

In order to receive full credit (1H class time) for this assignment, it must be completed in its entirety by the due date/time assigned. Any assignment not completed in its entirety will result in missed class time.

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
- ___ l ___ 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?

Malpractice and negligence are examples of common law. Common law serves as the basis for liability to patients who experience injuries as a result of malpractice or negligence. Negligence and malpractice are both based on decisions that were made in previous cases rather than a specific course of action taken by the legislature.

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, which is deliberate and unauthorized confinement of a person with the intent of prevention of elopement from the hospital. This includes physical restraints, threats, or the use of medications that interfere with a patient's ability to leave the hospital. The charge may be brought against any professional who restrains or secludes a patient against their wishes or anyone who was admitted to the hospital voluntarily.

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 theory that espouses that what is right and good is best for the individual making the decision. Providing education to the patient about their medications is a nursing education competency that is consistent with ethical egoism. Observing the six rights of medications includes the patient knowing the reason for why they are taking a medication. This helps the patient decide if the medication is right for them and if the medication benefits outweigh any potential side effects.

4. Name the three major elements of informed consent.

Knowledge, competency, and free will are the three major elements of informed consent. Knowledge is when the patient has been given appropriate and adequate information for which the basis of their decision is made. Competency is the patient's cognitive ability to make a decision, which should not be impaired in a way that would interfere with decision making. If cognition is impaired, the patient must

have a legal representative. Free will is the patient's right to give or withhold consent voluntarily and without pressure or coercion from outside influences.