UNIVERSITY OF FLORIDA

COLLEGE OF NURSING

COURSE SYLLABUS

SPRING 2014

COURSE NUMBER               NUR 3826

COURSE TITLE                     Legal and Ethical Issues in Nursing

CREDITS                                2

PLACEMENT             BSN Program: 3rd Semester Upper Division

PREREQUISITES                  NUR 3825 Introduction to the Profession of Nursing

COREQUISITES None

# FACULTY M. Josephine Snider, EdD, RN

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DEPARTMENT CHAIR M. Josephine Snider, EdD, RN

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COURSE DESCRIPTION

The purpose of this course is to examine legal issues and ethical dilemmas in nursing practice. Consequences of ethical misconduct and legal malpractice are explored. Emphasis is on ethical decision making processes and recognition of negligent practices. Focus is on case analysis of legal and ethical issues.

COURSE OBJECTIVES Upon completion of this course, the student will:

1. Analyze basic legal concepts relevant to the issues of negligence in the practice of professional nursing.
2. Describe ethical principles related to decision making with clients across the lifespan.
3. Use an ethical decision making model to analyze complex ethical dilemmas in diverse populations.
4. Discuss accountability for protecting confidential and private healthcare information from diverse information sources.

COURSE OBJECTIVES (continued):

1. Analyze potential conflicts between personal beliefs and values and professional values on legal and ethical dilemmas in practice.
2. Evaluate professional responses to selected ethical and legal issues.

COURSE SCHEDULE

Section Day Time Room

 0120 Tuesday 11:45AM-1:40PM G103

E-Learning (Sakai) is the course management system that you will use for this course. E-Learning is accessed by using your Gatorlink account name and password at <http://lss.at.ufl.edu>. There are several tutorials and student help links on the eLearning login site. If you have technical questions call the UF Computer Help Desk at 352-392-HELP or send email to helpdesk@ufl.edu.

It is important that you regularly check your Gatorlink account email for College and University wide information and the course eLearning site for announcements and notifications.

Course websites are generally made available on the Friday before the first day of classes.

ATTENDANCE

Students are expected to be present for all scheduled classes and other learning experiences. Students who have extraordinary circumstances preventing attendance should explain these circumstances to the course instructor **prior** to the scheduled class or as soon as possible thereafter. Instructors will then make an effort to accommodate **reasonable** requests. A grade penalty may be assigned for late assignments, including minute paper submissions.

ACCOMODATIONS DUE TO DISABILITY

Each semester, students are responsible for requesting a memorandum from the Disability Resource Center (<http://www.dso.ufl.edu/index.php/drc/>) to notify faculty of their requested individual accommodations. This should be done at the start of the semester.

COUNSELING AND MENTAL HEALTH SERVICES

Students may occasionally have personal issues that arise on the course of pursuing higher education or that may interfere with their academic performance. If you find yourself facing problems affecting your coursework, you are encouraged to talk with an instructor and to seek confidential assistance at the University of Florida Counseling and Wellness Center, 352-392-1575, visit their web site for more information: <http://www.counseling.ufl.edu/cwc/>.

STUDENT HANDBOOK

Students are to refer to the College of Nursing Student Handbook for information about College of Nursing policies, honor code, class demeanor, and professional behavior. <http://nursing.ufl.edu/students/student-policies-and-handbooks/>

ACADEMIC HONESTY

The University of Florida Student Conduct and Honor Code may be found at http://www.dso.ufl.edu/index.php/sccr/process/student-conduct-honor-code/

TOPICAL OUTLINE

1. Advanced legal concepts relevant to health care
	* Negligence
	* Malpractice
	* Intentional torts
2. Liability for actions in practice
	* Consequences for negligence
	* Privacy
	* Advocacy
	* Peer review
3. Ethical theories and principles
4. Ethical decision making process
5. Rights-based issues across the lifespan
6. Informed consent

TEACHING METHODS

Guided group discussions, case analysis, minute papers and assigned readings.

LEARNING ACTIVITIES

Participation in group case analysis, completion of e-learning assignments, and written papers.

EVALUATION METHODS/COURSE GRADE CALCULATION

Class participation 15%

Legal case analysis paper 25%

Values / Code of Ethics paper 25%

Ethical case analysis paper 35%

 100%

*Assignments/Papers will be returned within 2 weeks of assignment due date.*

MAKE UP POLICY

A grade penalty may be assigned for late assignments, including tests. Make-up exams may not be available in all courses.

GRADING SCALE/QUALITY POINTS

A 95-100 (4.0) C 74-79\* (2.0)

 A- 93-94 (3.67) C- 72-73 (1.67)

B+ 91- 92 (3.33) D+ 70-71 (1.33)

 B 84-90 (3.0) D 64-69 (1.0)

 B- 82-83 (2.67) D- 62-63 (0.67)

 C+ 80-81 (2.33) E 61 or below (0.0)

\* 74 is the minimal passing grade

For more information on grades and grading policies, please refer to University’s grading policies: <https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx>

FACULTY EVALUATION

Students are expected to provide feedback on the quality of instruction in this course based on ten criteria. These evaluations are conducted online at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu>.

REQUIRED TEXTS

American Psychological Association. (2010). *Publication manual of the American*

 *Psychological Association.*  (6th ed.). Washington, DC: Author.

Fowler, M. ed. (2008). *Guide to the code of ethics for nurses.* Silver Springs, Md.: American Nurses Association

Guido, G. (2012). *Legal and ethical issues in nursing*. (6th ed.). USA: Pearson

RECOMMENDED TEXT

None

WEEKLY CLASS SCHEDULE

**See Sakai for course materials containing weekly readings and assignments.**

|  |  |
| --- | --- |
| **DATE** | **CLASS TOPIC** |
| Week 101/07/14 | Introduction to courseIntroduction to law principles and concepts |
| Week 201/14/14 | Introduction to law principles and concepts (continued)* Exemplar: Case Analysis
* Florida Good Samaritan statutes
 |
| Week 301/21/14 | Cause of Action * Florida Nurse Practice Act

Begin Case Analysis: * *Johns v. Medical Personnel Pool of Northeast Florida, Inc.*
* *Robison v. Faine and Catalano’s Nurses Registry, Inc.*
 |
| Week 401/28/14 | Cause of Action Case Analysis:* *Lundsford v. Board of Examiners for the State of Texas*
* *Long Term Care Foundation v. Winifred W. Martin*
* *Mobile Infirmary Medical Center v. James Hodgen*
 |
| Week 502/04/14 | Cause of Action Case Analysis:* *Krestview Nursing Home, Inc. v. Helen Synowiec*
* *Hialeah Hospital, Inc. v. Reba Johnson*
* *Pages-Ramirez v. Hospital Espanol*
 |
| Week 602/11/14 | Quest LecturerAttorney David Delaney, Partner at Dell Graham Law Firm**LEGAL CASE ANALYSIS PAPER DUE IN CLASS** |
| Week 702/18/14 | Law and Ethics: The Gray AreasCase analysis:* *Satz v. Perlmutter*
* *John F. Kennedy Hospital v. Bludworth*
* *Stamford Hospital v. Vega*
 |
| Week 802/25/13 | Overview of selected ethical theories: Deontology, Utilitarianism, Virtue, and Rights Based |
| Week 903/04/14 | No Class – SPRING BREAK |
| Week 1003/11/14 | The Code of Ethics; Casuistic Model; The Four Principles and Four RulesBelmont Report  |
| Week 1103/18/14 | Continuation of Theories, Four Principles and Four RulesInformed Consent:* Union Pacific Railroad Company (1891)
* *Schloendorff v Society of New York Hospital*, 105 N.E. 92, (1914)
* Nuremberg Code

**VALUES/CODE OF ETHICS PAPER DUE** |
| Week 1203/25/13 | Autonomy & Informed Consent: Paternal versus Infant/Child RightsCase analysis: * A. Carder “A.C.”
* *Burton v. Florida*
* Ashley the “Pillow Angel”
* Baby Fae
* Baby Theresa
 |
| Week 1304/01/14 | Autonomy & Informed Consent: Death and DyingCase analysis: * Karen Quinlan
* Nancy Cruzan
* Theresa Schiavo
 |
| Week 1404/08/14 | Justice and Rights Based: Vulnerable populations in researchCase analysis: * National Socialist Party (Nazi) medical experimentations
* Japan’s Unit 731 experimentations
* American Conscientious Objectors
* USPHS Syphilis Study at Tuskegee
* Willowbrook State School for Children with Mental Retardation
* Jewish Chronic Disease Hospital in New York
 |
| Week 1504/15/14 | Medical Futility Case analysis: * Helga Wanglie

Right to Die Case analysis: * Dax Cowart

**ETHICAL CASE ANALYSIS DUE** |
| Week 1604/22/14 | Putting it all Together: Disaster SituationsCase analysis:* Memorial Medical Center in New Orleans
 |
| Approved: | Academic Affairs Committee:General Faculty:UF Curriculum Committee: | 07/05; 10/07; 09/0907/05; 10/07; 09/0908/00; 10/09 |

Graded Assignments

Class participation 15%

Legal case analysis paper 25%

Values / Code of Ethics paper 25%

Ethical case analysis paper 35%

**Class attendance and participation: 15%**

* You are expected to attend and participate in the large group discussion.
* Minute papers will be completed at the end of class.
* You are expected to be conversant with the case(s) under review and be able to respond to questions and discourse.

**Legal case analysis paper: 25%**

* Legal case scenarios will be posted on Sakai
* Write a paper using cause of action to analyze the case.
* 5 page maximum – not including the title or reference pages
* See grading rubric for format and guidance
* Use APA format and provide two references other than your textbook.
* Due date: 02/11/14 in class – bring hard copy of paper to turn in

**Values / Code of Ethics paper: 25%**

* Retrieve your values paper from NUR 3825 (Introduction to Professional Nursing). Note the values to which you ascribed importance in that early paper. THEN…
* Select two parts of the Code of Ethics that correspond to the values you selected.
* Write a paper describing examples of violations of the code that you have experienced. Do not identify the service, agency, staff or patient(s) specifically.
* 5 page maximum – not including the title or reference pages
* Describe how these experiences might have been done differently so that the Code of Ethics was honored.
* What professional nursing values that you identified in your first values paper are congruent with the parts of the Code of Ethics you selected?
* Use APA format
* Due date: 03/18/14 in class – bring hard copy of paper to turn in

**Ethical case analysis paper: 35%**

* Ethics case for analysis will be posted on Sakai
* Write a paper using the casuistry model to analyze the case.
* 5 page maximum – not including the title or reference pages
* See grading rubric for format and guidance
* Use APA format and provide three references to support your rationale for your decision
	+ **DO NOT REFERENCE**: Wikipedia, any online dictionary or encyclopedia
* Due date: 04/15/14 in class – bring hard copy of paper to turn in