

Chapter 1 : Ethics for Health Professionals

'Medical Law and Ethics' provides essential legal and ethical principles for anyone pursuing a healthcare career. It provides a foundation of all the essentials including the legal system, the patient/physician relationship, professional liability and medical malpractice prevention, & much more.

This evidence is a crucial step in such lawsuits as they determine and consider the required standard of care. The usual test in law for such medical situations remains concrete for the Bolam test. The following paper analyzes the role of this test in the course of the Bolam against Friern Hospital Management Committee in , in correspondence with medical law. The case was left up to the two results of the test with the facts in the hands of the trial judge. Firstly, the Bolam against Friern test declared its initial results, claiming that Friern was not informed preoperatively, that the danger of nerve injuries could end in paralysis. A question arose in the midst of the jury concerning the procedure that judges should take towards determining whether the mandatory clinical requirement existed. Therefore, the therapy was carried out. As a result, the test was initially carried out to assist the judges in making a verdict on the case. During the accumulation of the integration of the findings on the case, there was an argument over the potential role of the Bolam versus Friern in human liberties proceedings. Such cases could only be criticized if they were outside the domain of the treatment to be used. The case was presented to the English Lordships through the Bolam test. This test attempted to win the judges side of the litigation through the provision of evidence logical and accountable actions of the practitioner. Particulars of the test presented during the proceedings include the Bolam versus Friern Hospital Management Committee. The test was able to approve that it as neither logical nor accountable for a practitioner not to talk about the threat of impotence from rectal surgical procedure. The test provided results confirmed the significance of such information to Bolam. Friern Hospital Management Committee was believed to have ignored this issue, and if correctly cautioned, she would not have agreed to the surgery, and avoid the injury caused. Nevertheless, the judge observed a dissimilar view of the test provided before the case. Therefore, the test certifies as facts proven for causation. Results of the Bolam V Friern Hospital Management Committee test It is evident that any novel psychological health legislation is supposed to recognize and cope with these worries. One such resolution might be extending the role of the test, into the therapies that are encompassed by the submission of sections 62 and 63, as discussed by the Hospital Management Committee. The test was indeed carried out and found out to be impossible without muscle relaxants and tying the patient to the bed. Whilst the findings in this case had doubts concerning its common alterations to the practice of mandatory therapy for patients under arrest, the test managed to cause propositions for amendments to the current practitioners negligence act. The test pushed for rigorous changes in the act, promoting the restriction of the independence of patients. The introduction of a monitored community treatment was also part of the results of the test, and was found to be contentious. Therefore, Bolam, while under detainment, would subsequently have to be evoked back to the medical facility, once released to the community, and reject medication. The evidence provides from the test faced certain conflicts as to the point the electroconvulsive therapy conducted on Mr. Bolam while at the medical institute. The outcomes of the therapy were certainly not valid since the treatment was not finished and the severity of the injuries imposed on Mr. The sensory disturbance caused on his nervous, skeletal and circulatory system were considered invalid since the practitioners involved in the test did not administer him with muscle relaxants. Being a volunteer served Mr. In accordance with medical law, ethical considerations comprise of civil liberties for people under a marginalized sphere of influence. The therapy conducted on Bolam moved the locus of the psychological health regulations. Bolam was not aware of the consequences of faulty hazards that could result from the test. The Friern Hospital Management Committee violated clinical regulations addressed by the jury during the proceedings, and breached guidance decrees expressed in the Socio-Legal Studies Association Ethical Codes and principles. As part of national medical law, the duties of a practitioner are seen as being owed to an exact patient. Buy custom Medical Law and Ethics essay Related essays.

Chapter 2 : Medical Law And Ethics Custom Bundle by Bonnie F. Fremgen

It is important for a medical professional to understand medical law, ethics, and protected health information as it pertains to HIPPA. Main reason to study medical law To help you function in the highest professional level by providing competent compassionate health care to patients.

The principal objective of the ethical physician in his practice is to treat human illness while maintaining the highest respect for the dignity of his patient. His ethical obligation to his community is the same as that of any other citizen. He should neither pay nor receive a commission for referral of patients. The value of professional services should be determined only by mutual agreement between the physician and patient, and in no other way. Professional reputation is the major source of patient referral. The physician should be circumspect and restrained in dealing with the communication media, always avoiding self-aggrandizement. Given the reality of governmental compulsion, physicians protest duress per minus. Under these circumstances, very few physicians have actually implemented the AAPS Non-Participation Program, although we believe that 1 it is right and proper and that 2 with the support of a critical mass of physicians, Non-Participation could halt the destruction of private medicine. To participate means to be a party to in a greater or lesser degree; conversely, Non-Participation means to refrain from being a party to in any degree whatever. Although we may be forced to obey any specific legal edict, as moral and ethical individuals we cannot, in good conscience, be a party to any voluntary act that violates our moral and ethical beliefs. The Social Security Amendments of do not create any mandatory obligation on anyone beyond the payment of certain stipulated taxes. Inasmuch as this law has been duly enacted, we cannot avoid the payment of these taxes. However, the other provisions of the Social Security Amendments of , as they relate to physicians, are all a matter of voluntary decision. The decision as to whether or not to participate is a matter of individual choice. Certain coercive factors may influence the decision to participate but no such factors are intended in the advocacy of Non-Participation. The Association of American Physicians and Surgeons recommends a policy of Non-Participation to all physicians as the only legal, moral, and ethical means of concretely expressing their complete disapproval of the spirit and philosophy behind these amendments. The opinion of competent legal authority assures us that Non-Participation is legal. It is our belief that anything that is morally right is ethical. It is further our belief that any measures that tend to lower the standards of medical care are evil and anything that is evil is unethical and immoral. Experience in every area of the world where it has been tried has demonstrated that governmental assumption of the responsibility for medical care socialized medicine for the general population as opposed to members of the armed forces and former members with service-connected disabilities, to whom there is an extraordinary and recognizable obligation has resulted in deterioration of the quality of medical care thus creating an effect opposite to the alleged and stated intent of the amendments. Thus the effect of the law is evil and participation in carrying out its provisions is, in our opinion, immoral. Therefore, it is our belief that the only proper course for physicians is to: Decline to serve on boards or committees established for the purpose of implementing, interpreting, expanding, and administering the Social Security Amendments of ; Decline to sign papers or execute forms necessary to implement the provisions of the Social Security Amendments of ; Emphasize to their patients that there is no intention of preventing any patient from receiving needed medical care but that such care must be rendered under conditions that are acceptable to both patient and physician. Clearly and emphatically explain to their patients that the policy of Non-Participation is in the best, long-range interest of patients, physicians, and good medical care. Patients have the freedom: To seek consultation with the physician of their choice; To contract with their physicians on mutually agreeable terms; To use their own resources to purchase the care of their choice; To refuse medical treatment even if it is recommended by their physician; To be informed about their medical condition, the risks and benefits of treatment, and appropriate alternatives; To be treated confidentially, with access to their records limited to those involved in their care or designated by the patient, except as necessary to protect other persons from significant danger; To refuse third-party interference in their medical care, and to be confident that their actions in seeking or declining medical care will not result in

third-party-imposed penalties for patient or physician or any other party; and To seek redress through the courts, including a jury trial, in the event of injuries resulting from negligence. Pamphlet , January,

Chapter 3 : Medical Law And Ethics | Custom Essay Papers

Bonnie F. Fremgen, Ph.D., is a former associate dean of the Allied Health Program at Robert Morris College and was vice-president of a hospital in suburban calendrierdelascience.com has taught medical law and ethics courses as well as clinical and administrative topics.

She has taught a Medical Law and Bioethics course on the undergraduate college level for 5 years. Her motivating factor for writing Ethics for Health Professionals was to simplify ethics and laws concerning the healthcare professional in ways that would be both appealing and easily understood by the student. She has practiced in the schools and long-term care settings. Currently, she teaches at both the undergraduate and graduate level with a focus on the legal and ethical aspects of health care. She hopes that students will have a better understanding of the laws and ethical issues surrounding health care after reading Ethics for Health Professionals. This is a major accomplishment as much of the material presented can be boring and laborious to read. I especially appreciated the real-life examples that brought the information to life. For me, the case examples integrated into each chapter make the material, that can be very dry, interesting and relevant. It was wonderful to read chapters that recognize the unique contribution of each profession in the health care system and that did not have an implied hierarchy of the importance of specific professionals. I found the text easy to read and kept my attention. The subject matter is current and using real-life examples to show HOW a health care worker would need to learn this material is excellent. Students would have no problem using this text in an introduction course to health care. Professionalism is difficult to teach because some areas are subjective rather than objective. The author stressed why and how a professional utilizes this information rather than just explaining it. I feel that the author researched and easily detailed some health care issues which typically are not included in just one text. This text has many strengths, it is inclusive of many areas of health care, includes real life examples of how professionalism plays a role in patient care, it also includes real life examples of how a healthcare worker could become unprofessional, and covers HIPAA as well as Consent and the Law. The summaries and practice questions are excellent. The use of critical thinking is good and is needed for all healthcare workers. I would switch texts immediately because of the inclusive nature of the material. As I said previously, this is the first time I have seen a professionalism book address a majority of the topics that I cover in my class. In the past, I have had to research the "missing material" myself and present it without the aid of a text. This text has all the information in one place. I want a copy of this text when it is released!!! It is excellent and can see many allied health programs adopting it! The book is both easy to read and thought provoking; it asks students to consider their own ethics and values in many ethical situations. This is an excellent book for healthcare students that will prepare them for the real situations they will likely encounter in patient care. Although the book is written primarily for healthcare students, new practitioners would find it an interesting read as well.

Chapter 4 : Legal and Ethical Issues for Health Professionals

Law & Ethics for Health Professions, 7th Edition by Karen Judson and Carlene Harrison () Preview the textbook, purchase or get a FREE instructor-only desk copy.

The definition of practicing medicine has also been clearly explained. Those professionals who do not abide by these set laws are therefore subject to punishment by law. Baxter Jerry has only trained as a medical assistant and Licensed Practical Nurse LPN, so he is not qualified to give prescriptions. If Jerry had been directly instructed by Dr. William to call in a refill, it would be okay to do so. According to the law, it is not appropriate for medical assistants to call in new prescriptions or any medical prescriptions that might have changes in them. Only a physician, clinical pharmacist, dentist, surgeon or a podiatrist, who has a license to practice, can only give prescriptions to a patient. The patient in this case has specified that Dr. It would not make a difference if the medication that was requested for was for the control of high blood pressure instead. It would only be appropriate for Jerry to call in a refill for such a case if there was a standing order for refill of such medication. Even if the patient critically needs the medication on a daily basis, it would not be appropriate for Jerry to call in a prescription because it is against the law to do so. If Jerry was to call in a prescription and the patient was to have an adverse reaction, Jerry would only be protected from a lawsuit under the doctrine of respondent superior if there was an existing standing order for a refill. If Jerry made a new prescription, he would be liable to a lawsuit because his qualifications do not allow him to give a prescription and he does not hold a license. Considering the doctrine of respondent superior Dr. So even if the Jerry argued that the patient was critically ill, it would still be considered as practising medicine without a license which is illegal. Medical doctors are therefore held responsible for actions of those medical employees under their supervision. Ethically, Jerry would be wrong in calling in a prescription which he knows he is not qualified in doing and might even expose the patient to health complications. My advice to Jerry is for him not to call in a prescription. He should call Dr. Williams and ask him to call in the prescription instead. Jerry can also refer the case to another licensed doctor to try and avoid any legal complications. If Jerry was to fill the prescription, he would be liable for malpractice or for exceeding his scope of practice. Jerry might also expose Dr. Williams to a malpractice case because he has not supervised him properly. All medical assistants should abide to the rules that have been set by the medical association body, rules set by the state and rules set by the healthcare facilities where such individuals work. Different states have different laws regarding the scope of practice of a medical assistant for example in the state of California law allows a medical assistant to examine a patient, perform an electro cardiogram, administer medication, collect non- evasive samples, remove bandages and staples and perform other minor medical duties but the law forbids a medical assistant from prescribing medicine to patient since the qualifications of a medical assistant do not license them to do so. As of the year, only the states of; Arizona.

Chapter 5 : Principles of Medical Ethics - AAPS | Association of American Physicians and Surgeons

Explain why a knowledge of law and ethics is important in a working medical office. 2) Describe the difference between law, ethics, etiquette, morals and values. 3) Distinguish how law and ethics are related 4) compare the consequences of unlawful and unethical behavior - identify and respond to iss.

Individual, Legal and Professional norms Expression Expressed and published in writing. Violation Violation of law is not permissible which may result in punishment like imprisonment or fine or both. There is no punishment for violation of ethics. Objective Law is created with an intent to maintain social order and peace in the society and provide protection to all the citizens. Ethics are made to help people to decide what is right or wrong and how to act. Binding Law has a legal binding. Ethics do not have a binding nature. Definition of Law The law is described as the set of rules and regulation, created by the government to govern the whole society. The law is universally accepted, recognized and enforced. It is created with the purpose of maintaining social order, peace, justice in the society and to provide protection to the general public and safeguard their interest. It is made after considering ethical principles and moral values. The law is made by the judicial system of the country. Every person in the country is bound to follow the law. It clearly defines what a person must or must not do. Definition of Ethics By ethics, we mean that branch of moral philosophy that guides people about what is good or bad. It is a collection of fundamental concepts and principles of an ideal human character. The principles help us in making decisions regarding, what is right or wrong. It informs us about how to act in a particular situation and make a judgment to make better choices for ourselves. Ethics are the code of conduct agreed and adopted by the people. It sets a standard of how a person should live and interact with other people. The law is defined as the systematic body of rules that governs the whole society and the actions of its individual members. Ethics means the science of a standard human conduct. The law consists of a set of rules and regulations, whereas Ethics comprises of guidelines and principles that inform people about how to live or how to behave in a particular situation. The law is created by the Government, which may be local, regional, national or international. On the other hand, ethics are governed by an individual, legal or professional norms, i. The law is expressed in the constitution in a written form. As opposed to ethics, it cannot be found in writing form. The breach of law may result in punishment or penalty, or both which is not in the case of breach of ethics. The objective of the law is to maintain social order and peace within the nation and protection to all the citizens. Unlike, ethics that are the code of conduct that helps a person to decide what is right or wrong and how to act. The law creates a legal binding, but ethics has no such binding on the people. Conclusion Law and ethics are different in a manner that what a person must do and what a person should do. The former is universally accepted while the latter is ideal human conduct, agreed upon by most of the people. Although, both the law and ethics are made in alignment so that they do not contradict each other. Both go side by side, as they provide how to act in a particular manner. Every person is equal in the eyes of law and ethics, i. Further, these two allow a person to think freely and choose.

Chapter 6 : Law & Ethics for Health Professions

Sometimes decision-making is difficult and requires a firm understanding of moral and ethical issues. Research tells us that therapists are called upon to make challenging ethical decisions as part of everyday practice.

Ethics and Law essay papers Pages: Question One There are three essential functions of the courts of the United States as it relates to litigation involving public schools. The new plan was announced by President Bush in his radio address to the nation on 20 January, The new health care plan announced by the President Bush would provide a financial encouragement for the 50 million Americans who can not afford to buy a health plan. The new health plan would restrain the escalating cost of health insurance This shows what changes are needed in an organization, how the codes would be implemented and what would be the effects of implementing such a code of behavioral conduct. Polygraph cannot be used aggressively in every case except from the perspective of criminal law if it meets the stan Current legal system in Australia Australian legal system influenced by English legal system because Australia was British colony in the past. It is the reason why both of the systems are similar. Until very recently, the decisions of English courts were very influential in Australian law. In Australia today, there are two major sources of law called as common law judge-ma Even though a patent differs in composition and structure in many countries, the basics almost remain the same. This is especially preventing others from making or using his invent It is high time that we decide if it is justifiable to take a life for the sake of law and order. Death penalty or capital punishment is the execution of a person by the state for the crime that he committed. Those crimes that would lead a person to death penalty are known as capital crimes or capital offences. The government uses institutions like the police force, courts and correctional systems, which pass sentences and administer punishments to those found guilty of offences. My definition of justice as relates to the correctional system is on The use of torture has become widespread in international relations according to information from the media, victims and even some indication from the attitude and approach of highly placed legislators, executives and even judges. In examining critically the deontological and consequentialist approaches to the use of torture in international politics, this essay first, defines torture in accord Presently, it is one of the most vigorously advocated reforms discussed in law reviews, one of the most provocative issues. It could be one of the most revolutionary policy decisions in the history of American family law. Who can be sued in a defamation case? Outline possible defences, citing case studies. The penguin Modern English dictionary defines defamation as a false report made maliciously to injure. Other definitions of defamation include slander and calumny. The basic idea of defamation is simple. It is an attempt to balance the private right Moreover, maybe because society has taught us that this practice is okay, mankind does not bother questioning its validity. However, it is my opinion that this practice certainly does need to be questioned. Why is it that what is right for a man is not necessarily right for a woman? In just one movie you can see many of his beliefs about life and ethics illustrated. In the following paragraphs I have chosen a number of them and made connections to what I saw in the movie. Robert Benne writes in chapter 2, in "A It is designed to prevent the unauthorised use by others of a work, that is, the original form in which an idea or information has been expressed by the creator. It is made up of a bundle of exclusive economic rights The real; goal of History is to rediscover past. A dramatic error happens when past is rediscovered from our own bias that is from the way we see it. Even certain artifacts and works pf literature that we have left from earlier civilizations can be interpreted in several different ways, or misinterpreted to This essay will attempt to answer the above question by not only studying the conduct of individuals and groups in a work context, but also by looking at the causes of behaviour. Organisational behaviour theories, experiments and case studies will be used to i Capital Punishment is an Unlawful and Ineffective Deterrent to Murder The United States is one of the few countries left in the world to practice the savage and immoral punishment of death. Retentionists argue that the consequence of death prevents people from committing the crime of murder. It is proven that the death penalty does not deter persons from committing murder, nor does i It is proven that the death penalty does not deter persons from committing murder, nor does it History of the Computer Industry in America July 12, History of the Computer Industry in America America and the Computer Industry Only once

in a lifetime will a new invention come about to touch every aspect of our lives. Such a device that changes the way we work, live, and play is a special one, indeed. A machine that has done all this and more now exist Retentionists argue that the consequence of death prevents persons from committing the heinous crime of murder. It is proven that the death penalty does not deter persons from committing murder, nor does it serve as an example of the c It is proven that the death penalty does not deter persons from committing murder, nor does it serve as an example of the consequences of capit It is proven that the death penalty does not deter persons from committing murder, nor does it serve as an example of the consequences of capital crimes to society. ATF enforces the Federal laws and regulations relating to alcohol, tobacco, firearms, explosives and arson by working di This is the equivalent of killing every citizen in the towns of Carlsbad, Ca. There have been over , homicides committed in the United States since the U. Supreme court allowed executions in up to This relates to the fact that every Abolish the Death Penalty. The death penalty is an ineffective and brutally simplistic response to the serious and complex problem of violent crime. The victim total of this has been of which, we know of cases that the person has been wrongfully accused. Scientific studies have consistently failed to demonstrate that executions deter people from committing crimes. I once read a bumper sticker that questioned "Why do we kill people who kill people, to show that killing people is wrong? Retentionists argue that the death penalty prevents per The death penalty has existed as long as humans have existed. The quote "an eye for an eye" is found in the Bible. In the middle ages fines, public humiliation and imprisonment were appropriate punishments for all crimes, and death penalty for all murders. Today, Federal law states that the death penalty i I hope after reading my essay you will have a better understanding of what the death penalty is and how it works, and maybe you too will change your views and ideas about the death penalty as I did. The earliest historical records contain evidence of capital punishment. A Babylonian King, Hammurabi that lived in the firs According to the Christian Bible some of the first crimes date back to the earliest people. Reports of theft and murder occur throughout the Bible. Presently all types of crimes are happening all of the time. With crime comes the need for punishment. Modern punishments for offenses in our country include things as minor as commu The United States Military is still enforcing archaic policies which threaten to harm the principles our nation was founded upon. The principles of freedom and equality are those that every American holds closest to their heart, that is unless you are in the mil These laws have taught me that success is not a destin Revised During this class period today, seven adult men will be falsely accused of committing a serious crime, carrying a penalty of capital punishment. This means approximately 51, adult men are falsely accused of committing serious crimes each year. This figure is roughly the number of people who attended Super Bowl-Thirty-Three. Currently, there are 3, peo However, the number of executions started to decrease, as Convention on International Trade in Endangered Species. The International wildlife trade, worth billions of dollars annually, has caused massive declines in the numbers of many species of animals and plants. The extent of the decline because of the trade aroused so much concern for the survival of species that an international treaty was drawn up in to protect wildlife agains Although in North America, advertisers adopted "truth in advertising" as a theme, auditors rejected "true The sad fact is The companies do not want you to know, so they hide their production behind locked factory gates, barbed wire and In early America, blacks were lynched for the slightest violation of informal laws and many of these killings occurred without any type of due process. As the judicial system has matured As the judicial system h It s Just Wrong Since the formation of the United States, the government has used the death penalty to execute more than 13, people. With the case of Furman v. Georgia in , the Supreme court ruled that the state s laws for applying the death penalty were arbitrary, making them viol Many arguments can be made in favor and against it. It ultimately, however, comes down to personal beliefs and opinions. Personally, I feel that the death penalty is a very serious punishment, and should be used very carefully and sparingly. The death penalty is unremediable.

Chapter 7 : Medical Law and Ethics | Custom Essays Writers

Law and Ethics for Health Professions explains how to navigate the numerous legal and ethical issues that health care professionals face every day. Topics are based upon real-world scenarios and dilemmas from a variety of health care

practitioners.

Chapter 8 : Ethics and Law essay, term papers, research paper

Medical ethics is a highly controversial and sensitive topic. It is highly debatable and prone to go in many ways. If you are writing an evaluation essay on medical ethics and find yourself in need of a topic, consider the 20 below.

Chapter 9 : Medical Law And Ethics

Unit IV Homework Reimbursement and Billing For this unit assignment, please respond to the following key activities related to billing and reimbursements. The information for these activities can be found in Chapter 7 of your textbook.