

Ethics & Law – Ethical Scenario Evaluation

Student Comprehensive Evaluation

Scenario #5 – The Case of the Biker

Ethics 101: 11/26/2024

Summary

In Scenario #5- The Case of the Biker, the scenario begins in the setting of an emergency room where a biker arrives around 12:00am, severely injured in a collision with a car. The scenario then explains the biker's appearance. At this point in the scenario the reader is able to view the obvious ethical issue at hand being, that the patient and his friend group are seen as poorly dressed (dressed in leathers) with distasteful hygiene (Unshaven and badly in need of a bath), having visible tattoos, and being "Scary looking." These all are what society would view as a stereotypical biker group. The biker is provided care by a CT specialist who is fearful of the biker and his friends, making it obvious that she is fearful and uncomfortable. The CT specialist is also irritated that her night is being disrupted and feels that the biker deserves what he received and hopes he has a donor card. The patient care interaction during this encounter with the biker, his friends, and the CT specialist is less than successful. The CT specialist is then called into the manager's office in regard to a negative customer service survey that was reviewed about her. The CT specialist is questioned about the patient care services provided towards the biker and why she was not able to successfully provide high quality care. The biker returns to the hospital for his checkup appointment and to the CT specialist's surprise, the biker is well dressed, groomed, and is unrecognizable. The biker happens to be an attorney for the hospital. The patient informs the CT specialist that he has a passion for riding his "hog" with his group during the weekend which gives him a diversion from his world of business. The biker states, him and his group wear suits during the week and leathers on the weekend. This weekend activity is a hobby

for the patient during his free time outside of work. The CT specialist becomes embarrassed of this fact due to her poor judgement of the patient is speechless with embarrassment.

Ethical Dilemmas

An ethical dilemma is considered a difficult choice that has to be made between two or more courses of action. An ethical dilemma could be found in any kind of field but more typically in the healthcare field. An ethical dilemma does not allow for a suitable outcome. A common example of an ethical dilemma would be an individual taking credit for other individuals work whether it be in the workplace or in their career. An ethical dilemma that could be considered in the following scenario would be the CT specialist's irritability and fear of the patient and his group of biker friends and showing this disinterest and irritability when providing treatment. The first mistake during this interaction that ties into an ethical dilemma would be, the CT specialist noticeably showing her lack of empathy for the patient due to his appearance. As a healthcare provider it is your duty to provide quality care for each individual understanding that you will serve people of all races, cultures, and backgrounds. The CT specialist is not prioritizing the patients needs, but rather, using her own personal judgement to stereotype this patient and group of individuals causing offense. The (ASRT) Code of Ethics considers various aspects of the imaging professional's role in health care. These areas include, conduct, respect, diversity, technical applications, decision making, aid in diagnosis, radiation protection, ethical conduct, confidentiality, and education (Cook et al., 2013).

Using the ethical analysis method, we can analyze the patient's quality of life at first glance which is, being a bike rider and doing this with his group of friends. It is important to understand that an individual's personal judgement as a professional remain reserved and focus

on the task at hand which, in this case is treating the patient appropriately to ensure his needs are being met. A model that can be followed in this scenario would be the, convenatal model where care is based on an agreement between the patient and health care provider. These include trust in the professional's integrity and confidence that the professional has the patient's best interests in mind (Cook et al., 2013). The specialist can use this specific model by following the code of ethics in the healthcare system and focus in on her priority of providing care and proper treatment. Rather than showing her fear and irritability, the specialist should understand that it is her obligation to ensure that the patient is comfortable at all times and care is being provided. It is vital to give quality and care for a successful outcome.

Legal Considerations

Imaging technologists face many legal issues in addition to the ethical dilemma they encounter. Although they cannot be expected to have a thorough understanding of all legal issues, they should have a basic knowledge of the law and it's branches, the legal system, the legal issues they are most likely to encounter, the legal fasciitis of the institution, and institutional regulations regarding the patient care they provide (Cook et al., 2013). A legal issue the specialist in the following scenario could encounter would be a lawsuit filed against her by the hospital attorney for negligence of care and discrimination. It is important to consider the effects of the specialist's behavior and the legality behind her behavior in the workplace. Quality assurance falls in this category, quality assurance focuses on patient care and risk management. A hospital could potentially be audited due to the lack of quality assurance, when this happens there is usually an all staff meeting for that specific department to go over the issue if it is commonly being reported. Patient feedback determines the quality care of an individual and determines their performance as a professional. The branch of law that the professional in the

scenario could face would be, civil also known as a “tort” in law due to the issue being a form of discrimination by one party harming another. The misconduct being committed is intentional and was harmful to the patient's self esteem, and well-being. A common type of civil wrongdoing would be careless actions, judgement, and negligence. Being that the issue is a civil matter, the criminal action that could be faced due to the discrimination and medical negligence would not be a misdemeanor nor a felony. Furthermore, the action was not extremely reckless however, was intentional nor did it cause the patient death or harm.

Professional Issues

Professional issues that are identified which relate to the standards of ethics in the scenario provided would be, the specialist not appropriately conducting herself in a professional manner but rather in an informal and disreputable manner. Although the specialist did not deny the patient treatment there was offense taken and a clear understanding by the patient that the specialist was in a way, bothered and uncomfortable due to his appearance. This affected the specialist's reputation and places management in an awkward position by learning that the patient is an attorney for the hospital and wrote negative feedback on the care provided. The specialist did not provide a successful evaluation and showed lack of care also known in the healthcare field as violation of the ethical principle of beneficence. This term refers to a professional's action or behavior of a patient's well-being and the ability to prevent harm. Compared to non-maleficence, the ethical principle of beneficence promotes a successful and positive outcome of treatment and quality care. An example of beneficence in practice would be, A healthcare professional going above and beyond to provide professional, and comforting care when treating any individual. It is highly effective to follow the four principals of medical ethics in the healthcare system, autonomy, beneficence, non-maleficence, and lastly, justice. Autonomy

refers to respecting the patients right to self-determination and understanding client rights.

Beneficence is the duty of a professional to “do good”. Non-Maleficence, the duty to “not do bad” and lastly, Justice, to treat all people equally and equitably. Benificence focuses on negligence law which is what this specific professional would face if legal action is taken against her. The Hippocratic Oath outlined beneficence and non-maleficence two millennia before Justice Cardozo. He said: “I will follow that method of treatment which according to my ability and judgement, I consider for the benefit of my patient and abstain from whatever is harmful or mischievous.” (Schloendorff et al., 1985).

Conclusion:

In conclusion, the unsuccessful outcome of care provided in the scenario shows how lack of care and negative judgement can negatively affect a healthcare provider. Professional judgement is important because a professional must critically think, analyze, and use skills while still following the code of ethics, laws, policies, and principles related to your area of work. This provides reassurance towards a patient and the public receiving care. The code of ethics should be followed at all times when a patient is being cared for. The specialist should have welcomed the biker and began small talk by asking him certain questions such as, how he is feeling, what he was doing to get him in this state, and have overall, sympathize for the patient by making them feel comfortable without judgement. The specialist can provide quality care while still being respectful and having a positive attitude. The CT specialist may be experiencing workplace burnout due to working late nights. She may be exhausted or overworked which is draining her energy and affecting her mindset. The type of discrimination that the patient experienced would be legally known as, perceived discrimination in a healthcare setting. Perceived discrimination would be defined as, an individual who may feel that they are being judged or discriminated

against due to a certain group they may be in or follow. In this case, the patient is in a biker group and is clearly being treated unfairly. Although the biker informed the specialist later that he is an attorney for the hospital, this should not affect how he is cared for. The specialist has proved that her judgement was based upon his demeanor and appearance. This situation could have escalated from an ethical issue to a legal issue if the specialist were to deny the patient treatment solely due to his appearance and her irritability. The specialist was not in imminent danger, nor was she harmed in any way by the patient and his group of biker friends. There is not sufficient evidence to prove that the specialist would be able to deny care or treatment.

References

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

Mosby.

The four principles of medical ethics. Articles. (n.d.).