Health care professionals have a duty to protect each patient’s civil, constitutional, and human rights. In order to do so, all health care professionals must understand the legal nature of the health care provider–patient relationship.
A health care professional’s key responsibility is being a patient advocate; another is reporting the mistreatment of people who are unable to protect themselves. Also, respecting patients’ privacy is paramount.

Legal, ethical, and professional responsibilities are an important part of any career, and these are especially true for health care professionals. The actions and decisions of health care providers have a direct impact on the lives of those they treat. All health care workers have a duty to provide the best possible care for every patient.

BUILD YOUR UNDERSTANDING

Objectives 1 and 2: Understand health care–related laws, and realize the difference between intentional and unintentional torts.

Crossword

Complete this crossword puzzle using clues across and down to familiarize yourself with the terminology of health care–related laws.
Across
7. Focuses on issues between a government and its citizens and involves three main categories: criminal law, constitutional law, and administrative law
10. Act of giving information about one’s care and voluntarily consenting to particular treatments or procedures (2 words)
13. Law that is enacted by federal, state, and local legislators and enforced by the court system (2 words)
14. Traditional civil law of an area or region resulting from rulings by judges on individual disputes or cases (2 words)
17. Act that protects patients’ right to privacy (abbreviation)
18. Right afforded to all citizens through the U.S. Constitution (2 words)
19. Wrongful act that results in harm
21. Illegal, unethical, negligent, or immoral behavior that results in a failure of duties or responsibilities on the part of a health care professional
24. Legal proceeding in a court; also known as lawsuit
25. Set of guidelines that reflect the values of those who practice health care and that help determine right or wrong behavior
26. Basic legal right held by all U.S. citizens (2 words)
27. Quality that reflects a set of values, behaviors, and relationships that form a foundation on which patient and colleague trust is formed
28. Document that explains what steps, if any, are to be taken in order to save or prolong a person’s life (2 words)
29. Threat or attempt is made to touch a patient without his or her permission
30. Careless or senseless behavior by a health care practitioner that results in harm

Down
1. When a patient does not sign a written statement but gives permission for care to be provided (e.g., calling 911), or is assumed to have given permission if unconscious (2 words)
2. Accident or mistake that results in harm (2 words)
3. Written defamation of character
4. Verbal defamation of character
5. Making false or malicious statements that do harm to a person’s reputation (3 words)
6. Attempt to restrain an individual or restrict his or her freedom (2 words)
8. Intentionally and unreasonably exposing a patient’s body or revealing a patient’s personal information without consent (3 words)
9. Someone appointed by a judge to act for another person, such as a minor or mentally incompetent adult (2 words)
11. State of being unable to make one’s own medical decisions
12. Fundamental right of all people regardless of citizenship status (2 words)
15. Deliberate act intended to cause harm (2 words)
16. Person who is under legal guardianship
20. Compensation made to the victim of a tort
22. Touching a non-consenting patient
23. Focuses on issues between private citizens, such as medical malpractice (2 words)

Objective 3: Explain the importance of protecting patients’ rights.

Jumble
After answering the questions below about the importance of protecting patients’ rights, use the circled letters to form the answer to this jumble (punctuation [e.g., hyphens, apostrophes, etc.] counts as a character).

Clue: What “cool” act passed in 1996 ensures confidentiality and privacy when providing care? “ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _
relationship between patients and their health care providers; and to reaffirm the critical role consumers play in safeguarding their own health.

2. In his or her role as an __________, a health care professional may work with insurance companies to help ensure patients receive the best possible care based on their coverage and benefits.

3. Obtain __________ for an invasive procedure, such as surgery; the use of experimental drugs; possibly dangerous procedures, such as stress tests; and any procedure that poses significant risk to the patient.

4. Confidential information includes a patient’s medical __________.

5. Durable power of attorney for health care designates a person to make health care decisions on behalf of the patient in the event the patient becomes __________.

Objectives 4–6: Identify ethical principles, understand ethical decision making, and recognize ethical dilemmas.

True or False?

After reviewing the section, “Ethics,” read the statements below and circle T if they are true or F if they are false.

1. T F Ethics reflect the values of an entire society, whereas laws reflect the values of a certain group.

2. T F Autonomy in health care settings means that the patient has the capacity to act intentionally, with understanding, and without controlling influences.

3. T F Treating others fairly and equitably is the foundation of justice.

4. T F If a health care worker fails to employ proper safety precautions, and a patient falls from an x-ray table, that health care worker has acted with nonmaleficence.

5. T F If a health care worker assumes that a person would not want to be treated when incapacitated by accident or illness, that health care worker has acted with beneficence.

6. T F A physician shows veracity when accurately informing patients about their true diagnoses.

7. T F Fidelity means that a health care professional can promise to treat a patient but not follow through with it if he or she knows the patient is not going to pay for that treatment.

8. T F Sharing patient information outside the confines of direct patient service is sometimes appropriate and is still considered confidentiality.

9. T F The Joint Commission’s code of ethics states (among other things) that health care professionals give care in a manner that preserves and protects the patient’s autonomy, dignity, and rights.

10. T F The Joint Commission does not require health care institutions to establish mechanisms for addressing ethical issues related to patient care, because they take care of that.

11. T F According to health care professional codes of ethics, health care professionals should acquire and maintain current knowledge in their practices.
12. T F According to health care professional codes of ethics, health care professionals collaborate with patients, significant others, family, and other health care providers in providing appropriate patient care, instead of making all decisions themselves.

13. T F Ethical decision making is based on emotions and intuition.

14. T F An ethical decision is one that is made in the patient’s best interest and that also preserves the integrity of all involved.

15. T F In an ethical dilemma, health care providers must strive to make the best decision for that particular situation—keeping in mind that the right decision for one set of circumstances may be wrong for another.

**Objective 7: Define characteristics of a professional attitude and behavior.**

**Clinical Scenario**

Write a brief skit in which a health care professional (you) encounters a difficult situation at work (e.g., an ethical dilemma, a difficult patient, etc.). Detail how you deal with the situation with professionalism. Be sure to make clear what your job is, what the difficult situation is, and how your approach to handle it shows professionalism.

How might you continue to demonstrate your competence even after the situation is diffused?

**Objective 8: Discuss the ethical code for health care professionals.**

**Complete the Table**

Using your textbook, fill in the spaces in this table on the ethical code for health care.

<table>
<thead>
<tr>
<th>Ethics</th>
<th>Health care professionals collaborate with patients, significant others, family, and other health care providers in providing appropriate patient care. Health care professionals don not make all the decisions for the patient.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research</td>
<td></td>
</tr>
<tr>
<td>Resource utilization</td>
<td></td>
</tr>
<tr>
<td>Primary commitment to patient</td>
<td>Health care professionals evaluate the quality and effectiveness of their practices.</td>
</tr>
<tr>
<td></td>
<td>Health care professionals acquire and maintain current knowledge in their practices.</td>
</tr>
<tr>
<td></td>
<td>Health care professionals contribute to the professional development of peers, colleagues, and others.</td>
</tr>
</tbody>
</table>
Objective 9: Describe the importance of professional associations.

Continuing Investigation

Using one of the professional associations relating to your particular field of interest that you found on your Internet search of professional associations from the textbook, provide a specific example of each benefit in the list below that the association offers (write N/A if a particular benefit does not apply or cannot be found). Next, state whether you plan to become a member of that association (providing the name of the association is optional) one day, and explain why or why not.

1. Continuing education classes: ________________________________
2. Subscriptions to professional publications: ________________________________
3. Access to online resources: ________________________________
4. Professional conferences, conventions, and workshops: ________________________________
5. Networking opportunities: ________________________________
6. Information on new technologies: ________________________________
7. Management tools: ________________________________
8. Ethics guidelines: ________________________________
9. Patient educational materials: ________________________________
10. News on emerging technologies: ________________________________

I ____________ plan to join ________________ because ________________________________

EXPAND YOUR KNOWLEDGE

Essay Question

In The DNA Age: Insurance Fears Lead Many to Shun DNA Tests (http://www.bioethicsinternational.org/blog/?p=471), the problem of whether or not to reveal the results of genetic testing is discussed. After reading this article, write a brief essay that examines each perspective—patient, physician/heath care provider, and insurance provider—and then elaborate your own point of view in this ethical dilemma.