

**Qualification Code** **:** 102104T4HSS

**Qualification** **:** Health Support Services Level 5

**Unit Code** **:** MED/OS/HSS/CC/02/5/A

**Unit of Competency** **:** Apply Medical Legal Ethics

**WRITTEN ASSESSMENT**

**ASSESSOR’S GUIDE**

**SECTION A (20 MARKS)**

*(These only serves as a guide to expected responses.)*

**SECTION A (20 Marks)**

***(Award 1 mark for each correct choice in this section)***

1. Before a patient gives authority for a surgical procedure to be done on him or her he/she signs a specific document to signify this authority. This form is called;
2. Admission form.
3. Theatre form.
4. **Consent form**
5. Surgical form
6. Advance directivesis a document that;
7. Directs and instructs caregiver to disclose the patients personal information
8. **Lists the medical treatment a person chooses to refuse if unable to make decisions**
9. Instructs the proxy to give medical choices for the patient
10. Instructs the care giver to choose the treatment options for the patient
11. When caring for a patient with different cultural background the Health Service Provider should:
12. Discourage the patient from strictly following those cultures
13. Speak slowly and empathetically to make sure the client always understands
14. **Identify how those cultural variables affect the health condition of the patient**
15. Allow the family to provide care during the hospital stay so no rituals or customs are broken
16. A health care issue becomes an ethical dilemma when:
17. **The choices involved do not appear to be clearly right or wrong.**
18. A client’s legal rights coexist with a health professional’s obligation.
19. Decisions must be made based on value systems.
20. Decisions must be made quickly, often under stressful conditions
21. Among the many health care professionals within the health system, who is responsible for obtaining an informed consent from a patient?
22. Nurse
23. **Physician**
24. Health service provider
25. Theatre technician
26. The correct measure to employ when correcting an error made during an entry documenting the client’s findings is:
27. Document a late entry into the client's record
28. Try to erase the error for space to write in the correct data
29. **Draw one line through the error, indicate initials and the date, and then document the correct information**
30. Use whiteout to delete the error to write in the correct data
31. The act of intentionally putting to death a patient in excruciating pain is termed as;
32. Killing
33. Murder
34. **Euthanasia**
35. Poisoning
36. The client’s right to refuse treatment is an example of:
37. Statutory law
38. Practice acts
39. **Common law**
40. Civil laws
41. Which one of the following is an example of Assault?
42. The unlawful touching of another person without his/her consent.
43. Spoken statement that damages a person’s reputation.
44. Unwelcoming sexual advances.
45. **Threat or attempt to injure another person.**
46. The Kenyan constitution is a document that has legal ethics explained and well elaborated for citizens. What from the following choose the correct definition of ethics
47. System of moral principles and rules of conduct
48. Rules that must be followed
49. Followed rules
50. Guidelines followed
51. The nurse tells the mother to a client that the client had aborted without the clients consent. Which of the following ethical principles didn’t adhere to?
52. Confidentiality
53. Fidelity
54. Non-maleficence
55. Justice
56. Who among the following is a member of the sterile team in the operating room?
57. The lead surgeon
58. The circulating nurse
59. The theatre technician
60. The theatre in-charge.
61. Which one of the following is a role of a health support staff during a surgical procedure?
62. Suturing patient skin upon incision
63. Observing sterility all along the procedure.
64. Making a surgical incision on the patient.
65. Prepares the patient skin prior to draping by surgical team.
66. When caring for a patient, it is important to maintain the client’s dignity by:
    1. Spending time to let the client share their life experiences
    2. Maintain client’s privacy as they change into theatre gowns
    3. Patient to change their clothes in the general ward
    4. Decreasing emphasis on attending to the client’s appearance
67. Jane and Victor, health support service providers are tasked to help in transferring a patient from the ward to theatre for an operative procedure. Which of the following equipment are they likely to use?
68. Operating bed
69. **Stretcher**
70. Blanket warmers
71. Trolley
72. The act of ensuring patients value is maintained and observed is most probably promoted by which of the following principles?
73. Fidelity
74. **Dignity**
75. Consent
76. Confidentiality
77. Which one of the following is a quality of a good medical record?
78. **Timely and legible entries**
79. Accurate and incomplete entries
80. Irregular corrections
81. Haphazard progression of entries

**SECTION B (40 MARKS)**

***Note to Assessor: These are suggested answers to act as guidelines***

1. State four (4) medical legal and ethical issues that you can come across while working in operation theatre (4 marks)

* **Negligence- failure to act to the required standards by a medical personnel**
* **Malpractice-deviation from set standards thereby causing harm to the patient**
* **Impropriety-having unacceptable behaviour towards patients e.g. sexual advances**
* **Breach of contract –performing an act that is outside your mandate**
* **Absconding duty- failure to report to work without following due procedure of acquiring permission.**

***(Award 1 mark for each point that is well described to a maximum of 4 marks)***

1. Outline six (6) rights of patients that must be upheld by perioperative technicians while administering health care (6 marks)

* **Right to access health care**
* **Right to access emergency treatment**
* **Right to choose a health care provider**
* **Right to refuse treatment**
* **Right to privacy**
* **Right to give information**
* **Right to privacy and confidentiality**

***(Award 1 mark for each correct point to a maximum of 6 marks)***

1. State four (4) reasons why documentation is important in health care. (4 marks)

* **Can be used to assess the quality of care given by the quality assurance team**
* **To identify gaps and improve the practice**
* **To proof evidence-based practice**
* **To enhance continuity of care and avoid duplication of work**
* **Communicates with other health professionals regarding patient care**
* **Can be used as data for research purposes**
* **For financial insurance billings**

***(Award 1 mark for each correct point to a maximum of 4 marks)***

1. Apart from perioperative technicians, identify four professional members that work in operation theatre (4 marks)

* **Anaesthetist**
* **Surgeons**
* **Nurses**
* **Support staff**

***(Award 1 mark for each correct point to a maximum of 4 marks)***

1. Highlight five (5) responsibilities of a perioperative theatre technician that are within their scope of practice (5 marks)

* **Prepare necessary equipment and instruments prior to procedure/ surgery**
* **Maintains and keeps all equipment clean and functional**
* **Maintains and keeps the operating room and ensures everything is running smoothly before the conduct of surgery**
* **Cleanses and disinfects surgical instruments and or equipment after surgeries**
* **Prepare surgical instruments and equipment for autoclaving/sterilization per protocol**
* **Attends to the needs of the patient while inside the operating room**

***(Award 1 mark for each correct point to a maximum of 4 marks)***

1. List four (4) sources of law used in ensuring order for health care workers including perioperative technicians at work place (4 marks)

* **The Constitution**
* **Acts of Parliament**
* **By laws (County laws)**
* **Religious books**
* **African customary laws**

***(Award 1 mark for each correct point to a maximum of 4 marks)***

1. Name three (3) documents in which medical incidences can be recorded. (3 marks)

* **Incidence report books**
* **Patient file**
* **Police statement record book**

***(Award 1 mark for each correct point to a maximum of 3 marks)***

1. List four (4) procedures that require a patient consent to be signed. (4 marks)

* **Blood transfusion**
* **Anaesthesia**
* **Radiation**
* **Chemotherapy**

***(Award 1 mark for each correct point to a maximum of 4 marks)***

1. What are two (2) types of reports that are used in hospitals (2 marks)

* **Verbal reports**
* **Written reports**

***(Award 1 mark for each correct point to a maximum of 2 marks)***

1. State four (4) attributes expected in a perioperative theatre technician **(4 Marks)**

* **Empathy -Develop a sense of what the patient is feeling**
* **Conscientiousness No compromise in quality of care**
* **Efficiency Organized and properly prepared; time is not wasted duplicating steps**
* **Open-mindedness accepting of the ideas of others**
* **Ethics- Strong sense of truth, honour, and goodness**

***(Award 1 mark for each correct point to a maximum of 4 marks)***

**SECTION B (40 MARKS)**

***Note to Assessor: These are suggested answers to act as guidelines***

1. Medical consents are a legal procedure that shows patient participation in the decision and agreement to have the procedure done.
2. Giving examples, describe three (3) types of medical consent (12 marks)

* **Implied consent: This consent is suggested, or implied, by the patient’s actions i.e. cooperating with a healthcare professional’s instructions for routine procedures. Examples of implied consent include when a patient extends his/her arm for a blood sample**
* **Verbal consent: A verbal consent is where a patient states their consent to a procedure verbally but does not sign any written form. This is adequate for routine treatment such for diagnostic procedures and prophylaxis, provided that full records are documented.**
* **Written consent: A written consent is necessary in case of extensive intervention involving risks where anaesthesia or sedation is used, restorative procedures, any invasive or surgical procedures, administering of medications with known high risks, and so on.**

***(Award 4 marks for each type to a maximum of 12)***

***(1-naming, 2-explaining, 1-example)***

1. Explain any four (4) cases when a substitute should sign informed consent (8 marks)

* **A patient younger than 18 years, a parent or guardian will need to give consent on his/her behalf.**
* **If a patient allows someone else to make decisions on their behalf**
* **If someone is in a coma**
* **If a patient has mental conditions like advanced Alzheimer’s disease.**

1. Perioperative technicians are guided by medical ethical principles put in place to promote the wellbeing of the patient.
2. Explain six (6) principles of medical ethics (12 marks)

* **Autonomy- Patient has freedom/ independence of thought, intention and action when making decisions regarding health care procedures.**
* **Beneficence- healthcare team should act in “the best interest” of the patient with the intent of doing well to the patient**
* **Confidentiality- withholding patient’s records, diagnosis or information and only to be revealed for the benefit of the patient and when ethically and legally required.**
* **Do no harm/ Non-maleficence- do no harm to the patient**
* **Equity or Justice- Fair and equal distribution of scarce health resources, and the decision of who gets what treatment**
* **Veracity- truth telling**

***(Award 2 marks for each correct response to a maximum of 12 marks)***

1. Explain four (4) ways that are useful in promoting ethical behaviour in your work place (8 marks)

* **Establish straightforward guidelines: You should develop an easily understood yet comprehensive code of conduct that outlines company expectations for ethical behaviour at work.**
* **Promote knowledge. Routinely provide refresher courses to your existing staff**
* **Provide tools: Consider implementing a reporting system that allows your employees to disclose conduct violations anonymously**
* **Employing data monitoring: To establish management review boards to investigate possible violations to the code of conduct**

***(Award 2 marks for each correct response to a maximum of 8 marks)***

1. Medical offences are subject to implications to correct the offender and reduce the incidence of offences
2. Explain three (3) types of medical offences (6 marks)

* **Crime-committing of an act that is punishable by law**
* **Tort-infringement of patient rights**
* **Misconduct-a behaviour that is unacceptable in the medical profession**

***(Award 2 marks for each correct response to a maximum of 6 marks)***

1. Explain five (5) implications to perioperative technicians who break the law (10 marks)

* **Remedy- pardoning of a profession from their actions which may have been proven not to be intentional.**
* **Legal defences- may be taken to court for trial**
* **Arrest- may be arrested for grievous crimes which have been certified to be true**
* **Dismissal- may lead to dismissal from that health facility of professional**
* **Suspension- May be suspended from pay for a reasonable time period until its decided whether you continue to work or join back.**
* **Termination from the profession- one may lose their licenses to practice**

***(Award 2 marks for each correct response to a maximum of 10 marks)***

1. List four (4) law enforcers that ensure order is maintained (4 marks)

* **Police officers**
* **Security team**
* **Firm lawyers**
* **Local leaders**

***(Award 1 mark for each correct response to a maximum of 4 marks)***