

## Chapter 3 critical thinking and procedures

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### 3.1

If a medical assistant does something outside the scope of practice, such as prescribing medication, they could face criminal charges.

### 3.2

Civil law could come into play if there is an accident involving a patient due to the negligence of the medical assistant.

### 3.3

Malpractice is negligence. This can occur when the the medical assistant's work performance falls below the standard of care.

### 3.4

Medical assistants cannot refer to themselves as nurses. This would violate the scope of practice laws. Medical assistants aren't qualified to be nurses.

### 3.5

Affirmative Defenses (C-CALI)

C- Contributory: Something else contributed to the injury

C- Comparative: Something else caused the injury

A- Assumption: Knowledge of the risks

L- Limited: Suffered little to no harm

I- Intervening: Made worse

### 3.6

Duty - Legal obligation

Dereliction - Violates

Damages - Injury

Direct Cause - Negligence

### 3.7

Subpoena - Required to go to court

Subpoena duces tecum - Required to bring a piece of evidence

Fact witness – Any witness who saw the event

Expert witness - Provides an expert opinion based on their education on the subject

### 3.8

Implied consent – Patient steps on the scale to allow the medical assistant to check their weight

Expressed consent – Patient is given a choice of which arm to use for a blood draw

Informed consent – Patient signs consent forms after being educated about a procedure

### 3.9

A mature minor (may be a specific age depending on state law) can make some decisions about their healthcare without a parent's permission. This could involve a procedure such as abortion or emergency care when a parent cannot be located.

An emancipated minor (Usually 16 years old, and married, in the military, or living on their own) can make all decisions concerning their healthcare.

### 3.10

The Patient Bill of Rights is a document usually entitled "Patient's Rights and Responsibilities". It is not a federal law, and it is made by individual healthcare facilities and agencies. It informs the patient of their rights to basic standards of care as well as the patient's responsibility to comply with care, keep appointments, and provide information.

### 3.11

The medical assistant could be empathetic to the situation, but also has a responsibility to the patient to inform them of the risks involved if she doesn't comply with the treatment plan.

## Procedures

### 3.1

(Scenario 1) The patient needs to be informed of the risks, but sensitivity to the patient's decision needs to be displayed (Explanation of care, informed consent). A consent form is needed if the patient chooses a C-section, and no consent form if she chooses a vaginal delivery. Refusal of treatment needs to be documented if she chooses not to have the C-section.

(Scenario 2) The patient needs to be informed of the risk. His religious beliefs need to be respected and understood, the provider needs to be informed of his refusal. Refusal needs to be documented in the chart as well as that the provider was informed.

(Scenario 3) Educate the parent about the vaccine, and be empathetic in mannerisms and tone. If the parent refuses the vaccine, document refusal and the provider must also be informed. Document that the provider was informed. If the parent consents to the vaccine, a consent form must be signed.

### 3.2

## Scope of Practice

Although a medical assistant has many responsibilities, there are also things they cannot do. If a medical assistant does a procedure that they are not legally qualified to do it is considered outside the scope of practice.

A medical assistant can give injections such as vaccines. They can prepare and administer medications under the authority of the provider. They can submit a prescription to be filled, but they cannot prescribe medications. This has to be done by the provider.

There are other duties that the medical assistant can perform legally. These include drawing blood, answering phones, echocardiograms, and preparing a patient for the exam.

The medical assistant is knowledgeable about the office and clinical work at the facility, but they still have to work within the scope of practice. Another way to describe the scope of practice is what a medical assistant is legally allowed to do. There may be things they know how to do, but it is still illegal if they do not have the credentials to practice the procedure.

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