



# Hamilton County LAW LIBRARY NEWS

Professional legal information, services, and education

December 2017

## Is Harvey in Your Hospital? How Healthcare Organizations Can Avoid Harassment Scandals By Katherine Dudley Helms of Ogletree, Deakins, Nash, Smoak & Stewart, P.C.\*

Print, air waves, and social media have all been filled with stories of women accusing Harvey Weinstein of grossly inappropriate (if not, criminal) behavior over a long period of time. There is much discussion of who knew what and whether others enabled his alleged behavior. With the flood of allegations against Weinstein have come other allegations of inappropriate sexual behavior of other powerful men in multiple industries. During this controversy, the #MeToo campaign went viral with women bringing to light whether they too had faced sexual harassment.

The allegations are disturbing and the potential consequences to corporate America are real. It is not a coincidence that, many times, this sort of abuse is found in situations where one person is in a position of power over those who are (or allegedly are) abused. And, in fact, many believe that sexual abuse is far more about power than it

is about sex.

In the healthcare setting, it is not unusual for some individuals to have a great amount of power over employees. Certainly this power disparity is not limited to physicians, and many do not abuse their authority and control. But there are certainly cases in which a physician (who may be generating substantial revenue) is behaving badly—making inappropriate comments, touching, or worse—with employees (including both subordinates or colleagues). Organizations that have one of these “Harveys” in the workplace should not ignore him or her.

### What Can Healthcare Organizations Do?

#### Policies, Reporting Protocols, and Investigations

First, every healthcare entity should have appropriate policies in place with regard to

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### Hamilton County Law Library

Hamilton County  
Courthouse  
1000 Main Street  
Room 601  
Cincinnati, OH 45202  
T:513.946.5300  
F:513.946.5264

Open Monday-Friday 8 - 4

<http://lawlibrary.hamilton-co.org>

## Tech Tip: Evidence.com

### Julie Koehne, Systems Librarian

New body camera videos introduce new viewing logistics. Previously the video files were burned to a disc and given to an attorney from the agency. Some came with a video player to use and some did not. Evidence.com uses any player supporting file types such as, .mov, .avi, or .mp4 and is distributed by sending a URL to download the files.

For a full list of supported video file types, go to

<https://help.axon.com/hc/en-us/articles/221368548-Supported-video-and-audio-file-types>

If you receive a video from Evidence.com it will be delivered to you in an email. When you click the link, you will be prompted to download a .zip file which will need to be extracted.



If you extract the file to one of the Law Library computers, the **next step is to burn the files to a disc** or copy them to a jump drive.

Any files saved to the Law Library computer will be deleted overnight, so to eliminate downloading and extracting the file each time you view it in the Law Library, we strongly recommend burning the files to a disc or jump drive.



As a convenience, the Law Library sells discs for 50 cents each and all computers have the ability to burn to a disc.



One of the players we use is VLC media player. It is very reliable and able to load on many different platforms. To download the player, go to <https://www.videolan.org/vlc/>.

VideoLAN, a project and a non-profit organisation.

## VLC media player

VLC is a free and open source cross-platform multimedia player and framework that plays most multimedia files as well as DVDs, Audio CDs, VCDs, and various streaming protocols.

**Download VLC**

Version 2.2.6 Windows 260MB  
108,985,566 downloads so far

Simple, fast and powerful

- ✓ Plays everything - Files, Discs, Webcams, Devices and Streams.
- ✓ Plays most codecs with no codec packs needed - MPEG-2, MPEG-4, H.264, MKV, WebM, WMV, MP3...
- ✓ Runs on all platforms - Windows, Linux, Mac OS X, Unix, iOS, Android ...

Our staff is available to assist you while using the Law Library computers. Please don't hesitate to ask.

## Upcoming CLE

Free to subscribers; \$50 for non-subscribers  
Registration is required. To register, call  
513.946.5300, email

[reference@cms.hamilton-co.org](mailto:reference@cms.hamilton-co.org), or

register via the website

[http://lawlibrary.hamiltoncountyohio.gov/  
classes/calendar/](http://lawlibrary.hamiltoncountyohio.gov/classes/calendar/)

### Online Legal Research: Getting the Most Out of Your Law Library Subscription

Presenter: Laura Dixon-Caldwell

Wednesday, December 6, 2017

Noon-1pm

Approved for 1.0 hour of general CLE credit  
in Ohio and Kentucky

**\*Note-this CLE was previously presented  
at the Law Library on February 15, 2017.**

## CLE Replay Day-Tuesday, December 12

### Video Replay: 60 Apps in Sixty Minutes

Presenter: Mary Jenkins

Tuesday, December 12

9:00am-10am

Approved for 1.0 hour of general CLE credit  
in Ohio and 1.0 hour of self-study/  
technological credit in Kentucky.

**\*Note this program was previously  
presented at the Law Library on  
February, 24, 2016 and December 15,  
2016.**

### Video Replay: Elder Law Challenges in Ohio: Nursing Homes, Hospice, Dementia and Payments

Presenter: Jim O'Reilly

Tuesday, December 12

10:30am-11:30am

Approved for 1.0 hour of general CLE credit  
in Ohio and 1.0 hour of self-study/  
technological credit in Kentucky.

**Note-This program was previously  
presented at the Law Library on Decem-  
ber 15, 2016.**

### Video Replay: Legal Ethics & Access to Justice

Presenter: Lauren Morrison

Tuesday, December 12

Noon-1pm

Approved for 1.0 hour of attorney profes-  
sional conduct CLE in Ohio and 1.0 hour of  
ethics self-study/technological credit in  
Kentucky.

**Note-this program was previously  
presented at the Law Library on August  
31, 2016 and December 15, 2016.**

## CLE 2018

Thanks to everyone who volunteered time  
to present CLEs at the Law Library this past  
year! We have tentative plans to offer a  
number of CLEs in 2018. If anyone is will-  
ing to present, please contact Laura Dixon-  
Caldwell at 946.5300 or

[ldixoncaldwell@cms.hamilton-co.org](mailto:ldixoncaldwell@cms.hamilton-co.org)



Thank  
YOU!

*(Continued from page 1)*

discrimination and harassment in any form. Employers must inform employees of the relevant policies, and employees must have an effective form of reporting harassment. When an entity learns that an employee has made a report of an alleged problem, it must immediately investigate and take appropriate action. Healthcare entities must take these actions in spite of the prospect of losing a significant revenue generator or a critical skill in a single physician. Failing to address the situation creates legal liability and sends a loud negative message to employees regarding the importance the organization places on its workforce versus certain key employees.

### Training

One key to having effective policies is to properly train those who might receive sexual harassment complaints. Whether they are front-line supervisors or human resources specialists, they need to know how to listen to what might be a complaint of harassment. Managers should note that:

- Many employees will not actually use the words “sexual harassment” until they have seen an attorney.
- It is never a correct response to tell the concerned employee to “just ignore” the alleged aggressor.
- Managers should be careful to avoid assuring an employee that he or she will comply with a request that “nothing be done” or to keep the allegations confidential.
- Moreover, all parties involved should understand that the organization will not tolerate retaliation for filing a sexual harassment complaint.

### Conclusion

There can be huge costs in terms of legal liability if you allow a Harvey to go unfettered— and perhaps an even higher cost in terms of the company’s reputation and bottom line as a result of bad press in the wake of an incident that was handled poorly. As incidents such as Weinstein’s continue to be covered in the media and become a part of public discourse, employees may become more vocal about “bad behavior.” Now is an excellent time to (1) remind your employees of your refusal to accept this behavior, (2) remind employees and supervisory personnel of your harassment policies, and (3) refresh your sexual harassment training. If it wasn’t already, now should be a very bad time to be a Harvey in any workplace.

For more information, contact [Katherine Dudley Helms](#).

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This article was drafted by the attorneys of Ogletree Deakins, a labor and employment law firm representing management, and is reprinted with permission. This information should not be relied upon as legal advice.

### Inclement Weather

The Law Library rarely closes due to inclement weather but, as winter approaches, we want you to know how to find out about unplanned closings. When we close for bad weather, we announce it on our [Facebook](#) and [Twitter](#) feeds. The Law Library follows Board of County Commissioner snow closing decisions so one can phone 513.946.SNOW for recorded BOCC suspended operations announcements.

## Subscriber Renewals for 2018

We will mail invoices for Hamilton County Law Library's 2018 services for subscribers in December. We hope that you will renew without a moment's hesitation, given the many services and resources offered by the Law Library. You are welcome to pay in December or wait until January – your choice. There is no rate increase for 2018.

Our librarians appreciate your calls and emails for research support. Subscribers and county officials may request cases, chapters, KeyCite reports, forms, and more. We will send the items you need quickly via email or fax. This service is available to you at no additional charge. We also offer CLEs and training, video conferencing, meeting room use, loan of books, coffee, and low-cost photocopying. Our solo attorney and 100% firm subscribers benefit from off-site access to a number of legal information databases. Thanks for your continued use of the Law Library, whether on-site or from the convenience of your home or office. If you have questions about the invoice or about making the most of your investment, please contact [Lauren Morrison](#) or [Vanessa Seeger](#).

## Payments by Credit Card

We now have a year of accepting credit card payments under our belts and are happy to take your payment that way if you prefer. Simply contact us by phone at 513-946-5300 or email at [reference@cms.hamilton-co.org](mailto:reference@cms.hamilton-co.org) and we'll send you the secure payment link.

## HCLL/CBA Bundled Membership

The CBA and the Law Library offer a bundled membership that could provide a discount when you join both organizations. You can enroll in this during the CBA renewals in the next few months. If you are interested in taking advantage of this, please contact us for more information before you renew your Law Library subscription.

## Fastcase

We've renewed our contract with Fastcase so that we can continue providing you quick and thorough remote access to case law and statutes from all fifty states and federal jurisdictions. But, did you know, our Fastcase subscription also offers access to Aspen treatises across many areas of law and procedure? We're in a unique position to be able to provide this to our subscribers, since we were Loislaw subscribers when Fastcase acquired the company and began providing access to the Aspen content on its platform. If you need secondary source material in your office just click on "Search Loislaw Libraries." You'll find full text content ranging from bankruptcy and business law, to evidence and general litigation materials, a robust Section 1983 litigation library and much more. Switching to outline view allows you to browse by specific publication and drill down by chapter. Please feel free to contact us at [reference@cms.hamilton-co.org](mailto:reference@cms.hamilton-co.org) if you need any assistance locating or browsing this unique collection.



## Subscriber Benefits

All subscribers have access to the following valuable resources and services:

Circulation privileges to borrow from over 40,000 print volumes for up to six weeks at a time

Access to extensive legal information databases from the Law Library, including Westlaw, IntelliConnect, Overdrive e-books, HeinOnline, and Loislaw treatises

Wireless network throughout the Law Library

Polycom videoconferencing

Five meeting rooms with speaker phones

Professional reference service by our law librarians, available via e-mail, telephone, and in person

Free document delivery by fax or e-mail of print and electronic materials

CLE seminars throughout the year, on legal research and substantive topics

Subscribers' lounge, magazines, daily newspapers, and coffee

Bi-weekly news alerts by practice area

Discounted rates for photocopying

In addition, solos and attorneys whose firm has a subscription have 24 hour remote access to Fastcase.com case law, Aspen/LOISLaw treatises, HeinOnline (for under 50 attorney firms), EBSCOhost, and IntelliConnect .

THE ANNUAL  
HAMILTON COUNTY LAW LIBRARY

# Holiday Open House

BOOK CRAFTS  
COFFEE  
FABULOUS PRIZES

FESTIVE SNACKS  
HOT COCOA  
AND MORE!

**DECEMBER 6, 2017**

1-3 PM

FIND OUT MORE INFORMATION ABOUT OUR  
UPCOMING RENOVATIONS AND ENTER FOR A  
CHANCE TO WIN A PRIZE!

## Law Library Newsletter

Beginning in January 2017, the Law Library will no longer mail out print copies of our monthly newsletter. You can sign up to receive the email version [here](#). Check out Julie Koehne's Tech Tip with instructions from our [October](#) issue. If you have any questions or concerns, contact [Laura Dixon-Caldwell](#).



## Health Law Resources

Law Library subscribers have access to a variety of resources on Health Law. If you have questions, or have a suggestion for a title to add, contact the reference staff at [reference@cms.hamilton-co.org](mailto:reference@cms.hamilton-co.org) or 513.946.5300

2016 Health care law seminar.  
KFO360 .H435 2016

The 2016 Medicaid/Medicare forum.  
KFO341.5.P65 M32 2016

AMA guides to the evaluation of disease and injury causation  
RC963.4 .A9 2013

Anatomy and physiology 101 for attorneys  
KFO539.P4 A63 2015

Emergency department errors : medical and legal perspectives. KFO326.3 .A3 E45 2013

Harney's medical malpractice  
KF2905.3 .H37

Head trauma and brain injury : from the NFL and beyond.  
KF8925.P4 H43 2016

Health care fraud and abuse : practical perspectives  
KF3605 .H43 2013

Health law  
KF3821 .H4343 2015

Legal and ethical issues for health professions  
KF3821 .L42 2015

Medical law.  
KFO326 .M43 2015

Medical malpractice : avoiding, adjudicating & litigating in the challenging new  
KF8925.M3 O74 2014

Medical records privacy under HIPAA  
KF3827.R4 M34

Physician law : evolving trends & hot topics  
KF3821 .P478 2015

### Online Resources Remote Access\*

#### EBSCO

Complete Guide to Medicaid & Nursing Home Costs  
Social Security, Medicare & Government Pensions  
Social Security & Medicare Handbook

#### Overdrive Ebooks

Medical Malpractice

\*Remote access is available to subscribers who are solos or firm attorneys whose entire firm has a subscription to the Law Library.



**Upcoming Events:**

December 6: CLE: Online Legal Research: Getting the Most out of Your Law Library Subscription

December 6: Holiday Open House

December 12: CLE Replay Day

**Law Library Holidays**

The Law Library will be closed Monday December 25, in honor of Christmas and Monday, January 1, in honor of New Year's Day.



# December 2017 Law Library Newsletter

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ADDRESS CORRECTION REQUESTED

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