

	<h2>N.C. Nurse Aide I Curriculum</h2>
	<h1>MODULE E</h1> <h2>Laws and Ethics</h2>
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	<h2>Objectives</h2>
	<ul style="list-style-type: none"> <li>■ Describe ethical conduct.</li> <li>■ Describe a resident's rights in the nursing home.</li> <li>■ Give examples of abuse, neglect, and misappropriation of property.</li> <li>■ Explain the role of the Health Care Personnel Registry.</li> <li>■ Explain the role of the nurse aide in securing informed consent prior to providing care to the resident.</li> </ul>
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	<h2>Laws</h2>
	<p>Are rules made by the government to help protect the public</p> <ul style="list-style-type: none"> <li>■ Person liable if laws not obeyed and person may be fined or jailed</li> <li>■ Two types – criminal and civil</li> </ul>
	
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## Legal – Key Terms

Tort – a wrong committed against a person or property

- Unintentional – did not mean to cause harm
- Intentional – did mean to cause harm

Malpractice – giving care for which you are not allowed legally to do – example?

Negligence – actions or failure to act or give proper care, resulting in injury – example?

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## Assault and Battery

Assault – act of threatening to touch, or attempting to touch a person, without proper consent – example?

Battery – touching a person without consent – example?



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## Consent

The right to decide what will be done to the body and who can touch the body

- Written consent
- Verbal consent
- Implied consent



Which of the three can a nurse aide obtain?

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## Invasion of Privacy

Violation of right to control personal information or the right to be left alone



Examples?

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## Legal – Key Terms

False imprisonment – unlawful restraining or restricting a person's movement



Defamation – false statement made to a third person that causes a person shame or ridicule, or ruins the reputation

- Written is libel. Example?
- Verbal is slander. Example?

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## Legal – Key Terms

Diversion of drugs – unauthorized taking or use of any drug



Fraud – an intentional deception or misrepresentation resulting in some unauthorized benefit

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## Importance of Laws

Tell people what they can and cannot do



Are written to protect the public from harm

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## Legal – Nurse Aide’s Role

- Understand range of function
  - Keep skills and knowledge current
- Keep resident’s safety and well-being in mind
  - Understand directions for use
  - Follow facility’s policy and procedures
  - Do no harm to resident or belongings
    - Report questionable practices
      - Know legal terms

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## Who are our Vulnerable Adults?



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## From What Must we Protect our Vulnerable Adults?

- Neglect
- Misappropriation of Property
- Abuse

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## Prevention of Mistreatment of Vulnerable Adult

- Care of personal property
- Review key terms and understand what must be reported to nurse
- Recognize signs/symptoms of neglect, misappropriation of funds, and abuse
- If abuse is observed by another health care provider, **stop abuse** and report immediately to nurse
- Report questionable practices



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## Neglect



- Signs and symptoms
  - Examples

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## Misappropriation of Property



- Signs and symptoms
  - Examples

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## Physical Abuse



- Signs and symptoms
  - Examples

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## Emotional or Psychological Abuse



- Signs and symptoms
  - Examples

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## Health Care Personnel Registry (HCPR)

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## Mistreatment of the Vulnerable Adult – Points to Remember

- Abuse is cause for immediate dismissal and posted on Nurse Aide Registry, if substantiated
- Not reporting abuse is aiding and abetting



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## Ethics and Code of Ethics Key Terms

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## Basic Human Rights



- Are protected by the Constitution of the United States
- Right to be treated with respect, live in dignity, pursue a meaningful life and be free of fear
- Examples of infringement of these rights?

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## Resident's Rights



- Residents also have legally protected Resident's Rights
- OBRA identifies how a resident must be treated
- Provides a code of ethics
- Posted and provided in long-term care facilities

Who is an ombudsman?

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## Ethics – Importance

- Knowledge of right and wrong guides sense of duty and conduct
- Guides in providing quality care
- Governs actions of health care providers
- Vital to safety and well-being of residents

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## Ethics – Nurse Aide’s Role

- Use good judgment
- Keep information confidential
- Document accurately
- Follow plan of care
- Be honest and trustworthy
- Report abuse or suspected abuse
- Understand and respect Resident’s Rights



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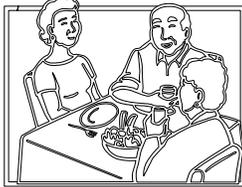
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## Ethics – Nurse Aide’s Role

- Report observations and incidents
- Show empathy
- Respect residents equally
- Provide quality resident care
- Protect privacy
- Treat all professionally
- Avoid stereotyping
- Safeguard property
- Respect values and beliefs



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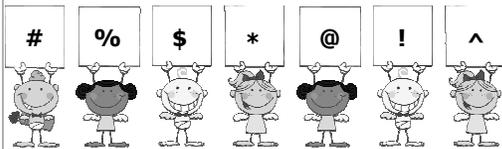
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## Ethics – Points to Remember

- What is ethical behavior?
- When do nurse aides use ethical behavior?
- Ethical behavior can vary
- We are all individuals who think differently



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	<b>Ethics – Points to Remember</b>
	<p><i>End of life decision making usually follows resident's individual ethical principles</i></p> <ul style="list-style-type: none"><li>■ Nurse aides must respect fact that resident has right to make own end of life decisions which may differ from nurse aide's</li><li>■ Resident has<ul style="list-style-type: none"><li>– Right to refuse intervention</li><li>– Right to request everything possible</li></ul></li></ul> <p style="text-align: right;"><small>DHSR/HCP/CARE NAT I Curriculum - July 2013 28</small></p>

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