



Do You  
Know the  
Difference?

# Instructions

- How well do you know legal and ethical boundaries in health care?
- For each scenario, you are to identify the situation as:
  - Legal
  - Ethical
  - Both
  - Neither

# Situation #1

- Mr. Jay is 72 y.o. and in a nursing home. He is alert and well-oriented, but has partial paralysis of his left leg. The nurses want his bedrails up at night because he is very unsteady on his feet, especially when not fully awake. But Mr. Jay was a POW in Vietnam and does NOT want the bedrails up. He signs a written refusal for the bedrails, agreeing that the nurses are not liable if he falls. The nurses move him to the room across from the nurses station, put the bed in the lowest position possible and keep the light on at night. Eight weeks later, Mr. Jay falls but is not seriously injured.
- Legal, ethical, both or neither?

## Situation #2

- Allia Carter is a 25 year old woman who suffers from progressive motor paralysis caused by Guillain-Barre Syndrome. For three years since the onset of the disorder, Allie has been intubated and living on a respirator. She depends on this respiratory support to live because her respiratory muscles have atrophied. Last week, the chief neurologist diagnosed a nerve disorder resulting in complete, permanent loss of the motor nerves. Allia was informed that there was no cure for her condition. At this point, all she can do is two blinks for yes and one for no.
- Allia has clearly indicated that she wants respiratory support discontinued. Does she have the right to refuse the respirator?
- Legal, ethical, both or neither?

## Situation #3

- Dr. Bob Allen is the only family physician in a very small town. His sister, Mary, is the wife of one of his patients, Cooper. Dr. Allen just received a consultation report from an oncologist who confirms that Cooper has pancreatic cancer. The cancer is inoperable and Cooper is terminally ill. Cooper tells Dr. Allen that he does not want anyone to know, especially Mary.
- Two months later, Cooper's condition is deteriorating, and Mary begs her brother to tell her the truth. Dr. Bob Allen tells her Cooper's diagnosis.
- Legal, ethical, both or neither?

## Situation #4

- Fritz and Fred have been best friends since lab tech school. They are working the night shift in the lab when Fritz gets careless with a \$28,000 blood gas analyzer and knocks it to the floor, breaking it. He tells Fred, “it was an accident” and asks Fred not to tell anyone.
- In the morning the boss comes in, sees a broken sign on the analyzer, and asks Fritz what happened. Fritz says “We found it on the floor when we came back from the emergency room. Housekeeping must have knocked it over.” Fred just stands there and says nothing.
- Legal, ethical, both or neither?

# Situation #5

- Burt is a 26 y.o. respiratory therapist. He is treating Darla who is hospitalized with acute asthma, when he realizes that Darla was a year behind him at the same school. In the three days of treating Darla, Burt feels a real chemistry between them, although he maintains his professional relationship.
- Burt memorizes her phone number from her chart, and two weeks after her discharge, he calls Darla and asks her on a date.
- Legal, ethical, both or neither?

# Situation #6

- The ICU is down to two open beds, and all current ICU patients are in critical condition and need intensive care. At 2 a.m., an ambulance pulls up with three victims who were involved in a shoot-out – a police officer and two drug dealers.
- Under normal circumstances, all three would be admitted to the ICU after leaving the operating room, but there are only two beds. Of the three victims, the drug dealers are the most critical. The surgeons agree to admit the younger dealer and the police officer to ICU.
- Legal, ethical, both or neither?

# Situation #7

- A tornado hits a school and among the injured is Joshua, a 10 y.o. boy who sustains multiple deep lacerations from flying glass. He is rushed to the hospital and arrives in shock due to the loss of blood. The EMT who transported Joshua tells the ER physician that Joshua said “I’m a Jehovah’s witness. I hope I don’t need blood.”
- The physician makes the decision that this is an emergency situation and transfuses Joshua with three pints of blood before notifying the parents.
- Legal, ethical, both or neither?

# Situation #8

- You are a student radiographer assigned to assist another technician during a surgical procedure that requires x-rays. You gown up, assist, and are present during the entire procedure performed by Dr. Sanchez on Mrs. Peters.
- The next day you go to perform a follow-up procedure on Mrs. Peters, and comment how impressed you were with Dr. Sanchez. She replies “Dr. Sanchez?! My surgeon was supposed to be Dr. Billings!”
- Mrs. Peters files a lawsuit against both doctors and the hospital.
- Legal, ethical, both or neither?

# Summary

- Is the difference between ethical and unethical behaviors in healthcare easy to distinguish?
- Is it easier to distinguish illegal from unethical behavior?
- Can you explain the difference between the legal and ethical implications of health care?