

# **Ethics and Legal Issues**

# Advance Directives

- Living Wills
  - Document that states patients wishes for medical care
- Medical Power of Attorney
  - Document giving another person the authority to make medical decisions for the patient

# Advance Directives

- Ensure adult patients are informed of their rights
- Does the patient have an Advance Directive
  - Ask the question
  - Ensure copy is in the medical record
  - If not, ask the patient to create document

# Variance Reports

- Report of any deviation or unusual event that has occurred and has affected the patient, visitor or others.
  - Does not assign blame
  - Report anything that interferes with day to day activity
  - Proactive communication that might prevent litigation in the future
- Report variance within 24 hours of the occurrence

# What Should I Report?????

“When in doubt...fill it out”

Report anything that interferes with day to day activity

Medication error

Violation of policy

Visitor falls

Unusual event resulting in harm

Equipment malfunction

Threat of litigation

# Variance Reports

- Are confidential
- Do not photocopy
- Complete before you leave clinical that day
  - Be objective, factual, and descriptive
  - Include patient's name, Medical Record Number
  - Nurse Manager/Director must sign

# Sentinel Event

- An unexpected occurrence
  - Suicide of patient in the healthcare setting
  - Infant/child abduction
  - Rape
  - Hemolytic transfusion reaction resulting from mismatched blood
  - Surgery wrong site or wrong patient

# Abuse

- Texas law requires all suspected cases of Abuse be reported.
  - Child
  - Adult
  - Elder



# Abuse

## Can Include:

- Physical mistreatment by a family member or caregiver
- Medical neglect
- Exploitation
  - Financial
  - Sexual
  - Verbal
- Self neglect

# Reporting Abuse

- Do in a timely manner
- Notify your instructor and the department manager
- Social Work will be contacted by department manager
- Social Work assesses and notifies authorities
- **Abuse Hotline – 1-800-252-5400**

# Sentinel Event

- Report incident to your instructor, and the department manager
- Complete Variance Report before you leave clinical that day
- Turn report into department manager
- Risk Management will follow up and determine if further action is needed

# Cultural Differences

- Culture – Learned pattern of thought and behavior displayed by a social group including knowledge, belief, technology, values, norms, art, morals, laws, and customs
- Cultural competencies – skills used to work with patients of all cultures
  - Cultural values and beliefs
  - Ethnic practices
  - Religious belief and practice

# Cultural Terms

- Ethnicity – Cultural differences among group based on attributes of language, religion, and lifestyle
- Ethnocentrism – Belief that one's own culture, ethnic, professional, or social group is superior
- Stereotype – belief that all people from a certain group are the same
- Illness – perceived dysfunction – highly cultural

# Cultural Considerations

- Treat each patient as an individual
- Consider the culture of that individual
- Learn about patient's views on care
- Treat patient with respect – include the patient's cultural views
- Know your own cultural beliefs and practices
- Be aware of culture in America's healthcare

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**The End**