*This exam is* ***required*** *and is scored out of* ***100 points****.*

1. Check your Understanding

2. Key Terms ; define:

Accreditation - The act of granting approval to a healthcare organization based on whether the organization has met a set of voluntary standards developed by an accreditation agency.

Administrative law - A body of rules and regulations developed by various administrative entities empowered by Congress falls under the umbrella of public law.

Admissibility - The condition of being admitted into evidence in a court of law

Alternative dispute resolution - Methods of resolving legal disputes outside of the court system such as arbitration or mediation.

Appellate courts - Courts that hear appeals on final judgments of the state trial courts or federal trial courts.

Arbitration - A proceeding in which disputes are submitted to a third party or a panel of experts outside the judicial trial system.

Authentication - An affirmation of a record’s legitimacy through testimoney or written validation.

Bench trial - It is a trial in which a judge reviews the evidence and makes a determination, without a sitting jury.

Breach of contract - It is the failure to perform any term of a contract by any party involved in the contract

Complaint - It is the written legal statement in litigation from a paintiff that initiates a civil lawsuit.

Counterclaim - It is a vounter suit in a court of law

Cross-clam - It is a complaint filed against a codefendant

Defendant - It is an individual or an entity aainst whom against whom a civil complaint has been filed in civil cases; in criminal cases, it is an individual who has been accused of a crime.

Deposition - It is the method of gathering information to be used in a litigation process.

DRS  - Designated Record Set

Discovery - It is the pre-trial stage in the litigation process during which both parties to a suit use various strategies to identify information about the case, the primary focus of which is to determine the strength of the opposing party’s case.

DNR - Do-Not-Resuscitate

DPOA-HCD - Durable Power of Attorney for HealthCare Decisions

Express Contract - It is an agreement between a physician and a patient that is specifically articulated

False Claims Act - It is a legislation passed during the Civil War, amended in 1986, that prohibits contractors from making a false claim to a governmental program; used to reinformce the prevention of healthcare fraud and abuse.

Judicial Law - It is the body of law created as a result of court (juficial) decisions

Litigation - A civil lawsuit or contest in court

Living will - It is a legal document also known as a medical directive, that states a patient’s wishes regarding life support in certain circumstances, usually when death is imminent.

Malfeasance - It is a wrong or improper act

Medial malpractice - It is a type of action in which the plaintiff must demonstrate that a healthcare provider-patient relation ship existed at the time of the alleged wrongful act.

Metadata - It is the descriptive data that characterize other data to crate a clearer understanding of their meaning and to achieve greater reliability and quality of information.

Misfeasance - It relates to negligence or improper performance during an otherwise correct act

NPDB - National Practitioner Data Bank

PHR - Personal Health Record

Tort - It is an action brought when one party believes that another party caused harm through wrongful conduct and seeks compensation for that harm

Voir dire - It is a process of jury selection

Summons - It is an instrument used to begin a vicil action or special proceeding and is a means of acquiring jurisdiction over a party

Subpoena - It is a command to appear at a certain time and place to give testimony on a certain matter

Statutory law - It is a written law established by fedeeral and state legislatures.

3.

There are many methods of discovery, and state laws often provide for broad discovery (such as encouraging the sharing of information among parties to a lawsuit). Why do you think discovery is encouraged?  Is it the purpose of a lawsuit for parties to reveal their "show stopping " evidence at trial?