

**Sul Ross University/Rio Grande College**  
**RN-BSN PROGRAM**  
**NURS 4303 – LEGAL AND ETHICAL ISSUES IN HEALTH CARE**

**SEMESTER HOURS:** Three (3)

**CONTACT HOURS:** 45

**CLINICAL HOURS:** N/A

**PREREQUISITES:** Admission to the RN to BSN Completion Program

**COURSE DESCRIPTION:**

This course addresses the role of legal and ethical guidelines to clinical situations pertaining to the role of the professional nurse. Philosophic foundations of decision making in contemporary health care, particularly in rural border communities, with extension to identification and management of ethical dilemmas will be examined. A focus is placed on analyzing legal guidelines from the Texas Nurse Practice Act and landmark court cases to clinical situations with consideration for the role of the professional nurse.

The student is given an opportunity to incorporate legal and ethical principles, values, cultural, social, and concepts, inter-professional collaboration, and information technologies. Ethical issues health care and confidentiality of patient information are examined.

**FACULTY INFORMATION:**

**Name:** Mary Anne Hanley, PhD, RN

**Office Hours:** Hours available via e-mail: Monday-Friday 10:00 am to 7:00 pm Central  
Hours available via Collaboration/home phone: Monday-Friday 10:00 am to 7:00 pm Central

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**University E-mail:** [mary.hanley@sulross.edu](mailto:mary.hanley@sulross.edu)

**STUDENT LEARNING OUTCOMES:**

The student will be able to:

1. Examine cultural values, ethical principles and legal issues foundational to professional nursing.
2. Explore the role of reflective practice in examining personal and professional values and the impact of these on professional decision making and behavior.
3. Evaluate ethical and regulatory implications of landmark court cases and contemporary health care issues
4. Apply a model of ethical decision making based on legal/ethical guidelines in clinical situations.
5. Identify the professional nurse's responsibilities and accountability within professional scope of nursing practice to consumers of health care.

**REQUIRED TEXTS:**

1. American Psychological Association. (2010). *Publication Manual of the American Psychological Association*. (Sixth Edition). (Secure references from Library)
2. Guido, G. W. (2013). *Legal and ethical issues in nursing* (6<sup>th</sup> ed.). Upper Saddle River, N.J.: Pearson.

## REQUIRED RESOURCES:

1. ANA (2015). The Code of Ethics for Nurses with Interpretive Statements: latest version of nursing's ethical case. Silver Spring, MD: Nursebooks.org  
<http://nursingworld.org/MainMenuCategories/EthicsStandards/CodeofEthicsforNurses>
2. ANA (2015). Ethical and Human Rights various articles re: Ethics. Available at  
<http://nursingworld.org/MainMenuCategories/EthicsStandards/Resources>
3. ANA (2015). Incivility, bullying, and workplace violence. Available at  
<https://www.nursingworld.org/practice-policy/nursing-excellence/official-position-statements/id/incivility-bullying-and-workplace-violence/>
4. IOM (2011). The future of nursing: Leading change, advancing health. The Institute of Medicine. Retrieved April 9, 2019 from <http://thefutureofnursing.org/IOM-Report> .
5. Lunsford vs. Board of Nurse Examiners. (648 S.W. 391, Tex. App.—Austin 1983).
6. NCSBN (2011). White paper: A nurse's guide to the use of social media. Chicago: NCSBN. Available at: <https://www.ncsbn.org/3739.htm>
7. NCSBN ( ND ). Delegating Effectively Video. Video, NCSBN. Available at: <https://www.ncsbn.org/378.htm>
8. NCSBN ( ND ). Professional Boundaries in Nursing. Video, NCSBN. Available at: <https://www.ncsbn.org/464.htm>
9. NCSBN (2011). Social Media Guidelines for Nurses. Video, NCSBN. Available at: <https://www.ncsbn.org/347.htm>
10. Quill, T. E. (2005). Terri Schiavo – A tragedy compounded. The New England Journal of Medicine, 352, 1620-1633. Retrieved 4/9/2019 from <http://www.nejm.org/doi/full/10.1056/NEJMp058062>
11. Texas Board of Nursing (2019). *Texas Board of Nursing Rules and Regulations relating to Nurse Education, Licensure and Practice Table of Contents*. Austin: Texas Gov. PDF Available at: [https://www.bon.texas.gov/laws\\_and\\_rules\\_rules\\_and\\_regulations.asp](https://www.bon.texas.gov/laws_and_rules_rules_and_regulations.asp)
12. Texas Board of Nursing (ND). Frequently asked questions. Retrieved 4-15-2019 from [https://www.bon.texas.gov/faq\\_nursing\\_practice.asp](https://www.bon.texas.gov/faq_nursing_practice.asp)
13. Texas Board of Nursing (2013 – last reviewed January 2019). Position Statements. Available at: [https://www.bon.texas.gov/practice\\_bon\\_position\\_statements.asp](https://www.bon.texas.gov/practice_bon_position_statements.asp)
14. Texas Occupations Code and Statutes Regulating the Practice Of Nursing As Amended (2017). *Nursing Practice Act, Nursing Peer Review, & Nurse Licensure Compact (NPA)as amended September 2017*. Chapters 301; 303, 304, & 305. Austin: Texas Gov. PDF Available at: [https://www.bon.texas.gov/laws\\_and\\_rules\\_nursing\\_practice\\_act.asp](https://www.bon.texas.gov/laws_and_rules_nursing_practice_act.asp)

## Legislation

1. Employee Free Choice Act (H.R. 800). Supported by ANA – to improve nurse retention Retrieved 1/15/15 from  
[http://www.nursingworld.org/FunctionalMenuCategories/MediaResources/PressReleases/2007/Statement\\_HR8008593.aspx](http://www.nursingworld.org/FunctionalMenuCategories/MediaResources/PressReleases/2007/Statement_HR8008593.aspx)

## National and State Judicial Decisions Impacting Health Care and Regulation:

1. Cruzan v. Director, Missouri Department of Health, 1990 case. Retrieved 1/16/15 from <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=497&invol=261>
2. O'Connor v Donaldson, 1975 Supreme Court case. Retrieved 1/16/15 from <http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=422&invol=563>
3. State of Texas v The American Tobacco Co, et al., 1996 Case <http://stic.neu.edu/TX/1STAMD.htm>

4. Theresa Marie Schindler Schiavo, Incapacitated ex rel, Robert and Mary Schiavo, here Parents and Next Friends v The Honorable George W. Greer, Circuit Court Judge, Sixth Judicial Circuit of the State of Florida, in his official capacity, and as Surrogate Health Care Decision Maker for Theresa Marie Schindler Schiavo MICHAEL SCHIAVO, as Guardian of the Person of Teresa Marie Schindler Schiavo, Incapacitated; and THE HONORABLE CHARLIE CRIST, Attorney General of the State of Florida, 2005. Retrieved from <http://abstractappeal.com/schiavo/fedctorder031805.pdf>

#### **State Court Decisions Impacting Regulation**

1. Sermchief v. Gonzalez - Standards for supervision of nursing practice – Retrieved on 1/15/15 from [http://biotech.law.lsu.edu/cases/medmal/Sermchief\\_v\\_Gonzales.htm](http://biotech.law.lsu.edu/cases/medmal/Sermchief_v_Gonzales.htm)
2. Lunsford v. Board of Nurse Examiners for the State of Texas – (ie, Lunsford v Board of Nurse Examiners, 648 SW 2d 391, 395 [Tex Civ App. Austin 1983, no writ]). Retrieved from [http://scholar.google.com/scholar\\_case?case=8307270109318118114&q=lunsford+v.+board+of+nurse+examiners&hl=en&as\\_sdt=40006&as\\_vis=1](http://scholar.google.com/scholar_case?case=8307270109318118114&q=lunsford+v.+board+of+nurse+examiners&hl=en&as_sdt=40006&as_vis=1)
3. Dobrich, C. (2001). Determination of RN obligation to a patient. *RN Update: Board of Nurse Examiners for the State of Texas*, 32(2), 9. Retrieved 1/15/15 from [https://www.bon.state.tx.us/pdfs/newsletter\\_pdfs/2001/apr01.pdf](https://www.bon.state.tx.us/pdfs/newsletter_pdfs/2001/apr01.pdf)

#### **Local Court actions**

1. United States District Court for the Western District of Texas Pecos Division (2009). Mitchell & Galle v Winkler County Hospital and officials. Retrieved 1/15/15 from <http://www.casewatch.org/civil/mitchell/suit.pdf>
2. Moser, J. (2009). Texas nurses under fire for whistleblowing. *AJN, American Journal of Nursing*, 109(10), 19. Retrieved 1/15/15 from [http://journals.lww.com/ajnonline/fulltext/2009/10000/texas\\_nurses\\_under\\_fire\\_for\\_whistleblowing.8.aspx](http://journals.lww.com/ajnonline/fulltext/2009/10000/texas_nurses_under_fire_for_whistleblowing.8.aspx)
3. ANA (2011). Texas Nurses Association promoting enhance nurse protections. *The American Nurse: The Official Publication of the American Nurses Association*. Retrieved 1/16/15 from <http://www.theamericannurse.org/index.php/2011/06/01/texas-nurses-association-promoting-enhanced-nurse-protections/>

#### **Regulation:**

##### **National Actions Impacting Regulation**

1. Benner, P., Hughes, R. G., & Sutphen, M. (2008). Clinical reasoning, decision making, and action: Thinking critically and clinically. In R. G. Hughes *Patient Safety and Quality: An Evidence Based Handbook for Nurses*, 2-111-2135. Rockville MD: Agency for Healthcare Research and Quality. Retrieved 1/05/18 from <https://www.ncbi.nlm.nih.gov/books/NBK2643/>
2. Centers for Medicare and Medicaid Services (2006). Regulations and Guidance. Medicare & Medicaid Services. Retrieved 1-05-18 from <https://www.cms.gov/Regulations-and-Guidance/Regulations-and-Guidance.html>
3. Montalvo, I., (September 30, 2007). "The National Database of Nursing Quality Indicators™ (NDNQI®)" *OJIN: The Online Journal of Issues in Nursing*. Vol. 12 No. 3, Manuscript 2. Retrieved on 1/05/18 from <http://www.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/Tabl eofContents/Volume122007/No3Sept07/NursingQualityIndicators.html>

4. Clarke, S. P. & Donaldson, N. E. (2008). Nurse staffing and patient care quality and safety. In R. G. Hughes *Patient Safety and Quality: An Evidence Based Handbook for Nurses*, 2-111-2135. Rockville MD: Agency for Healthcare Research and Quality. Retrieved 1/05/18 from <https://www.ncbi.nlm.nih.gov/books/NBK2676/>

#### **Ethics related to Research**

1. Office for Human Research Protections (OHRP) (2008). Belmont Report. Retrieved 1/15/15 from <http://www.hhs.gov/ohrp/humansubjects/guidance/belmont.html>

#### **The Tuskegee Experiment; the History of the Basis of the Regulatory Policy for Protection of Human Subjects in Research:**

1. CDC. (2008). The Tuskegee timeline. Centers for Disease Control and Prevention. Retrieved 11/22/08 from <http://www.cdc.gov/nchstp/od/tuskegee/time.htm>
2. University of Virginia (2008). Bad blood: The Tuskegee syphilis study. Retrieved 1/16/15 from [http://www.hsl.virginia.edu/historical/medical\\_history/bad\\_blood/](http://www.hsl.virginia.edu/historical/medical_history/bad_blood/)
3. University of Virginia (1996). Final Report of the Tuskegee Syphilis Study Legacy Committee. Retrieved 1/16/15 from <http://exhibits.hsl.virginia.edu/badblood/report/>
4. Katz, R. V., Green, B. L., Kressin, N. R., James, S. A., Wang, M. Q., Claudio, C., & Russell, S. L. (2009). Exploring the "legacy" of the Tuskegee Syphilis Study: A Follow-up study from the Tuskegee Legacy Project. *Journal National Medicine Association*, 101(2), 179-183. Retrieved 1/16/15 from <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2745634/>

#### **RECOMMENDED RESOURCES:**

1. Reverby, S. M. (2001). Cultural memory and the Tuskegee Syphilis Study: The Tuskegee Syphilis study is surrounded by illuminating misconceptions: Myths that cannot be blithely dismissed because they actually provide some insight into the significance of the study. *Hastings Center Report*, 31 (5), 22-28.
2. White (Ed.), *The black women's health book: Speaking for ourselves* (2nd ed., pp. 323-331) Seattle: Seal Press.

#### **Non-governmental Policies:**

1. Joint Commission (2011). Safety Culture Project. Retrieved 1/05/18 from <http://www.centerfortransforminghealthcare.org/projects/detail.aspx?Project=6>
2. Joint Commission (2008). Behaviors that undermine a culture of safety. The Joint Commission. Retrieved 1/05/18 from [http://www.jointcommission.org/assets/1/18/SEA\\_40.PDF](http://www.jointcommission.org/assets/1/18/SEA_40.PDF)

#### **Web Resources:**

1. ANA's Official Web Site: <http://www.nursingworld.org>
2. IOM (ed.). (2004). *Keeping patients safe: transforming the work environment of nurses*. Washington D.C.: The National Academies Press. (full .pdf)\* retrieved 1/05/18 from: <https://www.ncbi.nlm.nih.gov/books/NBK216190/?term=Keeping%20Patients%20Safe>
3. IOM (ed.). (2011). *The future of nursing*. Washington D.C., The National Academies Press (full .pdf)\* retrieve 1/05/18 from: <https://www.ncbi.nlm.nih.gov/books/NBK209880/?term=crossing%20the%20quality%20chasm>  
\*These IOM reports in .pdf are available free on the web at [www.nap.gov](http://www.nap.gov).
4. Online Journal of Issues in Nursing: <http://www.nursingworld.org/ojin/>

**RECOMMENDED TEXT:**

1. \_\_\_\_ American Nurses Association. (2010). *Nursing: scope and standards of practice*. Washington D.C. Nursesbooks.org.
2. \_\_\_\_ American Nurses Association. (2010) *Nursing's social policy statement, (Second Edition)*. Washington D.C. Nursesbooks.org.
3. Burkhardt, M. A. & Nathaniel, A. K. (2014). *Ethics and issues in contemporary nursing*. (4th Edition). Thomson/Delmar Learning.

**COURSE LEARNING ACTIVITIES, ASSIGNMENTS, GRADING, AND EXPECTATIONS:****LEARNING ACTIVITIES:****Class, Discussion Board & Online Seminar Participation:**

Students will participate in online collaborative activities that explore the Legal and ethical issues in professional nursing and healthcare. Student dialogue will focus on identifying assessing resources, analyzing case situations and legal actions that impact professional nursing regulation and ethics. Students are expected to contribute to the dialogue using critical thinking, clinical reasoning, and ethical comportsment.

**Analysis of a Nursing Practice Case - Scholarly Writing Activity:**

The purpose of this assignment is to help develop skills associate with the process of identifying and analyzing a nursing practice issue, identify available standards, regulations, and guidelines to inform the practice, and to aid in resolving your concern. Each student will investigate a nursing practice issue presenting in a health care setting, describe background leading to the issue in the context of legal and ethical principles or standards associated with the issue. Professional nursing standards, regulations, and applicable case law associated with the issue will be addressed. The professional nurse's duty to the patient relative to the issue and obligations to society will be explored.

**Ethical Dilemma Presentation – Online Seminar – Group activity:**

The purpose of this activity is the integration of legal ethical concepts applied in the analysis of a workplace ethical dilemma. A listing of potential topics is provided with the assignment instructions and guidelines. Students will work in pairs to identify the ethical dilemma they will research, describe, and present potential solutions to resolve the dilemma. A point-counter-point format will be used. The presentation will be made using PowerPoint presentation during an online seminar. Peers who serve as the audience will ask critical questions, pose thoughtful alternatives, and appraise the presentation formally, providing feedback to the presenters.

**Ethical Reflective Practice Journal – weekly submission:**

Reflective Practice is an important attribute of a professional nurse, according to Sigma Theta Tau International. Ethical Reflective Practice Journal is a discipline of self-inquiry using a selected model of reflection to examine the ethical/legal aspects of practice with patients during the semester applying readings and gaining insights regarding values, ethics, self or practice, and being mindful of self while in or following an experience.

**Synthesis of Reflective Journal:**

The purpose of this activity is to review and synthesize narratives from the reflective journal.

As you analyze your reflective journal, identify the themes related to clinical issues, problems, and related the legal or moral responsibilities, rights, and obligations you experienced during clinical experiences during the semester. Compare what you learned about your own values and ideals as a developing nursing professional. Analyze how you will use knowledge gained through this course to bring your current practice into alignment with your ideal professional. Provide supporting citations and present what you learned through this experience.

### **COURSE EXPECTATIONS:**

Verbal and written responses to assignments incorporate evidence that the student has read appropriate assignments and is able to articulate information that reflects individual cognition and understanding of information. Most of the course learning activities will use reflective dialogue and integrative learning approaches to expand, clarify, find meaning, or extend students' understanding of course concepts, topics, and students' investigations into practice issues, and reviews of literature.

The course is designed to provide opportunities for you to participate in case analysis, demonstrate clinical reasoning, completion of e-learning assignments, scholarly writing, make professional presentations, and self-appraisal. APA format is used for written assignments.

Any technical difficulties related to Blackboard Collaboration must be referred to the IT resources close to your home address and corrected as soon as possible. Making an appointment with the IT resource and taking your computer equipment with you to the appointment will lead to a successful learning process.

#### **Orientation to Course:**

See schedule for dates and times for course orientation. The orientation provides students with instruction on how to manage on line learning and to address questions concerning the course and course requirements.

#### **Faculty and Student Picture and Biography:**

Faculty will submit a picture and summary of their educational and professional experiences that prepared them to teach in respective courses to be posted online.

During the first week of class, each student must submit a snap-shot of picture of themselves with a brief personal and professional biography including educational and clinical experiences and any personal information that highlights why they are choosing to seek a BSN degree.

### **STUDENT/FACULTY EXPECTATIONS IN THE TEACHING/LEARNING PROCESS**

Learning is a shared endeavor based upon respectful and collaborative relationships between students and faculty. The learning activities designed for this course were developed based upon the following:

1. As adult learners we are partners in learning.
2. Faculty members serve as a mentor, resource, guide, or coach and professional peer.
3. Our work and life experiences differ and serve to enrich our individual and mutual learning.

4. Each member of the class is committed to preparing for and successfully completing class learning activities.
5. Each member of the class will organize their time, learning goals, and activities to fully participate in the course and assignments.
6. Each member of the class can use computer technology and access resources via the Internet and other mobile technologies as needed for the course.

#### **COMMUNICATIONS:**

- **Announcements** – Check announcements each time you log onto the course.
- **Course E-mail** – All e-mail communication must be through your Sul Ross e-mail account. Check Sul Ross e-mail frequently for communications and make sure your email address is current. Faculty will respond to inquiries and comments within 24 hours Monday – Friday.
- **Responses to e-mails and course postings** – Please respond to faculty requests and/or communications within 24 hours. Use course or Sul Ross e-mail and if not available, mobile phone or texting between the hours of 9 am and 6 pm if possible.
- **Assignments** – Assignments will be reviewed and returned with feedback/grade within 4 days of submission.
- **Writing and use of APA format** – All written assignments and discussion board postings will be submitted using the American Psychological Association (APA) Guidelines, as indicated by faculty. <http://owl.english.purdue.edu/owl/resource/560/01>

#### **USE OF TECHNOLOGY:**

If you have any technical questions, problems or concerns with Blackboard, do not spend more than 15 minutes on any technical problem, seek help immediately.

- Contact the 24-7 Help Desk at: 1-888-837-2882.

#### **ATTENDANCE AND PARTICIPATION:**

- Your attendance is expected at every scheduled class meeting, both face to face and online.
- Readings and learning activities relevant to the weekly topic are identified in the course schedule and modules.
- Scholarly and knowledgeable participation requires that you read assigned readings prior to joining the class discussions.
- An online course requires participation in all areas for accurate evaluation of performance including responding the faculty requests or communications.
- If you have an emergency and cannot attend a class meeting or complete an assignment by the due date, you must contact your faculty by phone, e-mail, or text as soon as possible and arrange to make up the assignments.
- The Blackboard platforms has a tracking feature that quantifies when and how often students are active in the course and provides information about which pages in the course students access. The Blackboard tracking function may be used to verify student online participation.
- By enrolling in this course, you are indicating that you have arranged your schedule and activities so that you can fully participate in the course and associate learning activities.

#### **RULES OF NETIQUETTE:**

The term “netiquette” refers to written and unwritten rules regarding appropriate communication on the Internet. It primarily applies to your interactions on the course Discussion Board, assignments both individual and group, and e-mail communications.

1. Help create a community of scholars by encouraging a cooperative win-win attitude in which all members of the class are willing to work together, each contributing in their own way.
2. Be helpful and be sure to do your part in an online class or in group work so that assignments can be completed.
3. Common courtesy and good manners, along with proper use of grammar, sentence structure, and correct spelling, are essential when taking an online class.
  - a. Use a meaningful title in the Subject line. For e-mail, include course number.
  - b. Use the person’s name you are writing to as a greeting in the first line of the message – this helps ensure you are writing to the intended person (group).
  - c. Close the posting by writing your full name at the end of the message.
4. Discussion Boards are public, and the University archives all materials - Do not post anything too personal as all students in the class and your instructor will see what you write.
5. Keep the messages you post to the Discussion Board relevant to the course and assignment, and provide a rationale including references as appropriate to support your point-of-view.
6. Be courteous and respectful to students and faculty in the course.
  - a. There is a difference between making a statement that is a critical appraisal of an idea and criticizing someone for their point of view.;
  - b. Be careful with the tones of what you are communicating, sarcasm and subtle humor; one person’s joke may be another person’s insults;
  - c. Do not use all caps in the message box (it is considered shouting);
  - d. Do not use language that is inappropriate for a classroom setting or prejudicial in regard to gender, race or ethnicity.
7. Avoid duplication. Read the previous discussions before you comment or ask a question as the information may have already been covered.
8. When posting a response, make sure you identify the post to which you are responding.
9. If the topic you plan to address is covered in an existing thread, do not start a new thread.
10. When responding to a specific comment, quote only the relevant part of the comment and stay focused on the assignment.
11. Try not to lurk, meaning you are just reading and not participating.
12. Quality of online communications/postings is important
  - a. It is not acceptable to present work or ideas of others as your own. Use APA format when you quote directly from a source - use quotation marks and provide the original author’s name, year, and page or location in the body of the narrative; when you paraphrase a source – using your own words to explain your understanding of the another’s ideas or work, provide author and year in the body of the narrative. At the end of the posting provide the complete reference using APA format.
  - b. If the posting is going to be long, use paragraphs;
  - c. Do not overuse acronyms like you use in text messaging. Some of the participants may not be familiar with acronyms;
  - d. Just as you would proofread a formal paper, before posting;
    - i. Read what you have written for content;
    - ii. Rethink what you have written for tone;
    - iii. Reread what you have written for organization and coherence; and



- iv. Revise what you have written for grammar, punctuation and mechanics.
  - v. Once you submit your work, discussion, or e-mail, you cannot change what you have written.
13. Don't send large files as someone in the class may have a relatively slow internet connection.
  14. Be sure to check for viruses when sending files.
  15. Be patient if you do not get an immediate response to your postings as others may be on a different schedule. If it is urgent, you can contact other students or faculty by e-mail, phone, or text.

**ASSESSMENT OF STUDENT LEARNING:**

1. Evaluation of student performance is based on evidence of achievement of course objectives. Students are graded on their attendance and participation in the class discussion boards, online reflections and observations, clinical performance when applicable, knowledge and comprehension of reading assignments and completion of course assignments. Criteria for each course activity and assignments include grading rubrics are delineated either in the syllabus or in the modules.

**2. Summary of Measures for Evaluations:**

<u>Course Requirements</u>	<u>Percentage</u>
1. Class, Discussion Board & Online Seminar Participation	20%
2. Analysis of a Nursing Practice Case - Scholarly Writing Activity	25%
3. Ethical Dilemma Presentation – Online Seminar – Individual or Group activity	25%
4. Ethical Reflective Practice Journal – weekly submission	10%
5. Synthesis of Reflective Journal – Scholarly Writing Activity	20%
<b>Total Points</b>	<b>100%</b>

3. **Calculation of Final Grade:** The final grade is derived as a summary of the points delineated on specific rubrics for the assignments and participation.

Grading Scale

- A = 90 – 100
- B = 80 – 89
- C = 75 – 79
- D = 70 – 74
- F = 69 or below

**POLICIES FOR ASSIGNMENTS:**

**Late and Make-up Assignments:** To achieve the designated points for an assignment, the assignment must be submitted at or before the scheduled date and time. Five points per calendar day will be deducted for late submission of assignments. Should scheduling conflicts and/or family emergencies arise, student should contact faculty by phone, e-mail, or text as soon as possible. If students have spoken with faculty and an agreement is reached, late make-up assignments can be arranged without penalty.

**COURSE SCHEDULE:** (This schedule is subject to change by faculty.)

## NURS 4303 – LEGAL AND ETHICAL ISSUES IN HEALTH CARE

Week	Topics & Objectives	Required Readings & References	Learning Activities, Assignments & Submission Dates
<p>Week 1 August 26,</p>	<p><b>Introduction:</b> Students will explore personal, professional and cultural variables that impact ethical and legal issues in professional nursing practice.</p> <p><b>Topics:</b> Personal Values and Professional Values Ethical Principles &amp; practice LEGAL PRINCIPLES ANA CODE OF ETHICS Cultural concepts Reflective Practice</p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1. Discuss how individual or professional values influence decision making and outcomes.</li> <li>2. Describe the role of ANA Code of Ethics in professional Practice</li> <li>3. Explain how research ethics influenced informed consent and conflicts of interest</li> <li>4. Identify cultural variables that effect health care ethics</li> <li>5. Describe the role of ANA Code of Ethics in professional Practice</li> <li>6. Use reflective practice to appraise ethics and legal principles in practice</li> </ol>	<ul style="list-style-type: none"> <li>• Guido Chapters 3 &amp; 4 – related to Ethics Ethical Decision Making Frameworks</li> <li>• ANA Code of Ethics</li> <li>• Reflective Practice PowerPoint</li> <li>• Assigned Articles and web resources (See Module 1 in Blackboard)</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Reflective Practice Journal</u></li> <li>• <b>Online Course Orientation</b> Dates and Times CST: 8-27 at 7pm and 8/29 at 10 am</li> <li>• <b>Discussion Board 1 - Question:</b></li> <li>• Discuss a situation in which you believe your values and ethics were challenged. <ul style="list-style-type: none"> <li>○ What ethical principle is represented?</li> <li>○ Discuss how you addressed the ANA Code of Ethics in this situation.</li> <li>○ Describe how you managed or resolved the situation?</li> <li>○ What did you learn from the experience that you apply to your practice now?</li> <li>○ What other ethics from the ANA Code of Ethics could you apply to the situation? Reference: Role of ANA Code of Ethics in professional nursing practice</li> <li>○ Identify relevant ethical issues within the theory and discuss whether these issues are present in your health care organization and nursing practice. Reference: Ray's Theory of Bureaucratic Caring</li> </ul> </li> <li>• Reflective Practice Journal</li> </ul>
<p>Week 2 Sept 2</p>	<p><b>Topic:</b> Ethics and Culture of Safety</p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>• Identify cultural variables that effect health care ethics</li> <li>• Analyze a case study of an ethical dilemma using a decision making model</li> <li>• Explain how research ethics influenced informed consent and conflicts of interest</li> </ul>	<ul style="list-style-type: none"> <li>• Guido Chapter 8 - informed consent and patient determination</li> <li>• Reflective Practice PowerPoint</li> <li>• Assigned Articles and web resources (See Module 1 in Blackboard)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Online Course Meeting Date and Time: 6pm CST Sept 5</b></li> <li>• <b>Discussion Board 2 - Question:</b></li> <li>• Review Tuskegee Case Study or Belmont Report</li> <li>○ What are the highlights of your analysis?</li> <li>○ What ethical principles are represented in the case?</li> <li>○ What are the implications of the outcomes of the case on current and future nursing practice and research?</li> </ul>

	<ul style="list-style-type: none"> <li>Use reflective practice to appraise ethics and legal principles in practice</li> </ul>		<p>Reference: Ethics Case Study - Tuskegee Case Study and the Belmont Report.</p> <ul style="list-style-type: none"> <li>Reflective Practice Journal:</li> </ul>
<p>Week 3 Sept 9</p>	<p><b>Introduction:</b> Students will examine legal concepts including legislative and regulatory processes and the role of professional nursing organizations on the development of professional standards, position statements and health care guidelines.</p> <p><b>Topics:</b> Legal Concepts Culture of Safety, Regulatory and Legislative Processes STATUTES AND REGULATIONS</p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>Review statements of selected Federal, State agencies, and professional nursing organizations and selected clinical agencies regarding professional standards and regulation</li> <li>Discuss cases derived from clinical practice with an emphasis on variations from professional ethical codes or position statements.</li> <li>Use reflective practice to appraise ethics and legal principles in practice</li> </ol>	<ul style="list-style-type: none"> <li>Guido Chapter 1 – related to legal concepts</li> <li>Guido Chapter 11 – related to Nurse Practice Acts and Scope of Practice</li> <li>Guido Chapter 5 – Standards of Care</li> <li>Texas NPA</li> <li>Texas Rules and Regulations</li> <li>Legislative Process</li> <li>Assigned Articles and web resources (See Module 2 in BB)</li> <li></li> </ul>	<ul style="list-style-type: none"> <li><b>Discussion Board 3:</b> Reference: Two Nursing Practice Case Studies</li> <li><b>Discussion Board 3 - Questions:</b> <ul style="list-style-type: none"> <li>Analyze the practice situations described.</li> <li>Search regulations, standards, guidelines, position statements that guide professional nursing practice in Texas and national standards and codes of ethics specific to the area of nursing practice represented in the cases.</li> <li>Respond to the questions posed in the cases and provide support for your responses from the literature and/or regulations.</li> </ul> </li> </ul> <p>Reference: Two Nursing Practice Case Studies</p> <ul style="list-style-type: none"> <li><u>Develop Nursing Practice Case Analysis</u> Scholarly Paper</li> <li><b>Reflective Practice Journal</b></li> </ul>
<p>Week 4 Sept 16</p>	<p><b>Topic:</b> Role of laws, regulations, guidelines, position statements</p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>Review statements of selected Federal, State agencies, and professional nursing organizations and selected clinical agencies regarding professional standards and regulation</li> <li>Discuss cases derived from clinical practice with an emphasis on variations from professional ethical codes or position statements.</li> <li>Use reflective practice to appraise ethics and legal principles in practice</li> </ol>	<ul style="list-style-type: none"> <li>Guido Chapter 8 – informed consent and patient determination.</li> <li>Guido Chapter 9 – Documentation and confidentiality</li> <li>Guido Chapter 14 – Federal Laws</li> <li>Assigned Articles and web resources (See Module 2 in BB)</li> </ul>	<ul style="list-style-type: none"> <li><b>Submit</b> – <u>Nursing Practice Case Analysis Scholarly Paper</u></li> <li><b>Due 9/20/2019 by 10pm</b></li> <li>Reflective Practice Journal</li> </ul>
<p>Week 5 Sept 23</p>	<p><b>Introduction:</b> Students will examine landmark state and federal court cases and the impact</p>	<ul style="list-style-type: none"> <li>Guido Chapter 6 – regarding Tort Law</li> </ul>	<ul style="list-style-type: none"> <li><b>Online Course Meeting Date and Time 6pm CST Sept 26:</b></li> <li><b>Discussion Board 4 –</b></li> </ul>

	<p>the court findings have on legal and ethical issues in professional nursing practice and health care.</p> <p><b>Topics:</b> Case law/Tort Law Court cases</p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1. Compare influence of legal system, courts, and legislation upon nursing practice regulation</li> <li>2. Discuss how non-governmental organizations influence professional nursing practice</li> <li>3. Compare concepts of moral obligation, legal obligation, and ethical obligation.</li> <li>4. Analyze impact of court decisions and policies of organizations impact professional practice</li> <li>5. Use reflective practice to appraise ethics and legal principles in practice</li> </ol>	<ul style="list-style-type: none"> <li>• Assigned Articles and web resources (See Module 3 in Blackboard)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Select landmark case to analyze</b></li> <li>• <b>Questions:</b> <ul style="list-style-type: none"> <li>○ What are key legal principles in the selected case?</li> <li>○ What would a reasonable and prudent nurse do under same or similar circumstances?</li> <li>○ What is the legal standard of care for nursing in the selected case?</li> <li>○ How was due process addressed in the case?</li> <li>○ What are the implications of the court decision on current and future nursing practice and education?</li> <li>○ How does the Nursing Practice Act and the Board of Nursing serve as the legal foundation of professional nursing practice in Texas?</li> </ul> </li> </ul> <p>Reference: Analysis of Selected Landmark Court Case</p> <ul style="list-style-type: none"> <li>• <b>Reflective Practice Journal</b></li> </ul>
<p>Week 6 Sept 30</p>	<p><b>Topics:</b> Practice standards Due process Consumer protections Patient autonomy</p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1. Analyze impact of court decisions and policies of organizations impact professional practice</li> <li>2. Use reflective practice to appraise ethics and legal principles in practice</li> </ol>	<ul style="list-style-type: none"> <li>• Assigned Articles and web resources (See Module 3 in Blackboard)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Discussion Board 4 - Questions - (continued)</b> Reference Analysis of Selected Landmark Court Case</li> <li>Identify Workplace Ethical Dilemma</li> <li>• <b>Reflective Practice Journal</b></li> </ul>
<p>Week 7 Oct 7</p>	<p><b>Introduction:</b> Students will explore personal, professional and cultural variables that impact ethical and legal issues in professional nursing practice. The distinctions among these and their relationship to the emerging health care environment will be and key issues will be analyzed relative to the values and assumptions that underlie the principles and theories guiding professional nursing practice. Professional Nursing's Code of Ethics coupled with the statutory/regulatory framework of the</p>	<ul style="list-style-type: none"> <li>• Guido Chapter 3 &amp;4</li> <li>• Guido Chapter 13</li> <li>• Guido Chapter 8 – informed consent and patient determination</li> <li>• Guido Chapter 9 – Documentation and confidentiality</li> <li>• Guido Chapter 15</li> <li>• Assigned Articles and web resources (See Module 4 in Blackboard)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Discussion Board 5 - Question -</b></li> <li>• Develop Ethical Dilemma Presentation</li> <li>• <b>Reflective Practice Journal</b></li> </ul>

	<p>Nursing Practice Act and Nursing Peer Review Act will guide your analysis of the moral and legal obligations of professional nurses. The State of Texas requires Registered Nurses to complete online Jurisprudence and Ethics course each licensure period, the final assignment for this course is the submission of the certificate indicating passing the course. .</p> <p><b>Topics:</b>  Ethical Principles &amp; practice  ANA Code of Ethics  Cultural concepts  Advance Directives  Patient autonomy  Consumer Protection</p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1. Explain professional standards regarding confidentiality and informed consent</li> <li>2. Critically analyze and defend a position related to a healthcare ethical dilemma in nursing practice</li> <li>3. Describe the relationship among professional standards, nursing regulation and ANA Code of Ethics in professional Practice</li> <li>4. Demonstrate knowledge of legal and ethical standards of practice established by the Board of Nursing for the State of Texas</li> <li>5. Analyze reflective practice narratives</li> </ol>		
<p><b>Week 8 Oct 14</b></p>	<p><b>Topics:</b>  Consumer protections  Ethical and legal principles  Standards of Care  Legal Principles  Professional Regulation</p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1. Describe the relationship among professional standards, nursing regulation and ANA Code of Ethics in professional Practice</li> <li>2. Demonstrate knowledge of legal and ethical standards of practice established by the Board of Nursing for the State of Texas</li> </ol>	<ul style="list-style-type: none"> <li>• Guido Chapter 17, 18, 19, 20</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Online Seminar/ Conference Date and 6pm CST Oct 17:</b> <ul style="list-style-type: none"> <li>○ <b>Ethical Dilemma Presentation</b></li> </ul> </li> <li>• Synthesis of Narrative Reflections Paper – Due October 18 – 10 PM</li> <li>• Self Evaluation</li> <li>• Course Evaluation</li> </ul>

	3. Critically analyze and defend a position related to a healthcare ethical dilemma in nursing practice 4. Analyze reflective practice narratives		
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**ACADEMIC HONESTY POLICY:**

The University expects all students to engage in all academic pursuits in a manner that is beyond reproach and to maintain complete honesty and integrity in the academic experiences both in and out of the classroom. The University may initiate disciplinary proceedings against a student accused of any form of academic dishonesty, including but not limited to, cheating on an examination or other academic work, plagiarism, collusion, and the abuse of resource materials. Academic Dishonesty includes:

1. Copying from another student's test paper, laboratory report, other report, or computer files, data listings, and/or programs, or allowing another student to copy from same.
2. Using, during a test, materials not authorized by the person giving the test.
3. Collaborating, without authorization, with another person during an examination or in preparing academic work.
4. Knowingly, and without authorization, using, buying, selling, stealing, transporting, soliciting, copying, or possessing, in whole or in part, the contents of a non-administered test.
5. Substituting for another student; permitting any other person, or otherwise assisting any other person to substitute for oneself or for another student in the taking of an examination or test or the preparation of academic work to be submitted for academic credit.
6. Bribing another person to obtain a non-administered test or information about a non-administered test.
7. Purchasing or otherwise acquiring and submitting as one's own work any research paper or other writing assignment prepared by an individual or firm. This section does not apply to the typing of a rough and/or final version of an assignment by a professional typist.
8. "Plagiarism" means the appropriation and the unacknowledged incorporation of another's work or idea in one's own written work offered for credit.
9. "Collusion" means the unauthorized collaboration with another person in preparing written work offered for credit.
10. "Abuse of resource materials" means the mutilation, destruction, concealment, theft or alteration of materials provided to assist students in the mastery of course materials.
11. "Academic work" means the preparation of an essay, dissertation, thesis, report, problem, assignment, or other project that the student submits as a course requirement or for a grade.

All academic dishonesty cases may be first considered and reviewed by the faculty member. If the faculty member believes that an academic penalty is necessary, he/she may assign a penalty, but must notify the student of his/her right to appeal to the Department Chair, the Associate Provost/Dean, and eventually to the Provost and Vice President for Academic and Student Affairs before imposition of the penalty. At each step in the process, the student shall be entitled to written notice of the offense and/or the administrative decision, an opportunity to respond, and an impartial disposition as to the merits of his/her case.

In the case of flagrant or repeated violations, the Vice President for Academic and Student Affairs may refer the matter to the Dean of Students for further disciplinary action. No

disciplinary action shall become effective against the student until the student has received procedural due process except as provided under Interim Disciplinary Action.

**AMERICAN WITH DISABILITIES ACT (ADA) STATEMENT:**

Sul Ross State University is committed to compliance with the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973. Qualified students with disabilities needing academic or other accommodations to facilitate full participation in our programs, services and activities should contact the Accessibilities Coordinator, Ferguson Hall Room 112, Monday – Friday 8:00 a.m. – 5:00 p.m., 432-837-8203 at the Alpine campus. At the RGC Campus, Room C102, Monday – Friday 8:00 a.m.-5:00 p.m.

**ONLINE COURSES:**

Web courses (offered online) are not self-paced and require considerable work in order to meet requirements. Students should be prepared to devote approximately 12 hours per week to accomplish the work required for a 3-hour class (i.e. student should devote approximately the same study time for an online course as would be spent in a regular class with outside work requirements—a measure generally calculated at 3 hours outside work for each hours in class.) Students MUST have a reliable high-speed internet connection available on a regular basis for course work and other assignments whenever University computer laboratories are not open. Computer labs are open Mon.-Thurs., 8 a.m.-10 p.m., and Fri. 8 a.m-5 p.m. University computer labs are not open on weekends and holidays, but computers are available at the Southwest Texas Junior College and Sul Ross State University Rio Grande College libraries. A student who fails to participate in assignments during any one work period may be subject to being withdrawn from class and given a grade of F. Students should regularly log in to their class.

**DISTANCE EDUCATION STATEMENT:**

Students enrolled in distance education courses have equal access to the university's academic support services, such as Smarthinking, library resources, such as online databases, and instructional technology support. For more information about accessing these resources, visit the SRSU website. Students should correspond using Sul Ross email accounts and submit online assignments through Blackboard, which requires secure login information to verify students' identities and to protect students' information. The procedures for filing a student complaint are included in the student handbook. Students enrolled in distance education courses at Sul Ross are expected to adhere to all policies pertaining to academic honesty and appropriate student conduct, as described in the student handbook. Students in web-based courses must maintain appropriate equipment and software, according to the needs and requirements of the course, as outlined on the SRSU website.

**GENERAL CAMPUS REGULATIONS AND CONDUCT:**

All students are expected to conduct themselves in a manner consistent with the University's functions as an educational institution. It is also expected that all students who enroll at Sul Ross State University agree to assume the responsibilities of citizenship in the university community. Association in such a university community is purely voluntary, and any student may resign from it at any time when he/she considers the obligation of membership disproportionate to the benefits. All students are subject to University authority, and those students whose conduct is not within the policies of the University rules and regulations are subject to dismissal. Students are responsible for abiding by all published University rules and regulations. Failure to read publications will not excuse the student from the requirements and regulations described

therein. The SRSU Student Handbook and other official University publications outline specific regulations and requirements.

The Table below demonstrates which elements of DECs, Essentials and QSEN are addressed in relation to course objectives.

<b>Objectives</b>	<b>TBON DECs</b>	<b>AACN Essentials</b>	<b>QSEN</b>
Examine cultural values, ethical principles and legal issues foundational to professional nursing.	I-A 1-4; I-D 1-5; II-C 2 b, 3; II-D 1-5; II-E 2-4 & 7-12	I-1-10; VIII	
Explore the role of reflective practice in examining personal and professional values and the impact of these on professional decision making and behavior.	I-B 2a, b; I-B 2, 3d; I-B, 4-9; III-B5; 7	II-1-10	PCC
3. Evaluate ethical and regulatory implications of landmark court cases and contemporary health care issues upon	I-A2; I-B1-8; III-C1, 2, 3; III-D1, 2, 3; III-E 1-4; III-F1-3; IV-A1-4	V & VI	QI
4. Apply a model of ethical decision making based on legal/ethical guidelines in clinical situations.	II-A 2b, c, 3; II-F3; III-A1-6; IV-C4-8; IV-D2, 4, 6, 7; IV-F1-4	III & VI	EBP
5. Identify the professional nurse's responsibilities and accountability within professional scope of nursing practice to consumers of health care.	I-B4-7; I-C 1-6	IV	Safety

Revised 8/21/2019