

Ethical and legal issues in nursing assignment



Sharon Berry Throughout a nurse's professional career, many difficult ethical and legal situations will arise. Since nurses are given the unique privilege of caring for patients and their families, it is important to uphold certain professional standards. The American Nursing Association (ANA) Code of Nursing Ethics provides a foundation on which a nurse should conduct her professional life. In addition to the Code of Ethics, nurses must also balance their personal values along with legal standards to make the best decisions for their attentions.

A nurses first priority is to the patient and providing safe and competent care. According to the ANA (2001), Provision 1 of the Code of Ethics states "The nurse, in all professional relationships, practices with compassion and respect for the inherent dignity, worth, and uniqueness of every individual, unrestricted by considerations of social or economic status, personal attributes, or the nature of health problems. "(p. L) The nurse is bound by duty to respect the wishes of the patient and family in regards to end of life decisions.

In the case of Marianne, a committee is forced to help a Emily make a difficult decision regarding the life of a loved one. Since the patient is unable to express her wishes and had no advance directive, the nurse has an obligation to ensure that the family is informed and knowledgeable on her care. The nurse needs to support the family in the decision-making process and refer the family to other resources to assist in the decision making process. Taking an interdisciplinary approach, such as consulting with an ethics committee, is one resource that is available to the family to assist in the decision-making process.

In addition to difficult end of life decisions, the Code of Ethics can be used to guide decisions in cases of malpractice. Provision 3 states, "The nurse promotes, advocates for, and strives to protect the health, safety, and rights of the patient" (ANA, 2001). In other words, the Code of Ethics leads the nurse to address practice that is substandard and may jeopardize patient care. The nurse should follow policy and procedures of the facility to report such behavior, but if measures are not taken to ensure the integrity of nursing practice then the nurse may report to outside agencies, such as state departments.

The nurse also has an obligation to ensure that the proper assistance or treatment is provided to assist in the impaired nurses recovery. While the Code of Ethics provides an important foundation on which to base behavior, any ethical decision involves an evaluation of one's set of personal and societal values. According to Justly (1993). "Nursing is a behavioral manifestation of the nurse's value system. It is not merely a career, a job, an assignment: it is a ministry" (p. 10). Nurses need to be aware of their beliefs so that they can recognize and accept that a patient may have different values and beliefs.

The nurse needs to interact with the patient and the family in a nonjudgmental, caring way. The nurse needs to take care not to influence the patient in making choices based on her beliefs or what she believes is right. The nurse's role is to be supportive to patients and their families in actions that are congruent with the code of ethics. Some conflicts that may compromise the nurses personal beliefs may include end of life decisions, abortions or refusal of medical treatment. For example, a nurse may support

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pro-life decision-making but is bound to respect the patient's wishes if they seek a legal abortion.

Furthermore, a nurse needs to honor a patient's decision to forego treatment, even if the nurse believes that that treatment represents the best option for the patient.