

Rangel- Comprehensive Ethical Scenario-2024FA

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Imaging Scenario: Student Comprehensive Evaluation

The Case of Jacob and the Diseased Leg; Scenario No. 2

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The Case of Jacob and the Diseased Leg is a scenario that shows both ethical dilemmas and legal considerations as well as professional issues. In this scenario we have a young boy, Jacob, who fractured his fibula bone. After returning to the doctor to have his cast removed Dr. M makes quite a few mistakes ultimately leading Jacob to have a terrible bone infection. Not only does Jacob have to suffer from a painful bone infection but the infection leads to the loss of Jacob's future career as a college athlete and loss of scholarship. We see both physical and emotional distress for Jacob all because of Dr. M lack of applicable standard of care.

There are a few ethical dilemmas in this scenario. **Firstly** we see medical negligence occur on behalf of Dr. M. The health care provider has a duty to provide reasonable care to the patient and Dr. M did not do that. Reasonable care includes not only sanitizing or washing hands before and after each patient but also changing into gloves for each patient. Dr. M failed to apply standard of care and put on gloves for Jacob after returning to him from a patient who had a serious bone **infection** but Dr. M also failed to wash his hands before touching Jacob regardless of where Dr. M had previously come from. There is a breach of the National Patient Safety Goals in goal number seven "Reduce the risk of **health-care** associated infections". The problem is Dr. M's failure to practice hand washing hygiene resulted in the chain of infection occurring. If Dr. M practiced the correct standard of care he would have firstly not left Jacob in the middle of his appointment to treat another patient but when returning to Jacob he would have washed his hands and then put on a pair of gloves. There are not many solutions to this problem because the harm done has greatly affected Jacobs current life as well as his future. His parents have every right to sue and should follow that act and sue Dr. M. If Dr. M **can not** do the bare minimum of washing hands in between patients and properly wear gloves he should not be allowed to practice

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medicine. I believe the best solution to this dilemma is to sue Dr. M and be compensated for both medical and legal fees. Suing Dr. M will hold him accountable for his actions or lack of actions and also allow other doctors to see Dr. M's mistake and not make that mistake so other patients will not have to go through this distress.

On the topic of suing Dr. M we must now discuss the legal considerations of this scenario. In this scenario Dr. M is at fault for an unintentional tort. I do not believe that Dr. M had the intention of causing harm to the patient although harm to the patient became the end result. Doctors are held to a high standard of following strict hygiene protocol. Jacob's parents had asked for the result of the tissue test that stated Jacob had gained osteomyelitis, the same infection that the other patient had on the same day of Jacob's appointment. With the test results Jacob's parents can build a good case against the doctor to prove causation that Dr. M's failure to follow the standard of care caused harm. Suing Dr. M for negligence consist of the following phases. **Firstly** the complaint will be filled by Jacob's parents. Next, the facts will be gathered which includes the test results, the time and date of the appointment, **eye witness** to the failure of following hand hygiene and proof of other physical and emotional distress. Thirdly, all these facts will be brought before a judge in the court of law and with the presentation of the information the jury and or judge will come to a conclusion of whether or not Dr. M is found guilty of medical negligence. A decision will then be made with the adjacent repercussions which may include a temporary suspension of **licensure** or a license completely revoked, there might be community service and extra educational requirements. There is also a chance for Dr. M to have another trial case for the evidence to be reviewed or the decision to be overturned.

Lastly, we will discuss the professional issues in this scenario. The first professional issue we can also find in the Standard of Ethics number nine which is the patient's right to privacy. Dr.

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M did not provide privacy to either Jacob or the patient across the hall because he left both doors open and either patients were able to see across the hall into the other rooms and witness what was happening. There was also a breach in number seven, performing services that were in accordance with the accepted standard of practice. Dr. M did not do that, he did not only wash his hands before returning to Jacob but he also did not wear any gloves. He was not following the standard of practice.

In conclusion, scenario number 2, The Case of Jacob and the Diseased Leg, shows many ethical dilemmas, legal issues, and professional issues. Dr. M although missed what seems like a simple step led to a domino effect to ill results. There was both physical and emotional distress that occurred to the patient Jacob. It is important that we not only have implemented protocols that allow health care professions to act accordingly and perform actions that not only protect patients but themselves. It is also important that we have guidelines that allow for healthcare professions to be held accountable and for others to learn from so we can always ensure quality care.

Legal & Ethical Scenario Grading Rubric					
	CONTENT	Excellent 5-4	Good 3-2	Needs Improvement 1-0	Range 0-5
1	Ethical Obligations to Patients, institution, & community	Shows a deep understanding of the <b>ethical principles</b> that affect patients, institution, and the community.	Shows a reasonable understanding of how ethical principles affect patients, institution, and the community.	Shows a superficial understanding of how ethical principles affect patients, institution, and the community.	4
		Displays a deep understanding of the role that <b>Standards of Ethics</b> have in ethical responsibilities.	Displays a reasonable comprehension of the role that Standards of Ethics have in ethical responsibilities.	Shows a moderate comprehension of the role that Standards of Ethics have in guiding ethical responsibilities.	5
		Excellent application of <b>problem-solving techniques</b> to navigate an ethical dilemma.	Sufficiently able to apply problem-solving techniques to navigate an ethical dilemma.	Shows a moderate grasp of applying problem-solving techniques to navigate an ethical dilemma.	5
2	Legal Obligations to Patients and Institution	Shows a deep understanding of how <b>legal aspects</b> directly affect patients and the institution.	Shows a reasonable comprehension of how legal aspects directly affect patients and the institution.	Shows a superficial comprehension of how legal aspects directly affect patients and the institution.	5
		Gave <b>several specific examples</b> that pertained to legal obligations.	Gave a few specific examples that pertained to legal obligations.	Failed to sufficiently address specific examples pertaining to legal obligations.	5
3	Professional Obligations to patients, institution, and healthcare field	Demonstrates a thorough <b>understanding of how professionalism impacts patients, the institution, and the healthcare field</b>	Demonstrates a reasonable understanding of how professionalism impacts patients, the institution, and the healthcare field	Demonstrates a superficial understanding of how professionalism impacts patients, the institution, and the healthcare field	5
4	Grammar, Mechanics of Writing	Few, if any, grammatical or mechanical errors.  Errors, if present, are minor and do not distract from reading	Noticeable grammatical or mechanical errors.  Errors somewhat interfere with readability.	Frequent grammatical or mechanical errors.  Errors significantly interfere or hinder readability.	4
Base is 65%				Total Points Earned	
				Overall Grade	98%