



IDENTIFYING DATA

Ethics and Law

Subject	Ethics and Law			
Code	V53G140V01202			
Study programme	(*)Grao en Enfermaría			
Descriptors	ECTS Credits	Choose	Year	Quadmester
	6	Mandatory	2nd	1st
Teaching language	Spanish Galician			
Department				
Coordinator	Marcial Pérez, José Ángel			
Lecturers	Marcial Pérez, José Ángel Sas Fojón, Antonio de			
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General description	The Infirmary and a discipline devoted to the direct deal with the people, in occasions under circumstances of diverse complexity related with the *binomio Health-Illness, the Life-Death. Here to *Etica (*Bioética) it plays an important paper, governs the behaviour of the professionals in circumstances in the that these owe to decide between acting with goodness or malice, understanding that second his decision the patient can were more harmed. The infirmary is to the service of the ill, family and community, and no only of the institutions.			

Competencies

Code	
A1	Students have demonstrated knowledge and understanding in an area of study that comes from the basis of the general secondary education, and it is often found at a level that, if well supported on advanced text books, it also includes some aspects that involve knowledge from the forefront of their field of study.
A2	Students know how to apply their knowledge to their work or vocation in a professional manner and have the skills that are often demonstrated through the preparation and defense of arguments and the resolution of problems within their area of study.
A3	Students have the capacity to collect and interpret relevant data (normally within their area of study) to make judgments that include a reflection on relevant topics of social, scientific or ethical nature.
A4	Students will be able to convey information, ideas, problems and solutions to specialist and non-specialist audiences
B1	To be able, in the field of nursing, to provide a professional and technical health care, appropriate to the health needs of people they assist, in accordance with the state of development of the scientific knowledge of each moment and with the quality and safety levels established in the legal and ethical applicable standards.
B4	To be able to understand the interactive behaviour of a person on the basis of gender, group or community within his social and multicultural context.
B7	To know how to understand, without prejudice, people, considering their physical, psychological and social aspects, as autonomous and independent individuals, ensuring respect for their views, beliefs and values, besides ensuring the right to privacy, through professional confidentiality and secrecy
B8	To promote and respect the right of participation, information, autonomy and informed consent in assisted people decision making , in line with the way they live their health-disease process.
B12	To apply the ethical and deontological code of Spanish nursing, understanding the ethical implications of health in a world in transformation.
C11	To establish an emphatic and respectful relationship with the patient and family, according to the situation of the person, problem of health and stage of development.
C12	To use strategies and skills that allow an effective communication with patients, families and social groups, as well as the expression of its worries and interests.
C48	To know applicable legislation and the Spanish code of ethics and deontologism of nursing, inspired in the European code of ethics and deontologism of nursing.
C49	To provide care, guaranteeing the right to dignity, privacy, confidentiality and problem-solving ability of the patient and family.
C50	To personalise care considering age, gender, cultural differences, ethnic group, beliefs and values.
D1	Analysis and synthesis ability
D2	Organization and planning ability

- D3 Information management ability.
- D4 Problem solving and decision making.
- D6 Skills in interpersonal relationships
- D7 Critical reasoning.

Learning outcomes

Expected results from this subject	Training and Learning Results			
Be able to realize an ethical analysis and to design and resolve cases	A1	B1	C11	D1
	A2	B4	C12	D2
	A3	B7	C48	D3
	A4	B8	C49	D4
		B12	C50	D6
				D7

Contents

Topic	
1. Distinction go in the concepts: Ethics, *Deontología and Right.	Brief historical development of the Ethics and the *Bioética. 1.1. Definition of ethics and moral, origin and meaning. 1.2. The ethical dimension of the person: the very moral and the end of the *obrar human. 1.3. Basis and forcing of the moral norm: concept of responsibility.
2. Codes *Deontológicos.	Codes *Deontológicos. Report *Belmont: 2.1. Principle of *Beneficencia. 2.2. Principle of Autonomy. 2.3. Principle of In the *Maleficencia. 2.4. Principle of Justice.
3. The juridical regulation and *deontológica of the right of the patients.	3.1. Differences and similarities between normative and ethical Codes. 3.2. Methodology stop the resolution of ethical problems. 4. The Juridical regulation and *Deontológica of the right of the patients: current ethical Dilemmas, common in the exercise of the profession: 4.1. The professional secret and the profession *nurse. 4.2. The consent informed. 4.3. Voluntary interruption of the Pregnancy, questions around the voluntary abortion. 4.4. The terminal patient, the Euthanasia and the Suicide Assisted. 4.5. The truth in front of it ill. Attention *humanizada, spiritual Attention. 4.6. Ethical aspects of the investigation in subject of Health service: human Experimentation, genetic Manipulation. Project human Genome. *Fecundación, Procreation, Reproduction. 4.7. Ethical aspects around the Transplant of organs. 4.8. Right and owe of users and professional: 4.8.1. Right and owe of the patients. 4.8.2. Right the strike in the Health service.
5. Knowledge of the legal frame and valid official to develop work them own of the professional of infirmary.	5.1. The sanitary professional of the century XXI. - Advance of the *Medicina and of the society in general. - The new sanitary professional. Of the independence to the most absolute control. - The *medicina defensive. - Causes that originated the proliferation of claims. 5.2. Application of wool law 26/1984 of 19 of general July stop the defence of the consumers and users it the cases of medical responsibility. 5.3. The *medicina and a science of means without that can guarantee the result. 5.4. *Medicina *curativa And *medicina *satisfactiva. Difference go in both. Study *jurisprudencial.
6. Ethical and Juridical rule in relation with the professional secret.	6.1. Analysis of the concept and range. 6.2. Legislative antecedents. - Swearing *hipocrático. - Declaration of Gin. - Spanish constitution (Law of the Professional Secret). - Code of *Deontología Medical. - Law of Health service. - Law of Protection of Data. - Law 3/2001 of him Consent Informed. - Law 41/2002 of the Autonomy of the Patient. - Law 3/2005 of the Consent Informed of Galicia. 6.3. Exceptions to obligation of secret. 6.4 penal Consequences of the disclosure of secrets. 6.5 civil Consequences of the disclosure of secrets. 6.6 Comment sentences it of the second section of the high court of date 4 of April of the 2001 by rape of said professional secret. 6.7 final Considerations.

7. General laws that have repercussion envelope to profession.

The Consent informed. Previous considerations:

7.1 Concept of consent informed.

7.2 The general law of health service

7.3 The Galician law @regulador of the consent informed and of the clinical history. Analysis of the articles 1 to 9 of said law.

7.4 state Law @regulador of the autonomy of the patient and of rights and duties in subject of information and clinical documentation. Law 41/2002.

7.5 Analyses of the Galician law 3/2005 that modifies the law 3/2001 of 28 of May @regulador of the consent informed and of the clinical history of the patients.

7.6 aesthetic Surgery and analogous cases.

7.7 urgent Cases.

7.8 The back information to the act to medical intervention. *Prescripciones Stop the good execution of the treatment.

7.9 Cases of experimentation *biomédica.

7.10 Responsibilities that can be demanded by defect in the consent. Study *jurisprudencial.

7.11 vital Testament, wills anticipated. Special reference to law 3/2001 envelope the consent informed and the clinical history.

8.2 legal Regulation.

IT) General Law of Health service and Real Decree that it develops.

*B) Law of Protection of data.

*C) Analysis of the Law 3/2001 of Galicia envelope the Consent Informed and Clinical History.

*D) Analysis of the Regulatory Law of the Autonomy of the patient and of rights and duties in subject of information and clinical documentation. Law 41/2002.

And) Analysis of the Galician Law 3/2005 that modifies the Law 3/2001 of 28 of May @regulador of the consent informed and of the clinical history of the patients.

9. The Law of Protection of Data. Application in the sanitary field:

9.1 Concept of data of personal character.

9.2 Levels of second security the type of data.

9.3 Rights of the affected.

9.4 due Sanctions.

9.5 The Agency of Protection of Data. Functions.

9.6 The protection of data in hospitals.

9.7 Guarantees of the *hard-working.

9.8 Guarantees of the system established by the Sanitary Institution.

9.9 practical Questions envelope to Law of Protection of Data.

9.10 Legislation envelope to protection of data in the sanitary field.

9.11 penal Jurisprudence and civil within the scope of the Law of Protection of Data.

9.12 Resolutions of the Agency of Protection of Data.

10. Safe that protect the sanitary activity:

10.1 Reasons that justify the *formalización of a sure.

10.2 Roads by the that can initiate the claim.

10.3. Alternatives and types of *aseguramento sanitary.

10.4 Conditions of the policies.

10.5 Coverage of the policies.

10.6 economic Limits.

10.7 temporary Limit.

10.8 Coverage of the policies.

10.9 *Concurrencia of policies of civil responsibility of the professional and of the hospitable centre.

10.10 Conclusion.

11. The responsibility in general and the derivative of the sanitary performance:

11.1 Elements of the crime.

11.2 Forms of *culpabilidad

11.3. Participation in the crime

11.4. Penal responsibility derived of the work in team.

11.5. Juridical consequences of the crime inside the medical professional activity.

11.6. Denomination of the penalties.

11.7 The civil responsibility

12. Crimes *tipificados in the Penal Code and related with the sanitary activity:

12.1 Crime of abortion out of the cases allowed in the Law.

12.2 Injuries to the @feto.

12.3 Crimes against it greet public.

12.4 Homicide with *imprudencia.

12.5 Alteration in quantity, dose and composition of medicines.

12.6 Disclosure of professional secrets.

12.6 Injuries by *imprudencia professional.

12.7 Abortion by *imprudencia professional.

12.8 Abandonment of the sanitary services.

12.9 Damages to the @feto by *imprudencia.

12.10 Expedition to sale of medicines *deteriorados or expired.

13. Right and owe of the patients:

13.1 legislative Analyses

13.2 Definition and development of the right and owe of the patients.

14. The responsibility of the sanitary institutions:

14.1 civil Responsibility subsidiary in the penal procedure

14.2 civil Responsibility direct.

14.3 Responsibility in the administrative contentious road

14.4 administrative Responsibility by *incumplimento of the law of protection of data or another legislation inside the sanitary field.

15. Functions and Disciplinary Regime of the *Diplomados and/the Graduated in Infirmary:

15.1 Functions in open institutions.

15.2 Functions in institutions closed.

15.3 Functions in medical zones.

16. It transplant of organs. Legal requirements:

16.1 *Obtención of pertinent organs of alive donors.

16.2 Extraction of organs or other pieces *anatómicas of the died.

8. Specific laws medicos.

8.1 Organic Law 15/1999 of Protection of Data of Personal Character.
8.2 Law 3/2001 of Galicia of him Consent Informed and of wool Clinical History.
8.3 Law 41/2002 basic @regulador of the autonomy of the patient and of rights and obligations in subject of information and clinical documentation.
8.4 Law 3/2005 of Galicia, that modifies partially the Law 3/2001 of the consent informed and of the clinical history.

9. Problems related with the start *and final of the life.

The voluntary interruption of the pregnancy since the legal point of view:
9.1 Concept.
- Abortion acceded by the pregnant.
- Abortion no acceded by the pregnant.
- Violent abortion *without intention.
9.2 *Suppositions *collected in the current *Law of the Abortion.
9.3 *Exceptions.
9.4 Requirements stop the practice of the abortion.

Planning

	Class hours	Hours outside the classroom	Total hours
Master Session	20	20	40
Case studies / analysis of situations	18	18	36
Tutored works	14	56	70
Introductory activities	2	0	2
Long answer tests and development	1	0	1
Multiple choice tests	0.5	0	0.5
Short answer tests	0.5	0	0.5

*The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.

Methodologies

	Description
Master Session	Exhibition by part of the professor of the contained envelope to subject object of study, theoretical bases and/or guidelines of one work, exercise or project to develop pole student.
Case studies / analysis of situations	Analysis of a done, problem or real event with the aim to know it, interpreted, resolved, generate hypothesis, contrast data, *reflexionar, complete knowledges, diagnosed and trained in alternative procedures of solution.
Tutored works	Activity developed in a half virtual in the that debate diverse subjects related with the academic field and/or professional.
Introductory activities	Activities *encamiñadas to take contact and gather information envelope the students, as well as to present the subject.

Personalized attention

Methodologies	Description
Tutored works	The first day of kind will expose the content of the subject and will schedule the development of the works *grupais. It Will attend to the student to guide it in the his academic difficulties.
Case studies / analysis of situations	The first day of kind will expose the content of the subject and will schedule the development of the works *grupais. It Will attend to the student to guide it in the his academic difficulties.

Assessment

	Description	Qualification	Training and Learning Results
Case studies / analysis of situations	Proof in the that presents a situation or problematic already given or that can gave, splitting of the different factors *involucrados, the analysis of the antecedents, conditions, of the situation, etc.	10	A2 B1 D1 A3 D2 D3 D4 D7
Tutored works	The student presents the result obtained in the manufacture of one document envelope to thematic of the subject, in the preparation of seminars, investigations, memories, essays, summaries of readings, conferences, etc. Can be carried out of individual way or in group, of oral form or writing□	20	A2 B1 D1 A3 B4 D2 A4 B7 D3 B8 D4 B12 D6 D7
Long answer tests and development	Proofs for evaluation of the competitions purchased that include open questions envelope a subject. The students owe to develop, relate, organize and present the knowledges that have envelope to subject in an extensive answer.	30	A1 C48 D1 A2 D7

Multiple choice tests	Proofs for evaluation of the competitions purchased that include questions closed with different alternatives of answer (true/false, multiple election, *emparellamento of elements...). The students select an answer go in a number limited of possibilities.	20	A1 A2	C48 D1 D7
Short answer tests	Proofs for evaluation of the competitions purchased that include direct questions envelope a concrete aspect. The students owe to answer of direct and brief way in base to the knowledges that have envelope to subject.	20	A1 A2	C48 D1 D4 D7

Other comments on the Evaluation

Sources of information

Pastor García, L. M., **Manual de ética y legislación en enfermería**, Ed. Mosby,
Vidal, M., **Bioética, estudios de bioética racional**, Ed. Tecnos ISBN 84-309-1674-1,
Carmen Delia Medina Castellano, **Ética y Legislación**, Ed. DAE,
M. P. arroyo y otros, **Ética y Legislación en Enfermería**, Ed. McGraw-Hill Interamericana,
Javier Gafo, **Ética y Legislación en Enfermería**, Ed. Universitas S.A.,
Reinhard Löw, **Bioética, Consideraciones filosófico-teológicas sobre un tema actual**, Ed. RIALP,
Julio Cesar Galán Cortés, **El consentimiento informado del usuario de los servicios sanitarios**, Ed. Colex,
José Manuel Martínez Pereda Rodríguez, **La responsabilidad penal del médico y del sanitario**, Ed. Colex.,
Javier Fernández Costales, **La responsabilidad civil sanitaria (médica y de enfermería)**, Ed. La Ley Actualidad.,
Cuadernos de Bioética; Revista cuatrimestral Asociación española de Bioética y Ética Médica, ISBN: 1132-1989,

Recommendations

Subjects that it is recommended to have taken before

Basics of nursing/V53G140V01107