

Ethical and Legal Issues in EMS

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MFRI Field Instructor

Ethical and Legal Issues in EMS

LESSON PLAN

TOPIC	Ethical and Legal Issues in EMS
TIME FRAME	1.5 – 2 hours
LEVEL OF INSTRUCTION	Cognitive
LEARNING OBJECTIVES	<ul style="list-style-type: none">- At the end of this presentation the student will be able to correctly identify the appropriate response to various legal and ethical issues.- Following a lecture, the student will have a greater understanding of the legal and ethical issues surrounding EMS.
RESOURCES / MATERIALS NEEDED	PowerPoint Presentation NAEMT Code of Ethics for EMS Practitioners Handout Scenario ancillary sheets
PRE-REQUISTIES	None
REFERENCES	Brady Emergency Care, Twelfth Edition Nancy Caroline's Emergency Care in the Streets, Seventh Edition National Association of Emergency Medical Technicians Page, Wolfberg & Worth, LLC.
LESSON SUMMARY	This lesson is designed to review current legal and ethical issues the EMS practitioner may encounter through the performance of their duties.
ASSIGNMENTS	None.

LESSON OUTLINE

INTRODUCTION

- a. Instructor Name
- b. This evening we are going to discuss ethical and legal issues in EMS.

MOTIVATOR

The ethical and legal issues surrounding EMS are continually evolving. While an initial training is provided to all practitioners during the coursework for initial certification, rarely is continuing education based on updating providers with the latest changes in EMS law and ethical practices. It is important to provide regular refresher courses to providers to help keep them aware of the evolution of applicable ethical and legal issues, standards and practices.

OBJECTIVES

1. At the end of this presentation the student will be able to correctly identify the appropriate response to various legal and ethical issues.
2. Following a lecture, the student will have a greater understanding of the legal and ethical issues surrounding EMS.

OVERVIEW

In order to meet these objectives, we will:

- discuss various ethical definitions, standards, and practices.
- discuss various legal definitions and laws.
- discuss various ethical and legal responsibilities of EMS practitioners.
- divide into groups of three to five members and evaluate a scenario and report the findings back to the group.

BODY

- I. Ethics
 1. Definition
 2. Creators of ethical standards
 - a. Professional groups and societies
 - i. American Medical Association (AMA)
 - ii. National Association of Emergency Medical Technicians (NAEMT)
 - iii. World Medical Association (WMA)
 - b. Laws and treaties

- i. Declaration of Geneva, 1948
 - ii. Convention on Human Rights and Biomedicine, 1997
3. Examples of ethical standards
 - a. The Oath of Geneva
 - b. The Code of Ethics for EMS Practitioners

II. Laws

1. Types
 - a. Civil
 - b. Criminal
2. Civil Laws
 - a. Torts
 - i. Intentional tort
 - ii. Negligent tort
 - iii. Examples
3. Scope of Practice vs. Standard of Care
 - a. Scope of Practice defined
 - b. Standard of Care defined
 - c. Comparison
4. Emergency Medical Treatment and Active Labor Act (EMTALA)
5. Crime scenes
 - a. Considerations
 - b. Responsibilities
6. Mandatory Reporting
 - a. Who are mandatory reporters
 - b. What must be reported
 - c. Who to report it to
7. Patient Autonomy
 - a. Consent of treatment
 - i. Informed
 - ii. Expressed
 - iii. Implied
 - b. Transport decisions
 - c. Refusal of care

- d. Minors
- e. Alternative sources of Consent
- 8. Violent Patients and use of Restraints
- 9. Negligence
 - a. Definition
 - b. Duty to Act
 - c. Breach of Duty
 - i. Violate Standard of Care or Scope of Practice
 - ii. Patient abandonment
 - d. Penalties
- 10. Good Samaritan Laws
- 11. Safe Haven Laws

III. Patient Privacy / Health Insurance Portability and Accountability Act (HIPAA)

- 1. Protected Health Information (PHI)
 - a. Definition
 - b. Forms of PHI
 - c. Obligations of the provider
 - d. Permitted Uses
 - i. Treatment
 - ii. Payment
 - iii. Healthcare Operations
- 2. Notice of Privacy Practices (NPP)
- 3. Patient Rights
- 4. Company Policies
- 5. Penalties for Violations
- 6. Review questions

IV. Scenario Discussions

- a. Divide into groups of three to five.
- b. Hand out a scenario sheet to each group.
- c. Give groups 5 to 10 minutes to discuss and complete ancillary sheets.
- d. Moving back to whole group, review responses from each group and elicit responses from the whole group.

CONCLUSION

- I. Summary
- II. Review
 1. What is ethics
 2. Who creates ethical standards for EMS
 3. What is a tort
 4. What is the difference between Standard of Care and Scope of Practice
 5. What are some events covered under Mandatory Reporting
 6. What are the three types of consent and what do they mean
 7. What is negligence
 8. What are the forms of PHI
 9. Permitted uses of PHI

EVALUATIONS

An in-class quiz may be administered at the discretion of the instructor. Emphasis should be placed on observed areas of weaknesses in the knowledge base of the target audience. As each company and region has different experiences with these issues, it is important to reinforce those topics which the students may not have had much experience with.