

Learning Activity 3.1.

Ethical and Legal Issues in Psychiatric Mental Health Nursing

Identify the following key terms associated with ethical and legal issues in psychiatric mental health nursing with the descriptions or definitions listed next.

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| a. assault | j. Kantianism |
| b. battery | k. malpractice |
| c. beneficence | l. natural law |
| d. Christian ethics | m. nonmaleficence |
| e. torts | n. slander |
| f. common law | o. statutory law |
| g. libel | p. utilitarianism |
| h. ethical egoism | q. civil law |
| i. false imprisonment | r. criminal law |

- J 1. Ethical theory by which decisions are based on a sense of duty
- G 2. Writing false and malicious information about a person
- B 3. The touching of another person without consent
- R 4. Provides protection from conduct deemed injurious to the public welfare
- M 5. Abstaining from negative acts toward another, including acting carefully to avoid harm
- A 6. An act resulting in a person's genuine fear and apprehension that he or she will be touched without consent
- L 7. The theory on which decisions are based in which evil acts are never condoned, even if they are intended to advance the noblest of ends

- E. 8. A violation of a civil law in which an individual has been wronged
- P. 9. The ethical theory on which decisions are based that ensure the greatest happiness to the greatest number of people
- I. 10. The deliberate and unauthorized confinement of a person within fixed limits by the use of threat or force
- K. 11. The failure of a professional to perform or to refrain from performing in a manner in which a reputable member within the profession would be expected to do
- C. 12. An ethical principle that refers to one's duty to benefit or promote the good of others
- O. 13. Law that has been enacted by legislative bodies
- N. 14. Verbalizing false and malicious information about a person
- H. 15. An ethical theory that espouses making decisions based on what is most advantageous for the person making the decision
- F. 16. Law that is derived from decisions made in previous cases
- Q. 17. Law that protects the private and property rights of individuals and businesses
- D. 18. The ethical theory that espouses "Do unto others as you would have others do unto you"

Homework Assignment Questions and Answers

Please read the chapter and answer the following questions:

1. **Malpractice and negligence are examples of what kind of law?**

Common law.

2. **What charges may be brought against a nurse for confining a client against his or her wishes (outside of an emergency situation)?**

False imprisonment

3. **Which ethical theory espouses that what is right and good is what is best for the individual making the decision? Which quality and safety in nursing education competency may be, at least in part, consistent with ethical egoism?**

Ethical egoism is the ethical theory. The quality and safety education competency consistent with ethical egoism is providing patient-centered care. This competency promotes listening to and respecting the patient's values, preferences, and expressed needs in care management decisions.

4. **Name the three major elements of informed consent.**

- A) Knowledge: the client has received adequate information on which to base their decision
- B) Competency: the individual's cognition is not impaired to an extent that would interfere with decision making, but if cognition is impaired, the individual has a legal representative
- C) Free will: the individual has been given consent voluntarily without pressure or coercion from others