UNIVERSITY OF FLORIDA

COLLEGE OF NURSING

COURSE SYLLABUS

Fall 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 Sally Bethart, MSN, ARNP, APHN-BC

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

COURSE SCHEDULE

Section Day Time Room

6876 Tuesday 1:00PM - 3:00PM G114

6883 Tuesday 3:00PM - 4:55PM 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](mailto: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. Students who have extraordinary circumstances preventing attendance should explain these circumstances to the faculty member **prior** to the scheduled class or as soon as possible thereafter via email, text or telephone. Faculty will then make an effort to accommodate **reasonable** requests. One assignment point will be deducted for each day on a late submission.

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 in person with the faculty member.

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/>

STUDENT SOCIAL NETWORKING POLICY

Important information regarding social networking web site policy is available at <http://nursing.ufl.edu/files/2011/05/S1.20-Student-Social-Networking-Policy.pdf>

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

Lecture, class/group discussions, case analysis, minute papers and readings

LEARNING ACTIVITIES

Interactive class dialogue, discussion forums, and written papers

EVALUATION METHODS/COURSE GRADE CALCULATION

Class participation via Minute papers 15%

Legal question quiz 10%

Ethical issue identification 5%

Ethical case outline 15%

Ethical case presentation and discussion 25%

Ethical case final paper 30%

100%

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

MAKE UP POLICY

This course does not permit make-up work or extra credit assignments. One assignment point will be deducted for each day on a late submission.

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.

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

WEEKLY CLASS SCHEDULE

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DATE** | | **CLASS TOPIC** | | |
| Week 1  08/26/14 | | Introduction to course  Introduction to law principles and concepts | | |
| Week 2  09/02/14 | | Introduction to law principles and concepts (continued)   * Exemplar of course case analysis * Florida Nurse Practice Act * Florida Good Samaritan statutes | | |
| Week 3  09/09/14 | | Cause of Action  Begin Case Analysis:   * Standards of Care * Equipment Use | | |
| Week 4  09/16/14 | | Cause of Action  Case Analysis:   * Communication * Documentation * Assess and Monitor | | |
| Week 5  09/23/14 | | Quest Lecturer  Attorney David Delaney, Partner at Dell Graham Law Firm | | |
| Week 6  09/30/14 | | Cause of Action  Case Analysis:   * Delegation * Advocacy * Working While Impaired   **Legal Question Quiz Due by Midnight** | | |
| Week 7  10/07/14 | | Law and Ethics: The Gray Areas   * Code of Ethics for Nurses   Case analysis:   * State’s Compelling Interest | | |
| Week 8  10/14/14 | | Overview of Select Ethical Theories:   * Deontology (Virtue and Duty) * Utilitarianism * Rights Based * Applied Ethics * Principlism | | |
| Week 9  10/21/14 | | Ethical Decision Making:   * Code of Ethics for Nurses (continued) * Ethical Principles * Casuistic Model * Belmont Report   **Ethical Issue Due by Midnight** | | |
| Week 10  10/28/14 | | Informed Consent  Case Analysis:   * Union Pacific Railroad Company (1891) * Schloendorff v Society of New York Hospital, 105 N.E. 92, (1914) * Nuremberg Code   **Ethical Outline Due by Midnight** | | |
| Week 11  11/04/14 | | Paternal versus Infant/Child Rights  Case Analysis:   * Carder “A.C.” * Burton v. Florida * Ashley the “Pillow Angel” * Baby Fae * Baby Theresa | | |
| Week 12  11/11/14 | | **No Class - Veteran's Day Holiday** | | |
| Week 13  11/18/14 | | Death and Dying  Case Analysis:   * Karen Quinlan * Nancy Cruzan * Theresa Schiavo   **Ethical Presentation and Discussion Due by Midnight** | | |
| Week 14  11/25/14 | | Vulnerable Populations in Research  Case 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 15  12/02/14 | | Medical Futility  Case Analysis:   * Helga Wanglie   Right to Die  Case Analysis:   * Dax Cowart   **Ethical Final Paper DUE by Midnight** | | |
| Week 16  12/09/14 | | Putting it all Together: Disaster Situations  Case analysis:   * Memorial Medical Center in New Orleans | | |
| Approved: | | Academic Affairs Committee:  General Faculty:  UF Curriculum Committee: | | 07/05; 10/07; 09/09  07/05; 10/07; 09/09  08/00; 10/09 |

Graded Assignments

**Class Attendance and Participation: 15%**

* You are expected to attend and participate in the class dialogue and discussion.
* Minute papers will be completed at the end of the class period to mark attendance and summarize learning.
* You are expected come to class prepared to be conversant with the case(s) under review and be able to respond to questions and discourse.

**Legal Question Quiz: 10%**

* Questions on legal aspects posted on Sakai
* Submit into Sakai assignments
* Due date: September 30th by Midnight

**Ethical Issue Identification 5%**

* Consider your clinical and personal experiences within healthcare.
* Contemplate and explore the literature for relevant ethical issues in these areas.
* Settle on a clinical ethical issue [made up or selected from the literature].
  + Potential examples:
    - Abortion
    - Advanced directives
    - End of life
    - Genomics/Genetics
    - Immunizations
    - Transplants
    - Medical futility
  + If you are stuck for ideas, talk with nurses, clinical faculty, other classmates and certainly me.
* Submit into Sakai assignments
* Due date: October 21st by midnight

**Ethical Outline: 15%**

* This assignment will enable you to organize your thoughts around your topic. Additionally, it will allow me to ask questions and offer suggestions.
* Identify the ethical principles and ethical theory applicable to your issue.
* Please use complete sentences. This will increase clarity of your intended message and foster better feedback from me.
* 2 page limit APA (not including title and reference pages)
* Submit into Sakai assignments
* Due date: October 28th by midnight

**Ethical Presentation and Discussion: 20%**

**Presentation (10%)**

* This time you will create or find a case that depicts (reflects) your selected ethical issue.
  + For example if your issue is right to life, then you might present a case about a woman considering an abortion.
  + If your ethical issue is immunizations, then your case might be about a parent that refuses immunizations.
* You will post your case on the Sakai Discussion Board and pose two open-ended questions aimed at stimulating discussion and critical thought among your classmates.
  + For instance, you might ask about the ethical theory or principles
  + Their feedback should assist you in the development of your final paper
* I encourage you to post early to maximize classmates’ feedback.
* Due date: November 18th by midnight

**Discussion (10%)**

* Provide response posts to two classmates answering their questions
* Response posts should be scholarly, theoretically based, coherent, and referenced
* Due date: November 18th by midnight

**Ethical Final Paper: 30%**

* By now you should be comfortable with your selected ethical issue and specific case. You should have reviewed the literature, critically thought and dialogued with your peers and instructor about your topic. You are now prepared to write your final paper.
* 5 page maximum – not including the title or reference pages
* Your paper should follow your outline (although you may/may not have modified your theory/principles and arguments), and be a well-constructed, logical case analysis.
* Discuss the ethical theory you utilized.
* Discuss the ethical principles you identified in your case and which ones are in conflict.
* Discuss 2 Code of Ethics violations in your case.
* Describe what you would have done differently had you been the moral agent in the same or similar circumstance (using ethical principles).
* Include 3 references in addition to your text. DO NOT REFERENCE: Wikipedia, any online dictionary or encyclopedia
* Use APA throughout the paper.
  + No abstract needed
  + You may use first person
* Submit into Sakai assignments
* Due date: December 2nd by midnight