

**UNIVERSITY OF SWAZILAND**

**FACULTY OF HEALTH SCIENCES**

**SUPPLEMENTARY EXAMINATION**

**JULY, 2013**

**TITLE OF PAPER: NURSING ETHICS, PROFESSIONAL PRACTICE AND THE LAW**

**COURSE CODE: GNS 209**

**TIME ALLOCATED: TWO HOURS**

**TOTAL MARKS : 75**

**INSTRUCTIONS:**

1. ANSWER ALL QUESTIONS
2. READ INSTRUCTIONS CAREFULLY
3. SECTION A HAS MULTIPLE CHOICE QUESTIONS
4. SECTION B ESSAY QUESTIONS
4. WRITE CLEARLY

***N.B. DO NOT OPEN THIS PAPER UNTIL PERMISSION HAS BEEN GRANTED BY THE INVIGILATOR***

**SECTION A:**

**QUESTION 1**

**1.1 - 1.17: CHOOSE THE BEST ANSWER**

- 1.1 That which is concerned with morality, moral problems and moral judgment is:
- A. Ethos
  - B. Ethics
  - C. Nursing
  - D. Meta-ethics
- 1.2 Permissible boundaries of practice for the health p legally refers to as \_\_\_\_\_
- A. Scale for practicing
  - B. Joint statement
  - C. Nurse practice acts
  - D. Scope of practice
- 1.3 In the practice of nursing \_\_\_\_\_ also includes the consideration of the legal implications of practice.
- A. Meta-ethics
  - B. Descriptive ethics
  - C. Normative ethics
  - D. deontological ethics
- 1.4 This law involves rights of individuals and stipulates methods of maintaining or regaining such rights.
- A. Criminal law
  - B. Civil law
  - C. Judicial law
  - D. Martial law
- 1.5 Nurse Kunene is a new registered nurse at Maguga health center whose administration is well known for firing staff for no apparent reasons and not following proper labour regulations. The following are types of unfair labour practices, EXCEPT;
- A. Unfair dismissal
  - B. Unfair selection for promotion
  - C. Brain drain
  - D. Unsafe work practices

1.6 The following factors are necessary for consent to be valid EXCEPT

- A. The person giving consent must be mentally and physically competent and be legally an adult.
- B. Consent must be given voluntarily; no forceful measures may be used to obtain it
- C. The person giving consent must thoroughly understand the procedure, its risks and benefits, and alternative procedures.
- D. The social class of the person giving consent should be considered

1.7 This was influential for generations of nurses though never formally adopted as a code of ethics for the profession

- A. The Nightingale pledge
- B. The international pledge for nurses
- C. The Physician's oath
- D. The ICN Code For Nurses

**Questions 1.8- 1.9 refer to the scenario below**

**Scenario:**

Nurse Simphiwe who is in excellent health has a routine check-up at the hospital where she works. She asks her physician not to write in the medical record that she had been severely depressed several years ago. She knows that many people in the hospital might see her medical record, and she does not want colleagues to know her psychiatric history. She also knows that she would have difficulty changing jobs if her history is known.

1.8 The physician might fear that omitting medical information from patient records might lead to:

- A. Practice that is corrupt
- B. Compromising the quality of care
- C. A and D
- D. Unavailability of important clinical information during emergencies

1.9 The patient is said to be the best judge of her best interests, if the physician fails to go along Nurse Simphiwe's request, which ethical principle does he breach?

- A. Justice
- B. Beneficence
- C. Veracity
- D. Confidentiality

1.10 The skills and learning commonly possessed by members of a profession are referred to as:

- A. Internal standards
- B. Standards of care
- C. External standards
- D. National standards

1.11 Nurse Dube , who was performing a dressing in ward 10 decided to warm the saline that he was going to clean the wound with. He however, overheated the saline resulting in burns occurring on the delicate skin around the patient's wound.

What type of tort is this?

- A. Irresponsibility
- B. Malpractice
- C. Unreasonable lack of skill
- D. Cruelty.

1.12 According to the patients' Bill of rights, the patients has;

- i. The right to every consideration of his privacy concerning his own medical/nursing care program
- ii. The right to receive treatment from a physician without the need to know his/ her name
- iii. The right to share medication with a spouse with the same disease
- iv. The right to have an abortion in any country of her choice

- A. i
- B. i,ii
- C. ii,iv
- D. ii

**Questions 1.13 to 1.15 refer to the scenario below**

### **Scenario**

Nurse Dlamini is a registered nurse who works in a well known research hospital, she is assigned to care for Ms Makhanya who has had an attack of Angina Pectoris. Ms Makhanya was informed about the necessity of a number of blood samples being drawn and the tests that would be performed on her blood. Dr Dlomo who was in charge of the patient assured Ms Makhanya that she would be told about all her blood results. Since Dr Dlomo and his colleagues were carrying out a study on the relationship of HIV and Angina Pectoris, they requested the laboratory to test Ms Makhanya's blood sample for HIV.

A few days later as Nurse Dlamini was reading Ms Makhanya's laboratory report she was surprised to find that an HIV blood test was performed without the client's knowledge and consent. When Dr Dlomo's team came to the ward, Nurse Dlamini asked about the HIV test and was told that for this research if the clients are told that their blood would be tested for HIV they would not consent to be part of the research. Nurse Dlamini stated that this was not fair for the client especially now that she was HIV positive, and insisted that they disclose her results.

- 1.13 Which ethical principles did nurse Dlamini take into consideration in this case/
- A. Paternalism and justice
  - B. Ethical responsibility
  - C. Autonomy and privacy
  - D. Veracity and beneficence
- 1.14 According to Nurse Dlamini what was not fair for the client
- A. Performing research using the client's blood samples.
  - B. Collecting blood samples from Ms Makhanya
  - C. Testing Ms Makhanya's blood sample for HIV without informed consent
  - D. That Ms Makhanya,s blood was HIV positive
- 1.15 Dr. Dlomo was violating the following patients' rights EXCEPT
- A. The right to consent to the procedure of a research project.
  - B. The right to understandable and accurate information concerning her treatment blood tests and care
  - C. The right to be involved in decision making concerning her care
  - D. Right to privacy and confidentiality
- 1.16 This Act controls unfair labour practices or changes in labour practices which can prejudice an employee's job opportunities and job security
- A. The Nurses practice Act
  - B. The labour Relations Act
  - C. The collective bargaining Act
  - D. The code of nursing Act
- 1.17 This occurs where the doctor, or healthcare professional, provides the means of peaceful death for the terminally ill patient
- A. Active euthanasia
  - B. Assisted suicide.
  - C. Passive euthanasia
  - D. Active homicide

**Questions 1.18 - 1.25 are TRUE or FALSE questions, Write T or F to indicate the correct answer.**

- 1.18 Nursing evolved as a family service then to a community service in which men played a leading role.
- 1.19 Assertion of special rights for nurses in their practice results in negligence of patients' rights and poor services for patients
- 1.20 Paternalism is seldom justified in the care of patients, especially when considering autonomy.
- 1.21 The patient has the right to refuse treatment or plan of care to the extent permitted by law and to be informed of the medical consequences of his/her actions

- 1.22 One of the least important legal laws affecting nurses is the Nurse Practice ACT of their country.
- 1.23 Faith can heal without the faith healer or the patient having to be a Christian.
- 1.24 Lawyers are the only professionals with the competency, credentials and the right to define nursing or to judge whether the appropriate standard of care has been delivered.
- 1.25 It is ultimately the role of the trial judge to decide whether an expert witness possesses adequate skill, training or knowledge, and experience to serve as one.

**25MARKS**

**SECTION B**

**Question 2:**

**Scenario**

A patient's family sued a nursing home, alleging that the patient died due to neglect by the nursing staff. Specifically, the family alleged that the 86 year old had been left lying for hours in her bed, without being bathed or turned for prolonged period of time and she had dry feaces under her finger nails at the time of her death. She had contractures and had lost 10 kilograms during the 2 months that she has been in the nursing home. She also had bedsores on her heels and hipbones. Her death certificate states that she died from dehydration and malnutrition

2.1 Discuss the types of damages that could be assessed against the defendant nursing home and nursing staff in the above scenario and support your answer by giving examples (8Marks)

2.2 Discuss the different forms of accountability in nursing practice. (12 Marks)

**Scenario**

Patience was treated for tonsillitis at a private hospital which does not issue out patient card to the patients, and was given a five day course of penicillin. Two weeks later she came back with the same problem and was given the same treatment she had before. She pointed out that the tablets she had been given were the same as the ones she was given a week ago without improvement. It was noted that though her name appeared in the attendance register, there was no record of which drugs were given to her.

2.3 Describe the 5 purposes of keeping medical records (5Marks)

**25 MARKS**

**Question 3:**

3.1 Briefly describe the purpose of a code of ethics. (5Marks)

3.2 Discuss the nurse's ethical duties regarding internal and external standards of care. (10 Marks)

**Scenario**

Hospital X employs different cadres of health care providers, the conditions of service and polices at this Hospital are not clearly stated. The same will be communicated only when one has done something wrong. Promotions are not on merit (according to the employees), and most of them are not happy. Two nurses at this institution were suspended following a dispute over clinical grading and promotion. This disturbed the whole institution and the employees were planning to go on strike. The employees were however, advised to engage in collective bargaining first before they could think of a strike.

3.3 If the employees were to follow the advice given, how would collective bargaining resolve this problem? (10Marks)

**25 MARKS**

!!GOOD LUCK!!