

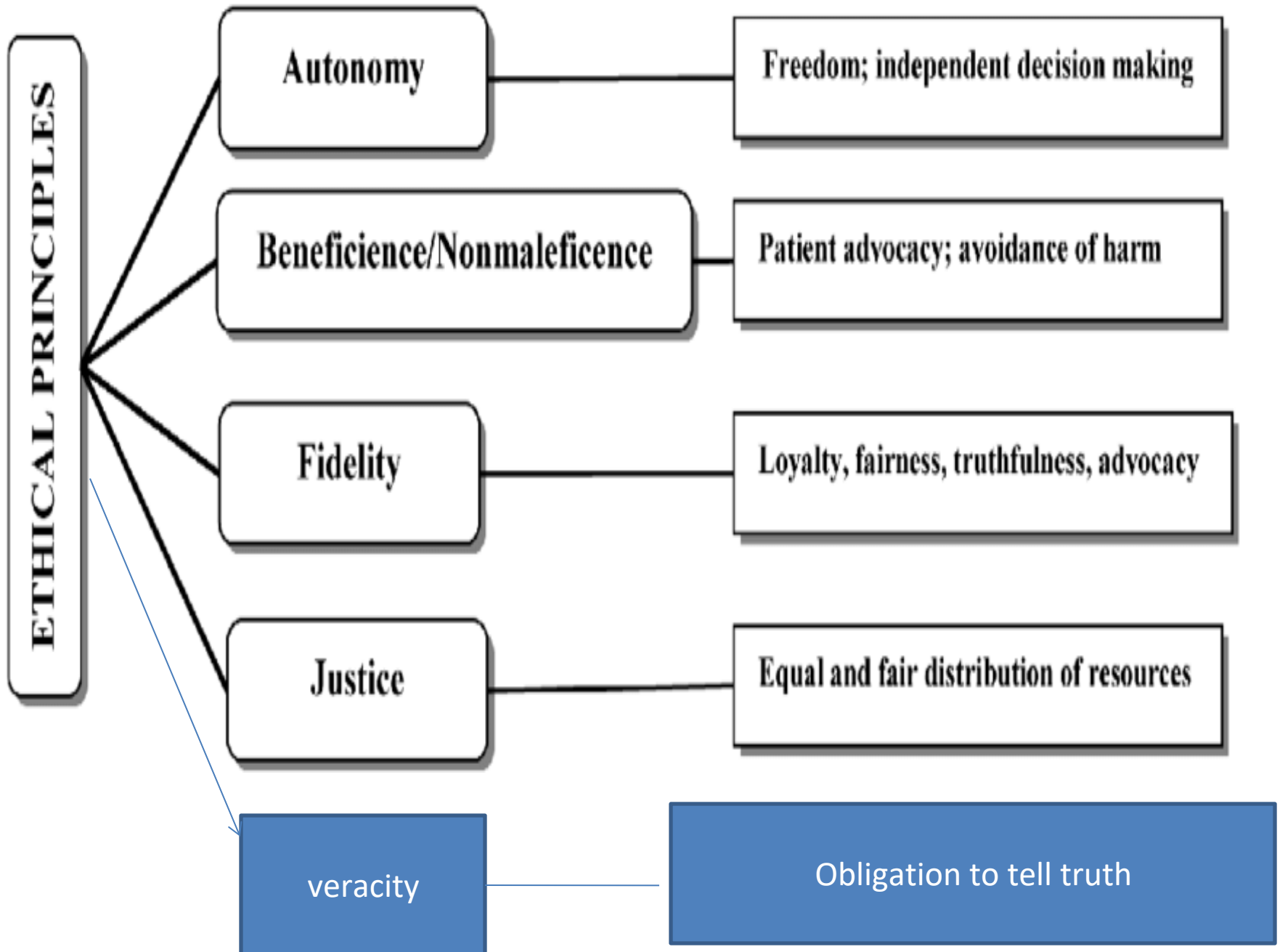
Ethical Principles

Ethics

The branch of philosophy concerned with the distinction between right and wrong on the basis of a body of knowledge, not only on the basis of opinions

Ethical principles

Codes that direct or govern nursing action



Ethical principles continue--

- Confidentiality
- Advocacy
- Accountability

Autonomy: Respect for an individual's right to self-determination and making one's own decisions.

- Respecting patient's values and belief.
- It allows the client to chose the direction of their care.
- **Example---Respecting a client's right to refuse a treatment.**
- **(Informed consent, advance directive, advocacy - safeguard the patient's autonomy.**

Non-maleficence {Do no harm}:

- The obligation to do or cause no harm to patient.
Nurse is obliged to refrain from acts that unnecessarily cause injury, harm, or suffering.

Avoiding intentional or unintentional harm.

- **Ex: Double-checking a drug dosage with another nurse.**
- **To do no harm Avoid negligence and malpractice.**
- holding a medication due to adverse reactions or taking steps to ensure a safe work environment.




NCLEX-RN TEST - Yasoda Gautam

Test Id: 245102787 (Tutor)

QId: 33836 (2795484)

Time ⌚ 00:08:15


Question 📄 6 of 47

 Notes  Calculator  Feedback    Mark for Review

colic and then discharges the client without ensuring that the client has a designated driver. The client is subsequently involved in a motor vehicle accident causing injury to self and others. Which ethical principle did the nurse violate?

1. Autonomy (4%)
2. Nonmaleficence (80%)
3. Paternalism (6%)
4. Veracity (8%)

Omitted

Correct answer
2 80%
Answered correctly 48 secs
Time Spent 2022
Version

→ End ⏸ Suspend

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Omitted

Correct answer 2

80% Answered correctly

48 secs Time Spent

2022 Version

Explanation

The nurse violated the ethical principle "**nonmaleficence**" (ie, **do no harm**). It is rare to see a nurse inflict intentional harm. However, problems do occur due to unintentional harm, which is usually a result of poor clinical judgment.

Beneficence is a nurse's duty to **promote good** and do what is best for the client.

(Option 1) Autonomy is allowing the clients to choose the direction of their care. This is accomplished with advanced directives along with informed consent and choices regarding proposed treatments.

(Option 3) Paternalism is a type of beneficence whereby clients are treated as children. The nurse claims to know what is best for the client and coerces the client to act as the nurse wishes without considering the client's autonomy.

(Option 4) Veracity refers to the duty to tell the truth. This principle should always be applied to client care and documentation.

Beneficence: The duty to do good to others and to maintain a balance between benefits and harms

Examples of beneficence

- providing comfort to a dying patient or assisting with tasks a patient cannot perform independently.
- **Calling a client's family to tell them "critically ill and we are caring for their needs."**

- **Justice:** The equitable distribution of potential benefits and tasks determining the order in which clients should be cared for.
- **Ex: Provide care equally regardless of race, gender, religion, culture, etc.**
- **Equitable distribution of resources**
- **Impartiality *when prioritizing nursing care.***

The distribution of nurses to the areas of most need in the time of nursing shortage is an example of

1 Benificence

2, Justice

3. Advocacy

4. Autonomy

- Correct answer- Justice

Veracity{remaining honest all times}: The obligation to tell the truth and communicate truthfully.

Telling the complete truth not with-holding any part of the truth even if it is upsetting.

- **Ex: Med error with no adverse effects, but still reporting it.**

-

Fidelity {Remaining loyal and faithful }:

- The duty to do what one has promised, to maintain loyalty and commitment to the client, to **be faithful to agreements and responsibilities one has undertaken.**
- Remaining true to professional responsibilities.
- For eg- **a nurse who told their pt. they were coming back in 30 min to check their pain, would come back and assess pt.**

Advocate:

- a person who **speaks up for or acts on the behalf of the client, protects the client's right to make his or her own decisions**
 - Actively support client's rights
 - **Communicate needs to interdisciplinary team**
 - Safeguard clients' **autonomy and independence**
 - Provide clients with information **about needs and available options**

- **Confidentiality-** Nurses should never discuss patients with others who do not have the "need to know". They must protect and secure client written records and they must also secure electronic records by protecting and not sharing their password and logging off after each entry.
- **However information related to abuse, suicidal ideation, threat to kill or harm oneself or others, reportable infectious disease can not keep confidential**

Accountability- Accepting responsibility for one's action and admitting error.

- Example- working within nursing scope of **practice as defined by state licensing board.**
- **using- evidenced-based practice,**
- **following policies and procedure.**

Which of the following is the correct understanding of nursing ethical principles.

1. Justice is telling the client the truth that medication can cause a rash ☐ false
2. Autonomy is requiring the client to have an advance directive ☐ false
3. Fidelity is staying with the a patient during their death as promised. ☐ true
4. Beneficence is not telling the client they have cancer because that was the family's wishes.

☐ false

Which statements related to ethical nursing practices are correct? **Select all that apply.**

- ☐ 1. Accountability is documenting that the nurse administered the wrong medication
- ☐ 2. Autonomy is informing the client of the decision the family made for the client
- ☐ 3. Confidentiality is respecting a client's request to keep suicidal ideation a secret
- ☐ 4. Justice is providing the same cardiac care to a homeless person as a businessperson
- ☐ 5. Nonmaleficence is reporting abuse for a client with Alzheimer disease

Submit

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Ethical principles guide decision making and appropriate behavior. **Justice** is treating every client equally regardless of gender, sexual orientation, religion, ethnicity, disease, or social standing (**Option 4**). **Accountability** refers to accepting responsibility for one's actions and admitting errors (**Option 1**).


Nonmaleficence means doing no harm. It also relates to protecting clients who are unable to protect themselves due to their physical or mental condition. Examples include infants/children, clients under the effects of anesthesia, and clients with dementia (**Option 5**).

(**Option 2**) **Autonomy** is freedom for a competent client to make decisions for oneself, even if the nurse or family does not agree (eg, informed consent, advanced directive). The nurse can provide information and should respect the client's decisions.

(**Option 3**) **Confidentiality** means that information shared with the nurse is kept in confidence unless permission is given to share or it is required by law to be shared to protect the client and/or community (eg, reportable infectious diseases). If a client discusses suicidal ideation with the nurse, it must be appropriately reported to protect the client from self-harm.

Omitted

Correct answer

 50% 10 secs

• Regulation of Nursing Practice

1. Nurse Practice Act

A nurse practice act is a series of statutes that have been enacted by a state legislature to regulate the practice of nursing within that state.

2 Standards of care

Standards of care are guidelines that identify what the client can expect to receive in terms of nursing care.

The guidelines determine whether nurses have performed duties in an appropriate manner.

If the nurse does not perform duties within accepted standards of care, the nurse may be in jeopardy of legal action

3. Employee guidelines: Respondeat superior contracts, institutional policies.

LEGAL NURSING

- **CRIME – (Legal wrong)** harmful act to community or state , crimes gives rise to criminal proceeding.
- **TORT – (Civil wrong)** harmful act to one or some individual, crime gives rise to civil proceeding

Legal liability

- Torts

```
graph TD; Torts[• Torts] --> Intentional[Intentional]; Torts --> Unintentional[Unintentional];
```

Intentional

1. Fraud
2. Defamation
3. Assault and battery
4. False imprisonment
5. Invasion of privacy

Unintentional

1. Negligence
2. Malpractice

UNINTENTIONAL TORT

MALPRACTICE

- **MALPRACTICE** – **doing** what you are **not supposed** to do
- improper or **unethical conduct** or **unreasonable lack of skill** by a holder of a professional or official position which result **with provable damage to the client.**
- Delayed Diagnosis
- Childbirth Injuries
- Surgical Errors
- Anesthesia Errors
- Hospital Infections.
- Premature discharge
- Falsification of report, history.
- Ignoring lab result.

NEGLIGENCE

- **NEGLIGENCE** – **not doing** what you are **supposed to do**
- is a **FAILURE to use such care** as a reasonably prudent and careful person would use under similar circumstances.
- **CONDUCT THAT FALLS below** the standards of care

Negligence

- Failure to use such care as a reasonably prudent and careful person would have used under the same or similar situation.
- Failure to provide adequate care.

For example-nurse did not wash their hands prior inserting a foley catheter.

Nurse identifies the absence of peripheral pulse in a casted extremity in the early morning. The nurse report it to the HCP in the afternoon.

Malpractice

The improper or unethical conduct or unreasonable lack of skill. **It is also known as professional negligence.**

Illegal, improper or negligent actions by a licensed professional.

For example the RN failed to check dosage on a medication vial which harmed the client.

Proof of liability for Malpractice

a. **Duty:** At the time of injury, a duty existed between the plaintiff and the defendant.

b. **Breach of duty:** The defendant breached duty of care to the plaintiff. The breach of the duty was the legal cause of injury to the client.

Damage or injury: The plaintiff experienced injury or damages or both and can be compensated by law

Common Negligence and malpractice

- Failure to provide a safe environment for the client
- Failure to follow policy and procedures
- Failure to respond to or correctly implement new and existing orders

- Failure to monitor for and take action in the event of infiltration, phlebitis, circulatory overload, or other complications following IV therapy and causes complication to patient

- Medication errors that result in injury to the client
- Intravenous administration errors, such as incorrect flow rates or failure to monitor a flow rate, that result in injury to the client.

Intentional tort

1. **ASSAULT** : is an **attempt or threat** to injure another person.
- The victim **fears and believes** that harm will result because of the threat.
- **Assult=Verbal abuse**

2. BATTERY: is actually the act of **making contact** with another person in a **harmful or offensive manner** .

- Battery is an intentional **touching** of another's body without the **other's consent**.

(beating someone with a bat = battery).

3. INVASION OF PRIVACY : violation of confidentiality, intruding on private client or family matters and sharing of information with UNAUTHORIZED PERSONS .

4. False imprisonment

1. False imprisonment occurs when a client is not allowed to leave a health care facility when there is no legal justification to detain the client.
- 2. False imprisonment also occurs when restraining devices are used without an appropriate clinical need.
 - 3. A client can sign an Against Medical Advice form when the client refuses care and is competent to make decisions.

- 4. The nurse should document circumstances in the medical record to avoid allegations by the client that cannot be defended.

5. DEFAMATION :

- Defamation is a **false communication** that causes damage to **someone's reputation**, either in writing (libel) or verbally (slander).

TYPES OF DEFAMATION

libel: false communication in **written form**.

slander: false communicating **verbally** that **harms reputation**.

6. FRAUD : results from deliberate deception intended to produce unlawful gains .

- Fraud involves the **false representation of facts**
 - whether by **intentionally withholding** important information **or**
 - **providing false statements to another party** for the specific purpose of gaining something.

Point to remember

There may be exceptions to certain legal risks areas, such as **assault, battery, and false imprisonment**, when caring for clients with mental health disorders experiencing acute distress who pose a risk to themselves or others.

- In this situation, the nurse must assess the client to determine loss of control and intervene accordingly; the nurse should use the least restrictive methods initially, but **then use interventions such as restraint if the client's behavior indicates the need for this intervention**

E. Good Samaritan laws

These laws encourage health care professionals to assist in emergency situations and limit liability and offer legal immunity for persons helping in an emergency, provided that they give reasonable care.

3. Although the client refused the procedure, the nurse insisted and inserted a nasogastric tube in the right nostril. The administrator of the hospital decides to settle the lawsuit because the nurse is most likely to be found guilty of which of the following?

1. An unintentional tort
2. Assault
3. Invasion of Privacy
4. Battery

Correct Answer: 4

Rationale: Battery is the willful touching of a person without permission. Another name for an unintentional tort is malpractice. This situation is an intentional tort because the nurse executed the act on purpose.

Which of the following are examples of medical battery? **Select all that apply.**

- ☐ 1. A child is placed in a papoose restraint for suturing of a facial laceration with the parent present
- ☐ 2. Application of soft wrist restraints to the arms of a confused, adult client with a nasogastric tube
- ☐ 3. The nurse administers 2 mg of morphine PRN to a difficult, alert client but tells the client it is saline
- ☐ 4. The nurse inserts a needed urinary catheter even though a competent client refuses it
- ☐ 5. The nurse threatens to put a client in restraints if the client does not stay in bed

Submit

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Omitted

Correct answer

34%

⌚ 15 secs

Explanation

Battery is the **intentional touching** of a person that is legally defined as unacceptable or occurs **without the person's consent**. Many routine actions that are permissible when proper consent is obtained would otherwise be considered medical battery. Furthermore, actions can be considered battery even if no physical injury results. Any health care provider (HCP) who performs a medical or surgical procedure without receiving the required informed consent from a competent client (or parent/legal guardian in the case of a child) is committing battery and could be legally charged (**Option 3**).

A competent client has the right to refuse any treatment, even if it is for the client's benefit. The nurse should help the client understand the need (eg, informed refusal), but the client's decision should be upheld. Proceeding to administer treatment to a competent client who has refused that treatment is medical battery (**Option 4**).

(**Option 1**) The temporary restraint for this minor child is needed for a therapeutic intervention, and it is implied that the parent consents to its use.

- When a client is confused , left alone with the side rails down, bed in high position the client falls and break a hip. What law has been broken?

1. Assault
2. Battery
3. Malpractice
4. defamation

- Which nursing actions could result in malpractice? Select all that apply
 1. Learns about a new piece of equipment
 2. Forgets to complete the assessment of a client
 3. Does not follow up on client's complaints.
 4. Charts client's drug allergies
 5. Questions primary care provider about an illegible order

CLINICAL JUDGMENT: TAKE ACTION

- One hour before a scheduled surgical procedure, the client states to the nurse, “I have changed my mind. I don’t want this surgery.” Actions to take by the nurse include the following:

- Talk to the client about the request.
- Explore with the client concerns about not wanting the surgery.
- Withhold further surgical preparation, and contact the surgeon to report the client's request.
- Document the client's request and that the surgeon was notified