

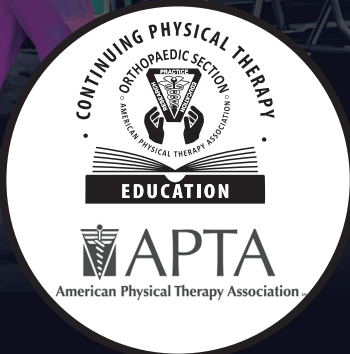
# Orthopaedic Care In Auto Injury

## Management of Auto Injuries: Legal and Documentation Perspectives

Independent Study Course 25.1.3

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## REFERENCES

1. 100%WorldStatistics. <http://www.database-statistics.com/ultimate-2013-u-s-auto-accident-statistics>. Accessed March 21, 2014.
2. Scott R. *Promoting Legal and Ethical Awareness: A Primer for Health Professionals and Patients*. St. Louis, MO: Mosby-Elsevier; 2009.
3. California Penal Code, Sections 11164 - 11174.3, The California Child Abuse and Neglect Reporting Act (CANRA) (2014).
4. American Physical Therapy Association. *Code of Ethics for the Physical Therapist*. Alexandria, VA; American Physical Therapy Association; 2010.
5. American Physical Therapy Association. *Standards of Ethical Conduct for the Physical Therapist Assistant*. Alexandria, VA; American Physical Therapy Association; 2010.
6. National Practitioner Data Bank, 42 U.S.C. § 11101, 45 CFR Part 60 (2014).
7. Federal Rules of Evidence (Dec. 1, 2011).81.
8. *Jencks v. United States*, 353 U.S. 657 (1957).
9. Federal Rules of Civil Procedure 26(b)(4)(B) and (C)(2011).
10. Deutsch PM. *A Guide to Rehabilitation Testimony: The Expert's Role as an Educator*. Orlando, FL: St. Lucie Press, Inc; 1990.
11. Cecil JS, Willging TE. *Court-appointed experts: defining the role of experts appointed under federal rule of evidence 706*. Washington, DC: The Federal Judicial Center; 1993.
12. Friedenthal JH. Discovery and use of an adverse party's expert information. *Stanford Law Review*. 1962;14(3):455-488.
13. American Physical Therapy Association. *Professionalism in Physical Therapy: Core Values*. 2012. [www.apta.org/updatedFiles/APTAorg/About\\_Us/Policies/Judicial\\_Legal/ProfessionalismCoreValues.pdf](http://www.apta.org/updatedFiles/APTAorg/About_Us/Policies/Judicial_Legal/ProfessionalismCoreValues.pdf). Accessed March 20, 2014.
14. Varner C, McGee J. Worth a thousand words: The admissibility of day-in-the-life videos. American Bar Association Tort and Insurance Practice Section, 1999 Annual Meeting, 2.
15. Motion pictures as evidence. 8 *Am Jurisprudence Proof of Facts*. San Francisco, CA: Bancroft-Whitney Law Publishers; 2013(Suppl):155.
16. Voogt R, Groteguth M. Damages: Rehabilitation and life care after traumatic brain injury. 9 *Am Jurisprudence Proof of Facts 3d*. San Francisco, CA: Bancroft-Whitney Law Publishers; 2013;(Suppl):1-114.
17. Seelye KQ. Cameras, and rules against them, stir passions in delivery rooms. *New York Times*. 2011, Feb. 3:A14.
18. Guyton GP. A brief history of workers' compensation. *Iowa Orthop J*. 1999;19:106-110.
19. National Federation of Independent Business. Available at: <http://www.nfib.com/article/workers-compensation-laws-state-by-state-comparison-57181/>. Accessed June 2, 2011.
20. Simons G. Work injury prevention and management: legal and regulatory considerations. ISC 24.1.2, *The Injured Worker*. La Crosse, WI: Orthopaedic Section, APTA, 2014.
21. Scott R. *Legal, Ethical, and Practical Aspects of Patient Care Documentation: A Guide for Rehabilitation Professionals*. 4<sup>th</sup> ed. Burlington, MA: Jones & Bartlett Learning; 2013.
22. Health Providers Service Organization. *Physical Therapy Liability 2001-2010*. Chicago, IL: CNA HealthPro and HPSO; 2012. [www.hpso.com/pdfs/db/CNA\\_CLS\\_PTreport\\_final\\_011312.pdf?fileName=CNA\\_CLS\\_PTreport\\_final\\_011312.pdf&folder=pdfs/db&isLiveStr=Y](http://www.hpso.com/pdfs/db/CNA_CLS_PTreport_final_011312.pdf?fileName=CNA_CLS_PTreport_final_011312.pdf&folder=pdfs/db&isLiveStr=Y). Accessed March 20, 2014.
23. Public Law 104-191, 110 Stat. 1936 (1996).
24. 45 C.F.R. § 160, subpart A & E, 164 (2014).
25. *Federal Register*, 79(4)(1/7/14), cited in *New York Times*, (2014, Jan. 13), A18.
26. 45 C.F.R. §164.512 (2014).
27. 45 C.F.R. §46.116(a) (2014).
28. US Department of Health and Human Services and US Department of Justice. Health Care Fraud and Abuse Control Program, Annual Report for The Fiscal Year 2013. Washington, DC: Dept of Health and Human Services; February 2014.
29. N.C.G.S. §97-26(c) (2014).
30. Trock J, Scott R. *Lowering liability risks for PTs*. Advance Healthcare Network for Physical Therapy and Rehab Medicine, 2012. <http://physical-therapy.advanceweb.com/Features/Articles/Lowering-Liability-Risks-for-PTs.aspx>. Published April 16, 2012. Accessed May 1, 2014.
31. Sandstrom, R. Malpractice by physical therapists: descriptive analysis of reports in the National Practitioner Data Bank public use data file, 1991-2004. *J Allied Health*. 2007;36(4):201-208.
32. Scott R. Physical therapy malpractice update II: PT presents recent malpractice case reports and commentary on their outcomes and impact. *PT Magazine*. 2000;8(2):24-25.