

Imaging Scenario: Student Comprehensive Evaluation

The Case of Misunderstanding: Scenario No. 1

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**Scenario Summary**

A young pregnant woman of six months visited a trauma imaging center to be assessed after a head-on collision motor vehicle crash. The woman had severe bruising from the seatbelt and airbag, experienced chest pain, and stated she had not felt her baby move since the wreck. While in the radiology department, she overheard staff say in the next room words such as “crushing injuries,” “fetal death,” “oxygen deprivation,” and “internal injuries.” The radiologic technologist taking care of her attempted to close the door to keep her from hearing more, but the woman immediately demanded explanation from the tech while becoming increasingly anxious and hysterical. The tech was unable to provide more information for the patient. Following the visit, the woman went into premature labor, resulting in her own hospitalization for weeks as well as the baby being admitted to NICU for several months. Due to this situation, the woman decided to file a medical malpractice lawsuit for negligence and breach of confidentiality.

**Ethical Dilemmas**

The ethical dilemma in this scenario focuses on a clear disregard for the patient’s rights to respectful care, privacy, and confidentiality. The nearby staff violated her right to privacy and confidentiality by exposing sensitive information while she was within hearing range. Because the patient was already in a vulnerable emotional state following the collision, overhearing the discussion of sensitive information intensified her fear and anxiety. The lack of consideration for her dignity and emotional well-being directly violated the duty of nonmaleficence. As a result, the tech was placed in a difficult position as he tried to manage her panic without having a plan to prevent the situation in the first place. The ethical dilemma lies in the failure of the healthcare team to uphold fundamental professional ethical values that are essential for safe, respectful, and compassionate care.

Much of the ethical dilemma could have been avoided if proper professional conduct had been maintained by the technologist and the staff in the nearby room. Using the ethical analysis method, the primary problem is the patient's private health information being exposed to nearby staff and the tech's failure to intervene appropriately. The tech did not proactively safeguard the environment or communicate effectively to reassure her in the moment. Alternate solutions could have included confirming all sensitive discussions regarding this patient are spoken elsewhere, verifying that the environment was secure before bringing her to the exam room, or removing her from the area once the information was overheard. The best solution would have been for the tech to act proactively by protecting the patient's privacy from the start, providing clear communication, and addressing her emotional state. These solutions are easily defended because they prioritize patient safety, preserve dignity, reduce physical and psychological harm, and align with ethical standards of a radiologic technologist.

### **Legal Considerations**

The tech in this scenario could reasonably face a medical malpractice lawsuit for negligence and breach of confidentiality. To successfully establish a claim of medical malpractice, four elements must be proven: 1) the defendant had a duty to provide reasonable care to the patient, 2) the plaintiff sustained some loss of injury, 3) the defendant is the party responsible for the loss, and 4) the loss is attributable to negligence or improper practice. Each of these elements can be applied to the tech's actions and lack thereof. As a healthcare professional, the technologist owed the patient a duty to maintain confidentiality and the expected standard of care. The woman clearly sustained harm, both emotional and physical, and the tech's failure to protect the patient from overhearing sensitive information contributed directly to this harm. Because the tech neglected to maintain privacy and did not safeguard the patient's well-being,

this can be interpreted as falling below standard of care that a reasonably prudent person would provide. Due to these four elements being met, the woman can present a strong argument that the technologist directly contributed to her injuries, which supports the basis for a medical malpractice claim.

Under the branch of civil law, it is clear that both intentional and unintentional torts are involved. The patient experienced an invasion of privacy, an intentional tort, when she overheard staff discussing sensitive terms such as “fetal death,” “crushing injuries,” “internal injuries,” and “oxygen deprivation.” Invasion of privacy is defined as the intrusion into a patient’s private affairs, and the staff’s conversation directly violated this principle. Additionally, the woman experienced negligence and medical malpractice, which are classified as unintentional torts. Because patients are protected under HIPAA, the disclosure of protected health information indicated a clear breach of confidentiality. The professional relationship between the technologist and the patient also failed to meet the established standard of care, resulting in emotional harm. Combined, these factors provide the basis for the woman’s medical malpractice claim, as the technologist and staff had a duty to provide reasonable care, the patient suffered harm, and that harm can be attributed to negligence within the scope of the radiologic technologist’s professional practice.

### **Professional Issues**

This scenario reflects several professional issues related to the ARRT Standards of Ethics, specifically violations of multiple codes in the Code of Ethics and rule 22 in the Rules of Ethics. Code 9 of the Code of Ethics states that radiologic technologists must respect patient confidences and protect all private information unless disclosure is required by law. By allowing such sensitive medical information to be spoken openly within hearing range of the patient, the tech

failed to follow this code and did not protect the patient's legal right to confidentiality. Code 2 emphasizes providing care with full respect for the dignity of the patient and this was also compromised. Even though the technologist attempted to manage the situation in the moment, he failed to appropriately intervene before the dilemma occurred, and negatively affected the patient's emotional well-being as a result.

Considering the rules of ethics are enforceable, rule 22 of the Rules of Ethics is directly relevant as it requires technologists to report deviation from the standard of care that could be harmful, unethical, or improper conduct. The technologist played a role in a clear breach of confidentiality and an ethically inappropriate situation and failed to formally escalate the incident to a supervisor. The Codes and Rules of Ethics are intended to assist registered technologists in maintaining a high level of ethical conduct and provide for the protection, safety, and comfort of patients, all of which seemed to be disregarded in this scenario. The previously stated violations of the ARRT Standards of Ethics highlight professional and ethical failures that contributed to the legal escalation and patient's distress overall.

### **Conclusion**

There were several ethical, professional, and legal problems within this scenario that I would have done my best to approach in an appropriate manner as a caregiver. As a professional in healthcare, my priorities with this patient would be maintaining a safe space for her after a traumatic accident by using communication, consideration and respect for her care, and protection of her privacy and confidentiality. The tech in the scenario did not take action to alleviate her anxiety, protect her privacy, or communicate in any form while she was in his care. These are all actions in my control that I would have taken for her to receive high-quality patient care. The patient needed a caregiver to provide conscious awareness of her needs and rights and

to follow a standard of conduct that considers the legal responsibilities of a radiological technologist's role.