

Contractual issues

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Contractual Issues Contractual Issues Health care providers currently face numerous contractual issues and arguments. Medical providers and hospitals often find themselves engaged in disputes over complicated contractual issues. In case the problems are not addressed on time, they might change from a less complex management question to an employee court case. Some of the common health care disputes include employment contract disputes and disaffiliation. An example of such disputes is Anmed health v. South Carolina department of employment and workforce (Findlaw, 2012).

The legal issue in this case is that AnMed (hospital) dismissed Pamela Crowe since she declined to comply with its policy that needed her to go for a flu shot. Her employer refused to provide her unemployment benefits arguing that Crowe was dismissed for cause. Consequently, she disqualified from obtaining benefits. Based on the findings of the South Carolina Department of Employment and Workforce, she was not fired for cause. Crowe was entitled to obtain her benefits without disqualification. Based on clause 41-35-120 (2) of the South Carolina Code, an employee is entitled to unemployment benefits that should run between one to six months after being dismissed for cause (South Carolina Legislature, 2014). The case ended with the judge affirming that Crowe was entitled to unemployment benefits because she was not dismissed for cause.

The ethical dimensions in this case is that AnMed did not consider Crowe's claims that taking flu shot could make her go through pain and die from a debilitating infection. Though her actions were sensible, AnMed did not establish an appropriate way of engaging Crowe to understand her problem (American College of Healthcare Executives, 2012). An administrator should first consider the situation that led to the dismissal. After the determination <https://assignbuster.com/contractual-issues/>

that she was not dismissed for cause, it would be necessary to give her employment benefits.

References

American College of Healthcare Executives. (2012). Ethical Issues Related to Staff Shortage. Retrieved from <http://www.ache.org/policy/shortage.cfm>

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South Carolina Legislature. (2014). South Carolina Code of Laws Unannotated Current through the end of the 2014 Session. Retrieved from <http://www.scstatehouse.gov/code/t41c035.php>