

Subject Description Form

Subject Code	SN5180
Subject Title	Ethics and Law in Clinical Practice
Credit Value	3
Level	5
Pre-requisite / Co-requisite/ Exclusion	Nil
Objectives	To develop students' ethical and legal sense of practice in the role of health professional, that they are able to articulate relevant concepts and theories for making accountable and responsible clinical judgment, analyze ethically and legally questionable situation and apply professional judgment in working through dilemmas for arriving at best possible solution. (PILO 5.2.4, 5.2.5, 5.2.8, 5.2.10(i,iv,v))
Intended Learning Outcomes	Upon completion of the subject, students will be able to: <ul style="list-style-type: none"> a. Reflect on the ethical self in the context of professional practice, (PILO 5.2.4, 5.2.10(i)) b. Become acquainted with the principal issues in clinical ethics and law, (PILO 5.2.4) c. Critically appraise the legal and ethical concerns of nursing as a health profession, (PILO 5.2.4, 5.2.10(iv)) d. Demonstrate the ability to deliberate, analyse, articulate, and critique the ethical and legal arguments in dealing with controversial issues in healthcare, (PILO 5.2.4, 5.2.5, 5.2.10(i, iv)) e. Engage in discourse with peers with regard to ethical justifications and legal considerations in resolving clinical quandaries. (PILO 5.2.4, 5.2.5, 5.2.8, 5.2.10(iv,v))
Subject Synopsis/ Indicative Syllabus	<ol style="list-style-type: none"> 1. Ethical Aspect in health care <ol style="list-style-type: none"> 1.1 Values inquiry: personal, social, moral, and professional values 1.2 Ethical theories and concepts, and implications in ethical decision making: <ul style="list-style-type: none"> • Theories such as consequence-based, obligation-based, rights-based theories, and virtual-based ethics. • Ethical principles such as autonomy, non-maleficence, beneficence, and justice 1.3 Discourse on issues in healthcare ethics: <ul style="list-style-type: none"> • Treatment-limiting decision-making in end-of-life care, • Informed consent and clinical trial, • Technological advances, individual versus human good, e.g. genetic therapy, reproductive technology, organ transplantation • Information disclosure/nondisclosure and public interests • Individual rights and community goods • Non-maleficence and distributive justice • Personal responsibility and public health • Risk and vulnerability in work place, and professional responsibility 1.4 Implications of the ethics discourse in healthcare practice. 2. Principles of law and its relevance to health care. <ol style="list-style-type: none"> 2.1 The nature and functions of law. 2.2 The legal system in Hong Kong. 2.3 Principles of tort law and its implication in healthcare practices. <ul style="list-style-type: none"> • Tort of negligence, vicarious liability • Assault and battery • Valid consent • False imprisonment • Personal data protection Defamation • Relevant Ordinances related to health care practices. 2.4 Common practical legal issues. 2.5 The Mental Health Ordinance.

Teaching/Learning Methodology	<p><u>Lectures</u> They are conducted to provide students with the concepts and theories of ethics and law as applied to professional practice in health care. Case studies, video and newspaper clippings will be used as examples to help students acquire the knowledge base for ethical and legal analysis.</p> <p><u>Seminar/Tutorials</u> Scenario case study approach will be used for engaging students in discourse with peers with regard to ethical justifications and legal considerations in selected clinical quandaries. Students will be guided through ethical and legal case analyses to develop critical thinking, problem solving abilities and communication skills required for making accountable and responsible judgment in dealing with ethical/legal challenges in the context of clinical practice.</p>																																					
Assessment Methods in Alignment with Intended Learning Outcomes	<table border="1" data-bbox="472 489 1425 825"> <thead> <tr> <th rowspan="2">Specific assessment methods/tasks</th> <th rowspan="2">% weighting</th> <th colspan="5">Intended subject learning outcomes to be assessed (Please tick as appropriate)</th> </tr> <tr> <th>a</th> <th>b</th> <th>c</th> <th>d</th> <th>e</th> </tr> </thead> <tbody> <tr> <td>1. Written test</td> <td>60</td> <td></td> <td>✓</td> <td>✓</td> <td>✓</td> <td></td> </tr> <tr> <td>2. Seminar paper</td> <td>40</td> <td>✓</td> <td>✓</td> <td>✓</td> <td>✓</td> <td>✓</td> </tr> <tr> <td>Total</td> <td>100 %</td> <td colspan="5"></td> </tr> </tbody> </table> <p>Students are required to pass both the written test and the seminar paper in order to obtain a pass in this subject</p> <p><u>Written Test</u> The test will comprise case-based multiple choice questions for testing students' comprehension of the ethical and legal concepts related to health care and short questions for evaluating their ability to identify and analyze the legal and ethical concerns in the clinical context of professional practice. (PILO 5.2.4, 5.2.10(iv))</p> <p><u>Seminar Paper</u> Students will be assessed on their ability to deliberate, analyze, articulate, and critique the ethical and legal arguments on selected clinical quandaries by seminar presentation. (PILO 5.2.4, 5.2.5, 5.2.8, 5.2.10(i,iv,v))</p>					Specific assessment methods/tasks	% weighting	Intended subject learning outcomes to be assessed (Please tick as appropriate)					a	b	c	d	e	1. Written test	60		✓	✓	✓		2. Seminar paper	40	✓	✓	✓	✓	✓	Total	100 %					
Specific assessment methods/tasks	% weighting	Intended subject learning outcomes to be assessed (Please tick as appropriate)																																				
		a	b	c	d	e																																
1. Written test	60		✓	✓	✓																																	
2. Seminar paper	40	✓	✓	✓	✓	✓																																
Total	100 %																																					
Student Study Effort Expected	<p>Class contact:</p> <table border="1" data-bbox="472 1287 1453 1465"> <tbody> <tr> <td>▪ Lecture</td> <td>26 Hrs.</td> </tr> <tr> <td>▪ Tutorial/Seminar</td> <td>13 Hrs.</td> </tr> <tr> <td>▪ Online quiz and other related online learning activities</td> <td>10 Hrs</td> </tr> </tbody> </table> <p>Other student study effort:</p> <table border="1" data-bbox="472 1528 1453 1675"> <tbody> <tr> <td>▪ Extensive reading</td> <td rowspan="3">70 Hrs.</td> </tr> <tr> <td>▪ Prepare for seminar paper</td> </tr> <tr> <td>▪ Preparation for written test</td> </tr> </tbody> </table> <p>Total student study effort: 119 Hrs.</p>					▪ Lecture	26 Hrs.	▪ Tutorial/Seminar	13 Hrs.	▪ Online quiz and other related online learning activities	10 Hrs	▪ Extensive reading	70 Hrs.	▪ Prepare for seminar paper	▪ Preparation for written test																							
▪ Lecture	26 Hrs.																																					
▪ Tutorial/Seminar	13 Hrs.																																					
▪ Online quiz and other related online learning activities	10 Hrs																																					
▪ Extensive reading	70 Hrs.																																					
▪ Prepare for seminar paper																																						
▪ Preparation for written test																																						
Reading List and References	<p><u>Textbook</u></p> <p>Indicative Reading List</p> <p>Beauchamp, T. L., & Childress, J. F. (2013). <u>Principles of Biomedical Ethics</u> (7th ed.). New York: Oxford University Press.</p> <p>Dimond, B. (2011). <u>Legal Aspects of Nursing</u> (5th ed.). England: Pearson / Longman.</p>																																					

Dobinson, I., & Roebuck, D. (2001). Introduction to law in the Hong Kong SAR (2nd ed.). Hong Kong: Sweet & Maxwell.

Mason, J.K., & Laurie, G.T. (2011). Law and Medical Ethics (8th ed.). Oxford: Oxford University Press.

References

Berthold, M. (2003). Hong Kong data privacy law: territorial regulation in a borderless world. Hong Kong: Sweet & Maxwell Asia.

Brazier, M., & Cave, E. (2011). Medicine, patients and the law (5th ed.). London: Penguin Books.

Drought, T. (2006). Chapter 9: The application of principle-based ethics to nursing practice and management: implications for the education of nurses. In Davis, A., Tschudin, V., & DeRaev, L. (eds). Essential of Teaching and Learning in Nursing Ethics: Perspectives and Methods (pp. 81-96). Oxford: Elsevier Science Publisher.

Edwards, S. (2006). Chapter 7: A principle-based approach to nursing ethics. In Davis, A., Tschudin, V., & DeRaev, L. (eds). Essential of Teaching and Learning in Nursing Ethics: Perspectives and Methods (pp. 55-66). Oxford: Elsevier Science Publisher.

Fremgen, B. (2012). Medical Law & Ethics (4th ed.). New Jersey: Upper Saddle River, Pearson.

International Council of Nurses. (2012). Code of Ethics for Nurses. Retrieved June 3, 2019, from <http://www.icn.ch/about-icn/code-of-ethics-for-nurses/>

Pang, M.C.S., Yahiro, M., Chan, Y.L.H. (2009). "Knowing the patient and being a good nurse", in A Contemporary Nursing Process: The (Un)bearable Weight of Knowing in Nursing, edited by RC Locsin & Purness (Chapter 22, pp. 445-467). Springer Publishing Co.

Pellegrino, E.D. (1995). Toward a virtue-based normative ethics for the health professions. Kennedy Institute of Ethics Journal, 5(3), 253-277.

The Nursing Council of Hong Kong (2015). Code of Ethics and Professional Conduct for Nurses in Hong Kong. Retrieved June 3, 2019 from www.nchk.org.hk

UNESCO. (2005). Universal Declaration on Bioethics and Human Rights. Retrieved June 3, 2019, from <http://www.unesco.org/new/en/social-and-human-sciences/themes/bioethics/bioethics-and-human-rights/>

文思慧及梁美儀 (2000)。專業交點 — 專業倫理的理念與實行。香港：青文書屋。

Journals

American Journal of Law & Medicine
Chinese & International Philosophy of Medicine
Hastings Center Report
Issues in Law & Medicine
Journal of Clinical Ethics
Journal of Medical Ethics
Nursing Ethics
中國醫學倫理

Useful web sites

Boston College School of Nursing
The site provides abstracts of nursing ethics texts and useful links to other sources.
www.bc.edu/bc_org/avp/son/ethics/

Canadian Nurses Association
This website contains free articles and position statements on ethical challenges such as Advance Directives, End-of-Life Issues, Privacy, Ethical Conflict and Moral Distress.
<http://www.cna-nurses.ca/cna/>

Case Studies – Bioethics & Sciences
Site contains a large collection of links to sources of ethics case studies in medical and related fields.
<http://www.vanderbilt.edu/CenterforEthics/cases.html#science>

Ethical, Legal, and Social Issues (ELSI) of the Human Genome Project
http://www.ornl.gov/sci/techresources/Human_Genome/elsi/elsi.shtml

Global Ethics Observatory, UNESCO
<http://www.unesco.org/shs/ethics/geo/>

Hong Kong SAR Laws Information System
Site provides the Statutes enacted in Hong Kong
<http://www.legislation.gov.hk/index.htm>

International Council of Nurses
Site contains resources relevant to nursing ethics, including links, etc.
<http://www.icn.ch/>

The American Psychological Association (APA)
<http://www.apa.org/science/research.html>

The Nursing Council of Hong Kong – Code of professional conducts and code of ethics
<http://www.nchk.org.hk/>

The University of Minnesota's Center for Bioethics
<http://www.med.umn.edu/bioethics/>
<http://www.research.umn.edu/consent/orientation.html>

Universal Declaration on Bioethics and Human Rights, UNSECO
<http://www.unesco.org/new/en/social-and-human-sciences/themes/bioethics/bioethics-and-human-rights/>