

# Children`s medical rights in divorce disputes

Law



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The paper " Children`s Medical Rights in Divorce Disputes" is an excellent example of a research paper on a law. Divorce cases are on the rise most recently. This brings about a fundamental question on the custody of the children and their rights. When parents` divorce each other it becomes a necessity that the custody of their children in their minority age is determined and solved amicably. Parents hold key to the access of rights by their children and this includes divorced parents. These rights include but not limited to health care, education, and security. Administration of these rights by divorced parents brings problems. This is due to the fact that most times the parents may not agree at all times. Children are faced by numerous medical issues and the inability of the parents to agree can bring damaging implications. This paper, therefore, tries to analyze this issue and the dilemma that arises therefrom. Volokoh in his work, (Volokoh, 2012) presents a clear example of the dilemma facing nurses in line with the ethical aspects of the profession. This is when dealing with minors whose parents have divorced and have joint custody of their children. The issue here is what a practitioner needs to do when parents fail to agree on critical health practice of childhood immunization. Grzyb v. Grzyb case brought was filed in trying to solve this question. The divorced mother objected to immunization of the daughter on religious grounds while the father was for the immunization. The parents also failed to agree on basic issues on whether the child should receive antibiotics against sinus or cold. The judge in the case noted that the clinicians of the child had been drawn into the middle of these disagreements. (Motion to authorize Health Care Decision, 2009). The judge ruled that the rights of the child were to be preserved thereby ordering immunization. This case came to the attention of the writer when doing <https://assignbuster.com/childrens-medical-rights-in-divorce-disputes/>

research on the topic of divorce in another course. This got the writer thinking on how such cases should be dealt with. Nursing just like other professions is guided by ethical principles. These principles direct and guide the behavior of nurses in the course of duty and when dealing with patients. Competent nurses must at all times uphold integrity and professionalism. This involves the regard to licensing systems, accreditation procedures for education, and relevant code of ethics. (Tumer, 2015) The reason for upholding ethical behavior in any society is to promote social development and the best interests of members. Some of the moral principles that nurses are supposed to hold include:

- Handle the parents professionally - This brings about ethical challenges. The code of ethics by nurses outlines how nurses are to behave when making critical decisions in times of limitations when serving the patients and also serves to minimize moral distress.
- Authoritative, accountable, and responsible - This obliges the nurse to make informed decisions that are consistent with the promotion of health of individuals. The nurse is bound to promote health and safety of self and of the whole society. One should at all times strive to advocate for rights of the patient.
- Compassionate - Nurses are expected to offer compassion to not only their patients but also friends and family of the ill. Nurses are expected to show empathy to those involved

All these principles are necessary for the profession and will govern how nurses perform their duties. It is worth noting that by striving to achieve the purpose of these codes dilemma is bound to arise. One should be cognizant to this fact and professionalism should prevail. Pediatric nurses are faced with many challenges. This is premised on the pertinent ethical issues mostly on confidentiality and consent. (Margot Karen Jackson, 2014) In the treatment of minors` confidentiality problems arises from the issue of legislation. Health care professionals are guided by legislation to make a determination on the capability of their patients to make informed decisions and what issues to remain confidential. The client`s consent is necessary when offering nursing services and in the case of minor patients, this is quite problematic. Parents at all times will be called upon to make key decisions involving their children welfare. In course of practice, the nurse will require the input of the parents when attending to minor clients. The parents provide consent to medication on behalf of the children. Without this, the nurse will be in a crossroad. The ethical duty of the nurse about promoting the health of the society is challenged when the parents fail to provide clear direction. It becomes difficult to be accountable and authoritative in a similar circumstance. The practitioner needs to be backed by a decision of the parents so as to act especially on touchy matters like immunization. While the nurse is expected to handle the parents professionally and offer compassion, the indecision by the parents makes it hard for the nurse to compose themselves. It is an expectation that the nurse believes in immunization. It would be hard to handle respectfully a parent who does not want to immunize their children. Parents with joint custody enjoy equal right to authorize treatment on their children. As a practitioner, the issue of <https://assignbuster.com/childrens-medical-rights-in-divorce-disputes/>

consent one should strive at all times to accommodate the views of all parents before proceeding with treatment. This is because consent presents enough legal authorization. One should uphold the ethical principles and the code of conduct at all times and work to promote the best interests of the patients. By doing so the ethical dilemma issues are minimized.