

# UNIVERSITY MEDICAL CENTER'S RISK MANAGEMENT DEPARTMENT

## *I. Overview and Description of Field Work*

The Risk Management Department's semester long Externship Program will enable students to develop an in-depth understanding of civil litigation, hospital administration, and commercial insurance products. The students placed in UMC's Risk Management Department will work closely with the department head, the Executive Director of Risk Management, Annette Bradley, Esq.

The program's primary goals include legal research and writing opportunities, litigation case assessment and management, hospital and legal fact investigation, and insurance program management. The externship will provide students the opportunity to conduct legal research, draft a variety of legal documents; prepare cases for deposition, hearing, or trial; observe depositions and hearings; participate in various hospital administration activities; and manage Risk Management's insurance program.

## *II. Description of Field Work*

Students will be given an opportunity to experience administrative and litigation practice under the direct supervision of UMC's Executive Director of Risk Management.

1. Students will review and assess new cases and assist with management and strategy decisions.
2. Provide legal research and analysis for attorney's use in responding to hospital-related issues.
3. Research substantive legal issues arising under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), employment discrimination (Title VII), Emergency Medical Treatment and Active Labor Act, State and Federal Anti-Kickback laws, and Stark.
4. Draft and assist the attorney in drafting pleadings, memoranda of law, trial and appellate briefs, motions, proposed orders, and stipulations in civil matters.
5. Research procedural issues arising under the Nevada and Federal Rules of Civil Procedure.
6. Communicate with clients and witnesses, assist with discovery related matters, and assist with hearing and/or trial preparation.
7. Observe trials and other proceedings, and appear in Federal or State Court upon student practice certification.

### *III. Student Practice Certification*

Court Appearances - Students may become certified to appear in either State or Federal Court, or both.

1. Federal Court -- All students certified under U.S. District Court, District of Nevada, Local Rule IA 10-5 may engage in the activities delineated in Local Rule IA 10-5(e), as determined by the Field Supervisor.
2. State Court -- All students certified under Nevada Supreme Court Rule 49.5, under level 1 or level 2 certification, may engage in the activities delineated for each level of certification, as determined by the Field Supervisor.

### *IV. General Requirements*

1. Eligibility and Prerequisites. Students must have completed all first- year courses and be in good academic standing. Professional Responsibility is a pre or co-requisite which may be waived by the Externship Director. Student participation is subject to an interview with the Executive Director of Risk Management.
2. Credit Hours. This program will provide up to seven (7) credits. The Externship Director, in consultation with the Field Supervisor, must approve the number of credits for each student. Students will not be required to be on-site during any examination periods.
3. Supervision. The Executive Director of Risk Management will act as the student's Primary Field Supervisor.
4. Orientation. Due to the nature of the business conducted at UMC, those selected for an extern position must participate in UMC's general orientation and must receive clearance before commencing work as an extern. Such things as prior criminal arrests and/or convictions may disqualify an applicant.
5. Confidentiality. Due to the sensitive nature of the cases and information handled by the Risk Management Department, the extern will execute an agreement of confidentiality with regard to all privileged information learned during the course of the externship.

## V. *Academic Component*

Class Meetings - Externs will attend all training sessions and/or lectures conducted by the Risk Management Department. Externs will also attend class meetings conducted by the Externship Director. Dates of classes to be announced.

Writing Requirements - Externs will maintain a weekly journal and timesheet, which they will submit to the Externship Director. The log should include a description of the student's work, a record of the hours worked, and a discussion of substantive and procedural legal issues, professional responsibility issues, lawyering skills, and values as they arise in the context of the field work. Students are also required to submit at least two other memo assignments as instructed by the Externship Director.

## VI. *Evaluation*

The field work for this course is graded on a Pass-Fail basis. Course work (1 credit) is on a Pass, C-, Fail grading basis.

The Field Supervisor will evaluate each student's work by:

1. Conferring regularly with the student throughout the placement;
2. Reviewing and observing the student's work and conducting feedback sessions with the student; and
3. Evaluating the student's overall work performance at mid-semester and at the end of the placement.
4. The Externship Director will evaluate each student's work by:
  - a. Conferring with the Field Supervisor;
  - b. Reviewing the student's written journal and memo assignments and weekly timesheets;
  - c. Conducting at least one individual conference with the extern; and
  - d. Conducting on-site visits as required by law school policies and program need.