

Exemplars in legal and ethical issues in rehabilitation or physical therapy pract...

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Exemplars in Legal and Ethical Issues In Rehabilitation or Physical Therapy Practice Exemplar Patient A seeks rehabilitation from his physician after a devastating accident that led to amputation of his right leg. In his previous life, he was a runner with apt skills and titles. After proper examination and understanding by the therapist, he is given either the choice of staying on a wheel chair or gets a bionic leg put. With the great zeal to return to the tracks, patient A opted for the bionic leg. The physician ascent this only after the patient is allowed proper knowledge of using the bionic leg. On the principle of respect of autonomy, patient A is able to choose between the wheelchair and the prosthesis. In this process, the doctor warns that although the patient will be able to work normally or even run, he advises that the exercise should not be vigorous. The physician plans of an 8-week therapy session where the patient is up to different tests. The exercises are made on a regular to help the patient cope with the pain at the stump area. After the therapy sessions, the patient feels normal and comfortable with his bionic right leg. The physician keeps a true record of each days exercise. On the point of discharge from the therapy, patient A returns to his normal practice at the tracks. After a few sessions on the tracks, he complains of pain at the stump area. This leads him back to the physician with insistence of getting a raw deal. He threatens to sue the physician since he cannot return to his professional racing even after the therapy. Is this claim compelling?

Answer

This case is without a doubt related to contributory negligence. This alleged lawsuit stands no ground since the therapist has clear records of all the

therapy sessions and the advice given to patient A. The records are clearly documented and therefore the patient lacks sufficient cause for the lawsuit. To solve this crisis, the patient can opt for a different solution. This is whereby he returns to the doctor so that more therapy sessions can be prescribed if indeed he was not to return full in the race trucks. On terms of legality, the doctor gave the patient a chance to choose. This is based on the principle of respect to autonomy.

Exemplar 2

Patient B is an old man suffering stroke and has been through therapy. The patient is showing positive signs in terms of response to therapy. After the patient care unit for post stroke patients agrees that no more therapy can be availed to the patients, the family members agree to take the patient back home. However, after a brief look up at the family's history, the doctor notices that the family lacks sufficient financial background to have an apt program for the patient at home. The doctor advises the family of patient B to let him stay at the care facility for a while, since the family cannot afford home care. The family members, however, insist that the patient be discharged. The therapist has no choice although he has strong convictions that the family will not hold a good program for the post stroke patient. Due to the conflict of beneficence and justice to which the doctor is well aware, the patient is left to go home. At this time, the patient is able to make some movements and facial signs. Few weeks after, the patient is returned to the therapist with family members complaining of his rare responses unlike before. There is so much blame on the doctor for accenting the discharge and the family threatens to sue the doctor. Is this a legal, ethical or issue

related to both?

Answer

This clearly is a case of ethical issues. The therapist had warned of these kinds of problems if the patient did not get appropriate care at home. With his apt conscience, the therapist had advised the family members for a little more time for the patient at the care facility. A case in court will not be viable since the doctor had pre-warned the family members of such an issue.