

The role of a critical care nurse

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In the article, *Legal Aspects of End of Life Care*, author, Nurse Claire M. McGowan, explains that when performing the role of a critical care nurse acting as the advocate for the patient, his/her family, and significant others, it is essential that the nurse has an understanding of legal implications associated with end of life care. McGowan goes on to provide information on the legal principles involved in end-of-life care, specifically addressing: limitations in treatment, assessing capacity and using surrogate decision makers and medical futility.

In order to explain limitations in treatment, McGowan begins by listing what the courts have established as life sustaining treatments which include: mechanical ventilation, blood transfusions, dialysis, chemotherapy, artificial nutrition, and hydration. Although a competent or incompetent terminally ill patient with advance directives has the right to refuse these treatments, there are rare cases when the state court may override that right: preservation of life, prevention of suicide, protection of third parties such as children, and preserving the integrity of the medical profession (McGowan, 2011).

Next, according to McGowan, if a patient is deemed incompetent the patient may be assigned a surrogate to make decisions on their behalf with respect to their advance directives. If there is no advanced directive or surrogate appointed to the patient then the medical team may determine the plan of care for the patient (McGowan, 2011). Lastly, McGowan addresses medical futility, defined, as such, when treatment is no longer deemed a benefit to the patient. According to McGowan, arriving at this determination and

accepting futility is often stressful, inciting disagreements between the patients/surrogates and medical professionals involved.

In order to resolve conflicting interests, McGowan suggests a variety of methods that can be utilized to improve communication between the two parties including: making attempts to negotiate understanding between parties as to what constitutes futile care before conflict arises, using joint decision making, and using consultants to reach satisfactory resolution of disagreements. If these methods fail to help unite the parties' decision an ethics committee may be utilized to reach a determination, the patient may be transferred to another medical provider within the institution or to another institution altogether (McGowan, 2011).

In my opinion, Nurse McGowan clearly presented how important it is for a critical care nurse to have a working knowledge of the legal aspects of end of life care and how he/she can help to make sure that the patient's rights are respectfully carried out either directly or indirectly during end of life. After reading this article, it was impressed upon me that since the nurse is the main point of contact with the patient, family, and significant others during treatment, it becomes the responsibility of the nurse to help mediate conflicts that may arise during care, in order to protect the patient's best interests.