Medical-Legal & Ethical Issues in Nursing
Alexa Schneider, PhD, PsyD, RN, FNP, LNCC, NY-SAFE

Objectives

- Describe how current and future healthcare trends will impact legal and ethical issues in nursing.
- Describe “best practices” that protect your license, influence quality of care and reduce risk.
- Examine medical malpractice cases and the impact on the nurse and the various roles in the nursing profession.

Current and future healthcare trends
Best Practices
that protect your license, influence quality of care and reduce risk.

Medications

DNR
Red Flags

Cases usually come to court a long time after the events occurred.

Nurses usually have little or no recollection of the events surrounding the case and must rely on their documentation for what occurred.

Do you feel like your documentation would support you in a court of law?

2015 Statistics
MEDICAL MALPRACTICE

Legal Role of the Nurse

Legal Negligence in Nursing
Ways to Avoid Malpractice

ELEMENTS OF NEGLIGENCE

Deviation from the standard of care that results in harm to the patient

4 elements of negligence

Duty to act (Nurse – Patient relationship)

Breach of duty (SOC not followed - reasonably prudent nurse)

Damage (Physical & Psychological) No damage no case!

Causal connection (reasonably close connection between nurses conduct & injury)

All 4 must be proven

State Board of Nursing
Nursing Charges

THREE CATEGORIES OF IMPAIRMENT

- PROFESSIONAL
  - Deficit in Medical Knowledge, Expertise or Judgment
- BEHAVIORAL
  - Includes unprofessional, unethical, or criminal conduct
- MEDICAL
  - Conditions which permanently impede or preclude a provider from safely practicing medicine

Professional Misconduct
Maintaining License & a Valid Registration Certificate

Code of Ethics

Grounds for Suspension & Revocation of License
Be Competent in Your Practice

Impaired

Cases
Professional Liability Coverage

- Does having my own liability insurance policy make me a more likely target for a lawsuit?
- Why need an individual professional liability policy?
- Won’t employers insurance coverage protect me?

Conclusion

- Embrace and participate in current and future nursing trends.
- Maintain “best practices” that protect your license, influence quality of care and reduce risk.
- Make the most of every day & have a grateful heart.