

Negligence malpractice issues

[Health & Medicine](#), [Nursing](#)



Negligence/Malpractice Issues The Joint Commission on Accreditation of Healthcare Organization (JCAHO) describe negligence as lack of employing care in a careful or cautious manner the same way a vigilant individual would do in analogous conditions (Croke, 2003).

2. Difference between negligence and malpractice: While negligence is the lack of acting in a cautious manner, malpractice is acting an immoral manner. In addition, negligence can either be a deliberate or inadvertent while malpractice is always deliberate (Croke, 2003).

3. Factors that have contributed to the increase in lawsuits against nurses: There are a number of factors that have led to this increase. One of these is the failure to give appropriate care, and make referring patients to more specialized institutions depending on the seriousness of their ailment. Secondly, people today are more knowledgeable and well-versed regarding misconduct and negligence. Therefore, more nurses are finding themselves in trouble (Croke, 2003).

4. The National Practitioner Data Bank (NPDB) would classify an individual who has graduated from college of nursing, obtained a nursing license, and first start practicing as a nurse as a non-specialized Registered Nurse (Croke, 2003).

5. From 1998 to 2001, non-specialized Registered Nurses had the highest incidences of negligence/malpractice payments according to the National Data Bank (NPDB) (Croke, 2003).

6. There are a number of nursing negligence issues that lead to settlements or verdicts against nurses and in favor of patients/plaintiffs. Some of these include lack of corresponding sufficient data or information to doctors and

other medical practitioners, and failure to conduct sufficient and evaluation of a patients medical condition (Croke, 2003).

7. The highest incidence of nursing negligence/malpractice location takes place obstetrics and surgery (Croke, 2003).

8. The two types of nursing practice areas in a hospital that experience the highest incidence of negligence/malpractice include acute care institutions, and continuing care institutions such as rehabilitation centers. Those that represent less than 5% of such cases include organizations or groups specializing in peoples health within their homes, and independent practice (Croke, 2003).

9. Categories of nursing negligence that could result in a lawsuit include lack of working in accordance to values and principles that relate to care, and lack of employing and utilizing medical apparatus in an accountable and conscientious manner (Croke, 2003). The *Chin v. St. Barnabas* involved lack of utilizing medical apparatus in a conscientious manner (Case Estate of *Chin v. St. Baranabas Medical Center*, 1999).

10. There are a number of ways one can ensure s/he reduces personal exposure to nursing negligence/malpractice claims. It is important to desist from giving any views regarding a patients medical condition even if the patient wants to know, it is also important to desist from making any statement that might be misconstrued, desisting from disparaging or disapproving other medical care providers in the presence of a patient, and also it is important to treat patients medical information with confidentiality (Croke, 2003).

References

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