Ethical and Legal Resources That Relate to Lateral Violence


Preface: “Individuals who become nurses are expected not only to adhere to the ideals and moral norms of the profession but also to embrace them as a part of what it means to be a nurse.” (p. 5)

“The Code of Ethics for Nurses…is the profession’s nonnegotiable ethical standard.” (p.5)

Provision 1: The nurse, in all professional relationships, practices with compassion and respect for the inherent dignity, worth and uniqueness of every individual, unrestricted by considerations of social or economic status, personal attributes, or the nature of health problems.
1.1 Respect for human dignity. Nurses take into account the needs and values of all persons in all professional relationships. (p. 7)
1.5 Relationships with colleagues and others. This standard of conduct precludes any and all prejudicial actions, any form of harassment or threatening behavior, or disregard for the effects of one’s actions on others. (p. 9)

Provision 2: The nurse’s primary commitment is to the patient, whether an individual, family, group or community.
2.2 Conflict of interest for nurses. Nurses strive to resolve …conflicts in ways that ensure patient safety, guard the patient’s best interests and preserve the professional integrity of the nurse. (p. 10)
2.3 Collaboration. Nurses in all roles share a responsibility for the outcomes of nursing care. (p. 11)

Provision 3: The nurse promotes, advocates for, and strives to protect the health, safety, and rights of the patient.
3.4 Standards and review mechanisms. Nurse educators have a responsibility to ensure that basic competencies are achieved and to promote a commitment to professional practice prior to entry of an individual into practice. (p. 13)
3.5 Acting on questionable practice. As an advocate for the patient, the nurse must be alert to and take appropriate action regarding any instances of incompetent, unethical, illegal, or impaired practice by any member of the health care team… . (p. 14)

Provision 5: The nurse owes the same duty to self as to others, including the responsibility to preserve integrity and safety, to maintain competence, and to continue personal and professional growth.
5.4 Preservation of integrity. Threats to integrity may include…verbal abuse from …coworkers. (p. 19)

Provision 6: The nurse participates in establishing, maintaining, and improving health care environments and conditions of employment conducive to the provision of quality health care and consistent with the values of the profession through individual and collective action.
6.2 Influence of the environment on ethical obligations. All nurses, regardless of role, have a responsibility to create, maintain and contribute to environments of practice that support nurses in fulfilling their ethical obligations. Environments of practice include observable features, such
as working conditions, and written policies and procedures setting out expectations for nurses, as well as less tangible characteristics such as informal peer norms. (p. 21)

6.3 Responsibility for the healthcare environment. The nurse is responsible for contributing to a moral environment that encourages respectful interactions with colleagues, support of peers, and identification of issues that need to be addressed. … Acquiescing and accepting unsafe or inappropriate practices, even if the individual does not participate in the specific practice, is equivalent to condoning unsafe practice. (p. 21)

Before using this reference tool, the user is encouraged to read the Provisions and interpretive statements in their entirety.

**Resource #2:**

Some helpful examples from this document are:
1. Provision 1, case example 3, p. 8.
2. Provision 3.4, case example 1, pp. 33-34 and continuing on p. 36.
3. Provision 5.3, case example 1, pp. 61-63.
4. Provision 6, case example 2, pp. 81-2.

**Resource #3:** American Nurses Association, Nursing: Scope and Standards of Practice, 2nd ed., 2010.
Standards of Professional Performance, pages 10-11: Standards 7 Ethics, 10 Quality of Practice, 11 Communication, 13 Collaboration and 16 Environmental Health all these speak to the nurse being responsible for behaving in an ethical, professional manner toward others.

Standard 13 on Collaboration (see page 57) is especially clear about the responsibility of the nurse to “create a work environment that promotes cooperation, respect, and trust.”

**Resource #4:** South Carolina Nurse Practice Act

**Laws and Policies, Chapter 33**

**Section 40-33-20**
(62) “Unprofessional conduct” means acts or behavior that fail to meet the minimally acceptable standard expected of similarly situated professionals including, but not limited to, conduct that may be harmful to the health, safety, and welfare of the public, conduct that may reflect negatively on one’s fitness to practice nursing, or conduct that may violate any provision of the code of ethics adopted by the board or a specialty.

**Section 40-33-70.** Code of ethics.

Nurses shall conduct themselves in accordance with the code of ethics adopted by the board in regulation. (The Board of Nursing adopted the ANA Code of Ethics as THE code of ethics for nursing in SC.)

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