

# What Influence Nurses Practice More: Law or Ethics



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## Abstract

- A. Law and ethical values play a huge role in guiding medical practices in nursing field
- B. It is a controversial subject that requires long time to be fully analyzed and interpreted
- C. Brief background of the controversial issue
- D. Definition of keywords; law, value and best practices
- E. Thesis statement

## Main idea 1# ethical influences in nursing

- A. How can human values and best practices guide nursing practices
- B. It is important to have ethics which can influence practices in all career
- C. Why it is not enough to guide practices
- D. Support idea with evidences

## Main idea 2# law influences in nursing

- A. Important of polices and regulations to control staff acts
- B. Introduction of rules in hospital setting
- C. Support the idea that laws should take the rights to control
- D. Aspects of nursing career to protect the employee and patients
- E. Paragraph for importance of being awareness of law for the career
- F. Support idea

## Main idea 3#: 3 paragraphs about how to influence practice in nursing

- First paragraph about: Fairer practice in nursing
- A. Law can make the nursing practices fairer and accessible to all patients
  - B. Support idea
- Second paragraph about: Safer practice in nursing
- D. Influence of law on safe nursing practice
  - E. Support idea
- Third paragraph about: ethical practice in nursing
- G. Regulations can affect nursing practices to be more ethical
  - H. Support idea

**Conclusion:** It is both law and ethical values should be implemented to achieve optimal and holistic nursing care.

## Introduction

Laws and ethics are influencing nursing profession, which require more understanding to guide nurses to possess the best practices. First of all, law is defined as “a system of rules that are

enforced through social institutions to govern behaviors” [1]. Whereas, the concept of ethic does not have precise definition, ethics can be described as “making ‘right’ or ‘good’ choices and

the reasons that we give for our choices and actions" [2]. The concept of whether law or ethical values should control nursing actions, is a controversial subject that requires prolonged time to be fully analyzed and interpreted. Freeman [3] points out that in the Fifth century, Hippocrates initiated the ethical codes and established ethical rules in medical field. This essay will discuss the relative importance of law and ethical values in guiding the nursing profession, and to consider how legislation can influence health care professional to deliver fairer, safer and more ethical practices.

Currently, influence of law and ethical values on the nursing practices has become a prominent subject that requires in-depth perception and further study. Nursing actions are guided by combination of several features such as guidelines, ethical practices and ideas of accepted best practices. Implementation of moral principles in nursing field is observed in several examples such as obtaining informed consent, patient advocate and patient confidentiality. These principles are vital components in nursing oath, which is defined as "a solemn pronouncement to affirm the truth of a statement or to pledge a person to some course of action" [4]. In other words, the oath is a commitment of health care provider to the ethical principles that influences the overall performance of the nurses. Effects of ethical values on nurses' actions rely on three factors; employee capabilities of distinguish the right from the wrong, personal accountability and respecting various cultures and beliefs. Because of these factors, individual's values are vulnerable to many alterations in the workplace, which should warn the nursing leaders about effect of unstable value son the nurse's actions. Hence, importance of ethical values of health care providers and awareness of nursing best practices, are not sufficient to control the nursing acts.

Legal aspect of nursing practice has a significant value since the nurses' actions involve a constant revisions and modifications to become more effective and efficient. In fact, controlling of nurse's acts might be very difficult mission as several factors influencing nurses' actions such as duty workload, financial, social and psychological status. Hence, written polices and regulations can have great influences on practices of the nurses to provide best care for their clients. Formulating such regulations and policies may require prolong time, setting of clear goals, and several meetings to cover all perspectives of nursing practice. In addition, this process can involve input from variety of nursing leaders, juridical and ethical expertise. Furthermore, implementation of nursing laws can serve as strategic plan that guides nursing profession, whether in-patient nursing care or public health nursing. "Law governs how public health strategies are authorized and implemented" [5]. Therefore, laws should guide and control nursing career practices to safeguard both employees and patients.

Obviously, awareness of laws may protect nurses from legal issues while taking care of patient as evidence by tort law. Therefore, health care provider should be conscious of

the consequences of breaching the law. One of the well-known laws in nursing field is tort law, which involves malpractice and negligence of patient care. "Basically a tort is a wrongful act which produces harm, whether it is unintentional or intentional" [6]. Hence, nurses are responsible to be aware and practice specific tasks to avoid breaching of law. Examples of tasks that should be undertaken by nurses are documentation, assessment, giving medications and monitoring patient status. Accordingly, each nurse should have knowledge and skills to practice safe acts and follows the regulations. Ultimately, such legislations will guide and influence nurses to provide holistic and compassionate care to the sick people, which is one of the aims of nursing system.

First of all, in the health system fairness is very crucial right of citizens, which promote the sense of belonging and satisfaction in the community. Fairness can be achieved when the patients have access to health care, without any discrimination, and also when the health care provider become an advocate of the patient's rights. There are certain people might complain about health system in the country and insurance taxes but these issues are not part of this paper. However, there are three reasons why particular people cannot have easy access to care such as cost of health taxes, age and location from the nearest health center. Sims [7] reported that the process of making decision should not be influenced by ability of patients to have treatment regardless of their age, geographical location or care group. Therefore, regulations should make sure that there is no diversity between patients and setting of very strict rules for all organizations and companies within country will provide optimal care to all citizens.

Next, law necessities the existence of safe practice to deliver better care, particularly to the dependent sick patients. A vital part of nursing best practices is the ability to provide safe environment to the patients inside the health institute. This important aspect of nursing performance depends on two factors; nurses' workload and the existence of safety guidelines in nursing protocols. Initially, the first contributing factor is employee's stress caused by nursing shortage or amount of tasks given, as a result this may affect the quality of patient care. Secondly, safety practices will be fulfilled if the nurses follow risk assessment and risk management policies such as fall scale, which assess possibility of patient fall from bed, and avoidance of medication errors. Choi et al. [8] emphasized about importance of developing rules for beginner nurses to facilitate the process of decision-making and to prevent risk related situations to the patients. They also stated that advocacy of nurses might aid in providing safe practices to sick persons. Consequently, nurses are responsible to understand and follow patient safety guidelines to provide safe environment.

Finally, considering of ethical practice is a core concept that needs to be included in the most parts of laws and legislations. The best practices described as the acts that provide compassionate care and advocacy patient care, which refers to the ability

to value all patients and protect them from any unethical acts. Therefore, respecting patient spiritual beliefs, culture diversity and social issues are the key points to provide ethical nursing care. In addition, moral considerations and delivery of compassionate care to patients are the reasons that motivate and encourage sick people to engage them in relieving of patient discomfort. As a result, several organizations include public and religious committees in composing Nursing Legislations. Vallejo & Iglesias [9] discussed that there are several universal and ethical legal standards that require awareness of nurses. The examples of these laws include "Code of Ethics for Nurses, the Helsinki Declaration and the Nuremberg Code". Development of the regulations and policies will direct the health care system to avoid any future unethical practices such as violation of patient confidentiality, contempt patients due to racial feelings and disrespect of an individual's belief. Hence, the legislations of nursing profession should involve more ethical practices to ensure the mutual respect between nurses and their clients.

### Conclusion

In conclusion, this essay presents connection between legal and ethical values in nursing practices, which is a debating subject for prolong time. However, this association should not mask the relative importance of possessing clear and objective regulations that guide nursing performance. Delivery of nursing care should be directed by law to be fairer, safer and more ethical practices. Firstly, Patients should have fairness and they should

not have any trouble in easy access to hospitals. Then, nurses are guided by legislations that ascertain a high protection from any risk situations. Finally, ethical practices are the key word to produce a successful planning to have new effective laws and regulations. In the end, importance of this paper is that it may give more highlights on the ambivalence of the two concepts of laws and ethics, which demands further study and discussion.

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