

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 Responsibilities Answers

JS Bruner



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