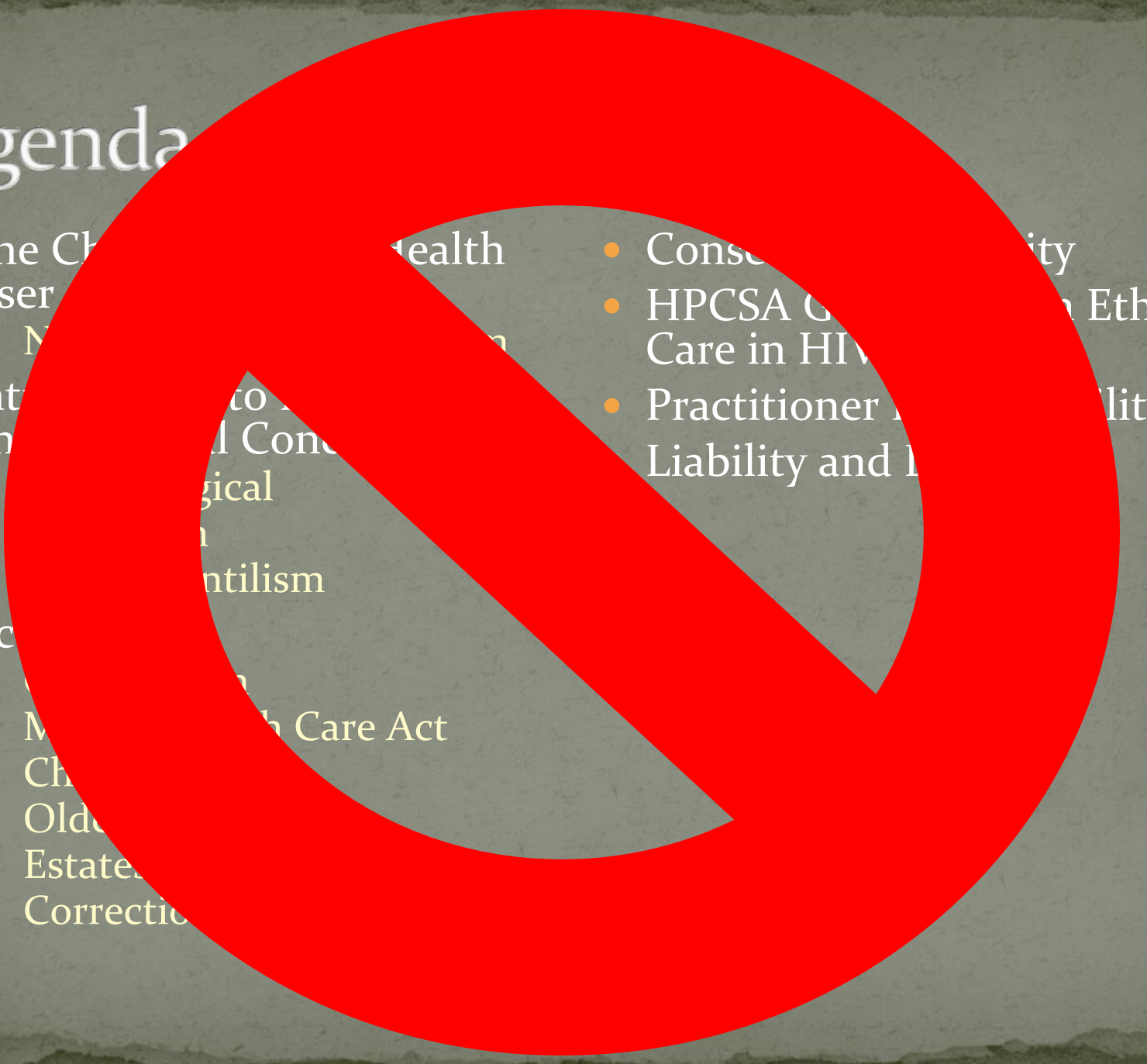


Chronic Mental Health Care, HIV, the Law and Ethics



Agenda

- The Changing Health Care Environment
 - User-Centered Design
 - Nursing Informatics
- Introduction to Health Law and Ethics
 - Physical and Chemical
 - Psychological
 - Social
 - Environmentalism
- Access to Health Care
 - Medicare
 - Medicaid
 - Mental Health Care Act
 - Children
 - Older Adults
 - Estate Planning
 - Correctional Health
- Consent and Capacity
 - HPCSA Guidelines on Ethical Care in HIV
 - Practitioner Liability
 - Liability and Insurance



Chronic Mental Health User

- Severe disability resulting from mental illness/ intellectual disability
 - Have undergone intensive psychiatric/ hospital treatment more intensive than outpatient care more than once in their lifetime (e.g. emergency services, alternative home care (e.g. NGO), or inpatient hospitalization.
 - Have experienced a single episode of continuous, structured, supportive residential care other than hospitalization for a period of at least 2 years.
 - Esi – repeat admissions, chronic/ severe profound

Impaired Role Functioning

- At least two of the following – either intermittently or continuously over a period of two years:
 1. Are unemployed, are employed in a sheltered setting, or have markedly limited skills and a poor work history
 2. Require social assistance for out of hospital maintenance – and may not be able to get this assistance without help.
 3. Shows severe inability to establish or maintain a personal social support system.
 4. Require help with basic living skills
 5. Exhibit inappropriate social behavior which results in a demand for intervention by the mental health and/ or judicial system.

Responsibilities of a Medical Practitioner

- Professional Competence
- Honesty with patients
- Patient confidentiality
- Maintain appropriate relations with patients
- Improving quality of care
- Improving access to care
- Just distribution of finite resources
- Commitment to scientific knowledge
- Maintain trust by managing conflicts of interest
- Commitment to professional responsibilities

Medical Professionalism Project 1999

Why Ethics?

Professionalism is the basis of medicine's contract with society. It demands placing interests of patients above those of the physician, setting and maintaining standards of competence and integrity, and providing expert advice to society on matters of health. Essential to this contract is public trust in physicians, which depends on the integrity of both individual physicians and the whole profession. The medical profession everywhere is embedded in diverse cultures and national traditions, but its members share the role of healer, which has roots extending back to Hippocrates.

Physicians Charter, Howard & Bogle, 2005

Ethics 101

- Kantian
- Utilitarianism

What happened????

- The Constitution - Section 26
- Mental Health Care Act
- HPCSA



- Involuntary patient
- **Consent (capacity)**
 - allows the patient to refuse or accept further disclosures,
 - the practice is in keeping with patient autonomy and respect for persons
 - promotes patients informed participation in health care decisions
 - Promotes a trusting relationship between patient and health care provider.
 - Bodily integrity
- Third Party Intervention?
- Voluntary patient
- Family/ caregivers for supervision/ meds compliance etc
- **Discharge**

Questions? Comments?