



Clinical Ethics: Patient and Provider Safety



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Florence Nightingale said, “It may seem a strange principle to enunciate as the very first requirement in a hospital that it should do the sick no harm,”¹ but perioperative nursing practice is indeed grounded in the ethical principles of beneficence and nonmaleficence. The AORN *Perioperative Explications for the ANA Code of Ethics for Nurses*² and *Guidelines for Perioperative Practice*³ define the moral obligations inherent in the practice of perioperative nursing to promote patient and provider safety. To meet these obligations, perioperative nurses have the professional responsibility to provide safe patient care and to maintain a safe work environment.

ETHICAL PRACTICE

Clinical ethics and patient safety are fundamental values in health care. Patient and provider safety is grounded in ethical principles and implies an obligation on the part of the perioperative nurse to provide benefit and prevent patients from

harm. The words “ethical” and “moral” are often used interchangeably, but there is a distinction between the two. *Ethical* refers to principles about what one ought to do when faced with a dilemma.² Although the word *moral* overlaps in meaning with ethical, it generally refers to personal, societal, or cultural values regarding what is considered acceptable behavior.² Ethical questions, however, are often difficult to answer. For example:

- Is it unethical not to perform a time out before incision?
- Is there a safety or ethical issue involved if a nurse chooses to wear a cloth hat that does not contain his or her hair adequately?
- Do professional perioperative RNs have the ethical obligation to implement and comply with AORN guidelines?
- Do AORN practice guidelines articulate perioperative nurses’ moral imperative as it relates to patient safety?
- How are the perioperative specialty’s ethical patient safety obligations determined?

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The answers to these and other ethical questions can be found in various resources developed by AORN. The AORN *Guidelines for Perioperative Practice*³ serve as a foundation for perioperative nursing practice as illustrated by the Perioperative Patient-Focused Model.³ According to AORN Standard 12: Ethics, “The perioperative RN uses ethical principles to determine decisions and actions,”^{4(p701)} which indicates that the perioperative nurse has an ethical responsibility to protect the patient’s safety.⁴

A code of ethics establishes a profession’s nonnegotiable ethical standards. AORN has adopted the ANA *Code of Ethics for Nurses With Interpretive Statements*, which comprises nine provisions with statements regarding the ethical obligations and duties of every nurse.⁵ The AORN Ethics Task Force developed specific perioperative explications corresponding to each of ANA’s nine provisions. According to this task force, “The perioperative nurse, by virtue of the nurse-patient relationship, has an obligation to provide safe, professional, and ethical patient care.”^{2(p712)} This statement articulates that both *ethical* and *safe* practice are critical aspects of perioperative nursing,² and the development of ethical and safety competencies are paramount to a culture of safety.

Of the nine provisions of the ANA *Code of Ethics*, the first three describe the core values of nursing, the next three describe nursing duty to the patient, and the last three describe nursing societal obligations. Provisions 3 and 5 specifically address the domain of safety.⁵ Provision 3 describes the nurse’s ethical duty to the patient: “The nurse promotes, advocates for, and strives to protect the health, safety, and rights of the patient;”^{5(p717)} and “The perioperative nurse’s primary obligation is to promote the health, welfare, and safety of the patient.”^{5(p719)} Provision 5 describes a nurse’s “duties to self as to others, including the responsibility to preserve integrity and safety.”^{5(p724)} Health care professionals can achieve this culture of safety by implementing and maintaining standards of perioperative nursing practice, following policies and practice guidelines, and adhering to federal and state regulations.^{5(p719-720)}

Ethical Issues

The perioperative nurse has an ethical and legal obligation to protect patients from incompetent, unethical, or illegal practices. Ethical principles help guide nurses through difficult health care situations. To demonstrate competence when navigating these ethical issues, nurses should understand the fundamental principles of autonomy, nonmaleficence, beneficence, and justice.

Autonomy

Autonomy refers to patients’ right to choose and health care professionals’ obligation to respect the patients’ choices. Examples of autonomy include informed consent and the patient’s right to decline treatment. “Autonomous choice is a *right*, not a *duty* of patients.”^{6(p63)}

Nonmaleficence

Nonmaleficence refers to the professional obligation not to inflict harm. In the context of medical ethics, this has been most closely associated with the Hippocratic Oath to “above all, do no harm.”⁷ Nonmaleficence also involves implementing practice guidelines and procedures to prevent harm (eg, disinfection, sterilization, skin preparation, surgical counts, time outs). Failure to implement these practices compromises patient safety.

Beneficence

The principle of beneficence demands more than non-maleficence because the perioperative nurse must remove conditions that could cause harm to the patient and must provide a benefit, implying that the perioperative nurse must take positive action to help others, not merely refrain from committing harmful acts. Creating standards of practice that promote benefit is an example of beneficence. As the ANA *Code of Ethics* states, “The nurse’s primary obligation is to promote the health, welfare, and safety of the patient.”⁵ The carrying out of this obligation is reflected in AORN’s collaboration to create its perioperative guidelines and help promote and maintain a culture of safety.³

Justice

Every patient has a right to fair, equitable, and appropriate care. Societal inequalities—in particular, access to health care—combined with increased health care costs make any discussion about justice complicated. To help simplify, it is important to understand the ethical principle of injustice, which is “a wrongful act or omission that denies a person of benefits to which they have a right.”^{6(p113)}

The ANA *Code of Ethics* speaks to the principle of justice in Provision 1, “The nurse, in all professional relationships, practices with compassion and respect for the inherent dignity, worth, and uniqueness of every individual, unrestricted by considerations of social or economic status, personal attributes, or the nature of health problems.”⁵ A perioperative example of justice is the consistent application of the standards of nursing practice to all patients regardless of their economic, educational, cultural, religious, racial, age, or sexual differences.³

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