

Chapter 3: Nursing Practice and the Law

MULTIPLE CHOICE

1. A nurse was called before the State Board of Nursing. The nurse had been in practice for over six years, had her license suspended because an audit of her continuing education credits showed that she had not met the mandatory course requirements. The Board of Nursing has the ability to do this based on:

- A. Case law
- B. Administrative law
- C. Civil law
- D. Statutory law

ANS: B

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2. A nurse graduated from an associate degree nursing program two years ago. The nurse is brought before the State Board of Nursing for offering to give physicals for \$25.00 to children who needed them for or summer camp. What charge can the State Board of Nursing apply to the nurse?

- A. Misdemeanor
- B. Felony
- C. Tort
- D. Larceny

ANS: B

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3. A registered nurse returning from vacation is a passenger on a flight from Los Angeles to New York. The flight attendant requests the help of a nurse or physician if one is on board. The nurse approaches the flight attendant and asks if she can assist. What statement in the Good Samaritan Act protects the nurse as a licensed healthcare provider?

- A. The provider may administer care any time.
- B The provider is covered if he/she administers the same level of care as a paramedic.
- C. The provider is covered if he/she administers the level of care that any other prudent individual with the same education would provide
- D. The provider may perform care outside the scope of his/her scope of practice if he/she knows how to perform the required procedure

ANS: C

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4. A patient was brought to the emergency department by two police officers. The patient was combative and verbally abusive. After waiting for over an hour, the patient tells the nurse he is leaving. The nurse removes Larry's clothes from the room, leaving him only in his underwear. The nurse may be charged with:

- A. Cruel and unusual punishment
- B. Slander and libel
- C. False imprisonment
- D. Assault and battery

ANS: C

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5. A nurse and his girlfriend witness a motor vehicle accident. The calls 911 and pulls over to the side of the road. The nurse assesses the victim and determines that he is unconscious. His girlfriend says, "This guy can't give you permission to help him; maybe you should just leave him alone." The nurse explains that he has implied consent. When is implied consent assumed?

- A. At the time a person sees a physician or nurse by appointment in the office or clinic setting
- B. When a person arrives in the operating suite for a surgical procedure.
- C. On the person's admission to the hospital unit.
- D. If the person is treated at the scene of an accident

ANS: D

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6. Three nursing students are in the elevator and overhear another staff nurse, discussing a neighbor who was hospitalized last night for liver failure. The nurse told his colleague that a mutual friend told him that the neighbor was "known for liking his brandy." A family member was in the elevator and also overheard the conversation. What charges may be brought against the nurse by the patient and/or family:

- A. Slander
- B. Libel
- C. Malpractice
- D. Breach of confidentiality

ANS: A

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7. A nurse is caring for a patient who was admitted with a subarachnoid hemorrhage. The healthcare provider orders state that neurological assessments need to be preformed every 30 minutes. The nurse forgets to perform the assessments on two different occasions. An action that can lead to a malpractice suit would be:

- A. Assessing the patient more than once per shift.
- B. Explaining the patient's current condition to the family.
- C. Holding the next dose of sedation in order to perform a neurological assessment.
- D. Altering the time the assessments were performed

ANS: D

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8. A nurse is caring for a patient who suffered a stroke. The patient's daughter brings a DNR and the power of attorney documents to the hospital. What is the purpose of the DNR?

- A. Document the terminal nature of the client's condition
- B. Allow an alternative to the universal standing order to provide cardiopulmonary resuscitation to all clients
- C. Provide an opportunity for the client, family, and caregivers to discuss the nature of the client's condition and the best possible course of action if the client has a cardiac arrest
- D. Provide legal protection for nurses who believe a client should not be resuscitated

ANS: B

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9. A nurse is caring for a patient who has diabetes and gangrene of the lower left extremity. The nurse accompanies the surgeon when he explains that he will perform a below-the-knee amputation that will remove the infection. He states that the patient will receive antibiotics, and go home in a few days. After the surgeon leaves, the nurse brings in the consent forms and asks the patient explain what the surgeon said. The patient states, "Oh, he is going to remove the infection and give me antibiotics and then I can go home. I feel so much better now because my other doctor told me they were going to cut off my leg!" What should the nurse do next?

- A. Ask the patient to sign the consent form
- B. Draw a picture of a below-the-knee amputation for the patient
- C. Tell the patient that she did not hear what her doctor told her
- D. Call the surgeon and explain the situation to him

ANS: D

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10. A nurse on a busy medical-surgical unit reports for a scheduled shift after working a double shift yesterday. At the end of this day, two nurses call in, and the nurse manager tells the nurse that he needs to stay and cover the next shift. The nurse may refuse to accept an assignment if:

- A. He is being asked to care for too many difficult clients
- B. He believes his assignment is unsafe
- C. He is being asked to work overtime
- D. He believes there are not enough nurses to work with him

ANS: C

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11. A health-care provider orders an injection for a pediatric patient. The patient's legal guardian refuses to allow the nurse to administer the medication. The nurse proceeds to administer the injection. Which action has the nurse committed?

- A. Assault
- B. Battery
- C. Invasion of privacy
- D. False imprisonment

ANS: B

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12. After administering an incorrect dosage of a medication the nurse realizes that too little medication was given to the client. The nurse then administers a second dose in order to give the correct dosage. What should the nurse do? Select all that apply:

- A. Report the error
- B. Explain what happened to the patient
- C. Document that the correct medication was administered
- D. Chart both times the medication was administered

ANS: C

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13. A high school graduate who wants to be a nurse is looking online at different programs in the state. The graduate knows that in order to practice nursing it is necessary to pass the NCLEX-RN. What is the basic qualification required for licensure?

- A. The individual must complete a minimum of 12 months of study from a program.
- B. The individual must graduate from a school located within their state of residence

- C. The individual must provide documentation of citizenship
- D. The individual must graduate from an approved nursing program

ANS: D

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14. A nurse is caring for a patient who has colon cancer. The interprofessional team met to discuss some changes in the patient's plan of care. The nurse discusses the changes with the patient's daughter before discussing anything with the patient. Which did the nurse violate?
- a. The Patient Care Partnership
  - b. The Fifth Amendment
  - c. The American Disabilities Act
  - d. Health Insurance Portability and Accountability Act

ANS: D

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15. A nurse is looking at the healthcare provider orders for a patient. The healthcare provider ordered a medication to be administered intravenously via a bolus. The nurse knows that this medication should not be given through this route and calls the healthcare provider for clarification. The healthcare provider tells the nurse to give the medication. What action should the nurse take next?
- A. Hold the medication and notify a supervisor
  - B. Hold the medication and call another healthcare provider in the same facility
  - C. Administer the medication as ordered
  - D. Administer the medication and document the healthcare provider's response

ANS: A

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## MULTIPLE RESPONSE

1. A nurse was caring for a patient who reported syncopal episodes. The nurse placed the call bell in reach, and instructed the patient not to get out of bed without assistance. The patient forgot to call the nurse and got out of bed to go to the bathroom. The patient fell and broke a hip. The patient is now suing for negligence. What needs to be considered to constitute a negligence claim? Select all that apply
- A. Duty

- B. Breach of duty
- C. Spontaneous duty
- D. Harm

ANS: A, B, D

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2. A nurse is caring for an elderly patient. The patient falls and injures herself. Which of the following actions should the nurse take to decrease his/her liability? Select all that apply.

- A. Document the incident carefully on the designated form provided by the institution.
- B. Chart the facts surrounding the client's fall, condition, and follow-up care.
- C. It is not necessary to document anything about the fall.
- D. Report the incident to the next shift during report.

ANS: A, B, D

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3. A nursing student is preparing for the NCLEX. Which of the following activities should the nurse perform several days prior to taking the examination? Select all that apply.

- A. Pack a bag of items that may be needed during the test.
- B. Map out the route to the exam site.
- C. Eat a diet high in fats and carbohydrates.
- D. Decrease fluids to prevent needing to go to the bathroom during the exam.

ANS: A, B

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4. What criteria are outlined in the Patient Self-Determination Act? Select all that apply.

- A. All clients need to be informed in writing of their rights to accept or refuse treatment while they are competent.
- B. All clients need to provide the name of a healthcare surrogate before receiving care.
- C. Nurses have an obligation to provide patients with the names of individuals who can act as durable power of attorneys
- D. Nurses need to recognize the role culture and spiritual beliefs have in a patient's decision-making process

ANS: A,D

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5. A nurse is caring for a patient who is receiving chemotherapy. The nurse assessed the patient's port and found it was blocked and started a peripheral line to administer the chemotherapy. The medication infiltrated and caused permanent nerve damage to the patient's arm. The patient filed a malpractice suit against the nurse. How will the nurse's actions be evaluated? Select all that apply

- A. Policies and Procedures of the institution
- B. Patient' Self-Determination Act
- C. Standards of Practice of the nursing organization
- D. Physician Expert

ANS: A,C

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6. What actions should a nurse initiate if named in a lawsuit? Select all that apply.

- A. Respond to the complaint.
- B. Never sign a document without showing it to an attorney or legal representative
- C. Maintain a file of all meetings and conversations
- D. Withhold information that may be incriminating to you

ANS: A,B,C

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