HLTENN008
Apply legal and Ethical Parameters to Nursing Practice
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HLTENN008 Apply legal and ethical parameters to nursing practice

For this assessment task you are required to access and complete the **online resource** for this unit through NSI Studespace.

As you work through the online resource you are required to complete all sections of the learning journal. The completed learning journal is the assessment task for this unit.
Journal Assessment Declaration

Student’s name

College

Group

Date due

Date submitted

DECLARATION
All sentences or passages quoted in this paper from other people’s work (with or without trivial changes) have been placed within quotation marks, and are specifically acknowledged by reference to author, work and page. I understand that plagiarism – the unacknowledged use of such passages – will be considered grounds for failure in this assessment and may impact on being competent in this unit.

Signed:

Assessor to complete

Result

Resubmission required

Assessor’s name

Assessor’s signature

Assessor comments:

Student Instructions:

1. Always follow the guidelines for assessment presentation as identified in your Learner Information Booklet.
2. ALWAYS keep a copy of the assessment submitted.
3. Assessments are to be submitted by the due date and are to include assessment cover sheet, marking guide and a bibliography using the Harvard System for referencing.
4. Your assessment is to be handed to the teacher collecting the assessment and not left with another student to submit.
5. Please present your work stapled in the top left hand corner (do not place sheets in plastic sleeves or folders).
6. This assignment sheet is to be handed in with your work.
Journal Activity 1
Introduction to the law

1a. How would you define ‘the law’?

1b. Give a brief definition for the following and give examples relevant to the nursing profession:
   - Civil law
   - Common Law
   - Statute Law

1c. Why is it important to have an understanding of the law and its impact on nursing practices?

1d. On Studespace, click onto “Law and Acts” and read the section on Court Hierarchy (page 6 of 27). Complete the activity by dragging the court type to the correct position.

Write your answers in table below.

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Journal Activity 2
Current legal issues related to health

Define and include penalties (if applicable) for not following the legal and regulatory acts/guidelines below as they impact on nursing practice.

- Duty of care
- Guardianship
- Negligence
- Advocacy
- Discrimination
- Defamation
- Restraint (include reason why and correct application)
- Vicarious liability
- Consent (types)
- False imprisonment
- Assault and battery
- Trespass
- Functions of the coroner
- Ethics
- Bioethics
- Autonomy
- Beneficence and non-maleficence
- Justice
- Defamation
- Veracity
Journal Activity 3
Confidentiality

Access the following website:

Open the Code of Professional Conduct for Nurses PDF file and read Conduct Statement 5 regarding privacy and confidentiality.

Use the information from the Code of Professional Conduct for Nurses to complete the following statement. Include at least three points in your answer.

“As an enrolled nurse I can protect client information and ensure confidentiality is maintained by”

1.

2.

3.
Journal Activity 4
Advance care directives

“There is a growing expectation that one's wishes for medical care at the end of life will be respected even if progressive disease takes away decision-making capacity. There is also a need for improved mechanisms whereby an incompetent person's prior wishes about end of life care can be known and considered at the time that treatment decisions need to be made. This guide aims to assist health professionals in discussing advance care planning with patients and to clarify how to use an advance care directive as part of that process”.

Ministry of Health, NSW (2005)

Go to the following website: http://www.health.nsw.gov.au and search for further information on Advance Care Directives.

4a. In your own words outline why advance care planning is important and what the relevance is for the enrolled nurse. Consider cultural and religious beliefs in your answers.

4b. Briefly explain the role or meaning of the following:

- Power of Attorney
- Enduring Power of Attorney
- Guardianship
- Living Wills
- Not for Resuscitation order
- Life prolonging treatments
Journal Activity 5
Acts

Please note there are amendments to page 3 “Acts” of the Studspace Unit: Competencies/legislation:

5a. Provide the website link where you can find information about the following:
   ▪ The human right to access healthcare
   ▪ National Safety and Quality Health Service (NSQHS) Standards 2012

5b. Using https://www.legislation.gov.au find and document the latest version (year) of the following Acts, standards and legislation

   Age Discrimination Act
   Australian Human Rights Commission Act
   Disability Discrimination Act
   Racial Discrimination Act
   Sex Discrimination Act
   Health Records Act (Commonwealth)
   Aged Care Act (Commonwealth)
   Carers Recognition Legislation
   Criminal Code Act (Commonwealth)
   Disability Discrimination Act (Commonwealth)
   Privacy Act (Commonwealth)
   Workplace Health and Safety
5c. Find two (2) websites that deal specifically with children and young person’s legislation in Australia

1. 
2. 

5d. In a short sentence, explain what EEO means

5e. The Health Practitioner Regulation National Law, as in force in participating States and Territories, establishes a national registration and accreditation scheme for health practitioners.

Using the following website, list the practitioners that the national registration and accreditation scheme covers.


5f. Read each case study and identify which Act the scenario relates to, and state what the implications may be and what actions need to be taken.

Information to assist your answers can be found in the following websites

Nurses and Midwives Act 1991 and Nurses Regulation 2008

Poisons and Therapeutic Goods Act (NSW) 1966 and Regulation 2008

Workplace health and Safety Act (NSW) 2011

Coroners Act (NSW) 2009
Case Study 1

A client complains of severe pain and asks the nurse for a different drug to that which has been prescribed by the doctor.

Identify which Act this case study relates to and its implication for the nurse’s actions.

Case Study 2

During a hospital accreditation survey, the surveyor discovered that one registered nurse and one enrolled nurse in the facility did not have current Nursing and Midwifery Board of Australia authority to Practise.

Identify which Act the above case study relates to and consider the implications for the nurse and the employer.

Case Study 3

A nurse attempts to move a heavy client up the bed without using available lifting equipment.

Identify which Act the case study relates to and the possible implications of the nurse’s actions.

Case Study 4

A client on your ward has died sixteen hours following an emergency appendectomy under general anaesthetic.


Refer to the Coroners Act Division 1 “Cases in which inquest is to be held“ and find which circumstance the above case study relates to.

State in full, the circumstances that apply to this scenario.
Journal Activity 6
Code of ethics and legal principles

6a. Give an example of how you may apply each of the value statements in the Australian Code of Ethics for Nurses to your practice as an enrolled nurse. Referring to the information in the Code will assist your answer http://www.nursingmidwiferyboard.gov.au/

a. Nurses value quality nursing care for all people.

b. Nurses value respect and kindness for self and others.

c. Nurses value the diversity of people.

d. Nurses value access to quality nursing and health care for all people.

e. Nurses value informed decision making.

f. Nurses value a culture of safety in nursing and health care.

g. Nurses value ethical management of information.

h. Nurses value a socially, economically and ecologically sustainable environment promoting health and wellbeing.


- Locate the self-assessment for Enrolled nurse questionnaire and provide the link. You do not need to complete this questionnaire.

- Define “recency of practice” and list types of evidence that this would require.

- Research how many Continuous Professional Development (CPD) points/hours are required to maintain your Enrolled Nurse registration.
Journal Activity 7

Contemporary moral / ethical issues

7a. Complete the activity on page 2, “A decision making model” of the Studespace Unit: Moral/ethical issues then submit your answers.

In your learning journal, answer the following questions using the decision making model from the nursing and midwifery website.

1. How has your own upbringing influenced your beliefs?

2. How do you think it will influence your response to situations requiring ethical decision making?

7b. For each of the following describe the issue, and how or why it may cause a moral or ethical dilemma for some staff.

1. Abortion (termination of pregnancy)

2. Organ donation

3. Euthanasia/assisted suicide

4. Stem cell research
Journal Activity 8
Boundary Issues

8a. In the example given on Studespace, do you consider that Katrina acted appropriately and why. Refer to “Professional Code of Conduct” in your answer. www.nursingandmidwiferyboard.gov.au

8b. Access the activity on page 6 “Client Expectations” of the Studespace Unit: Moral/ethical issues. Choose two of your answers and write them here.

8c. Access the activity on page 7 “Handling Client Complaints” of the Studespace Unit: Moral/ethical issues. Write here, how the nurse would best deal with the complaint.

8d. Enrolled nurses need to be aware that social media policies exist. Access the social media policy on the nurses and midwifery website, and give four examples of information that should NOT be posted.
Journal Activity 9
Open disclosure


Briefly describe the key features of these guidelines.
Journal Activity 10
Reporting and recording

10a. Using the following information, make an appropriate entry that could appear in the progress notes.

Mrs Samantha Wells  
78 Old Rd  
Lake view 2002  
MRN 123123  
DOB 24th March 1945  
Doctor Mosley

It is Saturday 12th November 2016 at 1030. You have just showered Mrs Wells. She had red marks on her left ankle and needed you to help with most of the shower and dressing. You told the RN about the marks. Mrs Wells is not helpful refusing to sit in the chair after the shower and insisting she needed to go back to bed. You help her back into bed. You return in 40 minutes and Mrs Wells is happy to sit out of bed for lunch- so you help her into the chair.

10b. View the video of a change of shift report in the online resource. Make notes on the clients discussed.

10c. Access the activity on page 7, “Mandatory Reporting” of the Studespace Unit: Reporting and recording” to see what the teacher says and then outline the reporting process for the following:

- Mandatory Reporting
- Child Abuse
- Elder Abuse
Journal Activity 11
Case Study

Access the activity on page 8 “Case Study” of the StudeSpace Unit: Reporting and Recording and answer the following questions.

- Do you think it is important for the nurse to have the opportunity to discuss / debate moral and ethical issues related to client care and why?
- If you were concerned about the care being given to, or withheld from your client, where would you go for advice or guidance?
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