

Human Rights and Code of Ethics: Perspectives of Nurses and Patients

Subin Jimmy

Assistant Lecturer, Department of Nursing, T. John College of Nursing

Abstract

Human rights and ethics are essential to healthcare, particularly for those working in the nursing profession. The rights and well-being of patients are greatly affected by the activities of nurses, who are at the forefront of patient care. This article examines the relationship between the nursing code of ethics and human rights from the viewpoints of patients and nurses. Through an examination of the legal and ethical frameworks that direct nursing practice, together with the experiences and expectations of patients, this article aims to clarify the complex dynamics that exist between healthcare team members and their patients.

Keywords: Human rights, Ethics, Nursing, Patient care.

1. Introduction

Background

As recognized by international agreements like the Universal Declaration of Human Rights, the provision of healthcare is a basic human right. In this situation, nurses are essential in making sure patients get the attention and dignity they need. The nursing profession involves more than merely doing procedures and giving medications; it also involves a deeper commitment to preserving ethical standards and defending human rights. This article examines the complex relationship between human rights and the code of ethics for nurses, including information from the viewpoints of patients as well as nurses.

Purpose

This article's main goal is to investigate how, in modern healthcare, human rights and the nursing code of ethics interact. It explores the experiences and expectations of patients receiving care, the legal structures supporting patient care, and the ethical duties that direct nursing practice. This article aims to provide a thorough understanding of the intricate interactions that occur between healthcare professionals, especially nurses and the patients they treat by illuminating these factors.

Methodology

The examination of prior research, ethical standards, and legislative frameworks pertaining to nursing practice and human rights in healthcare served as the foundation for this essay. It also includes information obtained from surveys and interviews with patients and nurses. The information gathered from many sources is combined to offer a fair analysis of the issue. In order to demonstrate the practical difficulties nurses face in maintaining ethical standards while respecting patients' human rights, real-world case studies are also examined.

2. Human Rights in Health Care

Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR), adopted by the United Nations General Assembly in 1948, remains a foundational document in the realm of human rights. Article 25 of the UDHR specifically recognizes healthcare as a human right, stating that "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family" [1]. This declaration underscores the global commitment to ensuring that individuals receive the necessary healthcare without discrimination.

Health as a Human Right

Health is not just an absence of disease; it is a state of complete physical, mental, and social well-being. This holistic definition of health is enshrined in the Constitution of the World Health Organization (WHO). It implies that healthcare extends beyond medical treatment and encompasses factors such as access to clean water, adequate nutrition, and safe living conditions [2]. Nurses, as healthcare professionals, are entrusted with the responsibility of promoting and protecting this comprehensive understanding of health as a human right.

Human Rights Violations in Healthcare

Unfortunately, human rights violations within healthcare settings are not uncommon. These violations can take various forms, including discrimination, neglect, and abuse. Vulnerable populations, such as the elderly, children, and individuals with disabilities, are often disproportionately affected. In some cases, patients' rights to informed consent, privacy, and dignity are disregarded [3]. Nurses have a critical role to play in preventing and addressing such violations, aligning their actions with ethical principles and legal standards.

3. Nursing Code of Ethics

The Importance of Ethics in Nursing

Ethics in nursing is a set of principles and values that guide the conduct of nurses in their professional practice. These ethical principles are essential because they provide a moral compass for nurses when making decisions that directly affect the lives of patients. The ethics of nursing practice are based on respect for human dignity, autonomy, compassion, non-maleficence, and justice. These principles are not just theoretical constructs; they are specific instructions that help nurses interact with patients and their families.

American Nurses Association (ANA) Code of Ethics

In the United States, the American Nurses Association (ANA) has developed a comprehensive code of ethics for nurses. This code provides guidance for nurses in making ethical decisions and providing nursing care. It emphasizes the importance of maintaining patient confidentiality, advocating for their rights, and providing competent and compassionate care. Additionally, the ANA Code of Ethics recognizes nurses' obligation to collaborate with other health care professionals to promote patient health [4].

International Council of Nurses (ICN) Code of Ethics

Internationally, the International Council of Nurses (ICN) has issued a Code of Ethics for Nursing. This Code, respected worldwide, outlines the ethical obligations of nurses and their commitment to upholding human rights in health care. The ICN Code of Ethics emphasizes the importance of respecting cultural

and individual differences while providing evidence-based and culturally sensitive care. It calls on nurses to advocate for patients, ensuring their voices are heard and their rights are respected [5].

4. Balancing Ethics and Patient Care

Ethical Dilemmas in Nursing

Nurses often face ethical dilemmas in their daily work. These dilemmas arise when they are faced with conflicting ethical principles or when they have to make difficult decisions that affect patient care [6]. For example, a nurse may face a dilemma when a patient refuses life-saving treatment because of his or her religious beliefs. Striking a balance between respect for patient autonomy and the obligation to act in the patient's best interests can be difficult.

Legal Frameworks and Nursing Practice

In addition to ethical guidelines, nurses must navigate a complex web of legal regulations that govern healthcare. These regulations vary from country to country but often include laws regarding patient consent, confidentiality, and reporting abuse or neglect. Nurses must be aware of these legal requirements and ensure that their work complies with them [7, 8].

Professional Accountability

Nurses must take responsibility for their actions and decisions. Professional responsibility means that nurses are responsible for the consequences of their actions, both ethically and legally. This responsibility extends not only to the care they provide but also to their commitment to protecting the rights and dignity of patients. When ethical dilemmas arise, nurses must consider the potential consequences of their choices for the health and welfare of their patients [9].

5. Nurses' Perspectives on Human Rights and Ethics

The Role of Nurses in Advocating for Patients' Rights ^[10]

Nurses are often the healthcare professionals closest to patients, spending a lot of time with them throughout their healthcare journey. This closeness puts nurses in a unique position to protect patients' rights. Nursing advocacy means speaking up on behalf of patients to ensure their needs, preferences, and rights are respected. This may involve advocating for consent, confidentiality, pain management, and access to quality care.

Ethical Decision-Making in Nursing

Ethical decision making is an essential skill in nursing. Nurses must evaluate complex situations, consider ethical principles, and make decisions that are in the best interest of their patients [11]. This process often involves consulting with colleagues, seeking advice from ethics committees, and weighing the potential pros and cons of different courses of action. Nursing ethical decisions have a profound impact on patient outcomes and experiences [12].

Ethical challenges facing nurses ^[13, 14]

Nurses face a range of ethical challenges in their practice. Some common challenges include:

- **Confidentiality:** Balancing the need to share patient information with other healthcare providers for effective care while respecting confidentiality patient's file.
- **End-of-life care:** Managing complex ethical issues related to refusing or withdrawing life-sustaining treatments, supporting patients' end-of-life wishes, and providing care palliative care.
- **Resource allocation:** Decide how to allocate limited health care resources, such as organ transplants or intensive care beds, fairly and ethically.

6. Patients' Perspectives on Human Rights and Ethics

Patient Rights in Healthcare [16, 17]

Patients have rights that are protected by law and ethics. Some fundamental patient rights include the right to:

- **Informed consent**: The right to be fully informed about medical treatments and procedures, including potential risks and benefits.
- **Privacy and confidentiality**: The right to have personal and medical information kept confidential.
- **Dignity and respect**: The right to be treated with dignity, respect, and cultural sensitivity.
- **Autonomy**: The right to make decisions about one's own healthcare, including the right to refuse treatment.
- **Access to quality care**: The right to receive healthcare that meets established standards of quality and safety.

Expectations of Compassionate Care

Patients expect more than just medical treatment; they expect compassionate care from health care providers. Compassion in healthcare involves understanding patients' psychological and emotional needs, providing them with emotional support, and addressing their fears and anxieties. Nurses, as frontline caregivers, have a significant impact on patients' perceptions of the care they receive.

Experiences of vulnerable populations

Vulnerable populations, such as the elderly, children, people with disabilities and marginalized communities, often face unique challenges in health care. These populations are more likely to have their rights violated or receive suboptimal care. Nurses must be especially vigilant in protecting the rights and welfare of these vulnerable populations [3, 17].

7. Challenges and Controversies

Ethical Challenges in End-of-Life Care

End-of-life care presents some of the most complex ethical challenges in healthcare. Determining when to withdraw or withhold life-sustaining treatment, respecting patients' advance directives, and ensuring that patients die with dignity are all critical ethical considerations [12]. Nurses often play a central role in providing emotional support to patients and their families during these difficult times.

Cultural Competence and Ethical Care

In an increasingly diverse world, providing culturally competent care is an ethical imperative. Cultural competence involves understanding and respecting the beliefs, values, and traditions of patients from diverse cultural backgrounds. Failure to do so can result in cultural insensitivity and compromised patient care [11].

Conflicts between Patient Autonomy and Best Interests

Balancing patient autonomy with the duty to act in the patient's best interests can be ethically challenging. For example, when a patient refuses life-saving treatment due to personal beliefs, nurses must grapple with the ethical dilemma of respecting the patient's autonomy while considering the potential harm caused by the refusal. These conflicts underscore the need for clear ethical guidelines and communication with patients [18].

8. Bridging the Gap by Improving Ethical Healthcare Education and Training ^[19, 20, 21]

Ensuring that nurses are well-educated in ethics and human rights is essential. Nursing education programs should include comprehensive coursework in ethics and cultural competence. Ongoing training and professional development opportunities can further enhance nurses' ethical decision-making skills.

Fostering Ethical Leadership ^[22]

Nursing leaders have a responsibility to model ethical behavior and create a culture of ethics within healthcare organizations. Ethical leadership includes promoting open communication, providing support for ethical dilemmas, and holding individuals accountable for their actions.

Promoting Patient Advocacy ^[23]

Patient advocacy is a central component of nursing practice. Nurses must actively engage in advocating for patients' rights and needs. This advocacy can take various forms, from ensuring informed consent to addressing concerns about the quality of care.

9. Conclusion

Ensuring that healthcare remains ethical and respectful of human rights is an ongoing journey. This requires the commitment and dedication of nurses, healthcare organizations, policy makers and society as a whole. By recognizing the importance of human rights and ethical principles in health care, we can work together to create a health system that truly embodies the values of compassion, respect and dignity for all. Ultimately, through this commitment, we are able to provide the highest quality care to our patients while respecting their fundamental rights.

10. References

1. United Nations, “Universal Declaration of Human Rights”, United Nations: Peace, dignity and equality on a healthy planet, 2021. (<https://www.un.org/en/about-us/universal-declaration-of-human-rights>)
2. Dr. Tedros A.G, “Health is a fundamental human right: Human Rights Day 2017”, World Health Organization, 2017. (<https://www.who.int/news-room/commentaries/detail/health-is-a-fundamental-human-right>)
3. Shivayogi P., Vulnerable population and methods for their safeguard, *Perspect Clin Res*, 2013, (1):53-7
4. “Code of Ethics for Nurses – American Nurses Association”, (www.nursingworld.org/gm-node/39040.aspx)
5. “ICN Code of Ethics for Nurses”, 2005
6. Rainer J., Schneider J.K, Lorenz R.A., Ethical dilemmas in nursing: An integrative review, *J Clin Nurs*, 2018; 27: 3446–3461
7. Wendy Blair & Barbara Smith (2012) Nursing documentation: Frameworks and barriers, *Contemporary Nurse*, 41:2, 160-168
8. Mary G.M, Dr. Joseph D.T, Ethical Frameworks for Decision-Making in Nursing Practice and Research: An Integrative Review, *DePaul Online Journal of Nursing Research*, via Sapiaentiae 2016.
9. Lorretta C. Krautscheid, Defining Professional Nursing Accountability: A Literature Review, *Journal of Professional Nursing*, 2014; 30(1): 43-47

10. Cameron C., Patient advocacy: a role for nurses?, *European Journal of Cancer Care*, 1996; 5: 81-89.
11. Dr. Steven S.I, Ethical Considerations in Resuscitation Decisions: A Nursing Ethics Perspective, *The Journal of Cardiovascular Nursing*, 1996; 10(4): 47-58
12. Oberle K., Hughes D., Doctors' and nurses' perceptions of ethical problems in end-of-life decisions, *Journal of Advanced Nursing*, 2001; 33: 707-715
13. Neville K, Roan, N, Challenges in Nursing Practice: Nurses' Perceptions in Caring for Hospitalized Medical-Surgical Patients With Substance Abuse/Dependence, *The Journal of Nursing Administration*, 2014; 44(6), 339–346
14. James M.B, Alison L. K, Terence J. McKnight. *Challenges in Caring: Explorations in nursing and ethics*, Springer, 2013.
15. Abedi G, Shojaee J, Moosazadeh M, Rostami F, Nadi A, Abedini E, Palenik CJ, Askarian M., Awareness and Observance of Patient Rights from the Perspective of Iranian Patients: A Systematic Review and Meta-Analysis, *Iran J Med Sci*. 2017; 42(3):227-234.
16. Mouton D.C, Baumann H., Biller-Andorno N., Patient data and patient rights: Swiss healthcare stakeholders' ethical awareness regarding large patient data sets – a qualitative study, *BMC Med Ethics* 19, 20 (2018) Susan A, Rona P, Bronwyn S, A systematic review of the experiences of vulnerable people participating in research on sensitive topics, *International Journal of Nursing Studies*, 2018; 88: 85-96
17. Richard H., Autonomy, Best Interests and the Public Interest: Treatment, Non-Treatment and the Values of Medical Law, *Medical Law Review*, 2014; 22(4): 459–493
18. Kevin M. R, Bridging the Gap: Strengthening Nursing Practice in Low-Resource Countries, *Communicating Nursing Research Conference Proceedings of Western Institute of Nursing*, 2014; 47: 3-14
19. Majed S.A, Ong S.L, Intan S.M.A, Bridging the Gap in Nursing Education: Empowering Students through Immersive Medical Simulation for Enhanced Competency and Quality Patient Care, *IJMSCR*, 2023; 6(3): 591-602
20. Na Z, Jingjing L, Xing B, Zhenxing G, Gilal F. G, Bridging the Gap between Ethical Climate and Nurses' Service Behaviors: the Critical Role of Professional Well-Being, *IJMHP*, 2018; 20(3): 99-110
21. El-Gazar H.E., Zoromba M.A., Ethical Leadership, Flourishing, and Extra-Role Behavior Among Nurses, *SAGE Open Nursing*, 2021;7
22. Abbasinia M, Ahmadi F, Kazemnejad A., Patient advocacy in nursing: A concept analysis, *Nursing Ethics*, 2020;27(1):141-151

Licensed under [Creative Commons Attribution-Share Alike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/)