



## HEALTHCARE SCIENCE

**COURSE:** 25.561 Nursing Essentials

**UNIT:** 5.1 Ethical and Legal Responsibilities



## INTRODUCTION

### Annotation:

In this unit students will deepen their understanding of the critical importance of maintaining legal and ethical standards in providing resident care and the consequences of failing to meet the standards. Students will analyze legal and ethical issues and have the opportunity to perform in an ethical and legal manner in the clinical setting if the program contains a work based learning component.

### Grade(s):

<input type="checkbox"/>	9 <sup>th</sup>
<input type="checkbox"/>	10 <sup>th</sup>
<input checked="" type="checkbox"/>	11 <sup>th</sup>
<input checked="" type="checkbox"/>	12 <sup>th</sup>

### Time:

3 periods; plus time spent in clinical setting

### Author:

Phyllis Dumas, RN

Libby Sills, RN, Med

### Additional Author(s):

### Students with Disabilities:

For students with disabilities, the instructor should refer to the student's IEP to be sure that the accommodations specified are being provided. Instructors should also familiarize themselves with the provisions of Behavior Intervention Plans that may be part of a student's IEP. Frequent consultation with a student's special education instructor will be beneficial in providing appropriate differentiation.



# FOCUS STANDARDS

---

## **GPS Focus Standards:**

### **HS-NE-7:**

**The student will apply the legal and ethical principles of providing care and fulfilling job responsibilities for competent and incompetent residents/patients/clients.**

- a. Demonstrate responsible actions supporting resident/patient/client rights.
  - b. Provide resident/patient/client privacy as indicated.
  - c. Practice confidentiality according to the Health Insurance Portability and Accountability Act (HIPAA) and Omnibus Budget Reconciliation Act (OBRA) guidelines.
  - d. Describe elder/adult abuse, misappropriation of property, and resident/patient/client neglect.
  - e. Compare and contrast the practices that would promote legal responsibility and the consequences of failure to apply legal responsibilities.
  - f. Explain how to care for dying residents/patients/clients and family members.
- Describe the training requirements and the scope of practice for the nursing assistant.

## **GPS Academic Standards:**

## **National / Local Standards / Industry / ISTE:**



## UNDERSTANDINGS & GOALS

---

### Enduring Understandings:

- Residents have legal and ethical rights that must be supported and promoted.
- Nursing assistants have both a legal and ethical duty to support and promote resident rights.
- Nursing assistants comply with OBRA and HIPAA guidelines.
- The importance of not misappropriating residents' property
- Signs of abuse or neglect must be recognized and reported by the nursing assistant.
- The legal and ethical rights of the dying patient and his/her family must be supported and promoted.

### Essential Questions:

- How does the nursing assistant support and promote the rights of long-term care residents?
- What is the scope of practice for the nursing assistant?
- How does the nursing assistant demonstrate care for and promotion of rights for the dying resident?

### Knowledge from this Unit:

- The difference between laws and ethics
- What constitutes legal and ethical behavior for a nursing assistant
- Consequences of violating residents' rights or acting unethically including misappropriating property
- The nursing assistant's scope of practice
- OBRA standards for nursing assistant training
- The components of Residents' Rights
- The purpose and types of advanced directives
- Signs of elder abuse and neglect
- The consequences of violating HIPAA mandates
- The responsibilities of the ombudsman
- How to treat the dying patient and his/her family with dignity
- How to provide post-mortem care

### Skills from this Unit:

- Demonstrate behavior supporting and promoting residents' rights
- Demonstrate behavior consistent with the nursing assistant's code of ethics
- Work within the scope of practice for the nursing assistant
- Maintain the legal and ethical rights of the dying resident



# ASSESSMENT(S)

---

## Assessment Method Type:

- ☐ Pre-test
- ☒ Objective assessment - multiple-choice, true- false, etc.
  - ☒ Quizzes/Tests
  - ☐ Unit test
- ☐ Group project
- ☐ Individual project
- ☒ Self-assessment - May include practice quizzes, games, simulations, checklists, etc.
  - ☐ Self-check rubrics
  - ☐ Self-check during writing/planning process
  - ☐ Journal reflections on concepts, personal experiences and impact on one's life
  - ☐ Reflect on evaluations of work from teachers, business partners, and competition judges
  - ☐ Academic prompts
  - ☐ Practice quizzes/tests
- ☐ Subjective assessment/Informal observations
  - ☐ Essay tests
  - ☐ Observe students working with partners
  - ☐ Observe students role playing
- ☐ Peer-assessment
  - ☐ Peer editing & commentary of products/projects/presentations using rubrics
  - ☐ Peer editing and/or critiquing
- ☐ Dialogue and Discussion
  - ☐ Student/teacher conferences
  - ☐ Partner and small group discussions
  - ☐ Whole group discussions
  - ☐ Interaction with/feedback from community members/speakers and business partners
- ☒ Constructed Responses
  - ☐ Chart good reading/writing/listening/speaking habits
  - ☐ Application of skills to real-life situations/scenarios
- ☐ Post-test

## Assessment(s) Title:

- Legal Ethical Essay

## Assessment(s) Description/Directions:

Learning Activities: Class lecture

Students will write an essay on how they plan to support resident's rights and avoid some of the legal and ethical issues that can occur as a nursing assistant

## Attachments for Assessment(s):

Computer research on Advanced Directives



# LEARNING EXPERIENCES

---

## Sequence of Instruction

### 1. Identify the Standards. Standards should be posted in the classroom for each lesson.

HS-NE-7: The student will apply the legal and ethical principles of providing care and fulfilling job responsibilities for competent and incompetent residents/patients/clients.

### 2. Review Essential Questions.

- How does the nursing assistant support and promote the rights of long-term care residents?
- What is the scope of practice for the nursing assistant?
- How does the nursing assistant demonstrate care for and promotion of rights for the dying resident?

### 3. Identify and review the unit vocabulary.

### 4. Assessment Activity.

- a) Review legal ethical issues from Introduction to Healthcare Science and assign students to do plan and present a fluent rendition of correct and incorrect legal and ethical practices
- b) Demonstrate responsible actions supporting resident/patient/client rights with role playing.
- c) Provide resident/patient/client privacy as indicated.
- d) Practice confidentiality according to the Health Insurance Portability and Accountability Act (HIPAA) and Omnibus Budget Reconciliation Act (OBRA) guidelines.
- e) Guest speaker: Invite guest speaker from Long-Term Care Facility/GMCF etc to discuss
  - Elder/adult abuse, misappropriation of property, and resident/patient/client neglect.
  - Practices that would promote legal responsibility and the consequences of failure to apply legal responsibilities.
  - How to care for dying residents/patients/clients and family members.
- f) Review training requirements and the scope of Practice for the nursing assistant
- g) Review the role of the Nursing Assistant
- h) May incorporate the residents' rights information at this time
- i) Introduce a case of negligence <http://ijahsp.nova.edu/articles/Vol2num1/Lazaro-ethics.htm> This is an in depth review of a ethical/legal issue involving a Physical Therapist's Negligence and the falsification of resident records
- j) List legal ethical issues on the board and have students research cases involving these issues on the internet

- A. Misappropriation of property, physical abuse, emotional abuse of resident, neglect of resident, breach of confidentiality, etc
- k) Discuss findings as a group
- l) Have students write an essay on how they plan to avoid the legal and ethical issues discussed as an assessment
- m) Observe students in the clinical setting for promotion of residents' rights

### **Attachments for Learning Experiences:**

### **Notes & Reflections:**

This unit may be taught in conjunction with the unit on residents' rights. As a spring board for students researching legal and ethical cases you can use this example to guide them in what you want them to look for: <http://ijahsp.nova.edu/articles/Vol2num1/Lazaro-ethics.htm> This is an in depth review of a ethical/legal issue involving a Physical Therapist's Negligence and the falsification of resident records.



## **CULMINATING PERFORMANCE TASK** (Optional)

### **Culminating Unit Performance Task Title:**

Ethical and Legal Responsibilities

### **Culminating Unit Performance Task Description/Directions/Differentiated**

- Define law and ethics.
- Critique examples of nursing assistant behavior to determine if it is legal/illegal, ethical/unethical.
- Role play situations that support and promote residents' rights as well as violate these rights.
- Model behavior that would support the resident's
- Research laws regarding misappropriation of property and practice reporting an incident involving this.  
Many online forms for reporting Google misappropriating property
- Right to confidentiality under HIPAA.
- Recognize signs of elder abuse and neglect
- Role play maintaining the legal and ethical rights of the dying patient and his/her family

### **Attachments for Culminating Performance Task**



## UNIT RESOURCES

---

### Web Resources:

- Computer research on Advanced Directives

### Attachment(s):

### Materials & Equipment:

- Multimedia presentation/overhead lecture guideline
- Transparencies
- Handouts
- Worksheets from textbook (Delmar) "Chapter 3: Legal and Ethical Issues"
- Copies of a Living Will and Durable Power of Attorney for Health Care
- Textbooks
- Computers
- Written tests

### What 21st Century Technology was used in this unit:

<input checked="" type="checkbox"/>	Slide Show Software	<input type="checkbox"/>	Graphing Software	<input type="checkbox"/>	Audio File(s)
<input type="checkbox"/>	Interactive Whiteboard	<input type="checkbox"/>	Calculator	<input type="checkbox"/>	Graphic Organizer
<input type="checkbox"/>	Student Response System	<input type="checkbox"/>	Desktop Publishing	<input type="checkbox"/>	Image File(s)
<input type="checkbox"/>	Web Design Software	<input type="checkbox"/>	Blog	<input type="checkbox"/>	Video
<input type="checkbox"/>	Animation Software	<input type="checkbox"/>	Wiki	<input type="checkbox"/>	Electronic Game or Puzzle Maker
<input type="checkbox"/>	Email	<input checked="" type="checkbox"/>	Website		