Ethics Elements

- Serious Thoughts in a Cartoon -

3rd part: applications
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Margot Phaneuf, inf., Ph.D.
OBJECTIVES

• To broach the principles of confidentiality, the right to information, informed consent, benevolence, etc.
• To think about their day-to-day application.
• To be aware of some of our professional duties.
WARNING

This document has no theoretical pretentions: it aims only to bring some concepts to the students’ reach.

The main topic here is applied ethics. All the principles of ethics are not dealt with in this document and as for the Professional Code, only the general articles are mentioned.

The images of this document belong to diverse sites identified in the webography. We thank them.
Whatever our work field is, we must remember that the individual must be the center and the measure of everything.
SOME PRINCIPLES OF ETHICS
Let’s not lose heart! There are still some more!!!

Mister Owl, are there any other principles?

There are so very many...!!!
We come now to a most important principle, confidentiality!

I am always discreet!!!!
Principle of confidentiality

- Principle related to the integrity of the individual and the obligation to respect his intimacy which consists of the moral and professional obligation to keep secrets that we have seen, heard and understood about the patient’s health or private life, or about his family.

- That information can only be revealed to professionals directly concerned with this patient.
As a patient, my private life is no concern of yours...!!!
From what we learn during our work with patients, we cannot reveal their health problems, their individual habits, or their dubious company…
Confidentiality

- Elevators, corridors and cafeterias are places where indiscretions are often committed. One seethes with impatience to repeat what has been seen or heard concerning patients.
- The hairdresser on the corner or friends are first-rate confidants for our indiscretions.
- However: be professional. Keep the secret.
What you learned about us, the family, is also bound by the professional secret …!!!
If we do not gossip anymore, what are we going to jabber about !!!???

Confidentiality…!!!
Confidentiality…!!!
Polly, you must close your beak!!!

Keep your fine words for the patients!!!
Consequently, from the ethical principle of confidentiality ensues the deontological rule of the professional secret for the nurse. The nurse must maintain silence or discretion about any confidential information which comes to her knowledge in the exercise of her functions (Div. II, art. 31.1).

It also protects the private life and the interests of the concerned person.

It is a part of a fundamental right stated in the Code of professions (Art. 60.4).
Did you hear about Mr. X.? He...

Careful! Everything that concerns the patient or his medical record is secret!

We must even refrain from taking part in indiscreet conversations! (Div. II, art. 36)
All kinds of indiscretion are banned...!!!
You know, Polly, that a nurse cannot even disclose that someone has asked for her service, except if such disclosure is necessary in the interest of the client. (Div. II, art. 2.32)
Nor can the nurse take advantage of confidential information to gain personal benefit. (Div. II, art. 1.34)

You know I witness many things.
The patient’s medical record is also secret!

Except for the patient himself!!!
But did you know that you can refuse to give the patient access to his medical record, if this disclosure could lead to some kind of prejudice to him or to a third party? (Div. VII, art. 63)

And in such event, the nurse shall notify the client accordingly in writing. (Div. VII, art. 63)
The respect of the individual, of his integrity and what concerns him, leads us to other obligations!

The nurse must not distort, change, falsify or leave information out of the patient’s medical record !!! (Div. I, art. 2.14)
The right to information

- Principle following from the respect of the patient’s dignity, integrity, autonomy and liberty.

- It consists in the obligation
  - to give him all the useful information needed for decision-making.
  - to explain to him the proposed nursing interventions.
  - to transmit information in a clear manner, in a rhythm that he can follow and in an acceptable way according to his physical, cognitive and affective capacities.
According to this principle, the nurse must give the patient all information needed to understand the care she is giving him. (Div. III, art. 1.40)

Thus, she must explain everything she is doing to me!
When the patient gives his consent for a nursing or medical intervention, he must know into what kind of experience he is diving. For important decisions, he must give informed consent.
The right to information

- We often assume that we can have access to the patient’s body for our nursing care and that the patient will automatically accept all the treatments we must carry out.

- In fact, the individual always keeps his free will and can refuse any intervention.

- It is our responsibility to inform him appropriately about what we have to do, to seek his adherence with care and to stimulate his motivation.
Don’t you think that I have the right to be informed about what is in store for me???
(Div. III, art. 1.40)
What does a patient need to give informed consent?
Informed consent

To give informed consent for an intervention or a specific treatment a patient must:

- be in a state of consciousness allowing the patient to understand the conditions and risks inherent to care,
- sign the consent formula.
- The family can also sign if the patient is unable to do so (for a child, the elderly, a psychiatric patient, a mentally retarded child).
- The nurse must provide all the required information (Div. III, art. 1.40).
I must give informed consent!

For goodness’s sake! What does that imply???
Informed consent

- The patient must willingly, thoughtfully and consciously accept treatments?
- This obligation issues from the patient’s right to be informed which consists in shedding light on what we are going to do and seeking his adherence to all the required decisions.
- It presupposes:
  - clear and sufficient information,
  - the absence of influence, constraint or pressure,
  - the patient’s capacity to decide for himself.
  - if he is not capable to do so, a guardian, also well-informed, must take his place.
Principle of benevolence and non-malfeasance
In nursing care we must always respect the dignity of individuals and their right to liberty!

Listen! What do you do with the benevolence principle?
Principle of benevolence and non-malfeasance

- Obligation to treat the patient in our care as if he were ourselves, with a warm welcome, a helping availability, everything that is favourable to his well-being.

- Obligation to avoid any unnecessary and avoidable prejudice to him.
Principle of benevolence and non-malfeasance

- This principle is often used under the term of balance of advantages and disadvantages.
- It is very important among the serious decisions to be taken for patients suffering from a serious, incurable illness.
- It relates to realities such as quality of life, appropriate pain relief, prolonging life with technological means, etc.
- Modern ethics requires that this balance of considerations be positive for the patient.
And what brings him the fewest disadvantages?

What is best for the patient???

That is exactly what the principle of benevolence and non-malfeasance is about...!
Principle of freedom/liberty
The principle of freedom

Prompts us to respect the patient’s capacity to:

- decide for himself without fear, constraint or servility,
- think, express himself and make his own choices,
- act according to his best interests, without the control of other people, but always with respect for others.
The principle of freedom

It does not mean the right to do whatever comes to mind, but to decide by ourselves what is good for us!
The principle of autonomy

- This principle is related to the respect of the patient and of his freedom.
- It is the obligation to respect the individual in his possibilities to be, to become, in his capacity to choose, to decide for himself, to function physically, intellectually or socially whether by himself or with assistance.
You must respect what I can do, let me decide for myself, if possible let me stand on my own feet, fly with my own wings, even if you often have to help me or compensate for what I cannot do!!!
The principles of loyalty and fidelity
Principles of loyalty and fidelity

- These ethical principles create a peculiar professional bond of responsibility with the patient and urge us to answer his realistic expectations with honesty, to care for his interests and to defend them if need be.
The loyalty the nurse owes to the patient obliges her to be available and to show conscientiousness in what she does. (Div. I, art. 6.25)

She must also avoid situations where conflict of interest may affect her loyalty. (Div. I, art. 4.23)
Loyalty and fidelity, are traits we know very well!

We also have to defend those for whom we live!!!
The advocacy role

- The nurse not only has the duty to respect the rights of the patients she is taking care of, but also the confidence relationship she maintains with them and her professional nursing role give her the ethical obligation to protect them.

- It is what we call her advocacy role.
The protection role of the patient

In accordance with the principle of benevolence and non-malfeasance and of her right to disagree with the decisions of other members of the team, the nurse has a protection role for the patient she is taking care of. (advocacy)
The role of advocacy

- According to this role, the nurse must make sure that the rights of the concerned patients are respected.
- That they will not be submitted to any risk, discomfort, influence or unjustified indiscretions.
The patient’s rights

The right to be himself

The right to be respected in his body and his identity

The right to decide freely for himself, if he is able

The right to be informed of the goals, methods and secondary effects of his drugs and treatments.

The right to be relieved of pain and to have a certain quality of life.
The right to dissidence for the nurse

- When some important decisions are made concerning a patient, the nurse can express her disagreement.
- But only if she is convinced that it is for the greater good of the patient.
- It is also important that she knows the ethical principles that support her arguments well.
- She expects to be respected, but she must also always respect others.
The right to be dissident

- This principle is the result of the nurse’s loyalty to the patient and respect for his dignity and uniqueness.
- It comes also from the right to otherness of the nurse as a person and as a professional.
- It gives her the possibility to express an opinion which differs from that of her colleagues or the people who have authority or to withdraw from a situation she cannot accept because of her ethical values and her beliefs.
Our professional responsibilities
Professional responsibilities

As a nurse I must always take into account the limits of my knowledge and skills (Div. I, art. 4.17)

Rabbit, you cannot avoid that responsibility!!!
Professional responsibilities

We are always accountable for judgements made and actions taken in the course of our nursing practice.

Whatever our work load???
Professional duties of the nurse

- In order to respect ethical principles, nurses also have an obligation to be and stay competent, i.e. they have the duty to keep their knowledge up-to-date by refreshing acquired techniques and knowledge and by continuing their training so they can follow the evolution of their profession.
We must not forget that our professional competence must constantly be nourished by continuing education (Div. I, art. 4.18)
So I must keep my knowledge up-to-date in order to give care which is up to the recognized standards of practice. (Div.I, art. 4.18)

Good gracious...!
But there is something more! As much as possible, the nurse must share her knowledge with her colleagues and with the students… (Div.I, art. 1.8)

This is not so widely known!
I am really astonished!!!!
It is not all! Our professional standards must reflect nursing responsibility to society. Thus, we may deduce from our ethical principles that the nurse must maintain a state of personal health such that the quality of care is not compromised and that the health of patients is not at risk.
But there is an other dimension. Interprofessional relations are sometimes stormy. But we must respect each other and make ourselves respected!!

I want to assert my point of view!

I want to be respected too!!!
It is better to establish harmonious and constructive relations with the other professionals!
Collaboration is better than competition.

And the nurse cannot refuse to collaborate with another professional (Div. III, art. 2.46)
All that is fine for patient care, but if I do research, am I concerned by the Code of Ethics?

For sure! There are special articles for that. Consult your Code!
CONCLUSION

In fact, ethics leads us towards harmonious and respectful relations with our fellow creatures in a just balance between our rights and duties and those of others!

And deontology sets up professional safeguards.
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