

Legal ethics, patients rights, and hiv aids case study

[Literature](#), [Russian Literature](#)



Introduction

I write this plan as the Head Health Care administrator based at USA Community Hospital. The plan has been necessitated by the recent conduct of the staff in this hospital whereupon patients and members of the public alike have raised concerns over the unethical, unlawful and inhuman conduct of the staff towards patients most of which are HIV/AIDS patients in the hospital. Such patients are not accorded the attention that they require and whenever our staff attend to them they look down upon them. This has occasioned them untold psychological trauma and great injustice, this being a public hospital where high levels of integrity, ethics and obedience to the law are expected.

The aim of this plan is to investigate the truth behind these claims that patients have raised concerning the staff denying them the services that they dearly require in this hospital. The mechanism that should be adopted towards this end will also be devised. Most importantly, the various levels of staffing in the hospital will be revisited, and their role regarding how they can instil the ethical behaviour in the hospital will be discussed. The legal institutions governing the ethical behaviour of health staff and the role of the community in shouting these evils will also be examined. Finally, the paper will examine and devise a plan to instil ethical, legal policy and health care values in the hospital.

A plan to investigate the validity of patient claims

My office will embark on a mission to investigate all the claims that have been forwarded by patients and members of the public regarding the

conduct of my staff towards the said patients. Such claims relate to the unethical behaviour of the staff when they are serving the patients. HIV/AIDS patients have complained that they are not being given the attention that they deserve. The staff is looking down upon them, and this has aggravated their condition. The principles of health care do not allow for this treatment towards the sick people who attend this hospital looking for health care services and what they get is mistreatment.

We, therefore, plan to establish a complaint's office that will be manned by an officer of this hospital. All patients and members of the public who have been mistreated by the hospital staff or have seen any person being mistreated by the staff members will be at liberty to report the mistreatment. The claims will be consolidated and presented to my office for further action. It is high time we started acting for the sake of the people whom we serve. It is against ethics to keep watching the patients as they continue suffering, and we are here yet we cannot offer any help. That has got to stop now.

The principles of medical ethics of the American Medical Association state under section one that all medical practitioners regardless of rank are obliged to serve the patients that they are employed to serve with humanity and value for human rights (Spring 2001). The principles continue to state that it is not the choice of the medical practitioner to serve the patient with compassion and respect for humanity but the requirement of the law. According to the principles, the staff and medical practitioners must at all material times uphold respect for the rights of their patients. The laws governing the conduct of medical practitioners shall also be followed to the

later because the principles of medical ethics state that they must be followed by all practitioners (Spring, 2010). This is why the principles state that high levels of professionalism must be upheld by all medical practitioners so that the patients receive the best services that they are supposed to receive.

Following these principles of medical ethics therefore, my office will ensure that all staff members found offering poor services to the patients are brought on board and charged accordingly.

The role of staff levels in upholding ethical conduct

Hierarchically, the hospital has various staff who are charged with various responsibilities in the hospital. From my office, we have the various administrators of various departments, managers, head of departments and the junior officers. We have a plan to ensure that all officers shall report to their immediate senior officers. Such reporting will ensure that they submit their working schedule for the day. Every working schedule must show the number of patients that they served, the number of complaints they handled, the number of ethical issues they handled and how they dealt with the ethical issues. This is the only way that this hospital will ensure that the principles of medical ethics are applied to the later. When all officers have somewhere to report to, it is always possible to know which officers are not on duty as expected of them or which officers mistreated their patients during the day.

Patient advocacy demands that all health practitioners and staff serve their patients with high moral standards and courage (Lachman 2006). This therefore means that for nurses and other medical practitioners to serve

their patients in the best way that upholds high ethical values, they must show moral courage too. Moral courage entails the medical practitioners' ability to encourage their patients by offering them the services that they need and also advising them accordingly.

Primary Legal ramifications to the professional staff regarding ethical treatment of HIV/AIDS patients

As stated earlier, there are a number of codes and laws that govern high ethical standards and practices in the health profession. The laws that are available are supposed to be obeyed to the later failure to which legal consequences abound. The principles of medical ethics of the American Medical Association provide that medical staff must at all times uphold dignity and value for humanity when dealing with patients (Lachman, 2007). HIV/AIDS patients require a lot of care and love to enable them feel comfortable. Failure to accord them the care and the love that they require makes them feel dejected and hated. This could make them consider suicidal actions. The Health Insurance Portability and Accountability Act of 1996, for example, gives protection to the personal health information of all persons. Any person who is found guilty of sharing personal health status is criminally charged for offences. This is because personal health information are private matters and should never be shared in any way. Likewise, HIV/AIDS patients must be held with care and any information concerning their health must never be shared. This enables them to keep their status confidentially and not be mistreated in any way. On the other hand, the Civil Rights Act of 1964 prohibits discrimination of any manner on the basis of gender, health status or race. As such, HIV/AIDS patients are, therefore, protected from any form

of discrimination regarding their health status (Murray 2010).

The Affordable Care Act of 2010 gives all Americans the right to affordable health care. Additionally, it is against the law to deny any American health services on any basis. All patients are, therefore, required to be accorded health care services as and when they need them. This law NIL not discriminate Hiv/Aids patients. It is, therefore, ethically and legally valid for all patients to be accorded the necessary health assistance regardless of their health conditions because it is their right.

In this regard, therefore, professional health staff must be careful not to discriminate against any patient but instead ensure that all patients receive the health care that they need (American Association of Critical-Care Nurses 2005).

Regarding this, therefore, my office will introduce a plan that will ensure that no patient regardless of the disease they are suffering from will be discriminated against. Such a plan will cover all patients. All professional staff will be issued with the professional code of ethics, the relevant laws governing the health sector and the plan that is aimed at achieving universal health care for all patients. In this new plan, all staff will have to swear that they will observe all aspects of the principles of medical ethics promulgated by the American Medical Association and that failure to do so will necessitate criminal action that will also involve removal from office. This is because human health is a constitutional requirement and right and no one should be allowed to abrogate that right from the patients. This will be the plan of my office.

The need for a community relations plan

In my plan, the community will have a very big role to play regarding the way the hospitals are serving patients with HIV/AIDS and also other ailments. Whereas we appreciate that the community members must also respect the rights of the people living with HIV/AIDS, they must also replicate that in shouting out any mistreatment of the patients in the hospitals. The plan will see all community members taking part in this revolution that is aimed at ensuring that the rights of patients living with HIV/AIDS are upheld (Clack 2010). This is because every person has a constitutional right to good health and protection from stigmatization. In this plan, community members will be required to report all cases of stigmatization of the patients either in their places of domicile or even in the hospitals through an office that my office will be creating in a few days' time. The office will be manned by an officer from my office whose main duty will be to receive all complaints from the members of the public regarding mistreatment of HIV/AIDS patients both in hospital and outside.

The office will also have direct contacts, and these include a direct line, an email and mailbox. These will ensure that all cases are adequately and promptly reported in the office.

Conclusion

The reason as to why we have the principles of medical ethics is to ensure that all medical staff carries out their services with high decorum. When this is not followed, then the law provides the necessary remedy. Any professional who conducts themselves in an unethical manner also violate the ethical code and hence are guilty or liable for professional negligence.

This necessitates a court action for damages against them. This plan is, therefore, aimed at ensuring that all staff in this hospital serve the patients with high professionalism, moral values and respect for their rights and freedoms. The constitution recognizes these rights and they should therefore be followed to the latter.

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