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by B N

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Case Study – Malpractice

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Case Study – Malpractice

Conditions that must exist to establish malpractice

Medical malpractice is considered an act of neglect by a physician during medical practice that differs from the recognized practice of medicine and results in a patient's loss. Malpractice is a type of tort that involves willful misconduct. The word "tort" comes from the Norman phrase "wrong," and jurisprudence is a corpus of law that develops and offers remedies for wrongdoing (Sweeney et al., 2017). While filing a case against a nurse practitioner, the first condition maintains that it is prevalent to accuse the nurse of not following the necessary standards and protocols of care. For instance, the nurse practitioner may not have followed procedures, missed to administer drugs on schedule, and failed to finish procedures that he or she was supposed to accomplish. A malpractice suit would indeed be issued if the nurse's activities somehow resulted in the client's damage or even death.

Another condition that must exist to establish malpractice is proof that the nurse breached the standard of care while treating the patient. Failure to observe and evaluate a patient, for instance, can be used to argue this condition. A nurse undergoes training to give care to patients by monitoring and documenting the variations in behavior or significant symptoms. One is also needed to increase the frequency of surveillance if the patient's state deteriorates. Failure to do so may render a nurse negligent, resulting in the family filing a lawsuit for malpractice.

The third condition for a malpractice lawsuit to stand in court is not documenting information that might be crucial in diagnosing the patient. When a nurse is performing her responsibilities, he/she must also keep track of everything. One must be meticulous in writing

data of the patient's status, including vitals, drugs, doses, while observing a patient's or regular treatment.

Effect of Lawsuits on Nurse Practitioner

The effect of malpractice on the nurse practitioners, whether or not they were involved in a lawsuit, can be very substantial (Brock et al., 2017). In this case, the nurse suffered defamation from the accusations against him or her. This phenomenon had a ripple effect such that prospective patients may be discouraged by news or uncertainties of delinquency by medical practitioners or hospitals, making them unwilling to seek care. This practice might end up ruining the clinic's reputation and even unemployment for the nurse. Patients may also become anxious due to concerns about negligence, which can obstruct a trustworthy and open interaction, which is the foundation of nurse-patient interactions. It can also lead to a reduced number of clients and patients for the nurse because they fear that they may also be neglected and not given the care they deserve.

Tips to Nurses to avoid or reduce the possibility of legal issues

I would advise the nurse to first build connections and conversations with patients and families that are fair, genuine, and respectful. Patients and their families are less likely to sue if they take to the nurse and feel like they have been very professional and caring. It is also wise not to offer personal opinions when patients inquire about what wrong with them; this could be used as an accusation of providing a medical diagnosis. I would also advise the nurse to understand the legal principles and incorporate them into their everyday practice. Therefore, this means keeping up with the changes and additions to the state's nurse practice act and

understanding hospital policies and procedures (McMichael et al., 2018). I would also advise that one does not accept an assignment they do not feel confident or competent to perform. One should stick to their strengths and seek assistance for specialized duties.

References

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