Why do we study Legal and Ethical Issues in Health Care?

“The world is moved along, not only by the mighty shoves of its heroes, but also by the aggregate of the tiny pushes of each honest worker.”

Helen Keller

Medical ethics is a practical application of moral standards that are meant to benefit the patient. As a healthcare worker, you will make choices that must always take into consideration the common good of your patients.

You cannot work in a healthcare setting without an understanding of the legal implication for both you and your patient. Therefore, as a healthcare worker you must adhere to certain ethical standards and code of conduct.

The primary goal of this course is to teach you, as a student, to think independently and become sensitive to the risks and issues that encompass the Healthcare field.

Upon completion of this course you will be able to understand complex healthcare public policy from all sides of an issue, regardless of your personal beliefs.

“We must always remember that our primary duty is to promote good patient care and to protect our patients from harm.”

Bonnie Fremgen

The Legal System

“Every effort should be made to provide a quality of care for patients that will not only help them recover their health but will also avoid lawsuits.”

Bonnie Fremgen

Laws are enacted to regulate human behavior for the benefit of society. Laws are designed to prevent harm to others while protecting the rights of individuals.

As a healthcare worker it is your duty to care and that if you breach that duty and someone is injured as a result of that breach, there will be a penalty to pay. For example, one could suffer financial loss, loss of license, and/or serve jail time.
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The United States system of government was founded on two fundamental principles — federalism and check and balances. The federal government is separated into three branches: legislative, executive, and judicial. The separation between the three branches created a system of check and balances: no one branch could have more power that another branch.

The federal form of government is one in which power is divided between a central government and smaller regional governments. The U.S. legal system has one federal legal system and fifty separate and unique state systems.

“Federal law is administered the same in all states. However, individual states may vary on how they interpret and implement laws relegated to the states. Therefore, interpretation of legal acts for allied health professionals varies greatly from state to state.” Bonnie Fremgen,

Ethical Issues in Healthcare

Healthcare ethics and law are intertwined. When ethical principles are violated, a civil lawsuit often follows.

An illegal act, or one that is against the law, is almost always unethical. However an unethical act may not be illegal. For instance, providing medical treatment, such as an organ transplant, to a celebrity and denying the same treatment for an indigent “street person,” while legal, is clearly unethical.” Bonnie Fremgen

Ethics is that branch of philosophy relating to morals or moral principles, involves the examination of human character and conduct, the distinction between right and wrong, and a person’s moral duty and obligations to the community.

Ethics in the healthcare professions is applied ethics — applying one’s moral and value system to a career in healthcare.

Ethics is more than just common sense. Ethics requires a critical-thinking approach that examines important considerations such as fairness for all consumers, the impact of the decision on society, and the future implications of the decision.

“Know the code of ethics that relates to your professional practice. Many healthcare professionals keep a framed copy near their place of work to remind them of this responsibility.”

Bonnie Fremgen, (Medical Law and Ethics)