

Quineigamond Community College

First Responder – On Line

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Chapter 3

Legal and Ethical Issues

Legal Principles 1 of 2

- Duty to Act
 - Legal responsibility to respond promptly to an emergency and provide care.
- Standard of Care
 - Manner in which an individual must act or behave when giving care.

Legal Principles 2 of 2

- Scope of Care
 - Type of care specified by National Curriculum for First Responders, developed by United States Department of Transportation.

Ethical Responsibilities and Competence

- Conform to accepted professional standards of conduct.
- Maintain up-to-date skills and knowledge.
- Review your performance.
- Give complete, correct reports.

Consent for Treatment 1 of 2

- Expressed consent
 - Permission given by patient to treat.
- Implied consent
 - Assumed consent when patient does not refuse care as a result of being unconscious, under age, or unable to respond.

Consent for Treatment 2 of 2

- Consent for minors
 - Minors are not capable of legally speaking for themselves.
- Consent of mentally ill
 - Usually will involve law enforcement. Check local protocols.

Patient Refusal of Care

- Competent
 - Able to make rational decisions about personal well-being.
- A competent person has the legal right to refuse care.

Living Wills

- Legal document with specific instructions that patient does not want to be resuscitated or kept alive by mechanical support systems.
- Examples:
 - Advance directives
 - Durable power of attorney for health care
 - Do not resuscitate (DNR) orders

Abandonment

- A situation in which a trained person begins emergency care and leaves patient before another person of equal or higher training arrives to take over.

Persons Dead at the Scene

- Decapitation
 - Head is separated from body
- Rigor mortis
 - Temporary stiffening of muscles
- Tissue decomposition
 - Flesh decay
- Dependent lividity
 - Red or purple color in parts of body closest to ground

Negligence

- Occurs when patient suffers injury or harm due to care that did not meet standards.
- For negligence to occur, four conditions must exist:
 - Duty to act
 - Breach of duty
 - Resulting injuries
 - Proximate cause

Confidentiality

- Most patient information is confidential.
- Information should be shared with other medical or law enforcement personnel only.

Good Samaritan Laws

- Laws intended to minimize liability for any errors or omissions in rendering care in good faith.
- Legal experts agree they provide little or no legal protection for a rescuer.

Regulations

- Be familiar with federal, state, local, and agency regulations affecting your job.
- Certification or registration may be required to work as a first responder.
- You are responsible for keeping certifications current.

Reportable Events

- State and federal agencies have reporting requirements for certain crimes:
 - Assault (knife, gunshot wounds)
 - Auto collisions
 - Suspected child/elder abuse
 - Domestic violence
 - Rape

Crime Scene Operations 1 of 2

- Consider the following at a crime scene:
 - Protect yourself.
 - If scene is unsafe, wait for law enforcement.
 - Your first priorities are your safety and patient care.
 - Move patient only if necessary.
 - Touch only what you need to gain access to patient.

Crime Scene Operations 2 of 2

- Preserve scene for further investigation.
- Be careful where you place equipment.
- Keep nonessential personnel away.
- Write a report about incident including a sketch of the scene.

Documentation 1 of 2

- Condition of patient when found
- Patient's description of injury or illness
- Initial and repeat vital signs
- Treatment given
- Agency/personnel who took over care

Documentation 2 of 2

- *Any other helpful facts*
- *Any reportable conditions present*
- *Any infectious disease exposure*
- *Anything unusual regarding the case*