

IMAGING SCENARIO: STUDENT COMPETENCY

SCENARIO # 1

MELISSA HERNANDEZ; ETHICS 101; 12/10/2020

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Ethics 101

10 December 2020

Ethical Scenario Evaluation

A young woman in her sixth month of pregnancy arrived at the imaging trauma center. She was involved in a head-on collision. Due to her wearing her seat belt, that kept her from encountering the windshield. She is having chest pain, and her baby has not moved since the accident. She is afraid and overhears partial sentences that state crushing injuries, fetal death, oxygen deprivation, and internal injuries. The young woman becomes hysterical and demands an explanation from the radiographer, who was too late to close the door for her not to overhear. The imaging professional is speechless and irritated to be put in this situation by his peers. The woman goes into premature labor, and both baby and mother spend months in the hospital. She files a medical malpractice lawsuit charging negligence and breach of confidentiality.

The ethical dilemma that arose from this scenario first begins with the problem, which is the young woman overheard a conversation people were having in which they mentioned crushing injuries, fetal death, oxygen deprivation, and internal injuries. Her door was open, and the people talking in the adjoined room were not talking discreetly. Since she was clueless about what was going on; she became hysterical. She thought they were talking about her situation. That led to her going into premature labor, and her baby and herself spending months in the hospital. I have two possible alternatives showing how this scenario could have been avoided. First, the people in the adjoined room could have shown more professionalism by closing the

door before they could have begun talking about the situation. Not only did they lack professionalism, but they also showed unethical behavior that goes against the Standard of Ethics. They discussed confidential information in earshot of the patient, which is a violation of the HIPPA laws. Second, they could have gone to another location to have the conversation in a more private setting. A more sensitive area would have been a better place to begin talking about the patient's status. The best solution I would have chosen would be to go to a more sensitive area, like a meeting room or an office, to discuss the patient's status. This would be the best solution to resolve this problem. Our primary job as health professionals is to have nonmaleficence, which means avoiding evil, not harming. We should always put the safety of our patients first. Harm was done to the patient because she went through a traumatic experience due to the hospital staff's unprofessionalism.

The legal considerations to be considered are negligence and breach of confidentiality, which fall under unintentional torts. Unintentional torts are actions that were not intended to cause harm. Negligence is also a form of malpractice and fits this scenario appropriately. Although this action was not intended to harm the young woman, she ended up going into premature labor because of the conversation she overheard. I believe the young woman has a case because to prove negligence, you must prove four things: a duty, a breach of that duty, injury, and causation. The duty to show respect to the patient was owed, the duty was breached when the door was left open, and the patient overheard the conversation. An injury happened because the patient went into premature labor, which leads to the patient and her baby spending months in the hospital due to her becoming hysterical and upset about the situation. Breach of confidentiality also fits this scenario because we are to keep medical and personal information about patients in confidence as health care professionals. Once that is broken, it is a HIPPA

violation, and it can go very badly for the institution. To prove breach of confidentiality, you must prove four things as well. Courts have imposed liability based on statutes defining expected conduct, ethical duties owed to the patient, breach of the fiduciary duty to maintain confidentiality, and breach of contract or implied contract between patient and physician or health care facility. All of these were breached because the people talked about a patient's status in a room that could be overheard by another patient and probably by people in the hall. Moreover, the young woman figured the situation that was being discussed was about her. In these events, the law has confirmed that courts do award compensation for breaches like these.

The professional issues tied to this scenario of our Standard of Ethics are Code of Ethics #1 and #9. Number one states, "The radiologic technologist conducts him/herself in a professional manner, responds to patient needs, and supports colleagues and associates in providing quality of patient care." In this scenario, the imaging professional responds to patient need when he/she becomes concerned about the patient's welfare after the patient becomes hysterical. Code of Ethics number nine states, "The radiologic technologist respects confidence entrusted in the course of professional practice, respects the patients' rights to privacy, and reveals confidential information only as required by law or to protect the welfare of the individual or the community." The breach of confidentiality was broken because the door to the patient's room was left open. This led to overhearing information that caused her to go into premature labor and spending months of hospitalization for herself and her baby in the NICCU. The Code of Ethics was broken by Rule number 6 (ii) which states, "Engaging in unprofessional conduct, including but not limited to any radiologic technology practice that may create unnecessary danger to a patient's life, health, or safety." This ties in with this scenario because the imaging professional in charge of treating her left the door open. By the time he/she realized

they left the door open, the patient had already overheard the information spoken, which led to her premature labor.

My overall perspective of this scenario is that it could have been avoided if the right patient care would have been administered to the young woman. Her door should have been closed to give her privacy. If the door had been closed, she would not have heard what she did in the first place. As a result of the young woman's traumatic experience, she will look at hospitals differently, maybe even not want to go to one anymore. She more than likely will share her story about what happened there. It will affect the institution by giving the hospital and its staff a bad reputation. If they would have just paid attention to that little detail, they could have possibly prevented the patient's traumatic experience. They could have saved themselves from a lawsuit.