



PROFESSIONALISM: MEDICAL ETHICS AND LAWS

Laws related to the
Practice of Physical
Therapy

OBJECTIVES

Delineate the difference between medical law and medical ethics.

List six biomedical ethical principles and their roles in health care.

Discuss patient confidentiality.

Describe the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

Discuss the patient's bill of rights.

List the elements of informed consent.

Explain the guide for professional conduct that physical therapists are morally bound to follow.

Explain the guide for conduct of the affiliate member that physical therapist assistants are morally bound to follow.

Discuss the **eight value-based behaviors** for the physical therapist assistant.

LAWS VS ETHICS



Medical Laws

Rules made by authority with the power to enforce them

Laws flow from ethical principles.

Limited to specific situations

Have detailed language

Medical Ethics

Fundamental Principles by which people judge behavior or conduct

Help individuals make decisions and serve as criteria against which people gauge the rightness or wrongness of behavior.

BIOMEDICAL ETHICAL PRINCIPLES

TERMINOLOGY

Beneficence

Nonmaleficence

Justice and Veracity

Confidentiality

Autonomy/Patient's Rights



BENEFICENCE

The state or quality of being kind, charitable, or beneficial.

It is a continuum, from a neutral not harming, to a positive doing good

At a minimum it means maintaining professional competence.

Examples:

Attend to needs of patients

Timely, appropriate interventions to advance the treatment plan

Evaluate the effectiveness of an intervention

Communicate treatment results to healthcare

Achieve and maintain professional competence



NONMALEFICIENCE

Do not perform treatments you are not comfortable with which could potentially harm a patient

Be aware of precautions and contra-indications before performing a treatment

Hippocratic Oath

First



Do No Harm

JUSTICE AND VERACITY

Justice: implies fairness and equality and requires impartial treatment of clients.

Use equal diligence for all

Attend to the needs of clients, no matter how difficult their personality, disability, race, religion, gender, age, or lifestyle.

Communicate information about treatment without bias

Deal fairly and equally with professional supervisors.

Veracity: Truthfulness in word and deed

Provide factual, scientifically based, and relevant information to patients.

Accurately report and record critical data, regardless of personal consequences.

Place the welfare of clients above personal or professional gain.

Charge reasonable fees, and then only for services actually performed



CONFIDENTIALITY

Hold in confidence personal information of clients, only divulging it when they or their legal guardian has given permission.

This is not just an ethical rule but now **bound by a Federal law**

HIPPA: Health Insurance Portability and Accountability Act
PHI- protected health info

Example of safe-guards:

Do not use name,

Speak quietly

Lock files

Additional passwords





Right of self-determination, independence and freedom.

**It is the personal right to absorb information,
comprehend it, make a choice, and carry out that choice**

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AUTONOMY AND PATIENTS' RIGHTS

PATIENT RIGHTS/PATIENT WELFARE- PATIENT BILL OF RIGHTS

Confidentiality

Informed consent

Sexual misconduct of providers

Discrimination against patients

Utilization of human subjects for research

1. Be treated for the life-threatening, chronic disease of addiction with honesty, respect and dignity.
2. Know what to expect from treatment, and the likelihood of success.
3. Be treated by licensed and certified professionals.
4. Evidence-based treatment.
5. Be treated for co-occurring behavioral health conditions simultaneously.
6. An individualized, outcomes-driven treatment plan.
7. Remain in treatment as long as necessary.
8. Support, education and treatment for their families and loved ones





Inform clients about available options regarding their treatment.

Make sure they understand the actions and risks of treatment options.

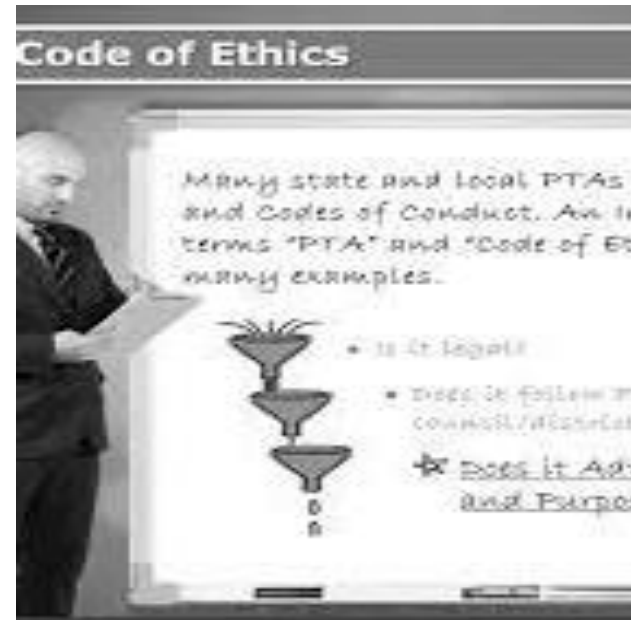
Respect and accept patient decisions about care or the care of another person for whom they are legally responsible.

Presumed or implied consent:

Used in emergency situations- beneficence

ELEMENTS OF INFORMED CONSENT

ETHICS DOCUMENTS FOR PHYSICAL THERAPIST ASSISTANTS



Standards of Ethical Conduct for the Physical Therapist Assistant (PTA)

APTA Standards of Ethical Conduct:

(Bircher chapter 3)

Paper citing examples

ETHICS DOCUMENTS FOR PHYSICAL THERAPIST ASSISTANTS

Core Value-Based Behaviors of the PTA

Altruism

Caring and Compassion

Continuing Competence

Duty

Integrity

PT/PTA collaboration

Responsibility

Social responsibility

TYPES OF ETHICAL PROBLEMS IN PT

Three categories of ethical issues facing PT providers in current healthcare

1. Patient rights/patient welfare concerns
2. Professional issues
3. Business/economic issues

