

Ethics Scenario

A hospital receives notification that it is being sued by a former patient. The patient claims emotional distress due to a certain nurse. The patient indicates that because the nurse was male, she was uncomfortable during her hospital stay and suffered emotional distress. The hospital legal team argues this is a frivolous lawsuit and no recovery is warranted, but the hospital will still have to pay attorney fees to represent it in court. Is there an ethical violation, dilemma, or concern?

I would say that anytime a medical facility is sued that it should be an ethical concern. I believe that it is situational and each claim should be handled accordingly. For this example, the former patient must prove that an intentional or reckless act was committed, extreme and outrageous conduct that is beyond the standards of civilized decency has occurred and that the emotional distress suffered by the patient was "severe".

Ethics Scenario

The owner of a consulting firm is awarded a contract to act as interim HIM director for an organization. Generally, the organization has had very little turnover within the position until the former director retired. However, the department has always outsourced its (release of information) ROI services. The interim director's company is technically a competitor of the company that provides the ROI. The interim director's consulting firm submitted bids to the previous director for the ROI contract, but to no avail due to their pricing structure. Now, the interim director has access to the contract language for the existing ROI contract. Suddenly, the managing director of the ROI receives a 30-day notification that their services will no longer be used at the facility. Is there an ethical violation, dilemma, or concern?

Yes, there is an ethical violation here since the interim HIM director of an organization used "inside information" in order to obtain the contract. That is a violation of their duty of responsibility and the duty of loyalty which states that board members must put the interests of the corporation before their own personal interests.

Ethics Scenario

A 17-year-old patient has been diagnosed with Hodgkin's lymphoma, a highly treatable cancer of the lymphatic system. Her physicians have proposed six months of chemotherapy treatment. Without this treatment, the patient will die within two years. The patient adamantly refuses treatment and her parents support that decision. A minor in her state cannot make medical decisions until the age of 18 and the state has required her parents to commence treatment because physicians indicate it is in her best interest. Child Protective Services have been contacted for intervention.

1. What ethical principle is raised in this situation?

Since she is 17 years old, she is a minor and can't make medical decisions herself. She does have to rely on her parents to make those types of decisions for her. It seems like the state though required her parents to commence treatment when that should not be allowed. Since it is solely up to the parents to decide this factor. This would be an ethical principle known as personal-profession struggle for the physicians since they are recommending treatment that will help and the patient and parents support to accepting that recommendation.

2. What challenge to autonomy is raised in this case as a result of physicians believing the individual should receive treatment despite the wishes of the individual and her parents?

Essentially autonomy is being thrown out the window since the physicians are believing that treatment should still progress even though it is against the wishes of the patient and the parents, who are supporting their daughter's decision to refuse treatment.

Do you believe this patient should have the right to make this decision? If the patient turned 18 during the court's involvement, should the patient's right to refuse treatment be honored? Would you expect to find documentation in the patient's record regarding this issue?

I believe that until she is 18 years old, her parents should have the right to make those decisions concerning her treatment. When she turns 18 years old then it will be her right to refuse treatment since she would then be an adult. I would expect to find documentation in the patient's record regarding this issue.