1. What are the five levels of certification in Texas?

2. Define Direct Medical Direction vs Indirect Medical Direction?

3. How do you deal with a physician at the scene?

4. What is the most important way to prevent the spread of infection?

5. What minimum Personal Protective Equipment should be worn for each of the following situations?
   a. contact with blood and body fluids
   b. splashing of blood and body fluids
   c. spurting blood and body fluids
   d. Tuberculosis
6. What are the five stages of grieving?

7. What are the recommended communication strategies for dealing with death and dying?

8. Define Scope of Practice.

9. List the cases which require reporting in most states.

10. What does the Ryan White Law require?

11. Describe the intent and coverage of most Good Samaritan laws?

12. Does the Good Samaritan law protect health care professionals who stop to render aid at the scene of an accident?

13. Does the Good Samaritan law cover you if you are negligent?

14. Are paid workers covered by the Good Samaritan Law?

15. What are the four components necessary for a Negligence claim?
16. As a paramedic, do you have a duty to act even when off-shift? That is, do you have a legal obligation to stop and render aid at an accident?

17. What are the two instances in which a paramedic has a duty to act?

18. Define the following breach of duty terms.

   a. malfeasance

   b. misfeasance

   c. nonfeasance

19. If you, as a paramedic, stop to render aid while off duty. Are you obligated to use all of the training within your Scope of Practice or will basic life support suffice?

21. What is Proximate Cause?

22. Other than direct patient care, what are the other three circumstances in which a paramedic may be held negligent?

23. What three items protect health care workers against claims of negligence?

24. There are four common defenses against negligence. They are:

25. Are patients with HIV and other communicable diseases protected by the Americans with Disabilities Act?

26. What is HIPAA and how does it effect EMS workers?

27. What information is considered confidential?

28. When can confidential information be released?

29. Libel is:

30. Slander is:

31. Define the following types of consent:

   a. informed
b. Expressed

c. Implied

d. involuntary

32. In Texas, a minor is anyone under the age of ______. In many states, the age is ______.

33. Give examples of an emancipated minor.

34. When a paramedic is treating a minor in the absence of a parent, what doctrine of consent is used?

35. Can an emancipated minor refuse care for her child?

36. Can an adult parent refuse care for her child?

37. Under what circumstances can an adult refuse care?

38. How should the paramedic deal with refusal of care?

39. What is abandonment?

40. Texas does not have a battery law. What constitutes assault?

41. List the five right-way privileges that a driver of an emergency vehicle may employ.
42. How fast can an emergency vehicle legally travel?

43. Describe the differences between Level I, Level II, and Level III trauma centers.

44. You answer a call in which the family tells you that the patient is a DNR (DNAR). How should you proceed?

45. How does a DNR differ from an Advanced Directive?

46. You respond to a nursing home in which a DNR patient is obviously deceased. How would you proceed? The nursing home requests that you transport the patient to the hospital to be pronounced. Can you do this?

47. Describe appropriate actions to take at a crime scene.

48. What four ethical questions should guide a paramedic’s actions?

MEDICAL/LEGAL ISSUES

THE LINK "LEGAL" AT THE TOP OF THIS PAGE WILL TAKE YOU TO VIDEOS TO WATCH.

DEFINITION
SCOPE OF PRACTICE

- What you have been taught. A paramedic has a larger scope of practice than an EMT-B.

STANDARD OF CARE

- What is expected to be done for the patient's condition if in your scope of practice and protocols. If you do too much or too little you can get in trouble.

MEDICAL DIRECTOR

- Must work under a medical doctor's direction.

- They are known as EMS Director, Medical Director, Medical Administrator.

- You may take orders from an approved agent of your medical director.

MEDICAL PRACTICE ACT

- A physician may extend and delegate to EMS professions to practice under their medical license.

NEGLIGENCE
• Doing something wrong and damages happen.

• Four things to prove if one is missing cannot be negligence; duty to act, breech of duty, damages, and causation.

DUTY TO ACT

• A commitment for pay or not to provide EMT services.

BREECH OF DUTY

• Not doing something a person of similar training would have done.

LEGALLY COMPETENCE

• Must know common questions. Person, Time, Place and Event (A&Ox4)

• If competent they can refuse care at any time.

CONSENT

• Implied consent is for people not competent. Drunk, unconscious, minors.

• Expressed consent also known as; informed, actual, written, and verbal. This is when a competent person says help me.

WHEN MINORS ARE ADULTS
• In this course must be over 18 to be an adult.

• If pregnant are an adult during pregnancy only.

• If legally married.

• If in military services.

• If emancipated by judge.

PREGNANT MINORS

• If a minor is pregnant and the EMS person believes them, the minor can make their own decisions about
  themselves and the baby. Some instructors think: The pregnant minor can only make decisions about
  the mom's baby only but not about the mom's body. How can EMS tell if one is going to affect the
  other. This is wrong. Unless the mom has criminal intentions, she can refuse care for self and fetus.

ABANDONMENT

• Terminating care without leaving the patient with an equal or higher level of care. Leaving a patient
  without terminating care with a refusal form.

FALSE IMPRISONMENT
• Taking a competent patient without consent. You have to have doctor order to keep side rails up on a bed.

• Behavioral Emergency restraining will be discussed in that chapter. Not in this chapter.

ASSAULT and BATTERY

• Assault is the threat of unwanted bodily contact

• Battery is the act of actual unwanted touching.

REFUSAL OF TRANSPORT

• As a rule the EMT will offer transport/care to all patients.

• If patient refused care must do the following; prove competency, do an assessment to inform the pt what might be wrong, tell them to get help somewhere if not with us, get a witness to sign, doctor must agree.

DO NOT RESUSCITATE

• Also know as Do Not Attempt Resuscitation

• Written for terminally ill.

• Must use a legal state approved form.

• Only applies when patient is in arrest (CPR person)
• Pt can override the DNR at any time.

• If close relative says to save the patient then do it.

• If a crime took place save them.

• If any delay in finding the DNR save them.

• If pregnant must save.

• If they are dead from a car crash this is not why they have a DNR so save them.

• Up to Medical Director if the DNR has to be original.

ADVANCED DIRECTIVES OR LIVING WILLS

• Both are the same.

• Written for terminally ill

• Only applies while they have a pulse then need DNR.

• Written instructions incase something happens to them like life-support machines.

CONFIDENTIALITY

• Breech of confidentiality is any private info let out. Whether good or bad.

• Slander is saying something bad.

• Libel is writing something bad.
• Keep your mouth shut. Do not give out any records even to a spouse without written permission from patient.

• Breech is the number one law suite reason in healthcare.

• If a minor has Sexual Disease cannot tell parents.

WHAT MUST BE REPORTED BY LAW

• Gun shot/stab wounds

• Birth

• Death

• Child/elderly abuse

• Rape

• Animal bites

• Some communicable diseases

• Spouse abuse

• DO NOT INCLUDE ETOH or DRUGS. They are considered addictions and are private doctor/pt privilege

• If a drug lab is found then report it. If for own use cannot report.

WHEN INFO CAN BE RELEASED WITH PERMISSION

• Organ donor waives rights
• Medical bracelet waives rights.

CRIME SCENE

• Preserve the chain of evidence. Do not remove bullet shells to show ER doctor. If medical care is need it overrides chain of evidence. But still try to cut the shirt away from the area of the bullet hole. Do not put underwear after a rape in plastic bag but rather a paper bag.

DOCUMENT

• If it was not written down it did not happen in the legal systems eyes. Take good notes. Like - did you cut the seatbelt or was it already off when you showed up at the car crash. Who was at the scene when you arrived.

TREATING A COMPETENT REFUSING ADULT

• Only if law enforcement or courts take custody can you treat against their own will.

Note: If patient is psychotic then treat if physical danger to self is present. This will be discussed further in behavioral emergency chapter.

• If it is against a person religion to take blood it is a competent person's right to die even though the blood is lifesaving.
• If a competent adult is refusing care for a child you must follow the adults request unless criminal acts are involved. WHAT A GRAY AREA. JUST THINK, CALL THE POLICE TO ASSIST. BUT YOU MAY NOT KIDNAP THE KID UNLESS THE SCENE IS VERY DANGEROUS AT THE PRESENT TIME. EMS DOES NOT RUN INTO THIS SITUATION OFTEN. BELIEVE IT OR NOT.

• If any gray areas present - call medical control for advice immediately.