



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

Learning outcomes

Expected results from this subject	Training and Learning Results
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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 *Deontolóxicos.	Codes *Deontolóxicos. 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 *deontolóxica 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 *Deontolóxica 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 defensiva. - 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.
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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 medics.

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	
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	
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	
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	

Other comments on the Evaluation

Sources of information

Basic Bibliography

Complementary Bibliography

Pastor García, Luis Miguel, **Manual de ética y legislación en enfermería**, Editorial Mosby ISBN 9788481741902, 1997

Vidal, Marciano, **Bioética, estudios de bioética racional**, Editorial Tecnos ISBN 84-309-1674-1, 1989

Medina Castellano, Carmen Delia, **Ética y Legislación**, Editorial DAE ISBN 978-84-931330-4-7, 2002

Arroyo Gordo, Pilar y otros, **Ética y Legislación en Enfermería**, Editorial McGraw-Hill Interamericana ISBN 9788448, 1996

Gafo, Javier, **Ética y Legislación en Enfermería**, Editorial Universitas S.A. ISBN: 9788479910174, 1994

Löw, Reinhard, **Bioética, Consideraciones filosófico-teológicas sobre un tema actual**, Editorial RIALP ISBN 13: 9788432128790, 1992

Galán Cortés, Julio Cesar, **El consentimiento informado del usuario de los servicios sanitarios**, Editorial S.L. Civitas Ediciones ISBN: 9788447016, 2001

Martínez Pereda Rodríguez, José Manuel, **La responsabilidad penal del médico y del sanitario**, 3ª Edición, Editorial Colex ISBN 9788478790050, 1997

Fernández Costales, Javier, **La responsabilidad civil sanitaria (médica y de enfermería)**, 13ª Edición, Editorial La Ley Actualidad ISBN 8481261955, 97884, 1995

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
