

## Chapter 2

### Learning Outcomes

- 2.1 Differentiate law from ethics.
- 2.2 Discuss the utility of various ethical theories when determining the nurse's approach to nursing care at the end of life.
- 2.3 Explore the key ethical principles that can be applied by healthcare providers at the end of life.
- 2.4 Define the principle of double effect and its application to end-of-life nursing care.
- 2.5 Analyze the role of therapeutic jurisprudence as a tool to guide nurses in the implementation of ethical decision making during end-of-life care.
- 2.6 Analyze the role of advocacy from an ethical perspective.
- 2.7 Discuss the important role that ethics committees play in caring for this population.
- 2.8 Apply the respectful death model to end-of-life care.

Learning Outcome 2.1. Differentiate law from ethics.

Question 1

The nurse is determining if the application of a particular action would be considered a law or an ethical principle. Which of the following should the nurse consult to determine if the action is a law?

1. The state nurses' association
2. The organization's ethics committee
3. The American Nurses' Association
4. The state board of nursing

Correct Answer: 4

Rationale: One concept within laws and ethics is that of enforcement. The enforcement of laws, within healthcare, is determined by the courts, statutes, and boards of nursing. The enforcement of ethics is determined by ethics committees and professional organizations.

Cognitive Level: Analyzing

Nursing Process: Assessment

Client Need: Safe, Effective Care Environment

Learning Outcome 2.1. Differentiate law from ethics.

Question 2

A patient tells the nurse that he “doesn’t care” who his doctor is, as long as the doctor is competent and will prescribe the best treatment for his problem. The nurse realizes this patient is describing:

1. What the patient considers ethics.
2. What the patient values as competence.
3. What the patient believes to be a law.
4. What the patient believes the legal system to be.

Correct Answer: 2

Rationale: Values are interwoven with ethics. Values are personal beliefs about the truth and worth of thoughts, objects, or behavior. The patient does not care who the doctor is, but wants the doctor to be competent. The patient values competence. Ethics is concerned with motives and attitudes and the relationship of these attitudes to the individual. The patient is not describing ethics. Law is defined as the sum total of rules and regulations by which a society is governed. The patient is not describing a law or what the patient believes the legal system to be.

Cognitive Level: Analyzing

Nursing Process: Assessment

Client Need: Safe, Effective Care Environment

Learning Outcome 2.1. Differentiate law from ethics.

Question 3

A patient believes that his physician “broke the law” and has consulted with an attorney. Which of the following activities will be studied when determining if the law was broken?

1. What the physician did or did not do.
2. Why the physician did or did not do it.
3. How the physician’s actions benefited all of society.
4. The motivation for the physician’s actions.

Correct Answer: 1

Rationale: One concept used to analyze the difference between the law and ethics is that of concerns. Within the law, the concerns focus on conduct and actions and ask the question “what did a person do or fail to do?” In this situation, the patient wants the physician’s activities studied as to what was or was not done. Within ethics, concerns focus on motives, attitudes, and culture and ask the question “why did one act as they did?” “Actions that benefit all of society” is a category of ethical interests. “Motivation for the physician’s actions” is also a category of ethical concerns.

Cognitive Level: Analyzing

Nursing Process: Planning

Client Need: Health Promotion and Maintenance

Learning Outcome 2.2. Discuss the utility of various ethical theories when determining the nurse's approach to nursing care at the end of life.

### Question 1

A patient, nearing the end of life, tells the nurse that the one thing that he will “miss the most” is the taste of ice cream. By providing this patient with ice cream during his dying days, the nurse is implementing which of the following ethical theories?

1. Act deontology
2. Rule utilitarianism
3. Act utilitarianism
4. Rule deontology

Correct Answer: 3

Rationale: Act utilitarianism attempts to determine, in a given situation, which course of action will bring the greatest happiness, or the least harm and suffering, to a single individual. The patient stated that he will “miss” ice cream. The nurse provides the dying patient with ice cream. This is an example of act utilitarianism. Rule utilitarianism seeks the greatest happiness for all. The situation is not an example of rule utilitarianism. Act deontology is based on the personal moral values of the person making the ethical decision and rule deontology is based on the belief that certain standards for ethical decisions transcend the individual's moral values. This situation is not an example of either act or rule deontology.

Cognitive Level: Analyzing

Nursing Process: Evaluation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.2. Discuss the utility of various ethical theories when determining the nurse's approach to nursing care at the end of life.

### Question 2

The nurse providing care to a dying patient knows the patient prefers to wear his own pajamas even though this makes it difficult to maintain his intravenous lines and drainage tubes. By ensuring that the patient wears his own pajamas, the nurse is implementing which of the following ethical theories?

1. Rule deontology
2. Rule utilitarianism
3. Act deontology
4. Situation ethics

Correct Answer: 4

Rationale: In situation ethics, the decision maker takes into account the unique characteristics of the individual, the caring relationship between the patient and the nurse, and the most humanistic course of action given the consequences. The patient wants to wear his own pajamas even though it makes providing some aspects of care difficult.. Rule utilitarianism seeks the greatest happiness for all. Act deontology is based on the personal moral values of the person making the ethical decision. Rule deontology is based on the belief that certain standards for ethical decisions transcend the individual's moral values. The nurse is not implementing rule utilitarianism, act deontology, or rule deontology.

Cognitive Level: Analyzing

Nursing Process: Evaluation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.2. Discuss the utility of various ethical theories when determining the nurse's approach to nursing care at the end of life.

### Question 3

A dying patient is unable to take fluids by mouth and tells the nurse that "it's okay" since he's not thirsty anyway and is ready to die. The nurse ensures the patient has a functioning intravenous line and administers fluids around the clock. Which of the following ethical theories is this nurse implementing?

1. Rule deontology
2. Act deontology
3. Rule utilitarianism
4. Act utilitarianism

Correct Answer: 2

Rationale: Act deontology is based on the personal moral values of the person making the ethical decision. The patient cannot take fluids, is not thirsty, and is ready to die. The nurse makes sure the patient has adequate fluid intake through intravenous lines. The nurse is making the decision that the patient is to continue to have fluids anyway. Rule deontology is based on the belief that certain standards for ethical decisions transcend the individual's moral values. Rule utilitarianism seeks the greatest happiness for all. Act utilitarianism attempts to determine which course of action will bring about the greatest happiness to a single individual. The nurse is not implementing rule deontology, rule utilitarianism, or act utilitarianism.

Cognitive Level: Analyzing

Nursing Process: Implementation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.3. Explore key ethical principles that can be applied by healthcare providers at the end of life.

#### Question 1

A terminally ill patient tells the nurse that he wants to be the one who makes the decisions about his healthcare going forward and asks the nurse to tell him “everything” about his health and status. The nurse, supporting the ethical principle of veracity, will also support which of the following ethical principles?

1. Fidelity
2. Beneficence
3. Nonmaleficence
4. Autonomy

Correct Answer: 4

Rationale: Veracity concerns truth telling and incorporates the concept that the whole truth be told. Without veracity, the principle of autonomy cannot be fully experienced. Beneficence is the principle that actions should promote good. Nonmaleficence is a principle that states one should do no harm. Fidelity is the principle of keeping one’s promises or commitments.

Cognitive Level: Analyzing

Nursing Process: Planning

Client Need: Safe, Effective Care Environment



Learning Outcome 2.3. Explore key ethical principles that can be applied by healthcare providers at the end of life.

### Question 2

An 80 year old patient, told that he “probably has” prostate cancer and given two options of treatment, asks the physician “what would you do?” The nurse realizes that this situation indicates which of the following ethical principles?

1. Justice
2. Paternalism
3. Fidelity
4. Autonomy

Correct Answer: 2

Rationale: Paternalism is the principle that allows others to make decisions for another without collaboration in the decision-making process. The patient asking “what would you do?” clearly identifies that the patient is not ready to make a decision about treatment and is asking someone else to intervene. Justice is the principle of people being treated fairly and equally. Fidelity is keeping one’s promises or commitments. Autonomy is personal freedom and self-determination and the right to choose what will happen in one’s own life.

Cognitive Level: Analyzing

Nursing Process: Assessment

Client Need: Safe, Effective Care Environment

Learning Outcome 2.3. Explore key ethical principles that can be applied by healthcare providers at the end of life.

### Question 3

The nurse plans and provides quality care to all patients assigned during the shift. This nurse is implementing which of the following ethical principles of care?

1. Respect for others
2. Autonomy
3. Paternalism
4. Fidelity

Correct Answer: 1

Rationale: The overriding ethical principle that supports all the others is that of respect for others. Nurses positively reinforce this principle by assuring that all patients receive quality, competent care. Autonomy addresses personal freedom and the right to choose what will happen to one's own person. Paternalism is allowing one to make decisions for another. Fidelity is keeping one's promises or commitments.

Cognitive Level: Analyzing

Nursing Process: Evaluation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.4. Define the principle of double effect and its application to end-of-life nursing care.

#### Question 1

While planning care for a terminally ill patient, the nurse realizes that, in order to support the ethical concept of nonmaleficence, the patient may experience discomfort with one intervention though the outcome will be “good” for him. The nurse is applying which of the following concepts?

1. Best interest
2. Beneficence
3. Double effect
4. Justice

Correct Answer: 3

Rationale: The concept of double effect exists when an intervention that might be harmful has an effect or that is morally good, or at least neutral. Beneficence is the ethical principle that states that the actions one takes should promote good. Best interest is a standard used to determine the highest net benefit among available options and is most often used when the patient’s preferences are not known. Justice is the ethical principle of treating people fairly and equally.

Cognitive Level: Analyzing

Nursing Process: Implementation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.4. Define the principle of double effect and its application to end-of-life nursing care.

### Question 2

Which of the following patient care situations would support the concept of double effect?

1. Leaving a terminally ill patient lying flat in bed so as to not cause more pain
2. Inserting a central line into a terminally ill patient to provide nutrition and medications
3. Moving a terminally ill patient from the bed to a chair in order to change the bed linens
4. Providing a terminally ill patient who is NPO with ice chips

Correct Answer: 2

Rationale: The concept of double effect comes into play when an intervention that may have harmful effects is implemented. Though the placement of a central line might be painful for the patient, the potential “good” will be sustained nutrition and a way to provide needed medication. Leaving a terminally ill patient lying flat in bed is not good nursing care. Moving a terminally ill patient to a chair in order to change the bed linens is also not good nursing care. Providing a terminally ill patient who is NPO with ice chips is not an example of the double effect.

Cognitive Level: Analyzing

Nursing Process: Evaluation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.4. Define the principle of double effect and its application to end-of-life nursing care.

### Question 3

A terminally ill patient, with significant ascites, would be more comfortable after a paracentesis to remove the fluid, even though the procedure is painful and could cause abdominal organ damage. This procedure would be considered as which of the following?

1. Best interest standard
2. Therapeutic jurisprudence
3. Double effect
4. Competent care

Correct Answer: 3

Rationale: In order for the double effect standard to exist, four conditions must be present. The first condition is that the action itself must be good or at least neutral. The second condition is that the practitioner must intend only the good effect. The third condition is that the undesired effect must not be the means of attaining the good effect. Fourth, that there is a favorable balance between the desirable and undesirable effects. A situation where the patient would benefit from a paracentesis even though organ damage could result is an example of double effect. Therapeutic jurisprudence focuses on the impact of legal and ethical decisions on the psychological well-being of a person. Best interest standard is used to determine the best benefit from the options available when the patient's preferences are not known. Competent care is subjective and may or may not be evident in this situation.

Cognitive Level: Analyzing

Nursing Process: Planning

Client Need: Safe, Effective Care Environment

Learning Outcome 2.5. Analyze the role of therapeutic jurisprudence as a tool to guide nurses in the implementation of ethical decision making during end-of-life care.

#### Question 1

Because of a court order, it has been determined that a terminally ill patient is to receive food, fluids, and comfort measures until the patient independently ceases to breathe. The nurse, fearful that the patient will aspirate and develop pneumonia, should do which of the following?

1. Provide food, fluids, and comfort measures while following aspiration precautions
2. Provide solid food only
3. Provide fluids only
4. Withhold both food and fluids and provide comfort measures

Correct Answer: 1

Rationale: Therapeutic jurisprudence is a concept that focuses on the impact of legal and ethical decisions on the psychological well-being of a person. This concept serves as a guide for ensuring that compassionate care is delivered to all patients, especially those whose diagnoses and prognoses dictate a more complex integration of ethics and law. The patient is “ordered” to receive food, fluids, and comfort measures until death, yet the nurse realizes the risk of aspiration, which could cause a quicker death. The best approach would be for the nurse to follow the court order but utilize aspiration precautions to avoid expediting the patient’s death. The nurse should not pick and choose what to do to support the patient. Cognitive Level: Applying  
Nursing Process: Implementation  
Client Need: Safe, Effective Care Environment

Learning Outcome 2.5. Analyze the role of therapeutic jurisprudence as a tool to guide nurses in the implementation of ethical decision making during end-of-life care.

### Question 2

The nurse caring for a terminally ill patient has received a court order to withhold all food and fluids from the patient because of the threat of aspiration pneumonia even though the patient is awake, alert, and asking for a drink of water. Which of the following should the nurse do?

1. Refuse to uphold the court order and contact the physician because the decision is unethical
2. Provide water to the patient
3. Ask the nurse manager to assign the care of the patient to another nurse
4. Uphold the court order

Correct Answer: 4

Rationale: According to the concept of therapeutic jurisprudence, the nurse and nurse manager have a legal obligation to following the prevailing court decision or legislative act. It would be in violation of the court order if the nurse were to give the patient water. The nurse manager should provide support to the nurse, which may or may not include assigning the patient to another nurse. The nurse should not refuse to uphold the court order and contact the physician.

Cognitive Level: Analyzing

Nursing Process: Implementation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.6. Analyze the role of advocacy from an ethical perspective.

Question 1

The nurse caring for a terminally ill patient receiving chemotherapy discusses the patient's needs and wants and learns that he does not want any more chemotherapy and just wants to be kept comfortable until he passes away. The nurse is working within which of the following advocacy models?

1. Respect for persons
2. Rights protection
3. Values-based decision
4. Patient-advocate

Correct Answer: 3

Rationale: The values-based decision model of advocacy involves the nurse discussing the patient's needs and wants with him and helping him make choices consistent with his values, lifestyle, and desires. The rights protection model of advocacy is when the nurse advocates for the legal and ethical rights of the patient. The respect for person's model or the patient-advocate model involve the nurse's protection of the rights, dignity, and choices of the patient.

Cognitive Level: Analyzing

Nursing Process: Assessment

Client Need: Safe, Effective Care Environment



Learning Outcome 2.6. Analyze the role of advocacy from an ethical perspective.

### Question 2

A patient tells the nurse that he does not want to have surgery to remove a tumor from his small bowel but doesn't want to tell his physician. The nurse encourages the patient to talk with the surgeon in an honest way and volunteers to be in the room when the patient tells the physician. The advocacy model this nurse is implementing would be:

1. Rights protection
2. Values-based decision
3. Respect for persons
4. Therapeutic jurisprudence

Correct Answer: 1

Rationale: In the rights protection model of advocacy, the nurse assists the patient in asserting his autonomy and will strive to protect his health and safety. The nurse encouraging the patient to talk with the physician and be there while he is doing so is an example of the rights protection model of advocacy. The values-based decision model of advocacy involves the nurse assisting the patient to make choices that are consistent with his values, lifestyle, and desires. The respect for persons model of advocacy involves the nurse acting to protect the patient's rights, dignity, and choices. . Therapeutic jurisprudence is not a patient advocacy model.

Cognitive Level: Analyzing

Nursing Process: Implementation

Client Need: Safe, Effective Care Environment

Learning Outcome 2.7. Discuss the important role that ethics committees play in caring for this population.

#### Question 1

The parents of a terminally ill patient diagnosed as having no electroencephalogram activity do not want to stop life-sustaining treatment even though the patient's wife tells the physician that the patient did not want to live "on machines." The ethical committee structure that would best support this patient's needs would be:

1. Social justice
2. Autonomy
3. Patient benefit
4. Double effect

Correct Answer: 3

Rationale: The patient benefit model is most often used when family members are responsible for determining what is best for a patient who cannot speak for himself. This is the best structure to meet this patient's needs. The autonomy model ensures that the patient's desires and wants are supported. The social justice structure involves better education regarding perceptions of care. Double effect is not a type of ethics committee structure.

Cognitive Level: Applying

Nursing Process: Planning

Client Need: Safe, Effective Care Environment

Learning Outcome 2.7. Discuss the important role that ethics committees play in caring for this population.

### Question 2

A patient with a Do Not Resuscitate order is demonstrating signs of fluid volume deficit. Although the nurse believes the patient needs intravenous fluids the physician believes that the provision of fluids would be considered resuscitation. Which of the following ethical committee structures would be helpful in determining the best outcome for the patient?

1. Autonomy model
2. Social justice model
3. Patient benefit model
4. Veracity model

Correct Answer: 2

Rationale: The social justice model supports discussion between healthcare providers with opposing perceptions concerning care. The nurse believes one thing regarding the patient's Do Not Resuscitate order, while the physician believes something else. The autonomy model is used to support the desires of a patient unable to speak for himself. The patient benefit model is used when the patient is incompetent or unable to speak for himself. There is not a veracity model of ethics.

Cognitive Level: Applying

Nursing Process: Planning

Client Need: Safe, Effective Care Environment

Learning Outcome 2.8. Apply the respectful death model to end-of-life care.

Question 1

A terminally ill patient is admitted to the hospital with multiple organ system failure. In implementing the respectful death model, the nurse would do which of the following first?

1. Mindfully listen to the patient talk about his healthcare problems
2. Inform the family that the patient needs end-of-life care
3. Help the family realize that the patient is going to die
4. Establish a therapeutic relationship with the patient and family

Correct Answer: 4

Rationale: Steps in the respectful death model begin with the establishment of a therapeutic relationship between the patient, family members, nurse, and other members of the healthcare team. This is the first thing the nurse should do. The nurse should not inform the family that the patient needs end-of-life care or help the family realize that the patient is going to die. Mindful listening is a strategy that ensures all parties involved in the patient's care are open and honest.

Cognitive Level: Applying

Nursing Process: Implementing

Client Need: Safe, Effective Care Environment

Learning Outcome 2.8. Apply the respectful death model to end-of-life care.

Question 2

A terminally ill patient tells the nurse that he wants his family to remember him in a positive way, celebrating the life they shared and not mourning his passing. The nurse realizes the patient is demonstrating which of the following constructs of mindful listening?

1. Consciousness
2. Commitment
3. Connection
4. Communication

Correct Answer: 1

Rationale: There are three constructs within mindful listening: commitment, connection, and consciousness. Consciousness refers to life experiences and meanings shared by the terminally ill individual and his family. Commitment means that healthcare providers will support the patient and family through all stages of the dying process. Connection means that all individuals discuss all topics openly and honestly. Communication is not a construct within mindful listening.

Cognitive Level: Analyzing

Nursing Process: Assessment

Client Need: Safe, Effective Care Environment