



Course title:	Legal Issues of Older Adults and Persons with Disabilities
Course #/term:	SW 796 001, SS 2019
Time and place:	Wednesday, June 24, 2020 9AM-5PM Wednesday, July 1, 2020 9AM-5PM Canvas.umich.edu and Zoom videoconferencing
Credit hours:	1
Prerequisites:	None
Instructor:	Roxanne J. Chang
Pronouns:	She
Contact info:	Email: roxanne@rjchangadvocate.com Phone: 734 776-4466 You may expect a response within 48 hours
Office:	N/A
Office hours:	By appointment only

1. Course Statement

a. Course description

This course helps students increase their understanding of the legal issues frequently encountered by older adults and persons with disability, including estate planning, planning for incapacity, guardianship, elder abuse and exploitation, advocacy for quality long-term care and other services, eligibility for long-term care benefits and services, and elder abuse and exploitation. Students will discuss readings and case studies in small groups with other students and write short reflective pieces, as well as having the option to observe court proceedings.

b. Course content

This course will enable social workers to effectively navigate issues related to health and financial decision-making, capacity and incapacity, quality of life and care in long-term care settings, and vulnerable adult abuse and exploitation and other legal issues related to older adults and individuals with

disabilities. Social workers will learn to effectively advocate for these individuals and their families while addressing the tensions between promoting self-determination and person-centered care versus safety, protection and the best interests of the individual.

c. Course objectives and competencies

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

- Articulate the importance of promoting self-determination and person-centered care for older adults and persons with disabilities.
- Identify ways to plan for incapacity and understand alternatives such as substituted decision-making, estate planning, guardianship, and conservatorship.
- Understand the ethical issues regarding substituted decision-making, including end-of-life treatment decisions.
- Describe long-term care options and services, how it is paid for, eligibility for government benefits, and ways to advocate for quality of life and care in various long-term care settings.
- Identify types of elder abuse and exploitation and how to address suspected abuse and exploitation.

d. Course design

This course will be held over two (2) days for eight (8) hours each day, consisting of independent coursework and participation via the Zoom Video Conferencing application. Attendance and participation at the entire class is required to pass. This course will use multiple teaching modalities, including mini-lectures, small group discussions and self-reflection in order to help students not only understand and identify the legal issues, but to develop empathy and understanding of how these legal issues can significantly impact the well-being of the older adult and person with disabilities.

e. Curricular themes

Multiculturalism and Diversity will be addressed through readings, case studies and course discussion, especially with regard to attitudes towards

legal proceedings and substituted decision-making and end-of-life treatment decisions.

Promotion, Prevention, Treatment and Rehabilitation will be addressed during mini-lectures and class discussions regarding the promotion of quality of life and care in long-term care and prevention and interventions for elder abuse and exploitation.

Behavioral and Social Science Research will be incorporated during mini-lectures and class discussions regarding substituted decision making and end-of-life treatment decisions.

f. Relationship to social work ethics and values

Case studies and other examples drawn from actual fact patterns will be used throughout the class which will reflect ethical dilemmas faced by social workers in relation to legal issues of older adults and individuals with disabilities. Issues will include disputes between actions and preferences of the substituted decision-maker and the older adult or persons with disabilities, and the tensions between promoting autonomy and self-determination and best interests and safety of the individual.

2. Class Requirements

a. Responsibilities Unique to an Online Course:

All students are responsible for understanding how to use the **canvas.umich.edu** interface.

To familiarize yourself with the Canvas system, please review the Canvas Student Guide available via Canvas Help Link.

The help desk is available 24/7, 365 days a year, or contact Canvas Support by phone, or chat:

- 4-Help Telephone: 734-764-4357
- 4-Help Chat: <https://chatsupport.it.umich.edu/>

Specifically, to take part in this course effectively, you will need to be able to have access the following:

- A dependable internet connection throughout the course.
- A web browser compatible with all canvas.umich.edu functions.
- Video and audio/telephone conferencing abilities
- A word processor able to create .doc, .docx, or .rtf files.
- A PowerPoint program to review .ppt files.
- A computer that is able to play online videos and MP3s.

You are fully responsible for making sure you have access to the proper and reliable hardware and software to complete all course assignments.

b. Text and class materials

The following articles provided via Canvas are to be read **before** the first class on June 24, 2020:

Acierno, R., Hernandez, M. A., Amstadter, A. B., Resnick, H. S., Steve, K., Muzzy, W., & Kilpatrick, D. G. (2010). Prevalence and Correlates of Emotional, Physical, Sexual, and Financial Abuse and Potential Neglect in the United States: The National Elder Mistreatment Study. *American Journal of Public Health, 100*(2), 292–297.

Barriga, S. R. (2012, January). *From Paternalism to Dignity: Respecting the Rights of Persons with Disabilities*. Retrieved from <https://www.hrw.org/world-report/2012/country-chapters/global-1>

Behuniak, Susan M. Toward a Political Model of Dementia: Power as Compassionate Care. *Journal of Aging Studies*24 (2010) 231–240.

Sabatino, C. P. (2010). The Evolution of Health Care Advance Planning Law and Policy. *The Milbank Quarterly, 88*(2), 211–239.

c. Class schedule

Wednesday, June 24, 2020

COURSEWORK ON YOUR OWN VIA CANVAS

9:00 am - 9:30 am	What is elder law?
9:30 am - 10:30 am	Elder Abuse & Exploitation: Introduction
10:30 am - 11:00 am	Elder Abuse Case Study
11:00 am -12:00 pm	Mandatory reporting & protective services agencies

ZOOM VIDEOCONFERENCING - LECTURES

12:30pm – 1pm	Introductions, Discuss Elder Abuse Case Study
1:00 pm – 2:30 pm	Long Term Care Advocacy; LGBTQ Issues
2:30 pm – 2:45 pm	Break
2:45 pm – 3:15 pm	Medicare Coverage for Skilled Care
3:15pm – 4:15 pm	Paying for LTC: Medicaid, LTC Insurance, VA benefits.
4:15 pm - 5:00 pm	LTC Case Study - Discussion

Wednesday, July 1, 2020

COURSEWORK ON YOUR OWN VIA CANVAS

9:00 am - 9:15 am	Introduction: Preserving and honoring wishes
9:15 am – 10:00 am	Person-Centered Care and Person Centered Planning
10:00 am – 10:15 am	Surrogate vs. Supported Decision-Making Watch videos
10:15 am – 11:15 am	Guardianship/Conservatorship
11:15pm to 12:00pm	Guardianship case study

ZOOM VIDEOCONFERENCING - LECTURES

12:30 pm - 1:00 pm	Discuss Guardianship Case Study
1:00 pm-2:30 pm	Planning for Incapacity/Advanced Directives <ul style="list-style-type: none">• Patient Advocate Designation• Power of Attorney• Living Wills• DNR• POST <p><i>Guest Speaker: Bradley Geller, JD, Michigan Center for Law & Aging</i></p>
2:30 pm-2:45 pm	Break
2:45 pm – 4:00 pm	Estate Planning <ul style="list-style-type: none">• Wills• Trusts• Special Needs Trusts
4:00 pm – 4:45 pm	Elder Mediation, Conflict Resolution
4:45 pm – 5:00 pm	Wrap up/Evaluations

d. Assignments

- Assigned readings must be read in preparation for class attendance.
- Class attendance for all 2 days. Completion of assignments and class participation during discussions is required.
- A short, 4-5 page essay/paper related to elder or special needs/disability law will be due midnight, **Wednesday, July 15, 2020**

Further instructions to complete the short essay/paper shall be provided via Canvas.

e. Attendance and class participation

- Attendance. Students are expected to attend the entire class on both days.
- Class Participation/Discussion. Students are expected to actively participate in discussions throughout both days of class. Class participation is an integral part of the grade.

f. Grading

- Assignments, Attendance and Participation During Class Days – 75% of grade. Discussions and assignments are to demonstrate critical reflection and reflective thinking related to the content of the course and to provide students with an opportunity to share experiences they may have had (both personal and professional) that are related to the content. Students are expected to share thoughtful ideas, clearly communicate ideas/opinions, and pose additional questions that deepen the discussion, at least 2-3 times throughout each day of class. Students should discuss issues with participation and assignments with the instructor
- Short Paper – 25% of grade. Students are expected to demonstrate engagement with the relevant ideas and good reasoning abilities. The student must meet the critical requirements of the assignment, and demonstrate and communicate clearly comprehension or the ability to apply, analyze, evaluate, reflect or synthesize the material and concepts.

Grading Policy:

This class will be graded as “Satisfactory” or “Unsatisfactory”

- A grade of **less than 70%** will be considered “**Unsatisfactory**”
- A grade of **70% or better** will be considered “**Satisfactory**”

Turning In Assignments – Students are responsible for turning in their assignments on the date that they are due.

Late Penalty – If accepted, late homework assignments will be penalized 10% of the possible points for each day that the assignment is late. Be sure to turn your work in on time. If you anticipate problems in completing assignments, contact the instructor as soon as possible to discuss how to turn in your work.

Student Learning Responsibilities – Please complete all readings and be prepared to discuss or complete the assignments. If you are having difficulty mastering the course material, please contact the instructor.

Please reference the MSW Student Guide policies on [Grades in Academic Courses and in Field Instruction](#) as well as [Student Grievance procedures](#) and the [policy for grading in special circumstances](#).

Additional School and University policies, information and resources are available here: <https://ssw.umich.edu/standard-policies-information-resources>. They include:

- *Safety and emergency preparedness*
- *Mental health and well-being*
- *Teaching evaluations*
- *Proper use of names and pronouns*
- *Accommodations for students with disabilities*
- *Religious/spiritual observances*
- *Military deployment*
- *Writing skills and expectations*
- *Academic integrity and plagiarism*