

# OVERVIEW OF NURSING JURISPRUDENCE | NCM 119 | TOPIC 07

BY DR. MARY GRACE M. PAAYAS

## LESSON OUTLINE

1. Overview and definition of terms
2. Rationale for studying nursing jurisprudence
3. Functions of nursing jurisprudence
4. Sources of nursing jurisprudence

## OVERVIEW AND DEFINITION OF TERMS

- ◊ **Accountability**
  - Internalized responsibility
  - Agree to be morally responsible to the consequences of their actions
  - An account of one's professional judgment, actions and omissions
  - Maintaining competency and safeguarding quality patient care outcomes and standards of the profession while being answerable to those who are affected by one's nursing or professional practice in general
- ◊ **Autonomy**
  - Freedom of choice or accepting the responsibility for one's choice
  - Nurses' ability to make some decisions within their own profession and their right and responsibility to act according to the shared standards of that profession.
- ◊ **Ethical values**
  - Offer a framework for behavior assessment
- ◊ **Nursing values**
  - Influence nurse's goals, strategies, and actions
- ◊ **Moral or ethical dilemma**
  - Being forced to choose between two or more undesirable alternatives
- ◊ **Nursing ethics**
  - The applied discipline that addresses the moral features of nursing practice
  - Subset of bioethics or health care ethics
  - 3 dimensions of nursing ethics interrelate as they describe ethical norms, ethical aspects of nursing and generate ethical guidance
- ◊ **Nursing jurisprudence** (Venzon and Venzon, 2010)
  - Department of law which comprises all legal rules and principles affecting the practice nursing
  - Includes the study and interpretation of rules and principles and their application in the regulation of the practice of nursing
  - This pertains to the application of the principles of law as they relate to the:
    - Nursing practice
    - Nurses to patients
    - Among nurses and other health care team members
- ◊ **Responsibility**
  - This refers to one's duty or assignment
  - The implementation of a job

- Obligation to perform, duties, tasks or role using sound judgment and being answerable to decisions made doing this

## RATIONALE FOR STUDYING NURSING JURISPRUDENCE

- ◊ **National nursing core competence standards (NNCCS 2012)** – spells clearly the responsibilities of nurses in the delivery of care assuming specific responsibilities as a:
  - Client care provider
  - Nurse leader or manager
  - Nurse researcher
- ◊ Nurses are responsible for:
  - Safe and quality nursing care
  - Problem solving and sound decision making
  - Welfare of clients, nurses, and other HC team members and to oneself
- ◊ Must discern what is legal or not legal
- ◊ Nurses must fully understand their professional accountability, responsibility, and liability
- ◊ **Ignorantia juris non excusat**
  - Ignorance of the law excuses no one from compliance
- ◊ Awareness of nursing jurisprudence assist to:
  - Uphold public safety
  - Guide safe and ethical care
  - Outline scope of nursing practice

## FUNCTIONS OF NURSING JURISPRUDENCE

- ◊ **Main function:** the application of concepts/principles/frameworks in nursing practice as you assume the roles of:
  - Client care provider
  - Nurse leader/manager
  - Nurse researcher

### SPECIFIC FUNCTIONS:

#### 1. PROVIDE FRAMEWORKS

- ◊ To establish safe and quality nursing care to clients which are at the same time legal
- ◊ E.g., **JMC 2021-001** or the CHED DOH JMC 2021-001 on the guideline on the gradual reopening of campuses of higher education institutions for limited face-to-face classes during the COVID-19 pandemic

#### 2. DISTINGUISHES PROFESSIONAL RESPONSIBILITIES

- ◊ Responsibilities of the doctor and the nurse
- ◊ E.g., doctor orders medication, nurse carries our order

#### 3. MAINTAINS STANDARDS FOR PROFESSION/NURSING PRACTICE

- ◊ Clearly establishes the boundaries of independent nursing action
- ◊ E.g., role of nurse educator: giver of information, assessor of needs; roles of ER or ICU nurses
- ◊ E.g., CMO 15s. 2017 R.A. 9173 MORPHE

# Nursing Jurisprudence

**DJ Losen**



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