

Chapter 02: Ethical and Legal Issues
Urden: Priorities in Critical Care Nursing, 8th Edition

MULTIPLE CHOICE

1. What is the difference between ethics and morals?
 - a. Ethics is more concerned with the “why” of behavior.
 - b. Ethics provides a framework for evaluation of the behavior.
 - c. Ethics is broader in scope than morals.
 - d. Ethics focuses on the right or wrong behavior based on values.

ANS: A

Ethics are concerned with the basis of the action rather than whether the action is right or wrong, good or bad.

PTS: 1 DIF: Cognitive Level: Understanding OBJ: Nursing Process Step: N/A

TOP: Ethical and Legal Issues

MSC: NCLEX: Safe and Effective Care Environment: Coordinated Care

2. A patient’s wife has been informed by the practitioner that her spouse has permanent quadriplegia. The wife states that she does not want anyone to tell the patient about his injury. The patient asks the nurse about what has happened. The nurse has conflicting emotions about how to handle the situation. What is the nurse experiencing?
 - a. Autonomy
 - b. Moral distress
 - c. Moral doubt
 - d. Moral courage

ANS: B

The nurse has been placed in a situation initially causing moral distress and is struggling with determining the ethically appropriate action to take. Moral courage is the freedom to advocate for oneself, patients, and peers. Autonomy is an ethical principle. Moral doubt is not part of the American Association of Critical-Care Nurses (AACN) framework *The 4A’s to Rise Above Moral Distress*.

PTS: 1 DIF: Cognitive Level: Understanding OBJ: Nursing Process Step: N/A

TOP: Ethical and Legal Issues

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3. Critical care nurses can best enhance the principle of autonomy by performing which action?
 - a. Presenting only the information to prevent relapse in a patient
 - b. Assisting with only tasks that cannot be done by the patient
 - c. Providing the patient with all of the information and facts
 - d. Guiding the patient toward the best choices for care

ANS: C

Patients and families must have all the information about a certain situation to make an autonomous decision that is best for them.

PTS: 1 DIF: Cognitive Level: Applying
OBJ: Nursing Process Step: Implementation TOP: Ethical and Legal Issues
MSC: NCLEX: Safe and Effective Care Environment: Coordinated Care

4. The principle of respect for persons incorporates which additional concepts?
- Confidentiality and privacy
 - Truth and reflection
 - Autonomy and justice
 - Beneficence and nonmaleficence

ANS: A

Confidentiality of patient information and privacy in patient interactions must be protected and honored by health care providers out of respect for persons. Confidentiality is a right involving the sharing of patient information with only those involved in the patient's care. Privacy includes confidentiality but goes further to include the right to privacy of person and personal space, such as ensuring that a patient is adequately covered during a procedure.

PTS: 1 DIF: Cognitive Level: Understanding OBJ: Nursing Process Step:
N/A
TOP: Ethical and Legal Issues
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5. Which statement regarding the Code of Ethics for Nursing is accurate?
- The Code of Ethics for Nurses is usurped by state or federal laws.
 - It allows the nurse to focus on the good of society rather than the uniqueness of the patient.
 - The Code of Ethics for Nurses was recently adopted by the American Nurses Association.
 - It provides society with a set of expectations of the nursing profession.

ANS: D

The Code of Ethics for Nursing provides a framework for the nurse to follow in ethical decision making and provides society with a set of expectations of the nursing profession.

PTS: 1 DIF: Cognitive Level: Understanding OBJ: Nursing Process Step:
N/A
TOP: Ethical and Legal Issues
MSC: NCLEX: Safe and Effective Care Environment: Coordinated Care

6. Ethical decisions are best made by performing which action?
- Following the guidelines of a framework or model
 - Having the patient discuss alternatives with the physician or nurse
 - Prioritizing the greatest good for the greatest number of persons
 - Careful consideration by the Ethics Committee after all diagnostic data are reviewed

ANS: A

To facilitate the ethical decision-making process, a model or framework must be used so that all involved will consistently and clearly examine the multiple ethical issues that arise in critical care.

PTS: 1 DIF: Cognitive Level: Analyzing OBJ: Nursing Process Step:
N/A
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7. What is the first step of the ethical decision-making process?
- Consulting with an authority
 - Identifying the health problem
 - Delineating the ethical problem from other types of problems
 - Identifying the patient as the primary decision maker

ANS: B

Step one involves identifying the major aspects of the patient's medical and health problems. Consulting an authority is not always necessary in the process. Delineating the ethical problem from other types of problems may not be necessary. Identification of the patient as primary decision maker is not part of the process.

PTS: 1 DIF: Cognitive Level: Remembering OBJ: Nursing Process Step:
N/A
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8. What is the legal standard of care for a nurse's actions?
- Minimal competency under the state Nurse Practice Act
 - The ability to distinguish what is right or wrong for the patient
 - The demonstration of satisfactory knowledge of policies and procedures
 - The care that an ordinary prudent nurse would perform under the same circumstances

ANS: D

The legal standard of care for nurses is established by expert testimony and is generally "the care that an ordinarily prudent nurse would perform under the same circumstances."

PTS: 1 DIF: Cognitive Level: Understanding OBJ: Nursing Process Step:
N/A
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9. A patient is admitted with chest pain with evidence of elevated ST segments. The nurse bases the plan of care on the diagnosis of pneumonia. What type of negligence may be present?
- Assessment failure
 - Planning failure
 - Implementation failure
 - Evaluation failure

ANS: B

Basing nursing care on an erroneous diagnosis is a failure in planning. Standards of care include *assessment*, the collection of relevant data pertinent to the patient's health or situation; *diagnosis*, analysis of the assessment data in determining diagnosis and care issues; *implementation*, coordinating care delivery and plan and using strategies to promote health and a safe environment; and *evaluation*, evaluation of the progress of the patient toward attaining outcomes.

PTS: 1 DIF: Cognitive Level: Analyzing
OBJ: Nursing Process Step: Planning TOP: Ethical and Legal Issues
MSC: NCLEX: Safe and Effective Care Environment: Coordinated Care

10. What is an injury resulting from the failure to meet an ordinary duty called?
- Negligence
 - Malpractice
 - Assault
 - Battery

ANS: A

Injury resulting from the failure to meet an ordinary duty or standard of care is negligence. Malpractice is a specialized form of negligence. Assault and battery are examples of intentional acts.

PTS: 1 DIF: Cognitive Level: Understanding OBJ: Nursing Process Step:
N/A
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11. A night nurse is notified by the laboratory that the patient has a critical magnesium level of 1.1 mEq/L. The patient has a do-not-resuscitate order. The nurse does not notify the practitioner because of the patient's code status. In doing so, the nurse is negligent for what?
- Failure to analyze the level of care needed by the patient
 - Failure to respect the patient's wishes
 - Wrongful death
 - Failure to take appropriate action

ANS: D

Nurses caring for acutely and critically ill patients must appropriately notify physicians of situations warranting treatment actions. Furthermore, the full no-code, do-not-resuscitate order does not exclude this patient from receiving treatment to correct the critical laboratory value. Failure to take appropriate action in cases involving acutely and critically ill patients has included not only physician-notification issues but also failure to follow physician orders, failure to properly treat, and failure to appropriately administer medication.

PTS: 1 DIF: Cognitive Level: Applying
OBJ: Nursing Process Step: Implementation TOP: Ethical and Legal Issues
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12. Two nurses are talking about a patient's condition in the cafeteria. In doing so, these nurses could be accused of what?

- a. Failure to take appropriate action
- b. Failure to timely communicate patient findings
- c. Failure to preserve patient privacy
- d. Failure to document patient information

ANS: C

Nurses have a duty to preserve patient privacy, and failure to do so is a breach of patient confidentiality and failure to preserve patient privacy. Nurses should also refrain from having discussions about specific patients with anyone except other health care professionals involved in the care of the patient. When discussing specific patients with other health care professionals, it is imperative that patient-specific discussions occur in nonpublic settings. Discussions about specific patients are never appropriate in public areas such as elevators, cafeterias, gift shops, and parking lots.

PTS: 1 DIF: Cognitive Level: Applying

OBJ: Nursing Process Step: Assessment TOP: Ethical and Legal Issues

MSC: NCLEX: Safe and Effective Care Environment: Coordinated Care

13. A nurse fails to recognize an intubated patient's need for suctioning. The endotracheal tube becomes clogged, and the patient has a respiratory arrest. What type of negligence may be present?
- a. Assessment failure
 - b. Planning failure
 - c. Implementation failure
 - d. Evaluation failure

ANS: A

Nurses have a duty to assess and analyze the care required by each patient they care for. Failure to do so puts the nurse at risk for negligence related to failure to assess the patient's needs.

PTS: 1 DIF: Cognitive Level: Analyzing

OBJ: Nursing Process Step: Assessment TOP: Ethical and Legal Issues

MSC: NCLEX: Safe and Effective Care Environment: Coordinated Care

14. On the way to surgery, a patient expresses doubt about proceeding with the planned procedure. The patient states that the doctor did not explain it very well and she would like to talk to her again before starting the procedure. The nurse knows the surgery schedule is very tight, reassures the patient that everything will be all right, and administers the preoperative sedation. This scenario describes what possible type of negligence?
- a. Assessment failure
 - b. Planning failure
 - c. Implementation failure
 - d. Evaluation failure

ANS: D

The nurse has a duty to act as a patient advocate, in this case by holding the preoperative sedation until the doctor and the patient can speak and the patient is satisfied that she has the necessary information to make this decision.

PTS: 1 DIF: Cognitive Level: Analyzing

OBJ: Nursing Process Step:

N/A

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MULTIPLE RESPONSE

1. Which of the following is/are criteria for defining an ethical dilemma? (*Select all that apply.*)
- An awareness of different options
 - An issue in which only one viable option exists
 - The choice of one option compromises the option not chosen
 - An issue that has different options

ANS: A, C, D

The criteria for identifying an ethical dilemma are threefold: (1) an awareness of the different options, (2) an issue that has different options, and (3) the choice of one option over another compromises the option not chosen.

PTS: 1

DIF: Cognitive Level: Remembering

OBJ: Nursing Process Step:

N/A

TOP: Ethical and Legal Issues

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2. What elements or criteria must be present for negligence cases to go forward? (*Select all that apply.*)
- Duty to another person
 - Acknowledgement of wrong doing
 - Harm that would not have occurred in the absence of the breach
 - Breach of duty
 - Damages that have a monetary value

ANS: A, C, D, E

There are four criteria or elements for all negligence cases: (1) duty to another person; (2) breach of that duty; (3) harm that would not have occurred in the absence of the breach (causation); and (4) damages that have a monetary value. All four elements must be satisfied for a case to go forward. Acknowledgement of wrong doing is not required.

PTS: 1

DIF: Cognitive Level: Remembering

OBJ: Nursing Process Step:

N/A

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