

Nursing Health Assessment A Best Practice Approach 1st edition by Jensen -Test Bank- Legal Concepts In Nursing NCLEX

The client has an order for intramuscular (IM) morphine sulfate as needed for pain. A nurse accidentally administers an incorrect dosage of the morphine sulfate to the client. Which source of law best addresses this situation?

- a. Civil law
- b. Criminal law
- c. Common law
- d. Administrative law - ✓✓ANSWER✓✓a. ~ Civil laws protect the rights of individual persons within our society and encourage fair and equitable treatment among people. Generally, violations of civil laws cause harm to an individual or property, and damages involve payment of money. Administering an incorrect dosage of morphine sulfate would fall under civil law because it could cause harm to an individual.

On admission to the hospital, a terminal cancer patient says he has a living will. This document functions to state the clients desire to:

- a. Receive all means of technical assistance and equipment used to prolong his life
- b. Have his wife make decisions regarding his care
- c. Be allowed to die without life-prolonging techniques
- d. Have a lethal injection administered to relieve his suffering - ✓✓ANSWER✓✓c. ~ A living will is an advance directive, prepared when the individual is competent and able to make decisions, regarding that persons specific instruction about end-of-life care. Living wills allow people to specify whether they would want to be intubated, treated with pressor drugs, shocked with electricity, and fed or hydrated intravenously.

A junior nursing student prepares to give her client an injection. What standard of care applies to the student nurses conduct when providing care normally performed by a registered nurse (RN)? The student is held to:

- a. A standard of care of an unlicensed person

- b. The same standard of care as an RN
- c. A standard similar to but not the same as the staff nurse with whom she is assigned to work
- d. No special standard of care because her faculty member is responsible for her conduct - ✓✓ANSWER✓✓b. ~ Student nurses are expected to perform as professional nurses (i.e., as an RN would in providing safe client care).

The nurse has just obtained a license to practice and is determining whether individual malpractice insurance is necessary. Which of the following is the most important factor in a nurses deciding whether to carry malpractice insurance?

- a. The amount of the malpractice insurance provided by the employer
- b. The evaluation of whether the nurse works in a critical area of nursing where clients have higher morbidity and mortality rates
- c. The time frames and individual liability of the employers malpractice coverage
- d. The nurses knowledge level of Good Samaritan laws - ✓✓ANSWER✓✓c. ~ It would be important to know the time frames of the employers malpractice coverage. In other words, is the nurse covered only during the times he or she is working within the institution? It would be important to know the individual liability, meaning if sued, what financial responsibility would the nurse have?

An unconscious client with a head injury needs surgery to live. His wife speaks only French, and the health care providers are having a difficult time explaining his condition. Which of the following is the most correct answer regarding this situation?

- a. Two licensed health care personnel should witness and sign the preoperative consent indicating their hearing an explanation of the procedure given in English.
- b. An institutional review board must be contacted to give their emergency advice on the situation.
- c. A friend of the family could act as an interpreter, but the explanation could not provide details of the clients accident, because of confidentiality laws.
- d. The health care team should continue with the surgery after providing information in the best manner possible. - ✓✓ANSWER✓✓d. ~ In emergency situations, if it is impossible to obtain consent from the client or an authorized person, the procedure required to benefit the client or save a life may be undertaken without liability for failure to obtain consent. In such cases, the law assumes that the client would wish to be treated.

A physician asks a family nurse practitioner to prescribe a medication that the nurse practitioner knows is incompatible with the current medication regimen. If the nurse practitioner follows the physicians desire, which of the following is the most correct answer?

- a. The nurse practitioner will be liable for the action.
- b. Good Samaritan laws will protect the nurse.
- c. If the nurse practitioner has developed a good relationship with the client, there will probably not be a problem.
- d. This type of situation is why nurse practitioners should have malpractice insurance. - ✓✓ANSWER✓✓a. ~ A nurse carrying out an inaccurate or inappropriate order may be legally responsible for any harm suffered by the client.

A registered nurse interprets a scribbled medication order by the attending physician as 25 mg. The nurse administers 25 mg of the medication to a client, and then discovers that the dose was incorrectly interpreted and should have been 15 mg. Who would ultimately be responsible for the error?

- a. Attending physician
- b. Assisting resident
- c. Pharmacist
- d. Nurse - ✓✓ANSWER✓✓d. ~ A nurse carrying out an inaccurate or inappropriate order may be legally responsible for any harm suffered by the client. The nurse should clarify the order with the physician if unable to read the order.

Because of an influenza epidemic among nursing staff, a nurse has been moved from the eye unit to a general surgical floor. The nurse recognizes that he is inexperienced in this specialty. The nurse's initial recourse is to:

- a. Politely refuse to move, take a leave-of-absence day, and go home
- b. Ask to work with another general surgery nurse
- c. Fill out a report noting his dissatisfaction
- d. Notify the state board of nursing of the problem - ✓✓ANSWER✓✓b. ~ Nurses who float should inform the supervisor of any lack of experience in caring for the types of clients on the nursing unit. They also should request and be given orientation to the unit. Asking to work with another general surgery nurse would be an appropriate action.

The nurse recognizes that issues concerning death and dying may influence nursing practice. Which of the following is true concerning the legalities of death and dying issues?

- a. Passive euthanasia is illegal in all states.
- b. Assisted suicide is a constitutional right.

- c. Organ donation must be attempted if it will save the recipients life.
- d. Feedings may be refused by competent individuals who are unable to feed themselves. - ✓✓ANSWER✓✓d. ~ Competent clients have the right to refuse treatment. This includes lifesaving hydration and nutrition.

As per the standards of care of the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), an institution is required to have:

- a. Limits of professional liability
- b. Educational standards for nurses
- c. A delineated scope of practice for health professionals
- d. Written nursing policies and procedures for care - ✓✓ANSWER✓✓d. ~ The Joint Commission on Accreditation of Healthcare Organizations requires that accredited hospitals have written nursing policies and procedures.

Under specific circumstances that are outlined in the states nurse practice act, a nurses license may be suspended or revoked. In the event that a nursing license is revoked, which of the following is correct?

- a. The hearings are usually held in court
- b. Due process rights are waived by the nurse
- c. Appeals may be made regarding the decisions
- d. The federal government becomes involved in the procedures - ✓✓ANSWER✓✓c. ~ Because a license is viewed as a property right, due process must be followed before a license can be suspended or revoked. Due process means that nurses must be notified of the charges brought against them and that the nurses have an opportunity to defend against the charges in a hearing.

In the course of practice, a nurse may be liable for actions that constitute an unintentional tort. Which one of the following is an example of an unintentional tort?

- a. Restraining a client who refuses care
- b. Taking photos of a clients surgical wounds
- c. Leaving the side rails down and the client falls and is injured
- d. Talking about a clients history of sexually transmitted diseases - ✓✓ANSWER✓✓c. ~ An unintentional tort is an unintended wrongful act against another person that produces injury or harm. An example of an unintentional tort would be leaving the side rails down, and the client falls and is injured.