

Chapter 5

Understanding Legal Obligations

SECTION 5.1

Understanding the Patient's Rights

- **OBJECTIVES**

When you have completed this section, you will be able to do the following:

- Explain the importance of the Patient's/Client's Bill of Rights.
- Understand the rights to which a patient is entitled.
- Measure the rights of the patient against the needs of the health care facility.
- Understand the responsibilities of the patient in the health care process.

- **ACTIVITY 1**

Define each of the following terms in your own words. Then use each term in a complete sentence.

1. Living will

2. Durable power of attorney

3. Continuity of care

• ACTIVITY 2

1. Explain the importance of the Patient's/Client's Bill of Rights.

2. Answer the following questions, using the Bill of Rights as your guide.

a. Mrs. Rodriguez is admitted to the hospital and told that she requires a surgical procedure. She wants to know about the doctor who will perform the surgery and the doctor's qualifications. The doctor prefers not to interact with patients. What will you do, and why?

b. Mr. McDonnell wants you to mail a letter to his family for him. Your supervisor tells you to read the letter before you send it because she doesn't want him to complain. What will you do, and why?

• ACTIVITY 3

In a well-developed paragraph, explain the significance of the Omnibus Budget Reconciliation Act of 1987. Tell how the Resident's Bill of Rights is similar to and different from the Patient's Bill of Rights.

• ACTIVITY 4

A patient is meeting with a physician to discuss a possible treatment for an injury. List and describe three responsibilities of the patient.

1.

2.

3.

Understanding Your Legal Responsibilities

• OBJECTIVES

When you have completed this section, you will be able to do the following:

- Match key terms with their correct meanings.
- Explain why understanding legal responsibilities is important.
- Explain the importance of licensure, certification, and registration in helping improve quality health care.
- Summarize the importance of confidentiality in health care.
- Identify a law that helps ensure the confidentiality of medical information.
- Identify resources that can help you report illegal or unethical behavior.
- Understand elements of a contract.
- Explain the role of natural death guidelines and declarations.
- Describe the purpose and types of advance directives.

• ACTIVITY 1

Match each term in Column A to the correct definition in Column B.

Column A

- ___ 1. Agent
- ___ 2. Certification
- ___ 3. Contract
- ___ 4. Directive
- ___ 5. Exempt
- ___ 6. Expressed contract
- ___ 7. Implied contract
- ___ 8. Licensure
- ___ 9. Ombudsman
- ___ 10. Recognition
- ___ 11. Registration
- ___ 12. Relevant

Column B

- a. A social worker, nurse, or trained volunteer who ensures that patients are properly cared for and respected
- b. The quality of being acknowledged or seen
- c. An agreement in which some of the terms are not expressed in words
- d. A process by which a person is made able to do a job, and recognized as such
- e. A list of individuals on an official record who meet the qualifications for an occupation
- f. Pertaining to, or having to do with, the patient/client
- g. A person or business authorized to act on another's behalf
- h. A legal documents that is often used to define the terms of patient care
- i. An agreement in which the terms are presented in written form
- j. Something that serves to guide or impel towards an action or goal
- k. A process by which a governmental authority gives permission to a person or health care organization to operate or to work in a profession
- l. To be free or released from some liability or requirement to which others are subject

- **ACTIVITY 2**

Working with a partner, discuss why it is important for health care workers to understand legal responsibilities. Refer to the Patient's/Client's Bill of Rights in Section 5.1 if necessary. Write a paragraph describing key points that you discussed.

- **ACTIVITY 3**

Discuss how licensure, certification, and registration help improve the quality of health care. Think about the importance of verifying this information. If possible, interview someone from a local hospital or other healthcare facility. Before you contact the person, write a list of questions you might ask about the importance of these systems and the need to verify such information. Share your findings.

- **ACTIVITY 4**

Read each of the following situations and answer the questions that follow.

1. You run into a co-worker in an elevator and decide to quickly discuss Mrs. Henderson's hysterectomy scheduled for the following day. How might this compromise confidentiality?

2. A 65-year-old man has a heart attack and is admitted to the hospital with a poor prognosis. He asks you not to share his medical information with his wife because he thinks she will be overwhelmed by the news. His wife then sees you in the hall and asks about her husband's prognosis. Should you tell her?

3. A mentally ill woman is admitted to the hospital with a severe injury. While you are changing the bandages, she tells you that she plans to kill her ex-boyfriend when she is released. She tells you that you cannot tell anyone. What should you do?

- **ACTIVITY 5**

List four kinds of information that are protected by HIPPA.

1.

2.

3.

4.

- **ACTIVITY 6**

1. Explain what natural death guidelines and declarations do.

2. Describe the purpose of an advance directive, and name two forms of advance directives.

3. Define living will.
