



# **Professional, Ethical and Legal Obligations in Nursing: A Critical Appraisal**

## **Nursing 4320**

**Fall 2019**

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## **N4320 Professional, Ethical, and Legal Obligations in Nursing: A Critical Appraisal**

### **Calendar description:**

This course will critically review ethical theories, the legal and ethical aspects of nurses' roles, and nursing's commitment to healthy public policy, social justice, and advocacy.

### **Expanded description:**

This course is organized based on the College of Nurses of Ontario (CNO) Conceptual Framework for Organizing Competencies (CNO, 2014). In this course, learners will critically examine professional practice issues specifically focused on professionalism, nursing regulation, practice standards, ethical and legal aspects of nursing. This course also examines the evolving roles within nursing and addresses professional responsibility and accountability to healthy public policy, social justice, advocacy and patient safety. This course integrates multiple ways of knowing with emphasis on emancipatory knowing.

### **Course Goals:**

1. Examine the leadership and professional culture of the nursing profession
2. Reflect on the historical and contemporary issues and trends in nursing and explore the influence of social, political, and personal power structures in assuming professional roles
3. Develop in-depth understanding of health professional legislation and nursing regulation including professional requirements as outlined in the *CNO Professional Standards & Standards of Practice for Registered Nurses*; *CNO Ethical Values*, and the *CNA Code of Ethics for Registered Nurses*
4. Critically examine selected moral, ethical and legal issues influencing nurses' ability and capacity to provide ethical, safe, knowledge-based quality health care from a health promotion and caring perspective in a variety of settings and contexts, and with a diverse client population across the life span
5. Develop an understanding of the fundamental elements of patient safety and nursing's role in contributing to a culture of patient safety.
6. Engage in learning activities with colleagues that promote debate, collaboration, consultation, cohesion, critical thinking, caring and reflection
7. Incorporate scholarship and critical reflection skills into one's own learning and nursing practice
8. Apply a reflective, inquisitive, self-evaluative, responsible, and accountable attitude and behavior with a commitment to lifelong learning

**Major Concepts in the Course:**

- Clients
- Health and Healthcare Policy
- Social Justice
- Professionalism: Accountability, Self-regulation
- Ethical Practice
- Communication
- Collaboration
- Relational Practice
- Critical Reflection
- Advocacy
- Social Determinants of Health
- Political Influences
- Patient Safety

**National Nursing Entry-to-Practice Competencies (CNO, 2014) addressed in the course:**

- Professional Responsibility and Accountability – 1-4,7-9, 12-13, 18, 19, 22, 23
- Knowledge-based Practice - 24, 25, 32,
- Ethical Practice – 77, 78, 80-86
- Service to the Public 87, 88, 93
- Self-Regulation 95-100

**Interprofessional Competencies (CIHC, 2010) addressed in the course:**

- Learners/practitioners understand their own role and the roles of those in other professions, and use this knowledge appropriately to establish and achieve patient/client/family and community goals.
- Learners/practitioners understand the principles of team work dynamics and group/team processes to enable effective interprofessional collaboration.

**Nursing Informatics Competencies (CASN, 2012) addressed in the course:**

- Use relevant information and knowledge to support the delivery of evidence-informed patient care.
- Use information and communication technologies in accordance with professional and regulatory standards and workplace policies.
- Use information and communication technologies in the delivery of patient/client care.

### **How this course will contribute to your development as a professional nurse:**

This course provides opportunities to explore nursing as a profession, including professional rights and responsibilities, as well as legal and ethical parameters. The course promotes the learners' understanding of the purpose and function of professional nursing regulatory organizations and associations, particularly in relation to ethical and legal elements of professional practice and the maintenance and improvement of the standards of care. Knowledge of course concepts is integrated through interactive learning activities, including class lecture/discussion, guest speakers, and analysis of case studies, among other learning strategies. These learning activities are designed to engage learners in critical reflection of professionalization, professionalism, and the professional practice of nursing. Opportunities will be provided for learners to reflect on their professional growth as beginning practitioners and to share their own nursing practice experiences with others.

### **How this course will contribute to your development as an interprofessional team member:**

This course will provide students with insights as to how nurses enact their professional, legal and ethical obligations within an interprofessional environment. Learners will explore how professional standards guide their interactions with other members of the interprofessional team.

### **How we will work together:**

In this course, learning and teaching are a shared responsibility. The instructor's role is to guide, facilitate and support learning. As a learner, it is expected that you will be prepared to actively engage in weekly dialogue and reflective, critical thought. The course and accompanying learning activities are designed to foster discussion, debate, and critical examination of concepts relevant to professional, legal, and ethical aspects of nursing practice. Weekly attendance is expected since small group and class discussions will facilitate learning, and your active participation will support, not only your own but also your colleagues' learning. In order to create an interactive learning environment, learners will be asked to share within groups, and at times with the larger class, their understanding of course material, their experiences, and to engage in reflection on their learning.

### **Textbooks and other resources:**

#### **Required:**

Keatings, M., & Adams, P. (2020). *Ethical and legal issues in Canadian nursing* (4th ed.). Toronto, ON: Elsevier.

#### **Recommended:**

American Psychological Association (2010). *Publication manual of the American Psychological Association* (6th ed., revised). Washington, DC: American Psychological Association.

### Weekly Schedule

Week	Topic	Competency Category	Course Goals
1 Sept 10	Course Overview: Professionalism, Regulation and the profession Case Study – introduction to professional issues and relevance of course for future practice.	Professional Responsibility and Accountability	1, 2
2 Sept 17	Ethical Practice - Theories, frameworks, principles, moral distress/moral residue, code of ethics	Ethical Practice	4
3 Sept 24	The Legal Context for Practice: - Malpractice - Tort - Negligence - Vicarious liability		3, 6, 7
4 Oct 1	Legislation - Consent - Substitute decision-maker - Confidentiality and privacy		3,6,7
5 Oct 8	Patient Safety - Culture of safety - Excellent Care for All Act		3, 4, 5, 6, 7
6 Oct 15	Ontario regulated health professions legislative framework - Part I: Regulation, Scope of practice, Standards, Fitness to Practice	Self-Regulation	3, 6, 7
7 Oct 22	Ontario regulated health professions legislative framework - Part II: Working with others - Refusing assignments and discontinuing nursing services - Disagreeing with the plan of care - Working with unregulated care providers - Interprofessional collaboration		1
8 Oct 29	<b>MIDTERM EXAM</b>		
9 Nov 5	<b>FALL READING WEEK (NO CLASS)</b>		
10 Nov 12	Establishing, maintaining, and navigating boundaries in the therapeutic relationship: - Therapeutic boundaries - Sexual/physical/emotional abuse of clients		3, 6, 7
11 Nov 19	<b>(Online independent learning – NO CLASS)</b> Continuing competence and lifelong learning – CNO Quality Assurance program.	Knowledge-based Practice	3, 6, 7, 8
12 Nov 26	Issues in the workplace: Incivility, violence, abuse		6,7
13 Dec 3	Course Review; Jurisprudence and NCLEX Exam Overview		All

## **Opportunities to Demonstrate Learning**

### **1. Group Case Study Assignment – 30%**

**Due: Friday, October 18, 2019 at 11:55 PM**

This assignment will be completed in groups of five to six (5 - 6).

The purposes of this assignment are for you to explore, critically analyze, and respond to a current ethical and legal issue facing the profession in today's health care context. This assignment will reflect your ability to work as a group and to apply course theory and concepts to professional nursing practice. Case scenarios, marking rubric and assignment template will be available on the course OWL site.

#### **Process:**

- Choose **ONE** of the case scenarios provided on the course OWL site and use the template provided
- Following the template, summarize the case chosen and two (2) possible courses of action
- Complete the analysis of the case by considering each course of action from a theoretical perspective, taking into account the values of the individuals, ethical principles involved and appropriate practice standards from the College of Nurses
- Based on the analysis, select one of the courses of action as the most appropriate decision for the case providing a clear explanation and rationale
- Reflect on how the process of completing this case analysis will inform your nursing practice in the future
- Use of at least six evidence-informed scholarly articles and other sources of knowledge to justify your analysis
- One student of the group will submit the assignment electronically to the assignment tool in the course site – your paper must be in MS Word format on the template provided
- The file extension for an uploaded assignment must include all students' surname, initial and name of assignment e.g. ClarkJLeeM...Group Case study

#### **Criteria for evaluation:**

A marking rubric is available on the course site. APA formatting is required for all references, including a reference list.

### **2. Midterm Exam – 20 %**

**Due: Tuesday, October 29, 2019 at 12:30PM (IN CLASS)**

The midterm exam will be conducted during class time in Week 8 and will cover course content, its application and readings from weeks 1 through 6 inclusive.

### 3. Lifelong Learning Plan – 10%

**Due: Friday, November 22<sup>nd</sup>, at 11:55 PM**

The purposes of this assignment are for you to familiarize yourself with the process of meeting the Quality Assurance requirements for the College of Nurses of Ontario (CNO) by engaging in self-reflection and identifying ways to become a lifelong learner.

#### Process:

- You will reflect on a situation from your clinical practice that provides an opportunity for growth and development.
- Using the template found on the OWL site, complete each section to reflect on your strengths and opportunities for improvement as identified by yourself and peers
- Describe your learning needs based on this information and develop a learning plan using the SMART goal method
- Completion of the independent study and readings for week 10 will assist you in completing this work
- Submit the assignment electronically to the assignment tool in the course site – your paper must be in MS Word format on the template provided, using 12 font and single spaced. Title page and reference list are not required.
- The file extension for an uploaded assignment must include the student's surname, initial and name of assignment e.g. ClarkJ\_Lifelong Learning Plan

#### Criteria for evaluation:

A marking rubric is available on the course site.

### 4. Final Exam - 40%

**Date: During University Final Exam Period**

The final exam will be based on course content, readings, and in-class discussion. The final exam will focus primarily on application of topics learned in this course. Time/Location TBA.

#### *Summary of Opportunities to Demonstrate Learning*

<b>OPPORTUNITIES TO DEMONSTRATE LEARNING</b>	<b>VALUE</b>	<b>DUE DATE</b>
<b>1. Group Case Study Assignment</b>	30%	Oct 18, 2019 at 11:55PM
<b>2. Midterm Exam</b>	20%	Oct 29, 2019 at 12:30PM
<b>3. Development of a Lifelong Learning Plan</b>	10%	Nov 22, 2019 at 11:55PM
<b>4. Final Exam</b>	40%	During University Final Exam Period

Students and faculty are required to read the Undergraduate Programs Manual and be familiar with its contents. The Program Manual is available on OWL in the Undergraduate Student Information (<https://owl.uwo.ca>).

### **Policies**

All policies related to assignments are in the Undergraduate Programs Manual on the Western web site at [owl.uwo.ca](https://owl.uwo.ca). Please read the policies on Accommodation for Medical Illness-Undergraduate Students and Student Medical Certificate.

### **Scholarly Requirements**

In this program, scholarly writing is a requirement. Therefore, all scholarly papers will follow the sixth edition of the Publication manual of the American Psychological Association (2010), which includes guidelines for both content and format. In addition, all other writing will follow APA (6th ed.) format when citing or referring to an author's work or ideas. Failure to do so is unethical and is plagiarism.

### **Plagiarism**

Student work is expected to be original. Plagiarism is a serious academic offence and could lead to expulsion from the nursing program. You are plagiarizing if you insert a phrase, sentence or paragraph taken directly from another author without acknowledging the work to belong to him/her. Similarly, you are plagiarizing if you paraphrase or summarize another author's ideas without acknowledging that the ideas belong to someone else. You are self-plagiarizing when you reuse all or part of an assignment that you previously submitted. Students can not present their credited work as new scholarship. You may be asked to submit your work, at the discretion of the course instructor, to turnitin.com to verify originality (see Scholastic Offence Policy in the Western Academic Calendar)

[http://www.westerncalendar.uwo.ca/PolicyPages.cfm?Command=showCategory&PolicyCategoryID=1&SelectedCalendar=Live&ArchiveID=#SubHeading\\_189](http://www.westerncalendar.uwo.ca/PolicyPages.cfm?Command=showCategory&PolicyCategoryID=1&SelectedCalendar=Live&ArchiveID=#SubHeading_189)

### **Assignments and Exams**

Please refer to the Undergraduate Academic Policy Manual for information on penalties for late assignments, re-grading of assignments, and the protocol for missed mid-term or final exams found on [owl.uwo.ca](https://owl.uwo.ca).

### **Electronic Devices**

Electronic devices are useful in assisting with the teaching/learning process in both classroom and professional practice settings. In the classroom or praxis setting, devices should be used in a manner that is not distracting to others or oneself.

### **Attendance**

Due to the significance of theoretical and practice knowledge in developing professional competence, students are expected to demonstrate professional responsibility through regular attendance at, and, participation in all scheduled learning activities. Much of the learning that takes place is a result of preparation and engagement with the material and active dialogue with colleagues and faculty.

**Mental Health**

Students who are in emotional/mental distress should refer to the following links for a complete list of options about how to obtain help.

MentalHealth@Western [https://uwo.ca/health/mental\\_wellbeing](https://uwo.ca/health/mental_wellbeing)

**Student Safety**

Please refer to the Undergraduate BScN Programs Manual section on Student Safety Concerns: Guidelines for Responding in the Practice Setting Environment and the Student Safety Flow Chart found on the Undergraduate Programs site at [owl.uwo.ca](http://owl.uwo.ca).

**Learning Skills Services**

The Student Development Centre at Western provides free support for all students to strengthen their skills and improve or maintain their academic performance. The focus is on helping students learn and study more effectively so that they can achieve their academic goals. You can find out more about this service at [www.sdc.uwo.ca/learning](http://www.sdc.uwo.ca/learning)