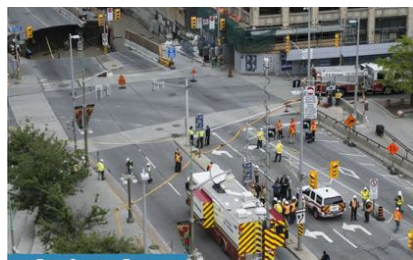


# Emergency Medical Responder: A Skills Approach

Fifth Canadian Edition



FIFTH CANADIAN EDITION

## EMERGENCY MEDICAL RESPONDER

A SKILLS APPROACH

MEETS PARAMEDIC ASSOCIATION OF CANADA'S  
NATIONAL OCCUPATIONAL COMPETENCY PROFILE

Pearson

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## Chapter 3

Legal and Ethical Issues

## Objectives

- Define the EMR scope of practice as it relates to patient consent, treatment of minors, patient transport, and do not resuscitate orders.
- Discuss the legal issues that pertain to the EMR's duties.
- List the actions that an EMR should take to assist in the preservation of a crime scene, and state at what point police involvement is necessary.
- Discuss issues concerning the fundamental components of special documentation.

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## When Providing Medical Care, You Should:

- Follow standing orders and protocols
- Consult medical control if questions arise about scope of practice or care
- Communicate clearly with medical director
- Follow medical director's orders

## Ethical Responsibilities

- Make the physical and emotional needs of the patient a priority
- Master your skills
- Continue your education and take refresher courses
- Critically review your performance
- Report honestly
- Work in harmony with other responders

## Two Types of Patient Consent

- Expressed
- Implied

## An Incompetent Adult...

- is under the influence of alcohol or drugs
- has an altered mental status
- has a serious illness or injury that may affect judgment
- has a mental illness or intellectual disability

## **A Parent or Guardian Must Give Consent Before You Treat a Minor, Unless...**

- a life threatening condition exists
- the individual is an emancipated minor

## **Advanced Directives or Do Not Resuscitate Orders (DNRs)**

### **Check whether or not the DNR is:**

- Physically present
- Accompanied by a doctor's written instructions
- Written clearly and concisely and signed by the patient



## Figure 3–2 Example of a Patient Refusal Form

**RELEASE FROM RESPONSIBILITY WHEN PATIENT REFUSES SERVICE**

This is to certify that I, \_\_\_\_\_, am refusing the service(s) of the Emergency Response Service and its staff and absolve the Service, its staff, and the consulting health care facility (if applicable) of any and all responsibility from any ill effects or adverse outcomes which may result from this action.

Signed \_\_\_\_\_ Witness \_\_\_\_\_

Relationship (if patient is a minor or under Order of Supervision) \_\_\_\_\_

**Figure 3–2** Example of a patient refusal form.

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## Prior to Leaving a Scene After a Patient Refusal, You Should:

- Try again to persuade the patient
- Ensure the patient is able to make an informed decision
- Have the patient sign the refusal
- Encourage the patient to seek help if symptoms persist
- Advise the patient to call EMS again if he/she changes their mind

## Legal Aspects of Emergency Care

- **Common Assault** – Obtain consent before touching a patient's clothing or body
- **Abandonment** – Once care is started, you must continue until equally trained or higher-trained personnel take over
- **Negligence** – Your care must adhere to a standard of care

## Confidentiality

**By law, you are allowed to release information without a patient's, parent's, or guardian's consent only if:**

- Another health care provider needs it
- You are required by legal subpoena to provide it in court

## Volunteer Service Acts

While off duty, you may not be legally required to stop and assist at a scene, but there is a recognized duty to assist according to your level of certification when you do render help.

## Preservation of Evidence (1 of 2)

- Observe and document anything unusual at the scene
- Touch only what you need to
- Never wipe away blood
- Move only what you need to move to protect the patient and provide emergency care
- Don't use the phone, unless police give you permission



## Preservation of Evidence (2 of 2)

- Move patient only if he/she is in danger or to provide emergency care
- If possible, don't cut through holes in the patient's clothing
- Don't cut through any knot in a rope or tie
- If the crime is rape, do not wash the patient or allow him/her to wash

## Special Situations

- Medical ID Tags
- Donor & Organ Harvesting