

Ethical and Legal Issues in John Hibble's Healthcare Case

Posted on September 19, 2019

Medical Emergency and the Ethical Conflict in John Hibble's Case

The case study of John Hibble, a patient who was injured during mountain biking, raises several concerns. The patient is admitted to the hospital with severe injuries, and in the process of being treated, ethical considerations such as consent to the treatment of blood products despite his parent's strong religious beliefs and concerns, age of consent, his sexuality estranged relationship, the duty of care as a nurse and the privacy in regards to patient confidentiality. The concern arises when John refuses his parents to come and see him.

As an obligation, John's patients ought to be there for him because they are the closest people to be aware of the accident. On the other hand, John's parents have different views about his treatment. They alleged that he has been making poor decisions of late, including leaving his faith. According to John's mother, John should not receive any blood product, or else he will be excommunicated by his family. The patient does not want to see his parents, but the mother ignores this request. Such a situation is full of conflicts of interest, and attending to such a patient becomes challenging. The two acts relating to this case study are:

- The Health practitioner regulations national law act 2010 Division 1 information and privacy And 2 division disclosure of information and confidentiality
- The Mental Health Act 2014 informed consent (act 2104)

The Health Practitioner Regulation National Law Act 2009 was reprinted on 1 July 2010. The reprint incorporated amendments in accordance with the Queensland *Reprints Act 1992*, including section 5(c). Part 10 of the National Law includes provisions concerning information, privacy, disclosure, and confidentiality. Information that comes into the knowledge of a person while exercising the duties is termed protected information. The law outlines that a person exercising functions under the law should not disclose the information to anyone else. (Health, 2010). Confidentiality is the act of confining to secret information shared by the patient and the nurse. Iman (2008) says that "Privacy and confidentiality are not only basic rights of the patients but also serve to further a trustful, frank and open relationship with the Nurse, thus improving patient care".

Capacity, Consent, and the Legal Rights of the Patient

In this case, John Hiddle is of legal age to make an informed decision regarding his medical treatment (Health, 2006).

Human Rights Act (1998) implies that patients have the right to be treated with respect and dignity. Thus, the move to prevent John's parents from seeing him would be a way of recognizing his wish. The issues raised are that John does not want to see his parents, he wishes to receive blood products, and he does 'not want his parent in the same room as his fiancé. David's parents are not his next of kin.

The Mental Health Act allows Mr Hibble to make an informed decision to receive blood products by gaining legally informed consent. Ethics has it that nurses should respect autonomy while attending to the patient, and the patient's will and decision should always be respected. The patient should be allowed to make a decision based on their own moral beliefs and ethical considerations. According to Casey & Wallis (2011), nurses should practice effective communication skills while addressing a patient's condition or treatment to both friends and relatives and also to fellow health officials. The legislation also requires effective communication with the patient and the nurse, which includes respecting their views and concerns, thus his consent to receive blood products despite the contradicting information from his parents.

Jehovah's Witness Beliefs and the Refusal of Blood Transfusion

In John's case, the background of his family is learned through his parents, who belong to Jehovah's Witness. According to their faith, it is not appropriate for John to get a blood transfusion. It is necessary for a nurse to understand the cultural needs of the patient to ensure that their health is improved. Being sensitive to one's beliefs is tied to informed consent when dealing with a patient (Daly, Speedy, & Jackson, 2017). For this reason, whatever John terms as contrary to his belief or faith should be put aside. Sensitivity to the culture of a patient also enables a nurse to shape their practice in a way that improves the health of a patient. Australia encompasses diverse cultures, and their heritage should be respected, even in the provision of healthcare services. The law for respecting a patient's culture and beliefs is relevant in John's scenario because he belongs to a faith that restricts some forms of treatment (Johnstone, 2015). Therefore, a discussion with the patient is necessary before giving him any blood products. The nurse is legally obligated to ensure that the patient is fully aware of the treatment he has chosen and provide guidance to help the patient in making an informed choice.

Respect for a patient's belief also raises more concerns in the case study because John's parents mention that he had left his faith, Jehovah's Witness. However, they still insist that his religion is noted down and urge him that he should not be given blood products. The conflict arising between John and his parents, especially in regard to faith and beliefs, is of great worry. John was involved in an accident, and a blood transfusion seemed a necessary treatment because he had lost a lot of blood. Additionally, he had left his faith. For such disparity, the consent given by John would coincide with the approval given by his parents. Since John could give permission, his decision would be given importance because it relates to his beliefs and not to the family. As a good practice, a health practitioner ought to work in the best interest of John's health and within his own beliefs (Daly, Speedy, & Jackson, 2017). It is the mandate of the nurse to act professionally while relating to a patient and keep the adverse situations at a minimum.

Disclosure, Family Conflict, and Ethical Communication in Treatment

One ethical issue that may arise when caring for John Hibble during the morning shift is the disclosure of information. Precise information is necessary to make sure that the patient has a clear understanding of the choices he makes. The law demands that patients be given information in a proper manner so that they have all the details before giving their consent (Chang & Daly, 2015). In this case, the information being handled also involves John's parents, who have conflicting views with their son. It is likely that some information can make things worse when all the parties are made aware of it. As observed in the case, John does not want to see his parents. However, it becomes difficult to make the parents aware of his decision. On the other hand, John's parents are willing to excommunicate their son if he receives blood products for his treatment. It becomes hard to communicate such information to John.

The situation may force one to withhold information from both John and his parents to reduce conflict and create a good environment for treating John. An effective strategy for addressing the issue is to make sure that any information which will bring about more disagreements is conveyed in a better way. It is appropriate to discuss the situation at hand with the parents and convince them to support their son so that he can get the right treatment. A communication approach that brings them together and makes them work towards a common goal of saving John's life is the best strategy. Effective communication in the treatment of a patient is crucial for ensuring positive outcomes accrue (Chang & Daly, 2015). It is also important to relate to John and his parents respectfully so that they can cooperate. Moreover, the communication approach should disclose information that pertains to John's health so that he can make a sound decision. By trying to reconcile the two parties, good results can be obtained, and ethical obligations will have been fulfilled.

References

- Bodenheimer, T., & Bauer, L. (2016). Rethinking the primary care workforce—an expanded role for nurses. *New England Journal of Medicine*, 375(11), 1015-1017 Retrieved from; <http://jme.bmj.com/content/29/1/36h>
- Chaloner, C. (2006). *Law And Ethics – foundations in nursing and healthcare. Nursing Standard (through 2013)*, 20(20), 37. Retrieved from <https://search-proquest-com.dbgw.lis.curtin.edu.au/docview/219833709?accountid=10382>
- Chang, E., & Daly, J. (2015). *Transitions in Nursing-E-Book: Preparing for Professional Practice*. Elsevier Health Sciences.
- Daly, J., Speedy, S., & Jackson, D. (2017). *Contexts of nursing: An introduction*. Elsevier Health Sciences.
- Holloway, I., & Galvin, K. (2016). *Qualitative research in nursing and healthcare*. John Wiley & Sons
- Johnstone, M. J. (2015). *Bioethics: a nursing perspective*. Elsevier Health Sciences.
- MentalHealthAct2014
(2017)S2.Retrievedfrom<https://www.legislation.wa.gov.au/legislation/student.nsf/mainmrttitle13534homepage.html>
- McLellan, L., Higgins, I., & Levett-Jones, T. (2015). Medical acceptance of the nurse practitioner role in Australia: a decade on. *Journal of the American Association of Nurse Practitioners*, 27(3), 152-159.
- Smyth, D., & Lane, P. (2016). Abortion in modern health care: Considering the issues for health-care professionals. *International journal of nursing practice*, 22(2), 115-120
- Stevelink, S. A. M., Malcolm, E. M., Mason, C., Jenkins, S., Sundin, J., & Fear, N. T. (2014). The prevalence of mental health disorders in (ex-) military personnel with a physical impairment: a systematic review. *Occup Environ Med*, oemed-2014.
- . Thomas, L. (2010). THE HEALTH PRACTITIONER REGULATION NATIONAL LAW ACT. *Australian Nursing and Midwifery Journal*, 17(10), 21. Retrieved from. http://www.legislation.act.gov.au/a/db39269/current/pdf/db_39269.pdf
- Wheeler, H. (2013). *Law, Ethics and Professional Issues for Nursing: A Reflective and Portfolio-Building Approach*. Routledge. Retrieved from <https://ebookcentral.proquest.com>