

Imaging Scenario: Student Comprehensive Evaluation

The Case of Jacob and the Diseased Leg

Kamryn McNeme; Ethics 101; 12/14/2023

Jacob is a high school football player. He suffered a compound fracture in his lower leg and underwent surgery to repair it. After his surgery, he returned to the surgeon's office for a check-up. Jacob waited in a room while his doctor, Dr. M., examined another patient, Sarah K. Because the doors were left open, Jacob's parents could hear that Sarah K. had osteomyelitis (a serious bone infection). After finishing Sarah's examination, Dr. M. examined Jacob's leg without washing his hands or replacing his gloves. Jacob came back to the office one week later with osteomyelitis in his leg. Jacob's parents sued Dr. M for negligence.

The obvious issue in this story is that Jacob's leg infection was most likely caused by the transferring of infection from Sarah K's leg to Jacob's by Dr. M. There are many ways this situation could have been prevented. First- Dr. M. could have used the OSHA required hand hygiene, switched his gloves and washed his hands between the examinations. Second- Jacob's parents could have possibly prevented this by asking Dr. M to wash his hands and switch his gloves. They saw and heard Dr. M with the other patient and noticed his lack of proper hand hygiene. The best solution to this problem is that Dr. M. should have washed his hands and switched his gloves, without a reminder. While this could have been prevented in multiple ways, it ultimately falls on the caretaker. Caretakers, whether they are surgeons or x-ray techs, agree and are required to follow medical, and in this case, surgical asepsis to prevent situations like this one.

Although Dr. M. had no intention of causing harm to Jacob, he still did by transferring osteomyelitis to his leg. This would be an unintentional tort. Unintentional torts contain a large scope of different medical malpractices. In this case specifically, the doctor would be charged with medical negligence. Every health care professional has the legal and professional obligation

to do no harm and provide reasonable care to every patient. The specific standards for all health care specialists are set forth by their discipline's national professional organization, HIPAA, and JCAHO. In this case, Dr. M had a duty to provide professional care to a patient and use surgical asepsis, and he did not. He caused harm to his patient because of his failure to fulfill his duty; therefore, Dr. M. is guilty of medical negligence.

Health care workers also have an ethical and professional obligation to maintain patient confidentiality. They are required to follow specific moral principles related to their practice called the "standards of ethics". Dr. M. left doors open to patients' rooms, allowing Jacob's parents to hear confidential information about Sarah K. This was a breach of confidentiality caused by Dr. K, and this violates the standards of ethics. The possible outcomes to these medical malpractices (breach of confidentiality and medical negligence) would be a lawsuit and termination from his job.

There are many future consequences Dr. M. will have to face. To start off, if I were the judge for this situation, I would rule Dr. M guilty of medical negligence because he caused harm to a patient due to the lack of fulfilling his duty of professional patient care. This medical negligence caused Dr. M. to be sued by Jacob's parents, but in addition to that, Sarah K. could also sue him, but for breaching patient confidentiality. Next, this incident will never leave Dr. M's record, so he will have difficulty finding employment. If Dr. M. were to apply to my hospital for a surgeon job, I would not hire him due to his past incident. I imagine that nobody would. Lastly, Dr. M. will suffer an unprofessional and unethical reputation because of this incident.