Law and Ethics for Pharmacy Technicians 3rd edition Moini Test Bank

SKU: 9781337796620-TEST-BANK

Name:_____ Class:_____ Date:_____

Chapter 02: Principles of Liability

1. *Liable* means:
   a. false, defamatory writing
   b. a moral code
   c. accountable under law
   d. a crime that is less serious than a felony

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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2. Theories of liability are divided into three types. Which of the following is *not* included?
   a. Intentional torts
   b. Statute of limitations
   c. Unintentional torts
   d. Breach of contract

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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3. Legally recognizable injuries to a patient are referred to as:
   a. damages
   b. duty of care
   c. malfeasance
   d. misfeasance

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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4. Prescribing of medications by a person who is not licensed to do so is described by which of the following terms?
   a. Misfeasance
   b. Malfeasance
   c. Nonfeasance

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d. Medical malpractice

ANSWER: b
POINTS: 1
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5. Negligent behavior that results in patient death is referred to as:
   a. informed consent
   b. product liability
   c. failure to warn
   d. malpractice

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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6. Compensatory damages are known as:
   a. nominal damages
   b. punitive damages
   c. actual damages
   d. civil malpractice lawsuits

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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7. The phrase *res ipsa loquitur* means:
   a. “the thing speaks for itself”
   b. “let the higher-up answer”
   c. “the matter has been decided”
   d. “something for something”

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice

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8. A civil malpractice lawsuit requires the patient to prove all of the following, *except*:
   a. there was a healthcare provider–patient relationship
   b. the healthcare provider breached the duty to the patient
   c. the patient lost his or her job
   d. the patient had a resulting injury

ANSWER: c
POINTS: 1
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9. The term *respondeat superior* refers to:
   a. corporate negligence
   b. failure to warn
   c. failure to protect
   d. vicarious liability

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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10. Breach of confidentiality is classified as:
   a. nonfeasance
   b. a nonintentional tort
   c. duty of care
   d. proximate cause

ANSWER: b
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11. Dissemination of information about another person's private and personal matters is called:
    a. informed consent
    b. contributory negligence
    c. assumption of risk
    d. invasion of privacy

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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12. Good Samaritan laws exist in how many states?
    a. 5
    b. 15
    c. 43
    d. 50

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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13. Which of the following methods is used to limit liability?
    a. Testimony
    b. Assumption of risk
    c. Bench trial
    d. Subpoena duces tecum

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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14. Which of the following is an intentional tort?
    a. Breach of confidentiality
    b. Corporate negligence
    c. Assault and battery

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d. Negligence

ANSWER: c
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15. Which of the following is an example of a nonintentional tort?
a. Vicarious liability
b. Medical abandonment
c. False imprisonment
d. False arrest

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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16. An obligation to conform to a particular standard of conduct toward another is called:
a. proximate cause
b. misfeasance
c. duty of care
d. contributory negligence

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
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17. Liability for injuries to patients may include all of the following, *except*:
a. physical harm
b. damage to the property of individuals
c. damage to the rights and reputations of individuals
d. the physician's right to practice

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice

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18. A delivery of care below the expected standard is called:
    a. negligence
    b. misfeasance
    c. malpractice
    d. malfeasance

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
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19. The pharmacy technician breached the duty of care to the patient. This is referred to as:
    a. duty of care
    b. nonfeasance
    c. dereliction
    d. direct cause

ANSWER: c
POINTS: 1
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20. Which of the following has increased dramatically in recent years in the United States?
    a. Invasion of privacy
    b. Malpractice
    c. Negligence
    d. Failure to protect

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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21. Professional liability insurance:
    a. protects pharmacy technicians against suits being brought against them
    b. provides medical care for pharmacy technicians
    c. prevents personal injury and death
    d. protects patients against physical damage

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
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22. Small amounts of money awarded to vindicate a right in which minimal injury is proven are called:
    a. punitive damages
    b. actual damages
    c. nominal damages
    d. exemplary damages

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
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23. The plaintiff must prove that injury occurred as a consequence of:
    a. malpractice insurance
    b. negligence
    c. proximate cause
    d. a civil lawsuit

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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24. The relationship between the healthcare provider and the patient is established by:
    a. civil law
    b. administrative law
    c. private law

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d. contract law

ANSWER: d
POINTS: 1
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25. The cost of medical insurance has increased astronomically, because:
a. litigation is expensive
b. pharmacy technicians have more responsibilities
c. malpractice has become less common
d. more physicians are retired

ANSWER: a
POINTS: 1
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26. Primarily, failure to warn is used in reference to which of the following patients?
a. Pregnant
b. Psychiatric
c. Elderly
d. Minority

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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27. HIPAA is the abbreviation of the:
a. Health Insurance Profitability and Accountability Act
b. Health Insurance Probability and Accountability Act
c. Health Insurance Portability and Accountability Act
d. Health Insurance Protectability and Accountability Act

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice

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28. Adverse drug reactions and adverse treatment outcomes are examples of:
    a. medical errors
    b. informed consent
    c. product liability
    d. corporate negligence

ANSWER: b
POINTS: 1
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29. Which of the following statements is correct regarding the statute of limitations?
    a. The period of time established by federal law during which a lawsuit may be filed
    b. The period of time established by state law during which a lawsuit or criminal proceeding may be filed
    c. Generally from three to five years
    d. The same for each state

ANSWER: b
POINTS: 1
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30. A plaintiff is kept from suing a governmental entity unless that entity consents to the lawsuit by which of the following?
    a. Governmental immunity
    b. Governmental liability
    c. Governmental publicity
    d. Governmental productivity

ANSWER: a
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31. When a patient causes his or her own injury, this is called:
    a. product liability
    b. assumption of risk
    c. proximate cause
    d. contributory negligence

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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32. Pacemakers, tampons, and anti-aging creams are examples that may be linked to which of the following?
    a. Comparative negligence
    b. Product liability
    c. Invasion of privacy
    d. Assumption of risk

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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33. Which of the following is not a type of medical liability claim?
    a. Nonfeasance
    b. Misfeasance
    c. Malfeasance
    d. Civil malpractice lawsuit

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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34. How many “Ds” of negligence are defined?
    a. Two
    b. Three

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c. Four
d. Six

ANSWER: c
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35. Which of the following damages are not usually involved in medical malpractice?
a. Nominal
b. Punitive
c. Actual
d. Compensatory

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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36. If a pharmacy technician is responsible for any damages resulting from negligence, which of the following entities is liable?
a. The pharmacy technician only
b. The pharmacist
c. The pharmacy
d. all of these choices

ANSWER: c
POINTS: 1
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37. Corporate negligence differs from vicarious liability because:
a. it focuses on the responsibility of the healthcare organization as a whole, to provide proper patient services
b. it applies when a healthcare professional determines a likelihood of patient harm and does not warn the patient
c. it involves wrongful disclosure of individually identifiable health information
d. it involves a wrongful intrusion upon private concerns or activities

ANSWER: a

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38. Which of the following statements is correct?
    a. Failure to warn is used in reference to psychiatric patients, and it does not relate to pharmacy medications that are dispensed.
    b. Failure to warn is a possible theory that may support lawsuits involving a patient's danger to a third party.
    c. Both A and B are correct.
    d. Neither of the answers is correct.

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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39. The definition of *breach of confidentiality* is:
    a. discussing manufacturing secrets
    b. a statutory time limit for legal actions
    c. the intentional infliction of emotional distress
    d. an improper or wrongful disclosure of individually identifiable health information

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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40. Invasion of privacy is defined as:
    a. dissemination of information about the use of medications, procedures, and equipment
    b. dissemination of information about another person's private and personal matters
    c. any information to patients about adverse drug reactions
    d. understanding the specific laws that explain negligence suits

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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41. The statute of limitations is generally from one year to:
    a. two years
    b. three years
    c. six years
    d. eight years

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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42. When a pharmacy technician is negligent in his or her duties, it is known as:
    a. dereliction of duty
    b. malpractice
    c. duty of care
    d. standard of care

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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43. A 53-year-old woman has been in a comatose state since she underwent abdominal surgery three weeks ago. Because the patient had not been informed about the possible complications associated with the administration of general anesthesia, her family is filing a lawsuit against the physician. Which of the following is the most appropriate basis for this lawsuit?
    a. Defamation of character
    b. Misfeasance
    c. Malfeasance
    d. Negligence

ANSWER: b
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44. The performance of an act that is wholly wrongful and unlawful may be classified as:
    a. nonfeasance
    b. malfeasance
    c. misdemeanor
    d. misfeasance

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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45. Damages awarded to a patient for injury resulting from the physician's negligence may be referred to as:
    a. nominal
    b. punitive
    c. exemplary
    d. compensatory

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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46. Negligence must be:
    a. noticed
    b. proven
    c. assumed
    d. intentional

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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47. The failure to perform an act that should have been performed is called:
    a. misfeasance

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b. nonfeasance
c. malfeasance
d. feasance

ANSWER: b
POINTS: 1
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48. In the pharmacy, how are pharmacy technicians generally insured?
a. Under their own malpractice insurance plans
b. Under the malpractice insurance of their employers
c. Under intellectual property insurance plans
d. Not insured until they become pharmacists

ANSWER: b
POINTS: 1
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49. What is the *most common* period of time (statute of limitations) for filing a professional negligence lawsuit?
a. One year
b. Two years
c. Four years
d. Eight years

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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50. An injury is considered “foreseeable” if:
a. the healthcare provider breached the duty to the patient
b. the healthcare organization adhered to its own bylaws
c. the medical professional anticipated that the intervening force would occur
d. a plaintiff cannot prove negligence with the available direct evidence

ANSWER: c

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51. The sum of money that may be recovered in court as financial reparation for any injury or wrong suffered because of a breach of contract, tort, negligence, or medical malpractice is referred to as a:

a. damage
b. misfeasance
c. liability
d. nonfeasance

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
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52. Duty of care is:

a. that which protects caregivers from civil liability as a result of their attempts to render emergency care
b. an obligation to conform to a particular standard of conduct toward another
c. obligated , according to the law; legally obliged
d. the level of care that a reasonably prudent healthcare professional would have rendered

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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53. Lawsuits may occur as the result of many liability issues, including improper disclosure of:

a. health information
b. damages
c. malpractice
d. failure to warn

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
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54. Negligent behavior that results in injury, damage, loss, or death is referred to as:
    a. medical abandonment
    b. failure to warn
    c. misfeasance
    d. malpractice

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
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55. Professional liability insurance protects against lawsuits being brought against:
    a. physicians
    b. pharmacists or pharmacy technicians
    c. psychiatrists
    d. the inspector general

ANSWER: b
POINTS: 1
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56. Physicians practicing without a license may be punished with huge:
    a. compensatory damages
    b. nominal damages
    c. punitive damages
    d. exemplary damages

ANSWER: c
POINTS: 1
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57. The relationship between the healthcare provider and the patient is established by:

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a. civil law
b. contract law
c. procedural law
d. public law

ANSWER: b
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58. Primarily, failure to warn is used in reference to:
a. pharmacy technicians
b. psychiatric patients
c. pharmacists
d. healthcare providers

ANSWER: b
POINTS: 1
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59. The statute of limitations varies by state and by the type of:
a. legal claim
b. false claim
c. legal action
d. prosecution

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
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60. Either partly or completely, assumption of risk is a method used to limit:
a. damages
b. dereliction
c. liability
d. misfeasance

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ANSWER: c
POINTS: 1
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61. A defendant's defense against accused negligence, with evidence is:
    a. affirmative defense
    b. contributory negligence
    c. legal defense
    d. statute of limitations

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
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62. Which is most common in malpractice lawsuits?
    a. Denial defense
    b. Contributory negligence
    c. Failure to warn
    d. Breach of confidentiality

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
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63. The term *preponderance of evidence means:*
    a. that the medical professional has failed to maintain a certain standard of care
    b. that one party in a court case must have a greater weight of evidence than the other
    c. the award may not be related to the actual costs of injury or harm suffered by the patient
    d. the patient's attorney must present evidence of the four Ds of negligence

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
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64. Who protects programs of Health and Human services, such as Medicare and Medicaid against fraud?
    a. The Office of the Inspector General
    b. The Congress
    c. The U.S. secretary of state
    d. The False Claims Act

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
DATE CREATED: 10/11/2018 3:17 AM
DATE MODIFIED: 10/11/2018 3:17 AM

65. What are/is the deliberation(s) if a code is incorrect?
    a. Diagnosis
    b. Error
    c. Negligence
    d. Improper discounts

ANSWER: b
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
DATE CREATED: 10/11/2018 3:17 AM
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66. Which of the following is one of the primary steps a pharmacy technician should take to protect against errors?
    a. Uniform communication but with caution
    b. Being concise in written communication
    c. Being positive while dealing with high value patients
    d. Effective, accurate, and correct communication

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
DATE CREATED: 10/11/2018 3:17 AM
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67. Identify from the following which can be used as evidence during medical malpractice trial by the prosecuting

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attorney?

a. Dereliction
b. Misfeasance
c. Direct cause
d. Expert testimony

ANSWER: d
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
DATE CREATED: 10/11/2018 3:17 AM
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68. What is referred to as casual connection the prosecuting attorney must establish and difficult to prove?

a. Causation
b. Foreseeability
c. Denial defense
d. Blame charting

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
DATE CREATED: 10/11/2018 3:17 AM
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69. Which of the following is an absolute “no” while documenting medical records?

a. White out
b. Drawing single line
c. Refill orders
d. Late entries

ANSWER: a
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
DATE CREATED: 10/11/2018 3:17 AM
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70. The usage of patient’s image, without consent, as part of medical instruction, such as in “before and after” studies are a case of:

a. breach of confidentiality
b. failure to warn

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Chapter 02: Principles of Liability

c. invasion of privacy

d. intentional infliction of emotional distress

ANSWER: c
POINTS: 1
QUESTION TYPE: Multiple Choice
HAS VARIABLES: False
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