

Ethics and Legal Issues



Seton
Medical Center
Harker Heights

A partner of the
Seton Healthcare Family

Advanced Directives

- Directive to Physicians and Family or Surrogates
(previously called “Living Will”)
 - A document that states patients wishes for medical care if in a terminal or irreversible condition and designates person to make medical decisions
- Medical Power of Attorney
 - A document that gives another person the authority to make medical decisions for the patient

Advance Directives

- Ensure adult patients are informed of their rights
- Ask the patient –
 - Do you have an Advance Directive?
 - Ensure a copy is in the medical record
 - If the patient does not have an Advance Directive, ask the patient to create one.
- Contact Patient Advocacy at 254-680-6210 for questions and patient assistance with completing the form

Variance

“Any happening **not consistent** with the routine care of a particular patient or an event **not consistent** with the normal operations of the organization.”

Department of Health and Human Services
Office of Inspector General
January 2012

Variance Reports

- Report of any deviation or unusual event that has occurred and has affected the patient, visitor or others.
 - Does not assign blame
 - Report anything that interferes with day to day activity
 - Proactive communication that might prevent litigation in the future
- Complete variance report before leaving clinical that day

What Should I Report????

- Disruptive patients or families
- Infiltrated or infected peripheral IV line that requires medical intervention
- Patient identification failure resulting in error related to provision of care
- Delay in care (various reasons)
- Patient or family with illegal drugs or weapons

What Should I Report???

continued

- Medication Errors or unexpected complications related to medications
- Patient leaves against medical advice (“AMA”)
- Blood Transfusion reaction
- Breach of confidentiality



What Should I Report???

continued

- Unexpected death or serious injury
- Inpatient and outpatient FALLS
- Institutionally-acquired burns or skin tears
- Institutionally-acquired pressure sores



Sentinel Events

“Any unanticipated event in a healthcare setting resulting in death or serious physical or psychological injury to a patient or patients, (or serious risk thereof) not related to the natural course of the patient's illness.”

The Joint Commission (TJC)

Seriously Reportable Events

- Surgery or procedure on wrong patient, wrong site, or wrong procedure.
- Retained foreign body after surgery, procedure, or delivery.
- Death or serious injury r/t contaminated drugs or devices, medication error, blood products, falls, failure to communicate lab or radiology results.
- Discharge of patient who cannot make decisions to other than decision maker.
- Patient death or injury r/t elopement/AMA.
- Patient suicide while in hospital.
- Death or serious injury r/t burns, electric shock, wrong gas, restraints.
- Death/injury r/t metallic objects in MRI.
- Hospital acquired pressure ulcers of Stage 3, 4, or unstageable.
- Death/injury of mother or baby r/t labor & delivery in a low risk pregnancy.
- Abduction of any patient.
- Death/injury r/t physical assault; any sexual assault of patient or staff.

How Do I Report?



On the desktop, click on the ICON “Variance Reporting” and complete the report.



To submit a report:

Staff Log-in is the same for everyone.

Username: **smchh1**

Password: **Safety#1**

Password is case-sensitive!

Variance Reports

- Are confidential
- Do not photocopy
- Complete before you leave clinical on the day of the variance
 - Be objective, factual, and descriptive
- Clinical facts should be documented in the medical record
 - DO NOT chart that a variance report has been completed
- DO NOT inform the patient or family that you are submitting a variance report
- Document all pertinent facts of the event in the variance report and the EMR.

Abuse

- Texas law requires all suspected cases of Abuse be reported.
 - Child
 - Adult
 - Elder

Abuse

Can Include:

- Physical mistreatment by a family member or caregiver
- Medical neglect
- Exploitation
 - Financial
 - Sexual
 - Verbal
- Self neglect

Reporting Abuse

- Do in a timely manner
- Notify your instructor and the Clinical Lead / Charge Nurse, House Supervisor or the Nursing Director of your unit
- Case Management will be contacted by Seton Medical Center Harker Heights staff
- Case Manager will assess and notify authorities
- **Abuse Hotline – 1-800-252-5400**

Cultural Differences

- Culture
 - Learned pattern of thought and behavior displayed by a social group including knowledge, belief, technology, values, norms, art, morals, laws, and customs
- Cultural competencies
 - Skills used to work with patients of all cultures
 - Cultural values and beliefs
 - Ethnic practices
 - Religious belief and practice

Cultural Terms

- **Ethnicity** – Cultural differences among group based on attributes of language, religion, and lifestyle
- **Ethnocentrism** – Belief that one's own culture, ethnic, professional, or social group is superior
- **Stereotype** – belief that all people from a certain group are the same
- **Illness** – perceived dysfunction – highly cultural

Cultural Considerations

- Treat each patient as an individual
- Consider the culture of that individual
- Learn about patient's views on care
- Treat patient with respect – include the patient's cultural views
- Know your own cultural beliefs and practices
- Be aware of culture in America's healthcare

The End