

Critique a legal article



**ASSIGN
BUSTER**

Patient Chokes, Dies: Nurse Ruled Negligent, Delegated Supervision of Patient to Aide (A Critique) Nursing as a medical profession is delegated with a risky function of improving the well-being of an individual or saving one's life. It is rather a humanistic profession which requires systematic study as well as the practical application of certain vital theories (Przymusinski, 2003). This is a kind of job which involves a nurse to patient relationship or vice versa. Such kind of recognition entails certain responsibilities as mandated and regulated by state laws on healthcare. Needless to state, nurses are bound by specific standards of care in the field of medicine.

There have been many interesting controversies about the nursing practice in United States since it was formally introduced and recognized as a profession in the late nineteenth century. Majority of the issues were humanistic in approach tackling about the actual institution of medical ethics. However, there have been a growing number of legal concerns that were entertained too. In fact, the Legal Eagle Eye Newsletter for the Nursing Profession has published a recent legal matter involving a patient who died due to the negligence of the stationed nurse. The autopsy conducted showed "aspiration of food as the cause of the cardiopulmonary arrest that killed the patient" (Snyder, 2010). Tracing back the facts of the case, the patient was actually suffering from a swallowing disorder termed as dysphagia. At a particular time, a nursing aide came to his room and left a sandwich on his tray table and then went away. The patient ate the sandwich without supervision which was cited as the main reason of his choking resulting to his death. The heirs of the deceased sued the hospital who gained a favorable decision from the Appellate Court of Illinois in November of 2009. The said honorable court declared the stationed nurse negligent and

required the hospital to pay the family of the deceased in the amount of five hundred thousand dollars. In addition, the appellate court affirmed that “ before a nurse may delegate any care task to an aide, it is the nurse’s responsibility to determine that the task is appropriate for performance by an aide and by the particular aide selected to perform it” (as cited in Snyder, 2010). Hence, “ violation of the standard of care for a care-giving task by a non-licensed aide is also a violation of the standard of care by the professional nurse responsible for supervising the aide” (Snyder, 2010). In this regard, it can be stated that nurses just like the other professionals in the society are obliged to serve the public by duly complying with the standard of care required of them and violating such will warrant a corresponding sanction either socially or legally. In the mentioned case, the assigned nurse was guilty of negligence. It was a living proof to buttress the proposition that negligence can be fatal to one’s profession especially those instances in which the life of an individual is at stake. Overall, as a nurse, there are various ethical standards to emulate to ensure a harmonious relationship with a patient. These ethical standards should serve as a benchmark for nurses to follow so that the citizens’ trust and confidence to the profession will be preserved as well as the quality of care that the nurses offer to his or her patients. Such will also prevent critical issues just like the featured case. Moreover, nurses are advised to be alert at all times especially in handling emergency cases. They should be well-equipped with the required knowledge and skills to avoid unwarranted loss of life.

References

Przymusinski, L. (2003). Nursing: A humanistic profession. *The Humanist*, 63, 45.

<https://assignbuster.com/critique-a-legal-article/>

Snyder, K. (2010). Patient chokes, dies: Nurse ruled negligent, delegated supervision

of patient to aide. Legal Eagle Eye Newsletter, 18, 1. Retrieved from <http://www.nursinglaw.com/>