

Patient confidentiality in nursing practice research paper samples

[Law](#), [Crime](#)



\n[[toc title="Table of Contents"](#)]\n

\n \t

1. [Introduction](#) \n \t
2. [Background Research](#) \n \t
3. [Application to Nursing Practice](#) \n \t
4. [Conclusion](#) \n \t
5. [References](#) \n

\n[/toc]\n \n

Introduction

In the course of carrying out their duties, nurses and other medical personnel are often privy to private and confidential information about the patient. This information may be relayed to the nurse by the patient, or the nurse may accidentally find out some information regarding the patient. A dilemma arises when it comes to determining which of this information can be shared with other people or even if it is ethical to share this information. These other people whom the information may be shared with include the patient's friends, family members, public authorities like the police, fellow nurses among others. All nurses must be aware that confidentiality is a core value that is deeply rooted in the history and traditions of the nursing profession. It is a basic principle of ethical as well as effective nursing practice.

Confidentiality is a fundamental aspect that portrays the respect for other people and their maintenance of dignity and autonomy and as a core value in nursing care, it upholds the quality and positive perception of the nursing practice together with its professionals. Over the years, several

regulations have been formulated to guide nurses and other medical personnel on the issue of patient confidentiality. This paper aims to explore the concept of confidentiality in nursing practice. This will comprise the definition of confidentiality, the basic rules and regulations on this issue and finally its implementation and application in actual nursing practice. Relevant examples will also be provided

Background Research

Before delving into the application of confidentiality in actual nursing practice, it would be wise to understand what confidentiality entails.

Confidentiality is a global phenomenon that is not only applied in nursing. It is applicable to all sectors of life and its main role is to promote trust between various people and various community entities. It is a signal of respect to one's privacy. Confidential information is any kind of information that is subject to and is protected under a confidentiality duty. This information may be sensitive or may be revealing of and potentially harmful to the individual it is about (Canadian Nurses Association, 2003).

Confidentiality on its part refers to the duty of an individual who has received some confidential information in trust to protect this information and only disclose it to other people in accordance with the relevant permissions, laws and rules that authorize its disclosure (Canadian Nurses Association, 2003).

In regard to nursing professional confidentiality, this is the duty of nursing professionals to hold in secret the information that is revealed to them in trust of the professional relationship (Canadian Nurses Association, 2003).

In relation to global matters, it is through confidentiality that nations are able

to keep their secret intact and anyone who reveals them to an outside party is accused of treason. This is also the same in many institutions such as the military which has its secrets and confidential information that is never supposed to be revealed to outside parties.

In all global sectors where confidentiality is applicable, there is often a huge dilemma in determining what comprises confidential information and when and if to share it with other individuals. To ease this dilemma, several regulations have been set forth by relevant bodies to guide how people share information. In Canada for example, the federal government has also introduced a private legislation policy that is meant to protect the private information of Canadians (Tapp, 2015). This policy that was put into effect in 2001 is named the Personal Information and Protection of Electronic Documents Act (PIPEDA). The policy governs and guides the collection, as well as the use and disclosure of information of a personal nature by federal and private sector organizations (Tapp, 2015).

In regard to nursing however, the maintenance of confidentiality is more of a moral or ethical obligation rather than a legal one.. This has in fact been made clear in the Code of Ethics for Registered Nurses in Canada. This code makes it clear that it is the ethical obligation of a nurse to maintain the confidentiality of patient information. Additionally, despite the need to always maintain confidentiality when it comes to patient information, there are several exceptions that give authority to nurses to disclose the confidential information that they have collected from patients (Tapp, 2015). Some of the exceptions may be in the form of statutory authority, statutory duty and court orders (Tapp, 2015). Others include the existence of patient consent

and concern for the patient's safety or the safety of a third party. Although morals and ethics should guide the maintenance of confidentiality, this is not possible across all sectors of life and this is why laws governing confidentiality have been established.

Application to Nursing Practice

There are various organizations that actively promote this concept of privacy. These include the Canadian Nursing Association (CAN), the College of Nurses of Ontario (CNO) and the Registered Nurses Association of Ontario (RNAO). The CNO is an association comprised of nurses from Ontario, and one of its functions is to establish as well as enforce the standards and rules of nursing practice. The other two organizations perform more or less similar duties with the promotion of professional confidentiality being one of them. As it was mentioned at the beginning of this paper, confidentiality is a fundamental aspect that portrays the respect for other people and their maintenance of dignity and autonomous and as a core value in nursing care, it upholds the quality and positive perception of the healthcare industry together with its professionals. This is precisely the reason why many organizations such as Canadian Nursing Association (CAN), the College of Nurses of Ontario (CNO) and the Registered Nurses Association of Ontario (RNAO) have been actively advocating its adoption in actual nursing practice.

The medical fraternity is one that is held in high regard by many. A patient under the care of a nurse establishes some level of trust with this nurse in the course of treatment and it is at that juncture that the patient may reveal

some private and confidential information about himself or herself. If the nurse goes ahead and breaches the patient's confidentiality, he or she inadvertently contradicts the concept of ethical healthcare and at the same time undermines the confidence of the patient in caregivers (Vigod et al., 2003). However, if the nurse is able to uphold the confidentiality of the patient, the general positive perception of the nursing profession is also upheld in the patient. The patient's belief in the quality of the health care profession is reinforced.

The dilemma related to the release of private information usually avails itself when information is requested by various figures such as the patient's family members. For example, a patient may fail to indicate that he or she has a sister, and the sister may show up later in the hospital asking for information about the patient. The nurse at this point must be fully aware of the various regulations regarding confidentiality as well as the situations where the disclosure or the use of protected information is allowed (McGowan, 2012). Another practical application of confidentiality arises when, for example, the police request information about a patient (Tapp, 2015). This often arises when the patient is suspected to be a victim or a perpetrator of a crime. One of the distinctive aspects of nursing practice is to remain impartial in the course of administering treatment. It does not matter whether the patient is suspected to have committed a crime; this should not affect the quality of care received. It is this impartiality that has enabled the nursing profession to be held or perceived highly by the public. It has also played a role in maintaining the general quality of the healthcare profession. The police may show up at the hospital and request information about the patient including

any admissions to a crime, patient medical charts as well any other confidential information (Tapp, 2015). Nurses should be aware that they owe the duty of confidentiality to patients, and the breach of this duty may lead to negative consequences. For instance, if the nurse reveals a patient's admission to a crime to the police the patient may later on lodge a civil suit against the nurse or even the professional nursing association for breach of confidentiality. When it comes to the presentation of evidence in court, the admission may be declared null. Because of this reason, it is paramount that nurses fully understand the basis for confidentiality maintenance and the situations that require disclosure (Tapp, 2015).

In everyday nursing practice, sharing information with colleagues and other relevant individuals may be the key to a patient's full recovery. This may, for example, be in relation to medical prescriptions or the treatment administered to a patient. A proper nurse is one who is able to read a situation and come up with most acceptable and most ethical course of action that upholds the patient's confidentiality but at the same time looks out for the safety of the patient. Because of the stringent rules surrounding the aspect of confidentiality, some nurses are reluctant to disclose information because they fear being sanctioned for breaching the confidentiality of the patient (Griffith, 2008). Failure to disclose critical information that is related to the patient's safety results from poor understanding of the confidentiality duty of a nurse. As it was noted earlier, one of the most common exceptions to confidentiality is the concern for the patient's safety.

Griffith (2008) gives an example of a 15-year-old girl who had been raped

and who told this information to a nurse. The nurse had agreed to keep the information confidential and did not report the allegation to social services or the police so that she could get the help she needed especially psychological counseling. The girl, unfortunately, killed herself three weeks later. This represents an incidence where the confidential duty may be waived because of the concern for the safety of the patient (Griffith, 2008). Again it reinforces the assertion that nurses must fully understand the basis for confidentiality maintenance and the situations that require disclosure

Conclusion

Nurses and other medical personnel are often privy to private and confidential information about the patient in the course of administering their treatment. A core value in the nursing profession and that is embedded in its history and traditions is confidentiality. Nursing professionals are ethically and morally obliged to hold in secret the information that is revealed to them by patients. They must fully understand the basis for confidentiality maintenance and the situations that require disclosure. This entails not just being aware of the need to keep patients information confidential but to read situations and determine when exceptions can be made in regard to disclosing this information. The key thing to remember however is that confidentiality is a fundamental aspect that portrays the respect for other people and their maintenance of dignity and autonomy and as a core value in nursing care, it upholds the quality and positive perception of nursing practice together with its professionals.

References

- Canadian Nurses Association (2003). Ethics in Practice: Privacy and Health Information Challenges for Nurses for Nurses and for the Nursing Profession.
- Griffith, R. (2008). Patient confidentiality: Rights and duties of nurse prescribers. *Nurse Prescribing*, 6(3), 116-120.
- Griffith, R. (2014). Disclosing personal health information relating to adults who lack capacity. *British journal of community nursing*, 19(3), 144-147.
- McGowan, C. (2012). Patients' confidentiality. *Critical care nurse*, 32(5), 61-64.
- Tapp, A. (2015). CNPS – New Developments in Privacy Law. Retrieved July 5, 2015, from <http://www.cnps.ca/index.php?page=109#6>
- Tapp, A. (2015). CNPS – Release of Confidential Information to the Police. Retrieved July 5, 2015, from <http://www.cnps.ca/index.php?page=106>
- Vigod, S. N., Bell, C. M., & Bohnen, J. M. (2003). Privacy of patients' information in hospital lifts: observational study. *Bmj*, 327(7422), 1024-1025.