Chapter 02: Legal Concepts, Risk Management, and Ethical Issues

- 1. Which of the following is an example of an intentional tort pertaining to surgical patient care?
 - a. A patient suffers a burn due to hot instruments.
 - b. Restraints are used on a patient who threatens to leave.
 - c. A tissue specimen is misplaced by a transporter.
 - d. A retained surgical sponge is discovered in subsequent procedure.

ANSWER: b
POINTS: 1

QUESTION TYPE: Multiple Choice

HAS VARIABLES: False

 DATE CREATED:
 2/11/2016 9:27 AM

 DATE MODIFIED:
 2/11/2016 9:27 AM

- 2. Which of the following legal doctrines would MOST likely apply in the case of a wrong site surgery or retained foreign body?
 - a. aeger primo
 - b. caveat emptor
 - c. primum non nocere
 - d. res ipsa loquitur

ANSWER: d
POINTS: 1

QUESTION TYPE: Multiple Choice

HAS VARIABLES: False

DATE CREATED: 2/11/2016 9:27 AM *DATE MODIFIED:* 2/11/2016 9:27 AM

- 3. The phrase "departure from the standard of care" BEST describes which of the following legal terms?
 - a. larceny
 - b. liability
 - c. malpractice
 - d. negligence

ANSWER: d
POINTS: 1

QUESTION TYPE: Multiple Choice

HAS VARIABLES: False

 DATE CREATED:
 2/11/2016 9:27 AM

 DATE MODIFIED:
 2/11/2016 9:27 AM

- 4. Which of the following legal terms is BEST described as "professional misconduct that results in harm to another"?
 - a. allegation
 - b. liability
 - c. malpractice
 - d. negligence

Name :				Class	Dat e:
Chapter 02	2: Lega	l Concepts, R	isk Management	, and Ethical Issues	
ANSWER:				c	
POINTS:				1	
QUESTION	TYPE:			Multiple Choice	
~ HAS VARIA	BLES:			False	
DATE CRE	ATED:			2/11/2016 9:27 AM	
DATE MOL	OIFIED:			2/11/2016 9:27 AM	
5. What is tlunder oath?		hat describes a r	method of pretrial di	scovery in which a surgical te	am member might answer questions
		a.	allegation		
		b.	deposition		
		c.	indictment		
		d.	precedent		
ANSWER:				Ь	
POINTS:				1	
QUESTION	TYPE:			Multiple Choice	
HAS VARIA	BLES:			False	
DATE CRE	ATED:			2/11/2016 9:27 AM	
DATE MOL	OIFIED:			2/11/2016 9:27 AM	
6. Which of	the follo	owing torts woul	d be classified as un	intentional?	
	a.	battery			
	b.	defamation			
	c.	foreign bodies	left in patient		
	d.	invasion of pat	ient privacy		
ANSWER:				c	
POINTS:				1	
QUESTION	TYPE:			Multiple Choice	
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DATE CRE	ATED:			2/11/2016 9:27 AM	
DATE MOL	OIFIED:			2/11/2016 9:27 AM	
		ment, even if no	form was signed or	nstances exist when reasonab verbal permission given?	le providers believe that a patient
		a.	direct		
		b.	implied		
		c.	informed		
AMGINED		d.	general	1.	
ANSWER:				b	
POINTS:	TTVDT			M-1.' 1 C1 '	
<i>QUESTION</i>				Multiple Choice	
HAS VARIA	BLES:			False	

Name :			Class :	Dat e:	
Chapter 02: Leg	gal C	oncepts, Risk Manageme	nt, and Ethical Issues		
DATE CREATED.			2/11/2016 9:27 AM		
DATE MODIFIEI			2/11/2016 9:27 AM		
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-	nt tori a.	n would be required for which chest x-ray	of the following situations d	uring a hospital admission?	
	a. b.	phlebotomy			
	c.	respiratory therapy			
	d.	surgical procedure			
ANSWER:	u.	surgical procedure	d		
POINTS:			1		
QUESTION TYPE	·		Multiple Choice		
HAS VARIABLES.			False		
DATE CREATED.			2/11/2016 9:27 AM		
DATE MODIFIEI			2/11/2016 9:27 AM		
9. All of the follow	_	re components of the surgical	patient's medical record EXC	CEPT:	
a.		hesia record			
		ry and physical			
		lepartmental communications			
d.	surge	on's preference card			
ANSWER:			d		
POINTS:			I Matriala Chaire		
QUESTION TYPE			Multiple Choice		
HAS VARIABLES.			False		
DATE CREATED.			2/11/2016 9:27 AM		
DATE MODIFIEL):		2/11/2016 9:27 AM		
10. Which membe	er of th	ne surgical team is ultimately r	esponsible for obtaining a wri	itten, informed surgical consent from a	
a	l .	anesthesia provider			
b).	circulating RN			
c	; .	surgeon			
d	l.	surgical technologist			
ANSWER:			c		
POINTS:			1		
QUESTION TYPE			Multiple Choice		
HAS VARIABLES.	:		False		
DATE CREATED.			2/11/2016 9:27 AM		
DATE MODIFIEL	D:		2/11/2016 9:27 AM		

a. the Joint Commission (JC)

11. In 2004, which of the following agencies created the "Do Not Use" abbreviation list?

Name :		Class :	Dat e:
Chapter 02: Leg	gal Concepts, Risk Manago	ement, and Ethical Issues	
b. Ameri	ican Medical Association (AM	(A)	
	iation of periOperative Registe	<i>'</i>	
	pational Safety and Health Adn	, , , ,	
ANSWER:	·	a	
POINTS:		1	
QUESTION TYPE	:	Multiple Choice	
HAS VARIABLES:		False	
DATE CREATED:		2/11/2016 9:27 AM	
DATE MODIFIED):	2/11/2016 9:27 AM	
	to hospital property?	risk management in an effort to do	ecrease the chance of harm to patients
a.	advance directive		
b.	informed consent		
c.	Safe Medical Device Act		
d.	sentinel event		
ANSWER:		d	
POINTS:		1	
QUESTION TYPE		Multiple Choice	
HAS VARIABLES:		False	
DATE CREATED:		2/11/2016 9:27 AM	
DATE MODIFIED) :	2/11/2016 9:27 AM	
medical practice ac		d be legally authorized to sign an	informed surgical consent, based on
	t in a persistent vegetative state	•	
	mancipated 16-year-old minor		
	eign language speaker without	an interpreter	
ANSWER:		c	
POINTS:		1	
QUESTION TYPE		Multiple Choice	
HAS VARIABLES:		False	
DATE CREATED:		2/11/2016 9:27 AM	
DATE MODIFIED):	2/11/2016 9:27 AM	
	or inability to communicate?	wishes about medical treatment as	nd self-determination in the event
	a. advance directiveb. deposition		
	D. GEDOSITION		

c. d. informed consent

sentinel event

Name 			Class :	Dat e:
Chapter 02: L	egal Cond	cepts, Risk Managemen	at, and Ethical Issues	
ANSWER:			a	
POINTS:			1	
QUESTION TY	PE:		Multiple Choice	
L HAS VARIABLE			False	
DATE CREATE			2/11/2016 9:27 AM	
DATE MODIFI	ED:		2/11/2016 9:27 AM	
15. Which of the medical care?	e following	terms best describes the pro-	ocess of keeping thorough, a	ccurate, and legal records of a patient's
	a.	accountability		
	b.	consent		
	c.	documentation		
	d.	liability		
ANSWER:			c	
POINTS:			1	
QUESTION TY	PE:		Multiple Choice	
HAS VARIABLE	ES:		False	
DATE CREATE	D:		2/11/2016 9:27 AM	
DATE MODIFI			2/11/2016 9:27 AM	
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	_	ry the force of state or nation of the neutral zone	onal legal enforcement EXCI	SP1:
	_	nce Portability and Accoun	cability A at	
		Determination Act	aumity Act	
	ope of pract	ice		
ANSWER:			a	
POINTS:	DE.		1 Multiple Chaire	
QUESTION TY			Multiple Choice	
HAS VARIABLE			False	
DATE CREATE			2/11/2016 9:27 AM	
DATE MODIFI.	ED:		2/11/2016 9:27 AM	
17. The Americ	an Hospital	Association replaced its "P	atient's Bill of Rights" with	which of the following?
	_	rsonal liability		
		nce Portability and Accoun	ability Act	
c. Pa	tient Self-D	etermination Act		
d. Pa	tient Care P	Partnership		
ANSWER:			d	
POINTS:			1	
QUESTION TY	PE:		Multiple Choice	
HAS VARIABLE	ES:		False	
DATE CREATE	D:		2/11/2016 9:27 AM	

Name :				Class	Dat e:
Chapter 02	2: Legal	Concept	s, Risk Managemen	t, and Ethical Issues	
DATE MOD	IFIED:			2/11/2016 9:27 AM	
18. The broa EXCEPT:	d objecti	ves of the l	Health Insurance Portab	oility and Accountability Act	(HIPAA) include all of the following
	a.	eliminat	e medical errors		
	b.	improve	patient services		
	c.	protect p	patient privacy		
	d.	reduce h	ealth care fraud		
ANSWER:				a	
POINTS:				1	
QUESTION	TYPE:			Multiple Choice	
HAS VARIA	BLES:			False	
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DATE MOD	IFIED:			2/11/2016 9:27 AM	
ANSWER: POINTS: QUESTION HAS VARIAN DATE CREA	TYPE: BLES: ITED: IFIED:	a. b. c. d. gorized as: inte	complaint indictment liability tort	d 1 Multiple Choice False 2/11/2016 9:27 AM 2/11/2016 9:27 AM mitted by operating room per	unintentional?
	d.		ndard of care		
ANSWER:				c	
POINTS:				1	
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DATE CREA				2/11/2016 9:27 AM	
DATE MOD				2/11/2016 9:27 AM	
21. In a com	mon adaş	ge, what is	the "best medicine" in	health care?	

a.

conscience

documentation

Name :			Class :	Dat e:
Chapter 02: Legal (Concepts	, Risk Managemen	t, and Ethical Issues	
c.	i	udgment		
d.		prevention		
ANSWER:			d	
POINTS:			1	
QUESTION TYPE:			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AN	1
DATE MODIFIED:			2/11/2016 9:27 AN	
22. According to the Jo "autonomy"?	oint Comm	ission's definition reg	arding consent to surgical i	ntervention, which party has
a.	anest	hesia provider		
b.	circu	ating RN		
c.	the pa	atient		
d.	the su	ırgeon		
ANSWER:			c	
POINTS:			1	
<i>QUESTION TYPE:</i>			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AN	1
DATE MODIFIED:			2/11/2016 9:27 AN	1
23. Which of the follow professionals?	wing terms	describes the system	of moral principles and rule	es that become standards of conduct for
	a.	doctrines		
	b.	ethics		
	c.	morals		
	d.	precedents		
ANSWER:			b	
POINTS:			1	
<i>QUESTION TYPE:</i>			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AN	1
DATE MODIFIED:			12/9/2016 1:47 PM	
24. Which of the followand well-being of other			es such as benevolence, tru	stworthiness, and honesty for the care
	a.	doctrines		
	b.	ethics		
	c.	morals		
	d.	precedents		
ANSWER:			c	

Name :			Class :	Dat e:		
Chapter 02: L	egal Conce	epts, Risk Managemen	t, and Ethical Issues			
POINTS:			1			
QUESTION TYP	PE:		Multiple Choice			
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DATE CREATED:			2/11/2016 9:27 AM			
DATE MODIFIED:			2/11/2016 9:27 AM			
25. Which of the	following w	ould NOT be considered	an example of a potential ethical	l dilemma?		
a.	patient pr	rivacy				
b.	genetic e	ngineering				
c.	elective a	abortion				
d.	right to d	ie, termination of care				
ANSWER:			a			
POINTS:			1			
QUESTION TYP	PE:		Multiple Choice			
HAS VARIABLE	S:		False			
DATE CREATER	D:		2/11/2016 9:27 AM			
DATE MODIFIED:			2/11/2016 9:27 AM			
		education, experience, an		l describes a health care provider's		
b.	policies and	d procedures				
c.	recommend	ded standards of practice				
d.	scope of pr	ractice				
ANSWER:			d			
POINTS:			1			
QUESTION TYP	PE:		Multiple Choice			
HAS VARIABLE	S:		False			
DATE CREATER	D:		2/11/2016 9:27 AM			
DATE MODIFIE	ED:		2/11/2016 9:27 AM			
27. Which of the unqualified healt			l professional credentialing that	protects the public from		
	a.	accreditation				
	b.	certification				
	c.	licensure				
	d.	registration				
ANSWER:			a			
POINTS:			1			
QUESTION TYP	PE:		Multiple Choice			
HAS VARIABLE	S:		False			
DATE CREATER	D:		2/11/2016 9:27 AM			

Name :			Class :	Dat e:
Chapter 02: Legal	Concept	ts, Risk Management	, and Ethical Issues	
DATE MODIFIED:			2/11/2016 9:27 AM	
28. Verification that e	ducationa	l programs meet minimu	m accreditation standards is done	e by:
	a.	AST		
	b.	CAAHEP		
	c.	HIPAA		
	d.	NBSTSA		
ANSWER:			ь	
POINTS:			1	
QUESTION TYPE:			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AM	
<i>DATE MODIFIED:</i>			2/11/2016 9:27 AM	
ANSWER: POINTS: QUESTION TYPE: HAS VARIABLES: DATE CREATED: DATE MODIFIED:	b. c. d.	AST CSPS NBSTSA	d 1 Multiple Choice False 2/11/2016 9:27 AM 2/11/2016 9:27 AM	
		-	al behavior by the CST or CSFA	is a well-developed, unyielding:
a.		e curriculum		
b.		ility insurance		
С.	-	pe of practice		
d.	surg	gical conscience	1	
ANSWER:			d	
POINTS:			Maleiala Clasica	
QUESTION TYPE: HAS VARIABLES:			Multiple Choice	
			False	
DATE CREATED:			2/11/2016 9:27 AM	
DATE MODIFIED:			2/11/2016 9:27 AM	

- 31. Which legal doctrine would be MOST applicable in a case involving failure by the RN and CST to do proper surgical counts resulting in retention of a foreign object and the surgeon being found not liable?
 - a. captain of the ship doctrine
 - b. doctrine of borrowed servant

Name :			Class :	Dat e:		
Chapter 02: L	egal Conce	epts, Risk Managemen	t, and Ethical Issues			
c.	doctrine o	of corporate negligence				
d.	primum n	on nocere				
ANSWER:			b			
POINTS:			1			
QUESTION TYP	PE:		Multiple Choice			
HAS VARIABLE	S:		False			
DATE CREATER	D:		2/11/2016 9:27 AM	M		
DATE MODIFIE	ED:		2/11/2016 9:27 AM	M		
	of proper tra captain of doctrine of	ald be MOST applicable in ining or credentialing? If the ship doctrine of borrowed servant of corporate negligence	n a case involving injury to	a patient as a result of a hospital		
d.	primum n	on nocere				
ANSWER:			c			
POINTS:			1			
QUESTION TYP	PE:		Multiple Choice			
HAS VARIABLE	S:		False	False		
DATE CREATER	D:		2/11/2016 9:27 AM	M		
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33. Which type of	_	· · · · · · · · · · · · · · · · · · ·	involving tort law and ope	erating room personnel?		
	a.					
	b.					
	C.	federal				
ANGINED	d.	statutory				
ANSWER:			a			
POINTS:	O.C.		1 M 1: 1 Cl :			
QUESTION TYP			Multiple Choice			
HAS VARIABLE			False			
DATE CREATER				2/11/2016 9:27 AM		
DATE MODIFIE	ED:		2/11/2016 9:27 AN	M		
	sponsible ma	y be found guilty in a law	pplication of the ESU disp suit of which of the follow	ersive (grounding) pad, the individual ing?		
	a. L	assault				
	b.	battery				
	C.	intentional tort				
ANCINED	d.	negligence	1			
ANSWER:			d			
<i>POINTS:</i>			1			

Name :			Class :	Dat e:
Chapter 02: Legal C	Concepts, Risk	Management	t, and Ethical Issues	
QUESTION TYPE:			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AM	
DATE MODIFIED:			2/11/2016 9:27 AM	
35. Specimen loss, mis	labeling, and imp	proper preparation	on are examples of which of the foll	lowing?
a.	battery			
b.	defama	tion		
c.	intentio	onal tort		
d.	neglige	ence		
ANSWER:			d	
POINTS:			1	
QUESTION TYPE:			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AM	
DATE MODIFIED:			2/11/2016 9:27 AM	
permission to another p a. b. c. d.		_	efinition: a voluntary and informed	act in which one party gives
ANSWER:			c	
POINTS:			1	
QUESTION TYPE:			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AM	
DATE MODIFIED:			2/11/2016 9:27 AM	
37. Which of the follow accompanied by full no	tice about what i	s being consent	by the Joint Commission as "agreer ed to"?	nent or permission
	a.	general		
	b.	implied		
	c.	informed		
	d.	special		
ANSWER:			c	
POINTS:			1	
QUESTION TYPE:			Multiple Choice	
HAS VARIABLES:			False	
DATE CREATED:			2/11/2016 9:27 AM	
DATE MODIFIED:			2/11/2016 9:27 AM	

Name		Class :	Dat e:
Chapter 02: Legal (Concepts, Risk Manager	ment, and Ethical Issues	
38. Surgical team mem	bers who fail to monitor and	l protect a medicated patient from	m falling could be charged with:
_	a. abandonment		
ł	o. assault		
(e. battery		
(d. larceny		
ANSWER:		a	
POINTS:		1	
QUESTION TYPE:		Multiple Choice	
HAS VARIABLES:		False	
DATE CREATED:		2/11/2016 9:27 AM	[
DATE MODIFIED:		2/11/2016 9:27 AM	
	patient's medical record docu p times, counts, and dressing advance directive anesthesia record		o and post-op diagnoses, positioning,
о. с.	informed consent		
d.	intraoperative record		
ANSWER:	miraoperative record	d	
POINTS:		1	
QUESTION TYPE:		Multiple Choice	
HAS VARIABLES:		False	
DATE CREATED:		2/11/2016 9:27 AM	
DATE MODIFIED:		2/11/2016 9:27 AM	
40. For which of the fo a. b. c. d.	Illowing processes are identi advance directives informed consent risk management unintentional torts	fication and reporting of unsafe	conditions and hazards MOST critical?
ANSWER:		c	
POINTS:		1	
QUESTION TYPE:		Multiple Choice	
HAS VARIABLES:		False	
DATE CREATED:		2/11/2016 9:27 AM	[
DATE MODIFIED:		2/11/2016 9:27 AM	[

- 41. Which of the following was identified in the late 1990's as causing more deaths in the United States than car accidents, AIDS, and breast cancer combined?
 - a. equipment manufacturing flaws
 - b. H1N1 influenza
 - c. medical errors

Name :	Class :	Dat e:		
Chapter 02: Legal Concepts, R	isk Management, and Ethical Is	sues		
d. terrorist attacks				
ANSWER:	c			
POINTS:	1			
QUESTION TYPE:	Multiple C	Choice		
HAS VARIABLES:	False			
DATE CREATED:	2/11/2016	9:27 AM		
DATE MODIFIED:	2/11/2016	9:27 AM		
	rating room (AORN) and perianesthe urgical technologists (AST)?	orker safety and is a unique coalition of surgeons esia (ASPAN) nurses, CRNAs (AANA), surgical		
b. Council on Surgical and	Perioperative Safety (CSPS)			
c. Occupational Safety and	Health Administration (OSHA)			
d. the Joint Commission (ГЈС)			
ANSWER:	b			
POINTS:	1			
QUESTION TYPE:	Multiple C	Multiple Choice		
HAS VARIABLES:	False	False		
DATE CREATED:	2/11/2016	2/11/2016 9:27 AM		
DATE MODIFIED:	2/11/2016	9:27 AM		
43. What is establishing a neutral zo				
•	nce in high-stress situations			
	during surgical procedures			
c. reduce cross-contamin				
d. quarantine patients with				
ANSWER:	Ь			
POINTS:	1			
QUESTION TYPE:	Multiple C	hoice		
HAS VARIABLES:	False	0.07.416		
DATE CREATED:	2/11/2016			
DATE MODIFIED:	2/11/2016	9:27 AM		
	authority as outlined in the Safe Med	lical Device Act?		
a.	EPA			
b.	FDA			
С.	HIPAA			
d.	OSHA			
ANSWER:	b			
POINTS:	1	· ·		
QUESTION TYPE:	Multiple C	Choice		

Name :			:	Class	Dat e:
Chapter 02: Le	gal Con	cepts, Risk Manag	ement, ar	nd Ethical Issues	
HAS VARIABLES	S:			False	
DATE CREATED) <u>:</u>			2/11/2016 9:27 AM	
DATE MODIFIE	D:			2/11/2016 9:27 AM	
45. The first scrul	b surgical	technologist performs	s intraopera	ative tasks under the broad d	elegatory authority of the:
	a.	anesthesiologist	1		<i>S J</i>
	b.	circulating RN			
	c.	OR supervisor			
	d.	surgeon			
ANSWER:				d	
POINTS:				1	
QUESTION TYPE	E:			Multiple Choice	
HAS VARIABLES	S.:			False	
DATE CREATED) <u>:</u>			2/11/2016 9:27 AM	
DATE MODIFIE	D:			2/11/2016 9:27 AM	
46. "Captain of th	ne ship" d	octrine holds the surge	eon accoun	table for all actions of the or	perating room team in lawsuits.
1	1	a.	True	1	
		b.	False		
ANSWER:				False	
POINTS:				1	
QUESTION TYPE	E:			True / False	
HAS VARIABLES	S:			False	
DATE CREATED):			2/11/2016 9:27 AM	
DATE MODIFIE	D:			2/11/2016 9:27 AM	
47. A surgical tecinvasion of privac			ohs a patien	at and posts the image on the	Internet could be sued for
1	,	a.	True		
		b.	False		
ANSWER:				True	
POINTS:				1	
QUESTION TYPE	E:			True / False	
HAS VARIABLES	S:			False	
DATE CREATED) <u>:</u>			2/11/2016 9:27 AM	
DATE MODIFIE	D:			2/11/2016 9:27 AM	
		ined by patients admissive procedures such		nospital and covers all routing	ne services and medical treatment
		a.	True		
		b.	False		
ANSWER:				True	
POINTS:				1	

Name	Class	Dat
		Δ.

Chapter 02: Legal Concepts, Risk Management, and Ethical Issues

QUESTION TYPE: True / False

HAS VARIABLES: False

 DATE CREATED:
 2/11/2016 9:27 AM

 DATE MODIFIED:
 2/11/2016 9:27 AM

49. Living will and durable power of attorney are examples of advance directives in health care.

a. True

b. False

ANSWER: True POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

DATE CREATED: 2/11/2016 9:27 AM *DATE MODIFIED:* 2/11/2016 9:27 AM

50. Errors in chart documentation should be erased to prevent confusion by subsequent caregivers.

a. True

b. False

ANSWER: False POINTS: 1

QUESTION TYPE: True / False

HAS VARIABLES: False

DATE CREATED: 2/11/2016 9:27 AM *DATE MODIFIED:* 2/11/2016 9:27 AM

Match each term below with its description.

- a. Plaintiff
- b. Malpractice insurance
- c. Defamation
- d. Aeger primo
- e. Precedent
- f. Larceny
- g. Patient
- h. Allegation
- i. Criminal negligence
- Primum non nocere
- k. Code of conduct
- 1. Iatrogenic injury
- m. Accreditation
- n. Time-out
- o. Medical record
- p. Credential

Name	Class	Dat
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Chapter 02: Legal Concepts, Risk Management, and Ethical Issues

q.	Federal law		
r.	Guardian		
s.	Intentional tort		
t.	Assault		
QUESTION	TYPE:	Matching	
HAS VARIA	BLES:	False	
DATE CREA	ATED:	2/11/2016 9:27 AM	
DATE MOD	IFIED:	2/11/2016 9:27 AM	
51. An injur	y resulting from the activity of healt	th care professionals	
ANSWER:			1
POINTS:			1
52. Reckless	disregard for the safety of another;	willful indifference	
ANSWER:			i
POINTS:			1
53. Taking a	nother's property without consent		
ANSWER:			f
POINTS:			1
54. A statem	ent one expects to prove true		
ANSWER:			h
POINTS:			1
55. "Above	all, do no harm."		
ANSWER:			j
POINTS:			1
56. Willful,	intentional acts that violate the civil	rights of a patient	
ANSWER:			S
POINTS:			1
57. Slander	or libel that damages a person's repu	utation or good name	
ANSWER:			c
POINTS:			1
injurious ma	nat causes another person to fear tha nner without consent or authority to	at he or she will be touched in an offensive, insulting, or physic to do so	ally
ANSWER:			t
POINTS:			1
	start of a procedure; all members of	surgical team verify correct patient, procedure, site, and side.	
ANSWER:			n

Name :	Class :	Dat e:
Chapter 02: Legal Concepts, Risk M	Management, and Ethical Issues	
POINTS:		1
60. Court-appointed protector for an indiv	idual incapable of making his or her own	n decisions
ANSWER:		r
POINTS:		1
61. Jurisdiction is given to courts in cases Congress, and treaties <i>ANSWER:</i>	involving the interpretation and applicat	
POINTS:		q 1
101115.		1
62. The individual who initiates a lawsuit		
ANSWER:		a
POINTS:		1
63. Legal principle, created by a court dec later	ision, that provides an example of autho	rity for judges deciding similar issues
ANSWER:		e
POINTS:		1
64. "A person who receives health service those services."	s from a health care provider and who g	ives consent for the provider to provide
ANSWER:		g
POINTS:		1
65. The combined account of the interactional illness or treatment.	on between the patient and the health can	re providers during a given incidence of
ANSWER:		o
POINTS:		1
66. Professional liability coverage to cover <i>ANSWER</i> :	r discrepancy between hospital and indiv	vidual policies in negligence lawsuits
POINTS:		1
		-
67. Professional rules and standards of bel confidentiality and disclosure	navior that include principles such as imp	
ANSWER:		k
POINTS:		1
68. Title used that establishes a minimum	knowledge base for a given health care i	profession
ANSWER:	-	р
POINTS:		1

69. Assessment of educational programs for quality and effectiveness and used as a criterion for eligibility to sit for a national certification examination

Name :	Class ::	Dat e:	
Chapter 02: Legal Concepts, Risk Man	agement, and Ethical Issues		
ANSWER: POINTS:		m 1	
70. The motto used by AST, meaning "The Pa ANSWER:	atient First"	d	

POINTS:

1