LEGAL AND ETHICAL UNIT

Legal and ethical responsibilities:

- → Failure to comply = legal action against you and your employer
- → Healthcare workers are REQUIRED to know and follow state laws that regulate their respective licensees

Legal responsibilities: those that are based on law (different from ETHICAL)

Two Main Types:

- Criminal Law:
 - Focuses on behavior known as CRIME
- Civil Law;
 - Focuses on the legal relationships between people and the protection of a person's rights
 - Usually related to TORTS and CONTRACTS

Torts: wrongful act which does not involve a contract

- Occurs when person is harmed or injured (does not meet standard of care)
- Common Torts Include: malpractice, negligence, assault and battery, invasion of privacy, false imprisonment, abuse, defamation
- Malpractice:
 - Injury or damage to the person receiving care, caused by failure of a professional to use a degree of skill and learning commonly expected in that individual's profession
 - Ex: If a nurse performed surgery w/o training OR if a x-ray tech doesn't ask if a person is pregnant
- Negligence:
 - Not using common sense
 - Ex: Not reporting broken equipment or not putting up gurney rails
- Assault and Battery:
 - Assault- threat or attempt to injure
 - Battery- unlawful touching of another person w/o consent
 - Ex Performing a procedure w/o consent
 - REMEMBER: Patients must give consent and they have rights
- Invasion of Privacy:
 - Physical OR Informational
 - Physical- unnecessarily exposing an individual
 - Informational- revealing about an individual w/o that person's consent
 - Ex: sending information regarding a patient w/o their written consent

Unit 4 Legal And Ethical Reaponsibilities Answers

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