

## ETHICS FOR NURSES: Developing an Ethical Framework

**Contact Hours: 2**

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**COURSE OBJECTIVES** – Upon completion of this course, the nurse will be able to:

- 1) Explain how ethics is connected to the field of Nursing.
- 2) Understand the importance of a professional relationship between the nursing staff and their patients.
- 3) Discuss Kohlberg's Theory of Moral Development.
- 4) Have knowledge of how a nurse uses the Five Ethical Questions in making patient decisions.

Nurses are required to follow laws and *ethical laws* while carrying out a task, procedure, or making a decision. Therefore, it is critical for nurses to comprehend the jurisprudence of the United States and how laws relate to ethics in their profession. **Ethical principles provide nurses with general guidelines for behavior whereas laws are derived from ethical principles and include policies about certain situations.** The governing authority enforces the policies and takes measures to ensure that they are followed and obeyed.

## KEY WORD

**Ethics** – *The moral principles that oversee an individual's behavior or the performance of a task or activity.*

***Nursing ethics is a branch of applied ethics that concerns itself with activities in the field of nursing.***

Code of Ethics



Nursing ethics shares beneficence, non-maleficence and respect for autonomy with medical ethics. **Nursing ethics can be distinguished by its emphasis on human dignity, collaborative care and relationships.** Nursing ethics examines the ethics of caring rather than 'curing' by exploring the relationship between the nurse and the patient. Early definitions of nursing ethics focused more on the virtues that would make a good nurse. Now we also look at what conduct is necessary to respect the patient under the nurse's care. The nurse

is obligated to respect the human rights of the patient. This is reflected in many professional codes for nurses, such as from the International Council of Nurses.

Nursing ethics focuses on developing a caring relationship. Emphasis is placed on maintaining the dignity of the patient by promoting choice and control over their environment. From its origination since Florence Nightingale, the nursing profession has been riddled with instances where ethics have played a role in patient care.

**The nurse must provide beneficent care (meaning doing or producing good), while avoiding maleficence (meaning wrongdoing or misconduct). However, does beneficence apply to the individual patient or to society as a whole? Is it considered maleficence to provide information to outside sources regarding a patient that will lead to protection of the greater population? These and other questions provide the framework that involves ethical decision-making for the nurse.**

## ➤ EDUCATION EDGE!

Everything written in green throughout this course is information you will need to know!

Today's nurse is trained from either the two-year associate degree program or the four-year baccalaureate program. Much attention has been paid in recent years to the training of ethics for these students. Many leaders of the profession believe that nursing students have too little training concerning the ethics of patient care.

**Is it ethical for the student nurse to document an assessment of a patient's pain level after administration of pain medications when the student forgot to reassess? No.**

**Is it ethical for the student nurse to accept a candy bar from a patient's family for a good day's work? Is acceptance of such a small token unethical? Probably not, but where is the invisible line between right and wrong (ethical and unethical) drawn? If the student works tomorrow, will that patient receive "better" care than the next patient who did not even say "thank you" to the student?**

### Defining Ethics

*Ethics concerns the unfairness or fairness of human behavior and the effects of good and bad behavior. In the medical practice, nurses are seen making ethical decisions every day. **People rely on two types of ethical perspective when making a decision, teleological and deontological.***

**Teleological perspective confirms that the unfairness or fairness of a practice is determined by the outcome of an action.** If the outcome causes harm to a person, the practice is considered as bad. If the outcome benefits a person, the practice is considered as good.

**Deontological perspective** promotes morality by educating people to accept and follow fixed laws. The term indicates that specific acts are naturally wrong or right to commit regardless of the outcome or the circumstance. This perspective eliminates the issue of extenuating circumstances, thus simplifying the ethical decision-making process.



It has been said that ethics is a set of philosophical beliefs and practices concerned with values and human rights with a sense of duty to self and society. There are basically two modern-day theories of ethics.

**Consequentialism** (which is the nature of secondary result) bases decisions on what provides the greatest good to society while minimizing any detrimental effects. The ideas of beneficence and non-maleficence are derived from the consequentialism train of thought.

The opposing theory of nonconsequentialism asserts that good or bad is inherent in any act, making it independent of the consequences.

**Nonconsequentialism is the root of the principles of autonomy, justice, and veracity (which means devotion to the truth).**

**One author states that ethical thought for the modern-day nurse involves valuation of the patient's physical, emotional, and spiritual needs, respect for individuality, and focus on a multi-disciplinary approach to care and patient advocacy. This thought process then fulfills the requirements of the consequentialistic approach to ethical nursing care.**

**In order for the nurse to reach ethical care when adopting the nonconsequentialistic approach to nursing care, the nurse must provide autonomy, justice, and veracity with patient interaction. This means the nurse must allow the patient the right of self-determination regarding health decisions. Nurse provision of justice to the patient requires that policy and procedure for healthcare are consistent and equitable among the patient population, allowing fairness and balance in patient care. Veracity is, of course, truthfulness and trustworthiness. One author finds that *nurses are still among the professionals noted to be most trustworthy, allowing for effective patient care to take place.***

**Although all the characteristics of both theories are valuable, the underlying premise is whether one believes in providing maximum good with minimum bad or to perform an act independent of the effects. Two prevailing theorists provide principles that govern humans in their interactions with society and the world.**

### KOHLBERG'S THEORY

Lawrence Kohlberg provides a theory of moral development that describes justice and its development as humans interact with their environments. This theorist believes that moral maturity is determined by the reasons given for an act being "right or wrong". Kohlberg's six stages were grouped into three levels: pre-conventional, conventional, and post-conventional.

#### Level I (Pre-Conventional)

1. Obedience & punishment orientation
2. Self-interest orientation (What's in it for me?)

#### Level 2 (Conventional)

3. Interpersonal accord & conformity (The good boy/good girl attitude)
4. Authority & social-order maintaining orientation (Law & order morality)

#### Level 3 (Post-Conventional)

5. Social contract orientation
6. Universal ethical principles (Principled conscience)

Kohlberg asserts that most people only reach stage 3 or 4. Stage 3 is concern for others and their feelings with motivation to follow rules and expectations. Stage 4 is the upholding of social order and maintenance of society's welfare. He believes that most of us do not reach the upper stages.

Stage 5 is upholding basic rights even when they conflict with rules of the group. Stage 6 is where the individual assumes guidance by universal ethical principles that all humanity must follow.

**Kohlberg's studies provided only male involvement. Females are not as pertinent to his theory of ethical development. Kohlberg's theory suggests that one reason for unethical behavior is the individual's inability to develop morality without defying one's own reasoning.**

**Nursing students who have not been challenged by an instructor cannot move to the next stage of reasoning. A nursing student who does not interact with an instructor who believes that falsifying a blood pressure entry is wrong may not identify this as a wrong, thereby never moving to the next level of moral reasoning. Also, application of Kohlberg's ideology to the nursing profession implies that female nurses are by nature less advanced in moral development.**

## GILLIGAN'S THEORY



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Another modern-day theorist is Carol Gilligan who studied Kohlberg and then challenged his theory. Development of her own theory of ethical evolution provides for the insertion of women into the moral and ethical discussion.

**Gilligan described the female moral dilemma as a struggle between an ethic of care and the individual's responsibility to self and others. Gilligan's three studies found that women judge themselves on the basis of their capacity to care. This suggests that responsibility and relationships are important ingredients to moral development.**

In a profession where the vast majority of members are female, this theory lends itself appropriately to the study of ethics in nursing. **Gilligan proposes that unethical behavior is related to the nursing student's internal conflict of patient care and personal integrity, compassion, and personal autonomy.** Thus, unethical behavior can stem from the need to care for another's needs in lieu of meeting the needs of the self. One author

implies that this cycle then leads to exhaustion and frustration. Gilligan then hypothesizes that an ethic of care can only develop when the individual student, or nurse, understands human relationships and social interactions and that these are interdependent.

**One can meet the standards of ethics needed by members of the nursing profession only when an understanding is reached that there are self needs to be met as well as patient needs.**

**Eriksson's Caritative Caring Theory** asserts that love and charity are the fundamental ingredients of ethics. Ethical caring seems to be the basis for the belief that the individual nurse is a "good" nurse. This creates an inner demand for the nurse to provide care and meet the patient's needs each shift.

**Optimal nursing care is found when the nurse has the feeling of being able to respond to a patient's physical needs as well as spiritual needs.** When circumstances are such that nurses feel rushed and unable to meet all that is required of them during a shift, they fear going to work and making mistakes. Nurses, then, experience a lack of comprehensive control over their work situation.

Nurses can be torn between the idea that patients have a right to quality care and having their needs met and the nurse's inability to meet these goals. Similar to Gilligan, Eriksson's theory states that individuals have a conflict with inner demands and external demands where the nurse is divided by responsibility to patient or self. A balance must be attained in order for the nurse to achieve equilibrium in which to provide necessary nursing care without losing self-identity.

**Education of future nurses would benefit from learning environments that enhance the moral development of students. Promotion of honesty and allowing students to correct their own mistakes and solve problems permit moral thinking and development.**

**An understanding of ethics, professionalism, and nursing practice is key to this type of learning environment. Compared to medical schools, nursing programs are lacking in the education of topics concerning ethics. While medical schools were found to explore seven ethics-related topics, only two such topics were found in nursing schools by one author. This same author found a lack of core ethics objectives, gaps in clinical ethics topics and a desire by many faculties to improve ethics education in their respective programs, including MSN programs.**

One author found a lack of integrity in the student-faculty relationship. Academic dishonesty leads to doubt and mistrust in the student on behalf of faculty members. One study found that 15 percent of students admitted to recording interventions such as medication

### **Nurses Still No. 1**

*Nurses have topped Gallup's Honesty and Ethics ranking every year but one since they were added to the list in 1999. The exception is 2001, when firefighters were included on the list on a one-time basis, shortly after the Sept. 11 terrorist attacks. (Firefighters earned a record-high 90% honesty and ethics rating in that survey.)*

*With an 85% honesty and ethics rating -- tying their high point -- nurses have no serious competition atop the Gallup ranking. Pharmacists and medical doctors constitute the next tier, with about two-thirds of Americans viewing each highly, followed by high school teachers at 60% and police officers at 56%.*

*<http://www.gallup.com/poll/187874/americans-faith-honesty-ethics-police-rebounds.aspx>*

administration without having done so. In the classroom, 27 percent of students in the study had plagiarized, while 10 percent had turned in another person's work as their own.

Using Kohlberg's theory, a system should be provided that allows students to interact with various individuals who possess different morals and are at varying stages of moral development. Kohlberg's ideas uphold that this would create a situation where students would then have the opportunity to reach higher levels of moral development from exposure to peers and superiors at higher levels themselves.



Gilligan's ideas also support this system with the belief that the student might accept responsibility for themselves and others, leading to an awareness of the resulting reciprocity of this interaction. Ultimately, Gilligan's theory implies that students move away from self-centeredness to an understanding of the interconnectedness of themselves and others. While this discussion concerns nursing students, it gives an insight to practicing nurses and how these individuals differ in their mannerisms and beliefs.

***To achieve an environment where nurses are at a higher level of moral development, the educational system must recognize these interventions need to take place before the student becomes the nurse or primary caregiver of patients with ever-increasing needs and higher levels of acuity.***

There is a trickle-down effect to this ethics-poor environment. Nursing students who are devoid of moral and ethical practice will most likely become nurses who also lack these same characteristics. Educators who teach and apply ethics ideas and behaviors can expect some improvement in this area for students and potential nurses.

## CASE STUDY

**Case studies abound where nurses must put aside their own system of values and beliefs in order to care for particular patients. The following scenario is an example of this type of situation:**

**Mr. X, a middle-aged male, became a quadriplegic as a result of a motor vehicle accident in which he was driving drunk. He is a total care patient regarding his activities of daily living and has very little movement from the neck down. Mr. X has been removed from one long-term nursing facility for inappropriate behavior and demands. He complains constantly with regard to his care and creates a constant disruption throughout the facility with his demeanor and language.**

**Mr. X refuses needed medications and then complains that his nurses are not taking care of him appropriately. He has filed numerous complaints about the institution as well as individual staff members. The dilemma for each nurse providing care for him is knowing that Mr. X needs quality care and also knowing that the care provided will not be appreciated or even wanted.**

Even though nurses are sometimes faced with unpleasant situations involving patients that have “difficult personalities”, nurses must be held to the highest of standards in all situations, and must always use proper nursing judgement along with making ethical decisions. Rules regarding proper ethical behavior assist nurses in making sure they are practicing the highest standards of ethics.

According to Gilligan, there may be frustration knowing personal needs cannot be met, while attempting to provide care to a disagreeable person. Kohlberg’s stages of moral development might find that this situation would create disequilibrium as the nurse struggles to provide care due him as a human being.

Should the nurse be at a lower level of moral development with an underdeveloped sense of ethics, this patient may not receive the necessary care required for his situation. As nurses, we all know that caring for an agreeable, pleasant patient is much easier and more rewarding than caring for a demanding patient.

## Five Ethical Principles

Nurses can use the ethical principles to help them make ethical decisions and to measure their behavior:

**1. Respect for human life and self-respect** – *Treating everyone as equals. The Nurses must:*

- Refrain from harassment, abuse, and discrimination
- Respect the belief system, personhood, and lifestyle of patients
- Consider the physical, socioeconomic, and psychological wellbeing of a patient
- Strive to maintain dignity and human life
- Respect the privacy of a patient by not disclosing their personal information
- Require certain legal justifications for interfering with the civil liberties of a patient

**2. Beneficence**– *If an individual cannot do anything good, they should not do anything bad. The Nurse must:*

- Communicate to patients objectively and professionally
- Follow treatment care plan in consultation with other professionals
- Select the option that will result in a good outcome and take measures to avoid putting the patient’s life in danger
- Recognize that under specific circumstances beneficence overrides integrity and that required treatment may be justified

**3. Autonomy**– Gives people the freedom and independence to comprehend a situation, make a choice, and execute that choice.

*The Nurse must:*

- Ensure patients comprehend the accessible options concerning their treatment
- Respect and acknowledge the choices patients make about their care or the care of a person they are legally responsible for looking after
- Incorporate and examine the interventions patients choose
- Respect the information of patients, only revealing it when the patient or persons legally responsible for them give permission to disclose it

**4. Integrity**– Conveying truthful information even when it is bad about a treatment or condition. *The Nurse must:*

- Correctly report and document important data
- Place the wellbeing of patients above professional and personal achievements
- Maintain promises and follow contracts
- Provide scientific, accurate, and applicable information about treatment such as risks and benefits

**5. Justice**– Involves parity and equality and requires unbiased treatment of patients. *The Nurse must:*

- Examine the needs of patients with equal attentiveness and professionalism
- Attend to the needs of patients without discrimination (race, age, lifestyle, gender, disability, personality, and religion)
- Assess and communicate information about nurse health care plans without partiality
- Deal equally and fairly with professional colleagues, supervisors, and subordinates

### Forbidden Boundaries Nurses Cannot Cross with Patients

- ✘ Disclose intimate details of their life
- ✘ Engage in secretive talks with the patient
- ✘ Believe they are the only one who can meet the treatment and care needs of a patient
- ✘ Visit the patient when off-duty, swapping tasks to be with the patient, giving gifts to the patient. If the patient gives special attention to the nurse, the nurse should inform their supervisor
- ✘ The nurse leaves information out when explaining the behavior of the patient, gives double messages, or fails to explain the specific aspects of care and actions. The patient may do the same by only talking to the nurse because other staff members are occupied
- ✘ The nurse flirts with the patient, using sexual innuendo, off-color jokes, or inappropriate language
- ✘ The nurse begins to view the patient in a protective manner and sides with them despite the circumstances
- ✘ The nurse fails to realize their intimate feelings for the patient and in this case, should consult with their supervisor or transfer the patient's care to another nurse

## The Ethical Decision-Making Process



An ethical dilemma requires a person to make a decision between two conflicting choices. To resolve an ethical dilemma, the person must evaluate all the facts of the scenario, consider applicable laws, consult with all the concerned parties, and refer to the teleological and deontological laws of ethics.

In a professional setting, an ethics committee may consist of ethicists, medical and nursing professionals,

clergy, and lawyers, who act as decision-makers to resolve an ethical dilemma. **The ethical decision-making process is made up of four steps:**

1. Collection of relevant facts about the age of the patient, advanced healthcare instructions, diagnosis, and pertinent laws
2. Determining and stating possible actions to take with the ethical principles corresponding to each possible action
3. Identifying the person(s) who can make the decision and help the person(s) to select it
4. Offer emotional support for people who participated in resolving the ethical dilemma

## Nine Provisions of ANA Code of Ethics

The American Nurses Association updates and revises the *Code of Ethics for Nurses with Interpretive Meaning* on a regular basis. The following are the nine provisions as stated in the ANA Code of Ethics (Nursing World, n.d.):

**Provision 1:** Nurses practice with respect and empathy for the inherent worth, dignity, and individuality of each individual, unbound by considerations of economic or social standing, personal characteristics, or the nature of the illness.

**Provision 2:** **Nurses main obligation is to the patient**, whether a person, group, family, or community.

**Provision 3:** Nurses support, advocate for, and strive to defend the safety, health, and rights of the patient in their care.

**Provision 4:** Nurses are accountable and liable for their own nursing practice and to identify the suitable delegation of tasks consistent with their commitment to provide the patient with optimal care.

**Provision 5:** Nurses owe the similar duties to self and other people and this includes the duty to maintain safety and integrity, to sustain competency, and to continue professional and personal growth.

**Provision 6:** Nurses contribute in developing, sustaining, and enhancing healthcare settings and situations of service advantageous to the prerequisite of quality care and constant with the values of the occupation through individual and shared practice.

**Provision 7: Nurses contribute in the progression of the occupation through involvement in education, practice, knowledge and, administrative growth.**

**Provision 8:** Nurses collaborate with other medical professionals and the public to encourage community, national, and international efforts to achieve the health requirements.

**Provision 9:** The association and their members, who represent the nursing profession, are responsible for communicating nursing values, for sustaining the veracity of the occupation and its practice, and for determining social policy.

**Some of the challenges facing nursing management today involves moral dilemma.** Patients are surviving and living much longer than before, with increasing acuity levels. The continued nursing shortage adds more stress to an already stressful situation, with increasing staff to patient ratios. Experienced nurses are continually asked to train new graduate students, who may or may not have had ethics education. Trust then becomes an issue regarding patient responsibility.

Nurse Managers are then charged with affirming values and beliefs to staff. Differing views must be addressed without judgment. Nurse Managers must motivate staff by promoting positive attitudes, creativity, and innovation. Managers must also instill in staff members a sense of stewardship to become stakeholders in their own futures.

## CONCLUSION

Ethics needs to play a major role in the development of new nurses. Nurses have been identified as one of the most important advocates for patients and healthcare decisions. Nurses are bound by

laws and ethical actions in order to provide safe care for patients. The nurse also brings to the table his/her own morals and beliefs. Understanding how these separate concepts interact within nurses is important to the future education of nursing students. Students who are given information regarding this mind set are more attuned to others' needs, either patients or fellow nurses, and may be more apt to make an ethical decision when faced with a difficult dilemma.

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