enrollment deadline is three (3) calendar days prior to the course start date (excluding holidays and weekends). Walk-ins (those not registered) are welcomed and will be accepted on a first come first serve basis, if spaces are available. There is no guarantee of admission into the course for walk-ins.

**Cancellation and Refund Policy:**

Registration must be cancelled on or before seven (7) calendar days prior to the course date (excludes holidays and weekends). Riverside University Health System-Behavioral Health does not currently charge fees for continuing education courses or activities sponsored by our agency. Therefore, no refund policy or procedure is currently in affect.

**Requesting Continuing Education:** Participants interested in receiving continuing education credit should contact Manuel Pondivida via email

([MPondivida@ruhealth.org](mailto:MPondivida@ruhealth.org)). Please include the following information in your email request: full name, title of training, and certification or license number. For in-person courses, continuing education certificates will be issued immediately after the completion of the course. For distance learning courses, continuing education certificates will be issued via email or by mail within five (5) business days after the completion of the course.

**Attendance Policy:** Participants who arrive to the course after the scheduled start time may not be admitted. To receive continuing education credit for this course, participants must attend the entire scheduled time. Participants who arrive late, leave early or return late from lunch/breaks will not receive continuing education credit. **There is no partial credit issued.**

**Grievances:** Please contact training coordinator Taide Arias at [TArias@ruhealth.org](mailto:TArias@ruhealth.org) or 951-955-7265 for questions or concerns about this continuing education activity or facilities, or to request a copy of our grievance policy and procedures. Riverside University Health System-Behavioral Health follows all applicable local, state, and federal standards, including the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§ 12101-12213 (2008).