Priorities in Critical Care Nursing 9th edition Urden Test Bank

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Chapter 02: Ethical and Legal Issues
Urden: Priorities in Critical Care Nursing, 9th Edition

MULTIPLE CHOICE

1. A nurse is giving a presentation about ethical dilemmas to a group of nursing students. One of the students asks what the difference between ethics and morals. What is the nurse's best response?
   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
   The best response is that ethics is more concerned with the "why" of behavior. 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: Management of 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.*

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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 the information and facts
   d. Guiding the patient toward the best choices for care

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ANS: C
Patients and families must have all the information about a certain situation to make an autonomous decision that is best for them. They have the right to determine what is done to or for them without coercion or undue interference from others. Autonomy is the foundation of the legal and ethical requirement of informed consent and includes the right of patients with decision-making capacity to refuse some or all treatments.

PTS: 1 DIF: Cognitive Level: Applying
OBJ: Nursing Process Step: Implementation TOP: Ethical and Legal Issues
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4. In addition to autonomy, the principle of respect for persons incorporates which additional concepts?
   a. Confidentiality and privacy
   b. Truth and reflection
   c. Sovereignty and justice
   d. 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. Truth, reflection, sovereignty, justice, beneficence, and nonmaleficence are not part of respect for persons.

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5. The director of the critical care unit is meeting with the nursing staff regarding concerns about patient privacy. The manager reminds the staff about the *ANA Code of Ethics for Nurses*. Which statement by a nursing staff member indicates an understanding of this document?
   a. The *ANA Code of Ethics for Nurses* is written into nursing regulations and state and federal laws.
   b. The *ANA Code of Ethics for Nurses* only focuses on the nurse's ethical responsibility to society.
   c. The *ANA Code of Ethics for Nurses* only focuses on the nurse's ethical responsibility to a patient.
   d. The *ANA Code of Ethics for Nurses* provides ethical guidance for the nursing profession.

ANS: D
The *ANA Code of Ethics for Nurses* provides the major source of ethical guidance for the nursing profession. It provides a framework for the nurse to follow in ethical decision making and provides society with a set of expectations of the nursing profession. The *ANA Code of Ethics for Nurses* is not written into nursing regulations or state or federal laws. However, the document is considered part of nursing professional standards.

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6. Which action best reflects the concept of beneficence within the critical care setting?
   a. Advocating for equitable health care
   b. Promoting for safe patient care
   c. Ensuring equal access for those with the same condition or diagnosis
   d. Confirming technologic advances are available to all in a given community

   ANS: B
   Advocating for patient safety is an example of beneficence. The other actions are examples of justice.

   PTS: 1 DIF: Cognitive Level: Applying
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7. An ethical conflict has arisen in the critical care unit. The Stakeholders-Facts-Norms-Options (SFNO) model is being used to facilitate resolution of the conflict. Which question should be considered first when using this model?
   a. What factual issues might generate disagreement?
   b. Who will be significantly affected by the decision made?
   c. What ethical principles, norms or values are at stake?
   d. What actions or policies deserve serious consideration?

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   ANS: B
   The first thing that should be determined when using SNFO model is who are the stakeholders involved in making this decision. The other questions are important, but they will be asked after the stakeholders are determined.

   PTS: 1 DIF: Cognitive Level: Analyzing OBJ: Nursing Process Step: N/A
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8. A nurse made a medication error that led to harm to a patient. The hospital is being sued for damages secondary to the nurse's negligence. What is the legal standard of care for the nurse's actions?
   a. The minimal competency identified in the state Nurse Practice Act
   b. The ability to distinguish what is right or wrong for the patient
   c. The demonstration of satisfactory knowledge of policies and procedures
   d. The care that a reasonable prudent nurse would perform under the same circumstances

   ANS: D
   Generally, the standard for negligence is failing to act as a reasonably prudent person would under the same circumstances or acting in a way a reasonably prudent person would not act under the same circumstances.

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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 malpractice may be present?
   a. Assessment failure
   b. Planning failure
   c. Implementation failure
   d. 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
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10. A patient has fallen and broken a hip in the critical care unit. An investigation reveals that the fall risk assessment was not completed correctly. What is an injury resulting from the failure to meet an ordinary duty called?
    a. Negligence
    b. Malfeasance
    c. Assault
    d. Battery

    ANS: A
    Injury resulting from the failure to meet an ordinary duty or standard of care is negligence. Assault and battery are examples of intentional acts. Malfeasance is intentional conduct that is wrongful or unlawful, especially by officials or public employees and does not apply to professional malpractice.

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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. What was the nurse's breach of duty?
    a. Failure to analyze the level of care
    b. Failure to respect the patient's wishes
    c. Failure to appropriately assess the patient
    d. Failure to take appropriate action

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ANS: D
Nurses must appropriately notify practitioner 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 practitioner-notification issues but also failure to follow practitioner orders, failure to properly treat, and failure to appropriately administer medication.

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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 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.

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PTS: 1 DIF: Cognitive Level: Analyzing OBJ: Nursing Process Step: N/A
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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
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14. On the way to surgery, a patient expresses doubt about proceeding with the planned procedure. The patient states that the practitioner did not explain it very well and they would like to talk to the practitioner 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 type of malpractice?
    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 practitioner 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: Evaluation TOP: Ethical and Legal Issues
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15. Which agency is responsible for maintaining the expectations and limits of nursing practice?
    a. State Hospital Association
    b. Court system
    c. State Board of Nursing
    d. State Department of Health

    ANS: C
    State Boards of Nursing (SBONs) maintain expectations for and limits of nursing practice in each state through the licensure of nurses and also through challenges to non-nurses engaged in professional activities that intrude upon the nursing scope of practice.

    PTS: 1 DIF: Cognitive Level: Remembering OBJ: Nursing Process Step: N/A
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MULTIPLE RESPONSE

1. Which situations are at risk for becoming an ethical dilemma? (*Select all that apply.*)
    a. A patient suffering with prolonged unrelieved pain
    b. A practitioner recommending additional tests
    c. Health care team members having a significant difference of options
    d. Health care team members discussing palliative care with a patient
    e. A patient's wife believing her husband who is brain dead will wake up

    ANS: A, C, E

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Early indicators for an ethical dilemma include signs of patient suffering (prolonged, unrelieved pain), signs of unrealistic expectations (unwavering belief in patient recovery), signs of moral distress (believe treatment not helpful, causes suffering), signs of conflict (disagreement, different opinions), signs of poor communication (avoidance of end of life and other difficult topics), and signs of ethics violations (disrespect for autonomy, disregard of right to information). A practitioner recommending additional tests and health care team members discussing palliative care with a patient are not unusual situations and normally do not lead to ethical issues.

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2. A patient is threatening to sue the hospital because the nurses are not providing the care that the patient wants. The patient states the nursing staff is negligent. What elements must be present for a negligence case to go forward? (*Select all that apply.*)
   a. The presence of the nurse-patient relationship
   b. Acknowledgment that the patient's preferred care was not provided
   c. A deviation from the standard of care
   d. A monetary value assigned to the harm the patient experienced
   e. A breach of duty causing harm to the patient

   ANS: A, C, D, E
   The person bringing the lawsuit (plaintiff) must prove the elements of negligence. In the health care context, the patient or family bringing the lawsuit must prove that the nurses had a duty to care for the patient, the nurses breached that duty by deviating from the standard of care, the breach caused harm to the patient that would not have occurred in the absence of negligence, damages or the monetary value of the injury suffered. The acknowledgement that the patient's preferred care was not provided is not a required element of a negligence lawsuit.

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3. Which actions demonstrate the act of battery? (*Select all that apply.*)
   a. Resuscitating a patient with a do-not-resuscitate order
   b. Threatening to punch a patient who refuses to stay in bed
   c. Having sexual intercourse with a comatose patient
   d. Drawing a patient's blood without their consent
   e. Threatening to restrain a patient for not calling for help to get out of bed

   ANS: A, C, D

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Battery is any intentional act that brings about actual harmful or offensive contact with the plaintiff. Harmful means physical harm, whereas offensive means contact that a reasonable person would consider offensive under the circumstances. Battery occurs if the patient is touched in an unauthorized manner. Assault occurs if the patient fears harmful or offensive touching. Assault may be alleged if the patient was aware that they were going to be touched in a manner not authorized by informed consent. Threatening to punch a patient who refuses to stay in bed and threatening to restrain a patient for not calling for help to get out of bed are examples of assault.

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