

Ethics & Law –Ethical Scenario Evaluation

Imaging Scenario: Student Comprehensive Evaluation

The Case of Jacob and the Diseased Leg & Scenario #2

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The scenario I chose is about a teenager named Jacob who plays football for this high school team. Jacob has been offered a scholarship to play for a college when he graduates. During practice he endured a compound fracture of his fibula bone. Since the injury broke the skin, he needed to get it surgically repaired. Dr. M is the orthopedic surgeon that did Jacob's surgery and kept him in the hospital for a few days before discharging him. Jacob was to come back each week for six weeks to make sure everything was looking good and healing. After six weeks Jacob's parents took him back to get his cast removed. Dr. M took his cast off and told Jacob and his parents to hang tight while he checked on another patient. The exam rooms were left open and Jacob's parents could see and hear Dr. M examine Sarah's osteomyelitis, which is a serious bone infection. Jacob's parents noticed that he was not wearing gloves. He then came back to Jacob's room without washing his hands or putting gloves on. A week later Jacob had developed osteomyelitis which took months to heal, and he ultimately lost his scholarship since he was not able to play. Jacob's parents then sued Dr. M for negligence. The obvious mistake that Dr. M made was not washing his hands or putting gloves on along with not closing the door to the exam rooms. Jacob's parents did not speak up when they noticed the doctor not wearing gloves, however, some people feel intimidated to speak up. Overall, the best way this whole situation could have been avoided is if the doctor was wearing gloves or washed his hands and if the parents had said something.

In this case the ethical principle that comes into play the most is nonmaleficence. Which is the avoidance of evil or causing unnecessary harm. This outweighs beneficence which is to do good. Since the standard of care is the basic legal parameter in health care, if it is violated, liability may be imposed on both health care professionals and medical facilities. Which is what happened to Dr. M, he was negligent. His action of not washing his hands or wearing gloves caused harm to Jacob. Not only does it look bad on Dr. M but also the practice he is a part of. An

easy problem-solving technique that could prevent something like this from happening again is for Dr. M to slow down and really pay attention to what he is doing, and for Jacobs parents to speak up if they see something like that. If either of those two things had happened the whole situation could have been avoided.

Next, in healthcare some of the legal aspects that's directly impact on the patients are their rights, safety, and the quality of care they receive. Some examples include patient safety laws and medical malpractice and liability. These two directly relate to this case because Dr. M did not follow the legal standards of patient safety resulting in medical malpractice. Which says that health care providers are legally responsible for negligence or failure to meet the standard of care that results in patient harm. Those that do experience harm such as Jacob may file lawsuits for medical negligence.

Professionalism is extremely crucial and essential for an effective health care environment. For patients, professionalism improves trust and respect. For health care institutions, professionalism increases a positive reputation. Which is what all health care institutions strive for because a better reputation will bring more patients. Since Dr. M was negligent not only does it look bad on him, but it also looks bad on the institution and people are not going to receive care from a place that has been sued for negligence.

To bring it all together, the whole situation in my opinion could have been avoided. Dr. M should know how important it is to wear gloves and wash his hands after dealing with every patient regardless of the injury or infection. He let his guard down and was negligent and as a result caused harm to Jacob which caused him to lose his scholarship. In today's day and age college is extremely expensive so not only does it cause physical harm but potentially financial stress as well. On another note, I believe that Jacobs parents should have said something after

seeing him not wash his hands or wear gloves and overhearing him talk about Sarahs bone disease.

References

Towsley-Cook, D. M., & Young, T. A. (2013). *Ethical and legal issues for Imaging Professionals*. Mosby.

