

# [Answer the question for the journal -this is for health ethics and law class](https://assignbuster.com/answer-the-question-for-the-journal-this-is-for-health-ethics-and-law-class/)

[](https://assignbuster.com/)[Health & Medicine](https://assignbuster.com/essay-subjects/health-n-medicine/)

Health Ethics and Law al Affiliation Health Ethics and Law Healthcare practitioners are in some cases faced with situations and dilemmas where they have to make ethical decisions. In the presented case, the Realm- Individual Situation- Process Model can be used to arrive at an ethical decision on the best preference that the team can settle on. The Realm in this case is organizational as it involves the patient and the health facility team. The individual- situation is the moral judgment that the team has to make. The process is a dilemma since a decision has to be made on the two options. In using this model, the next stage after this identification will be a reflection of the various ethical issues associated with the case.   
The legal and ethical issue here is informed consent. This occurs when a health practitioner gets permission from the patient to carry out an intervention. Three elements must be present for this to occur. These are disclosure, competence and voluntariness (Irvine, Osborne & Shariff, 2003). Disclosure calls for the doctor or nurse to make sure that the patient understands the purpose, benefits and risks of the intervention. In the case of the 64 year old woman, the team informed the patient on the need for her to be placed on tube feeding. Voluntariness implies that no coercion should occur and the involved party must be able to decide on his own.   
The ethical element in question here is the competency of the old woman. This issue arises from the fact that she is not able to sustain her decision. According to Irvine, Osborne & Shariff (2003), the ability of a patient to give informed consent is governed by the legal requirement for competency. In the common law jurisdictions, adults are presumed to be competent to give their consent. This is, however, rebutted in cases of mental illnesses or when a patient is not able to sustain his or her decisions long enough to allow for the intervention to be implanted. This is the case with the old woman. In such an instance, two options are available; the team must either catch the patient in lucid state or go the health proxy way.   
According to Fisher (2013), when a doctor or nurse has realized that the patient is having a variable decision making capacity due to the underlying disease, he or she must be assessed in the different states and the outcomes documented in each contact. If the patient makes consistent decisions over time when he or she is in the lucid state, it may be used in making the decision as it will be deemed adequate enough. In the case involving the 64 year old female patient, the team asked her about the intervention twice when she was in the lucid state. In both occasions, the answers were consistent and same. As such, it constitutes an adequate decisional capacity for the ethical question as to whether she is competent or not. Therefore, the team can conclude that the patient has given an informed consent concerning the tube feeding intervention.   
References   
Fisher, J. (2013). Biomedical ethics: A Canadian focus. Oxford: Oxford University Press   
Irvine, J., Osborne, P. & Shariff, M. (2003). Canadian medical law: An introduction for physicians, nurses and other health care professionals. Toronto: Carswell