

**102105T4HSS**

**HEALTH SERVICES SUPPORT PROVIDER LEVEL 5**

**MED/OS/HSS/CC/02/5/A**

**APPLY MEDICAL-LEGAL ETHICS**

**WRITTEN ASSESSMENT**

**INSTRUCTIONS TO CANDIDATES**

*Maximum marks for each question are indicated in brackets ( ).*

*This paper consists of* ***THREE*** *sections: A, B and C.*

*Answer questions as per instructions in each section.*

*You are provided with a separate answer booklet*.

**This paper consists of EIGHT (8) printed pages**

**Candidates should check the question paper to ascertain that all pages are printed as indicated and that no questions are missing**

**SECTION A** (20 marks)

***Answer ALL questions in this section.***

1. When caring for a client in hospital, it is important to maintain the client’s dignity by:

(1mark)

1. Spending time to let clients share their life experiences
2. Maintain client’s privacy as they change into the theatre gowns
3. Patients to change their clothes in the general ward
4. Decreasing emphasis on attending to the client’s appearance
5. One of the following defines perioperative theatre technician’s code of ethics; (1 mark)
6. Health workers may decide on their own which relevant documentation is and which is not.
7. It expresses the professional value that is right or good practice.
8. Provide healthcare without discrimination
9. Formation and maintenance within the scope of practice
10. The term that best describes a wrongful act against a person or their property and usually results in a prison term, fine or short jail sentence is; (1 mark)
11. Crime
12. Misdemeanor
13. Tort
14. Felony
15. A wrong committed by an individual against a person or their property that is heard by a civil court and is punishable by the state, must pay for damages, and rarely includes imprisonment is; (1 mark)
16. Misdemeanor
17. Crime
18. Tort
19. Felony
20. The surgical consent is sought by; (1mark)
21. Physician.
22. Health service support provider
23. Nurse.
24. Anesthetist
25. One of the important roles of hospital ethics committees is; (1 mark)
26. Committees assume an oversight role over practitioners to prevent malpractices
27. Committees protect its members of staff against malpractices claims
28. Develop policies and train employees to enhance their decision-making during dilemmas
29. Ethics committees are the only institution to solve cases of ethical violation
30. A Health Services Support Provider’s actions are considered to be grossly negligent if he or she; (1 mark)
31. Makes a simple mistake that causes harm to the patient
32. Only provides basic life support to a critical patient

##### Willfully deviates from the standard of care

1. Does not consult with online medical control first
2. When a client is confused, left alone with the side rails down, and the bed in a high position, the client falls and breaks a hip. The medical legal issue broken is; (1 mark)
3. Assault
4. Battery
5. Negligence
6. Civil tort
7. Legal exposure can be avoided if the healthcare worker; (1 mark)
8. Acts according to the standards of care
9. Acts according to the prescribed code of ethics
10. Behaves in a faithful manner
11. Maintains constant observation of the patient
12. Litigation in the hospital can occur to theatre technicians when: (1 mark)
13. Abandoning the patient in the postoperative unit
14. Follows an order that is incomplete or incorrect
15. Documenting blame on the surgeon when a mistake is made
16. Supervisor watching a new employee check his or her skills level
17. A health care issue often becomes an ethical dilemma because: (1 mark)
18. A client’s legal rights coexist with a health professional obligation
19. Decisions must be made quickly, often under stressful conditions
20. Decisions must be based on value systems
21. The choices involved do not appear to be clearly right or wrong
22. A relative to a patient suffering from terminal pancreatic cancer insist that you should withhold ‘bad news’ from the patient. You should; (1 mark)
23. Honor the request of the family member who is protecting his relative from the bad news.
24. I will tell the patient because withholding information is not permitted under any circumstance.
25. Withhold informing the patient about the pancreatic cancer because of the grave diagnosis.
26. Ask the patient how he wants to handle the information in front of the rest of the family, and allow for some family discussion time for this matter.
27. A newborn has been scheduled for admission whose chances of success are unclear. To help resolve this ethical conflict one should; (1 mark)
28. Explore reasonable courses of action
29. Collect all available information about the situation
30. Clarify values related to the cause of the dilemma
31. Identify people who can solve the difficulty
32. Standard by which people judge themselves is known as; (1 mark)
33. Ethics
34. Morals
35. Values
36. Dilemma
37. You realize that the informed consent of a patient is not signed against the name of the patient prior to an operation; You should; (1 mark)
38. Accept the patient into the operating room as the consent form has been signed.
39. Advise the accompanying team to take the patient back because due diligence has not been followed.
40. Accept the patient but tell the accompanying team to be more careful next time.
41. Explain the procedure to the patient and let them write their name alongside the signature.
42. The ethical principle that a surgeon applies when he refuses to operate on a young lady who wishes to undergo the procedure thus interfering with the right to make owns decision is; (1 mark)
43. Veracity
44. Beneficence
45. Autonomy
46. Paternalism
47. As a health service support provider in a busy hospital, you notice a nurse administering a drug that a patient is known to be allergic to. You try to stop the nurse from administering the drug, the ethical principle applied is; (1 mark)
48. Non-maleficence
49. Autonomy
50. Teleological theories
51. Beneficence
52. The ethical principle that allows patients to exercise their capacity to think, decide and act on the basis of thought and decide freely and independently is; (1 mark)
53. Confidentiality
54. Autonomy
55. Reasoned analysis
56. Virtue Theory
57. One of the following principles must have informed the hospital policy which indicate that workers should report all medication errors even if the mistake did not cause any injury to the patient; (1 mark)
58. Justice and fairness.
59. Veracity and autonomy.
60. Fidelity and beneficence.
61. Veracity and non-maleficence.
62. One of the items to be checked in the preoperative checklist is a signed informed consent. The most important consideration regarding the information in informed consent is that it; (1 mark)
63. Must be understood by the patient
64. Must be communicated free of emotion
65. Must be technically accurate
66. Must be delivered in writing

**SECTION B:** (40 marks)

***(****Answer ALL questions in this section****)***

1. Define the following terminologies as used in medical-legal practice (3 marks)
2. Ethics
3. Morals
4. Tort
5. When acquiring medical guidelines in Kenya different sources are utilized. State **Three (3)** sources of the law in Kenya. (3 marks)
6. When determining the nature of offence various elements are considered. Explain **Two (2)** elements that are required to prove negligence. (4 marks)
7. After occurrence of an offence if the culprit if found guilty various measures are taken. Highlight **Four (4)** implications of medical legal cases. (4 marks)
8. Documentation of any potential medical-legal and ethical issues during delivery of perioperative services can be significant for the health care provider. State **Three (3)** importance of documentation of potential medical-legal issues. (3 marks)
9. A patient you attended to expresses dissatisfaction and has allegations of malpractices at your health facility. What are the **4 D’s** of malpractice? (4 marks)
10. Highlight Four (4) examples of medical-legal cases. (4 marks)
11. Before receiving a patient, counterchecking correct and complete documentation is done. State **Five (5)** reasons why documentation is important in theater; ( 5 Marks)
12. Highlight any **Four (4)** ethical issues in medicine you are likely to encounter as a professional. (4 marks)
13. Discuss **Four (4)** reasons why it’s important to study ethics as a Health Services Support Provider. (4 marks)
14. As a Health Services Support Provider, one should be vigilant to ensure quality care is offered and the code of ethics upheld to avoid battery. Differentiate between the term battery and assault. (2 marks)

**SECTION C:** (40 marks)

***(Answer any Two (2) questions in this section)***

1. All employees working in both the private and public sectors are entitled to employment rights under employment Act.
   * + 1. Explain **Eight (8)** rights of employees as per Kenyan employment Act; (16 marks)
       2. At the beginning of the employment period, an employee is required and expected to sign an employment contract before commencing the job. List **Four (4)** components of an employment contract. (4 marks)
2. Failure to respect patient bill of right can lead for medical legal issue. Explain **Ten (10)** bill of right of patients. (20 marks)
3. After occurrence of an offence the hospital team decides to communicate via official letter.

Explain **Four (4)** advantages of written communication. (8 marks)

Discuss **Six (6)** factors to consider when choosing a letter as a channel of communication. (12 marks)