

Stark Law and Compliance

HLTH 7690

Course Description

This course provides an opportunity to explore, in-depth, the federal physician self-referral prohibition, known as the Stark Law. The course topics will cover the Stark Law and regulations, the regulatory exceptions, the application of the fair market value and volume and value standards, enforcement actions, and state self-referral prohibitions. Practical examples provide tools for healthcare professionals to apply the Stark Law in business and legal settings.

Readings

All readings for this course are available in a [custom-made textbook published by Academic Pub.](#)

Weekly Schedule

| Week | Topic |
|------|---|
| 1 | Theory, History & Introduction to the Stark Law |
| 2 | Structuring Compliant Physician Arrangements |
| 3 | The Fair Market Value Standard |
| 4 | The Volume or Value Standard |
| 5 | Stark Law & Physician Practices |
| 6 | Physician-Hospital Alignment Transactions |
| 7 | Stark Law Enforcement |
| 8 | State Self-Referral Prohibitions |

Course Outcomes

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

- CO 1. Recognize the policy and purpose behind the creation of the Stark Law
- CO 2. Appreciate the role of regulatory preambles in interpreting the Stark Law
- CO 3. Identify the four basic elements that trigger the Stark Law
- CO 4. Define key Stark Law terms
- CO 5. Analyze basic fact patterns to determine when the Stark Law is triggered

Overview of Course Activities

Activity #1: Tutorial Questions

The Tutorial Questions are weekly assignments designed to ensure that you have an accurate understanding of the key points in the readings. Answers to these questions can be any length. Your goal should be to accurately state the relevant points of law as concisely as possible. Your professor will provide feedback and guidance on your responses. **Answers are due by 11:59PM on Wednesday.**

Tutorial Questions for week 1 are available with the [first week's assignments](#). Tutorial Questions for the remaining weeks of the course are available on the Blackboard course site.

Activity #2: Discussion Questions

A "threaded discussion" is a discussion forum that allows students to respond to questions posted by the professor (original responses), which can then be read by other users who add their own comments in response (secondary postings). Unlike chat rooms and other "real-time" interaction forums, threaded discussions do not require different users to be logged on at the same time.

Discussion questions are assigned each week. **Original responses to these questions must be posted by Thursday at 11:59PM.** Original responses must be at least **250 words** and must incorporate concepts from the lectures and assigned readings.

Secondary Responses/Postings: Each student must post **two or more** secondary responses to other students' postings **for each discussion question**. Secondary responses are due by **11:59PM on the Monday following the week in which the questions were assigned**. They must be a minimum of **150 words** and, like original responses, should incorporate concepts from the lectures and assigned readings. Students are encouraged to embark on interactive discussions that go beyond the minimum number of secondary postings.

Although the discussion board is expected to be student-driven, professors will be participating in the discussions as well. Discussion Questions for week 1 are available with the [first week's assignments](#). Discussion Questions for the remaining weeks of the course are available on the Blackboard course site.

Activity #3 - Lease Agreement Analysis

This activity is due on Saturday of Week 2. Further information is available on the Blackboard course site.

Activity #4 - Physician Contracting Policy

This activity is due on Saturday of Week 4. Further information is available on the Blackboard course site.

Activity #5 - Physician Alignment PowerPoint

This activity is due on Saturday of Week 6. Further information is available on the Blackboard course site.

Activity #6 - Policy Statement on State Self-Referral Prohibition

This activity is due on Saturday of Week 8. Further information is available on the Blackboard course site.

Grading

| ACTIVITIES | % OF FINAL GRADE |
|--|------------------|
| Activity #1: Tutorial Questions | 25% |
| Activity #2: Discussion Questions | 25% |
| Activity #3: Lease Agreement Analysis | 12.5% |
| Activity #4: Physician Contracting Policy | 12.5% |
| Activity #5: Physician Alignment PowerPoint | 12.5% |
| Activity #6: Policy Statement on State Self-Referral Prohibition | 12.5% |

Responses to the Tutorial Questions and Discussion Questions will be graded each week in which they are assigned. At the end of the course, the lowest grade you receive for the Tutorial Questions and for the Discussion Questions will be dropped and will not be counted towards your final grade for the course. The purpose of this policy is to accommodate unanticipated professional or personal scheduling conflicts that may arise during the course.

IMPORTANT: You are required to post a *minimum* of one 250-word main post plus two 150-word secondary posts to each weekly discussion thread/topic. Your weekly discussion board grade will be based upon the quantity and overall quality of your postings.

Late Activities: For purposes of grading, activities and assignments that are submitted late will be treated as not having been submitted at all. The professor may make exceptions to this policy for true emergencies, such as serious illness. Requests for exceptions should be made in advance of the deadline, if possible. The professor's decision to grant or deny a request for an exception is final and unreviewable.

The following grade scale will be used to calculate final grades. The following is an explanation of how points equate to grades, based on a 4.33-point scale:

| Grade | Quantitative | Qualitative | Definition |
|-------|--------------|----------------|--|
| A+ | 4.33 | Excellent | Superior understanding of the content and method of the course, extraordinary ability to recognize relationships between concepts, initiative in doing work in which quality consistently surpasses that required. |
| A | 4.00 | | |
| A- | 3.67 | | |
| B+ | 3.33 | Good | Good understanding of the content and method of the course, demonstrated ability to recognize relationships between concepts, substantial achievement of course objectives and fulfillment of course requirements. |
| B | 3.00 | | |
| B- | 2.67 | Fair | Rudimentary understanding of the content and method of the course, limited recognition of relationships between concepts, basic but incomplete achievement of course objectives and requirements. |
| C+ | 2.33 | | |
| C | 2.00 | | |
| C- | 1.67 | Unsatisfactory | Little understanding of the content and method of the course, inability to demonstrate minimum recognition of relationships between concepts, unsatisfactory achievement of course objectives and requirements. |
| D+ | 1.33 | | |
| D | 1.00 | | |
| F | 0.00 | Failure | Lack of understanding of the content and method of the course, failure to achieve objectives and/or complete requirements of the course. |

Grades are based strictly on individual performance, not on any external factors (e.g., tuition reimbursement policies at your place of employment). Any questions about grades must be made in writing.