

Imaging Scenario: Student Comprehensive Evaluation

The Case of Jacob and the Diseased Leg & #2

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Jacob, a high school senior, has recently obtained a very preventable bone infection that resulted in him losing a football scholarship. The summer before his senior year Jacob sustained an injury which led to him having surgery. Jacob had a compound fracture that resulted in his fibula breaking through his skin. Jacob kept up with his consistent visits after his surgery and his bone seemed to be healing well up until his leg was infected with a very serious bone infection, osteomyelitis. Jacob's doctor, Dr. M., was now being sued for negligence for being at fault for Jacob's infection.

Jacob contracting osteomyelitis more than likely occurred due to his physical contact with the doctor. Dr. M. took off his gloves and washed his hand prior to leaving Jacobs room but he did not do the same before and after leaving Sarah K's room. Sarah is a patient with osteomyelitis which is a very serious bone infection. Jacob was already more susceptible to infection due to his current state but Dr. M. touching Sarah K then touching Jacob's leg after gave the infection the opportunity to contaminate Jacob causing his healing process to be delayed. Dr. M's. Negligence was a big issue because he did not do his part in protecting his patient. Leaving the doors open to both rooms also caused an issue in this scenario because this gave people around the rooms the ability to hear what he was saying to his patients. Jacobs parents being able to hear what Dr. M. was saying to Sarah K was not appropriate because it breaches patient and doctor confidentiality. Which breaches both the Standard Code of Ethics as well as the Rules of Ethics. Dr. M. could have prevented this occurring by washing his hands before entering a patient's room, and once he leaves the patient's room. Dr. M. should also wear gloves when dealing with such serious infections, such as osteomyelitis. Both actions reduce the possibility of spreading the infection to another person. Dr. M. should also be protecting his

patients' autonomy as well as their confidentiality. Closing the doors to the rooms gives the patients more privacy and makes them feel more protected when being talked to.

The actions done by Dr. M. can have legal consequences. Dr. M was unintentionally negligent. Negligence is considered a Tort which typically falls under violation of Civil Law but can also fall under Criminal Law. Both situations that occurred fall under unintentional Tort, negligence, and breach of patient confidentiality. Jacob's situation falls under gross negligence because Dr. M. had no regard for Jacob's leg and his unprofessionalism contributed to Jacob's injury. Looking over the Malpractice claim Requirements I can see that each one was met. The first one "A duty of care was owed by the Doctor to the patient", The doctor was meant to help treat Jacob not cause things to worsen. Second, "A breach of that duty occurred by the doctor", Dr. M. not only breached both patients' confidentiality, but he also did not maintain the patient's safety. Third, "The cause of injury was the Doctor's negligence", Dr. M. not washing his hands or wearing gloves put both patients at risk and could have possibly put any other person at risk, therefore he was being negligent. The last requirement states, "The injury to the patient actually occurred", Which in Jacob's case his injury was him developing a bone infection that was passed onto him due to his doctors' negligence. Therefore, every requirement was met.

The patients' ethical principles were affected in this situation for example, Code of Ethics number five can be addressed in this situation because code number five states that Patient care should be a healthcare worker's primary responsibility. Dr. M. disregarded Jacob's health once he began to exam his leg without washing his hands; he should be following all safety precautions to keep his patients safe because it is his responsibility to care for his patients. Code of Ethics number nine can be summarized to "respect patient confidentiality". There are also rules of ethics that were broken regarding patient confidentiality, such as Rule number 12. Sarah

K's information regarding her infection was stated and overheard by others including Jacob's parents. Dr. M. not taking precautions to close the door created a breach in Sarah K's confidentiality. In the scenario it was stated that Jacob's door also remained open which means there was also a possibility of someone overhearing what was being said in his room as well.

If I were put in the position of having to address this scenario then I would agree with the patient and parents, clearly there was negligence that resulted in an infection that prolonged the recovery of a patient. This issue could have been easily prevented therefore I do believe Dr. M. is at fault but I also believe that the parents contributed to the situation by not speaking up. It is in no way their job to tell the Doctor what to do, when he should clearly know that he needs to wash his hands before and after seeing a patient but both parents were aware of Sarah K's bone infection, and they observed how the doctor did not wash his hands after seeing Sarah and went straight to examining Jacob's leg. This issue should have been addressed before he began to examine Jacob's leg. Dr. M. did put Jacob at risk due to his negligence, therefore he should receive certain consequences even if it was an unintentional action. It is Dr. M.'s professional responsibility to care for his patients, as well as to protect his patient's legal rights which were both breached in this scenario.