



Universitat de Lleida

DEGREE CURRICULUM  
**ETHICS AND LEGISLATION IN  
NURSING CARE**

Coordination: BRIONES VOZMEDIANO, ERICA TULA

Academic year 2023-24

## Subject's general information

<b>Subject name</b>	ETHICS AND LEGISLATION IN NURSING CARE			
<b>Code</b>	100463			
<b>Semester</b>	1st Q(SEMESTER) CONTINUED EVALUATION			
<b>Typology</b>	<b>Degree</b>	<b>Course</b>	<b>Character</b>	<b>Modality</b>
	Bachelor's Degree in Nursing	2	COMPULSORY	Attendance-based
<b>Course number of credits (ECTS)</b>	3			
<b>Type of activity, credits, and groups</b>	<b>Activity type</b>	PRAULA		TEORIA
	<b>Number of credits</b>	1.5		1.5
	<b>Number of groups</b>	5		2
<b>Coordination</b>	BRIONES VOZMEDIANO, ERICA TULA			
<b>Department</b>	NURSING AND PHYSIOTHERAPY			
<b>Important information on data processing</b>	Consult <a href="#">this link</a> for more information.			
<b>Distribution of credits</b>	<p>The subject is programmed in 1.5 theoretical credits and 1.5 practical credits. The time distribution will be 15 hours of theoretical classes in sessions of 2 hours in a large group.</p> <p>The practical classes will consist of 15 hours divided into sessions of 2 hours in medium groups.</p>			

Teaching staff	E-mail addresses	Credits taught by teacher	Office and hour of attention
BALLESTE TORRALBA, JORDI	jordi.balleste@udl.cat	4,5	
BRIONES VOZMEDIANO, ERICA TULA	erica.briones@udl.cat	3	
PEREZ CAPELLADES, ROSA MARIA	rmpeca@gmail.com	3	

## Subject's extra information

The act of caring means that professionals often find themselves in complex situations that require the ability to make decisions based on a correct ethical attitude.

The subject of ethics and legislation of nursing care aims to provide students with a framework of competence with a broad and rich vision of bioethics and law that allows them to take a position based on analysis and informed reflection. At the same time, the course aims to offer a space for training in personal self-knowledge that will allow students to acquire an open and firm point of view in the face of bioethical dilemmas characteristic of the present time and society.

## Learning objectives

The act of caring means that professionals are often faced with complex situations that require them to be able to make decisions based on a correct ethical attitude. the ability to make decisions on the basis of a correct ethical attitude.

The subject of ethics and legislation in Nursing care aims to provide students with a framework of competences with a broad and rich vision of bioethics and law that will enable them to make decisions based on a correct ethical attitude. with a broad and rich vision of bioethics and law that allows them to take a position based on analysis and fundamental reflection. based on analysis and well-founded reflection.

At the same time, the course aims to offer a space for self-knowledge and personal self-knowledge that allows the student to acquire an open and firm point of view in the face of characteristic bioethical in the face of bioethical dilemmas characteristic of the present time and of today's society.

### Learning outcomes:

- To detect and analyze the role of the nurse in providing care, taking into account the principles of respect for dignity, intimacy, privacy and confidentiality.
- To analyze and resolve the cases and / or health situations raised by giving a critical view of the available information and assessing the ethical and bioethical principles that are the basis of good nursing practice.
- To assess and analyze the different alternatives in the ethical and legal approach aimed at the best resolution to different ethical dilemmas present in clinical practice.

- To detect and know how to distinguish the limits and legal requirements within the framework of the nursing profession, following ethical and moral values and current law.
- To know the practical implications of the right to information and informed consent as well as the right to confidentiality and professional secrecy.

## Competences

Competencies:

Basic:

CB2. To apply their knowledge to their work or vocation in a professional way and possess the skills that are usually demonstrated through the elaboration and defence of arguments and the resolution of problems within their area of study.

CB3. Ability to gather and interpret relevant data (usually within their area of study) to make judgments that include reflection on relevant social, scientific or ethical issues.

CB4. To be able to convey information, ideas, problems and solutions to both specialized and non-specialized audiences).

Specific:

SC9. To apply health care information and communication technologies and systems.

SC48. To know the Spanish Health System.

SC49. To identify the characteristics of the management function of nursing services and care management.

CE51. To know the applicable legislation and the ethical and deontological code of Spanish nursing, inspired by the European code of ethics and deontology of nursing.

Transversal:

CT1. To acquire adequate oral and written comprehension and expression of Catalan and Spanish.

TC3. To acquire training in the use of new technologies and information and communication technologies.

## Subject contents

### Module 1. Bioethics

#### Unit 1. Origin, definition of Bioethics.

- General concepts. Ethics, morals and law.
  - Basic ethical principles.
- Bioethics
  - Origin, precursors of Bioethics.
  - Modern history.
  - Bioethical principles.
  - Decision making criteria and methodologies.
  - The ethical committees. CEA. Ethics and Research, CEIC, CEIM.

#### Unit 2. Reference documents in Bioethics.

- Universal Declaration of Human Rights.
- Declaration of Helsinki.
- The Belmont Report

## Unit 3. Deontology.

- Deontological codes.
- *Consell de Col·legis d'Infermeres and Infermers de Catalunya.*
- Ethical Code of the Profession. *Codi Ètic Infermeres-ers Catalunya.*

## Unit 4. The nursing profession.

- Competencies of the nursing profession. Legal framework.
  - The Spanish regulation of the nursing profession.
  - General principles in the exercise of the nursing professional activity.
  - The nurse / patient relationship: general principles.
  - Nursing relationship with the workplace.
- The responsibility of the nursing profession.
  - Administrative, disciplinary.
  - Labor
  - Civil
  - Criminal.
  - Patrimonial responsibility of the State.

## Module 2. Basic legislation in the field of health and bioethics framework documents

### Unit 5. Basic legislation. Users' rights and duties.

- Basic legislation
  - General Health Law 1986.
  - Health Ordinance Law of Catalonia.
  - Basic law of patient autonomy.
- Users' rights and duties.
  - Right to privacy
  - Right to information. Right not to be informed.

### Unit 6. Data Confidentiality Law. The Clinical History Informed Consent

- Content of clinical information and characteristics
- The owner of the right.
- Professional secret. Vulnerability.
- Informed consent
- The clinical history and nursing records.

### Unit 7. Dilemmas.

- Beginning of life, ethical and legal condition of the human embryo. Cloning, Abortion, Surrogacy.
- End of life. Euthanasia.
- Organ donation and transplantation
- Refusal to treat. Jehovah's Witnesses.

## Methodology

Teaching methodologies:

1. Master classes.

- 2. Seminar.
- 3. Group work.
- 4. Individual work.
- 8. Case studies.

Training activities:

	Training activity	Hours for the training activity	Percentage of attendance
1	Participatory theory class	15	0%
2	Seminars	5	100%
5	Self-employment	45	0%
6	Practice: case resolution, problems and exercises	10	100%
		75	

## Development plan

Hours of total student dedication:

The student will dedicate 15 hours of theoretical class in modules of 2 hours and 15 hours of seminar of analysis of cases also in modules of 2 hours.

The presential activities correspond to the attendance to the theoretical classes, which will be lectures encouraging the participation, and the seminars, where students will work in functional groups.

The non-presential activities correspond to the search for information, reading and analysis, preparation of classes, tutorials and autonomous work.

In the resources section of the virtual campus you can consult the global chronogram of the course.

If an audiovisual record is made of any of the activities carried out during the course, it will be followed and treated according to the "Regulations governing the creation, use and preservation of audiovisual material recorded for teaching purposes in the Faculty of Nursing and Physiotherapy of the UdL":

The University of Lleida reports that, for teaching purposes, will record images that identify the student body and other people involved in academic activities. The University of Lleida is responsible for the processing of these images (contact details of the representative: General Secretariat. Plaza de Víctor Siurana, 1, 25003 Lleida, [sg@udl.cat](mailto:sg@udl.cat); contact details of the data protection delegate: [dpd@udl.cat](mailto:dpd@udl.cat)).

These images are only used for teaching purposes, to evaluate the knowledge of the subject and for teaching improvement projects.

The use of the images responds to the legal obligation of the UdL to teach and improve university teaching, in accordance with the Organic Law 6/2001, of 21 December, on universities. The images, once recorded, are kept at least until the corresponding actions and claims against the evaluation approved by the teaching staff are prescribed. They are destroyed in accordance with the terms and conditions set out in the regulations on the conservation and disposal of UdL administrative documents and the documentary evaluation tables approved by the Catalan government (<http://www.udl.cat/ca/serveis/arxiu/>).

The UdL will never communicate this data to third parties, removed from the cases strictly provided for by law.

Interested parties may access their images; request rectification, deletion or portability; oppose processing and request limitation, by writing to [dpd@udl.cat](mailto:dpd@udl.cat) <<mailto:dpd@udl.cat>>. They may also submit a complaint to the Catalan Data Protection Authority, through the Authority's electronic headquarters (<https://seu.apd.cat>) or by non-electronic means.

## Evaluation

**The following criteria will be taken into account for the evaluation of this course:**

- Individual open/closed questions written test. Wrong answers discount 0.25/10 points. 35% of the final qualification
- Group written work (presented in the virtual platform SAKAI): 35% of the final qualification
- Compulsory attendance (80% of the sessions) and participative attitude to the seminars together with evaluation of the learning process: 30% of the final qualification.

You must pass each of the evaluation tests (with a minimum mark of **5**) to be able to take the average.

### **Alternative evaluation:**

In order to make it easier for the student to combine study with work activities that the nature of continuous assessment makes difficult, the student who wishes to do so will have the right to waive continuous assessment at the beginning of the course, and will have the right to a single assessment (through a system determined by the teacher responsible for the subject). If the nature of the subject requires it, attendance at certain face-to-face activities (sessions with experts) will be a prerequisite for the single assessment option.

This right may not lead to discrimination with regard to continuous assessment in relation to the maximum grade that can be obtained in the subject.

The Study Committee of the centre responsible for the degree or master's degree course in question must establish the mechanisms by which the student will be able to make use of this right, the deadline for submitting applications, as well as the documentation that must be provided to justify the student's work activity.

The mark of the alternative evaluation:

Individual written test. The test may consist of multiple choice questions, such as written questions and clinical cases. The written test will be different from the one taken by the students in the classroom. The written test will constitute 80% of the total grade.

Presentation of a clinical case will constitute 20% of the final grade.

It is necessary to pass each of the evaluation tests (with a minimum score of 5) in order to take the average.

- Regarding the plagiarism policy: to be assigned the authorship of a work that is not one's own implies a failure.
- Regarding respect for the environment: only papers submitted electronically will be accepted. They must not be submitted on paper or bound.

## Bibliography

### **Books**

1. Abel Frabre F. Bioética: orígenes, presente y futuro. Madrid: Fundación Mapfre Medicina. Institut Borja de Bioètica; 2001. 266 p.
2. Antón Almenara P. Ética y legislación en enfermería. Barcelona: Masson; 2012. 480 p.
3. Arroyo Gordo P, Srrano Gil A. Ética y legislación en enfermería: Bases ético-jurídicas para el ejercicio profesional. Madrid: Mc Graw-Hill. Interamericana de España; 1998. 248 p.
4. Beauchamp TL, Childress JF. Principios de ética biomédica. Barcelona: Masson; 2002. 522 p.
5. Buckman R. Com donar males notícies: Una guia per a professionals de la salut. Vic: EUMO Editorial; 1998. 321 p.
6. Camps V. La voluntad de vivir: Las preguntas de la bioética. Barcelona: Editorial Ariel; 2005. 221 p.
7. McGee G. El bebé perfecto: Tener hijos en el nuevo mundo de la clonación y la genética. Barcelona: Gedisa Editorial; 2003. 252 p.
8. Warnock M, López Verdú JL. Fabricando bebés: Existe un derecho a tener hijos? Barcelona: Editorial Gedisa; 2004. 139 p.
9. Revuelta G, Aced C. Dilemas y acuerdos éticos en la comunicación médica. Cizur Menor: Civitas; 2010. 124 p.
10. Casado M. Nuevos materiales de bioética y derecho. México, D.F.: Fontamara; 2007. 423 p.
11. Buisán L, Sánchez Urrutia A, Macklin R. Intimidad, confidencialidad y protección de datos de salud. Cizur Menor: Civitas; 2011. 154 p.
12. Buisán L. La confidencialitat en l'assistència sanitària: Del secret mèdic a la història clínica compartida a Catalunya. Barcelona: Universitat de Barcelona, Observatori de Bioètica i Dret; 2013. 199 p.
13. Caamaño López JM. La eutanasia: Problemas éticos al final de la vida humana. Madrid: Universidad Pontificia Comillas; 2013. 338 p.
14. Ramos Pozón S. Bioética: Una reflexión necesaria para las decisiones que más importan. Barcelona: Plataforma Editorial; 2018. 285 p.
15. Sgreccia E. Manual de bioética I. Fundamentos y ética biomédica. Madrid: Biblioteca de Autores Cristianos; 2009. 992 p.
16. Medina Castellano CD. Ética y legislación. 3a. ed ed. Madrid: Difusión Avances de Enfermería (DAE); 2015. 317 p.
17. Torralba Roselló F, Instituto Borja de B. Antropología del cuidar. Sant Cugat del Vallès: Fundación MAPFRE Medicina; 1998. 374 p.



18. Torralba F. *Ética del cuidar: Fundamentos, contextos y problemas*. Majadahonda, Madrid: Fundación MAPFRE Medicina; 2002. 272 p.
19. Puig i Tàrrrech A, Torralba F, Bonjoch E. *La Saviesa del cos*. Barcelona: Proa; 2006. 151 p.
20. Morlans M. *Fer costat al malalt*. Barcelona: Columna; 1994. 190 p.
21. Iraburu M. *Con voz propia: Decisiones que podemos tomar ante la enfermedad*. Madrid: Alianza; 2005. 214 p.
22. Gracia D. *Fundamentos de bioética*. Madrid: Triacastela; 2007. 605 p.
23. Tristram Engelhardt H, Arias I, Hernández G, Domínguez O. *Los fundamentos de la bioética*. Barcelona: Paidós Ibérica; 1995. 545 p.
24. Cortina A, Aranguren JLL. *Ética mínima: Introducción a la filosofía práctica*. Madrid: Tecnos; 2009. 343 p.
25. Casado González M, Aguirre López J. *Materiales de bioética y derecho*. Barcelona: Cedecs Editorial; 1996. 470 p.
26. Sánchez González MÁ. *Bioética en ciencias de la salud*. Barcelona: Elsevier Masson; 2013. 456 p.
27. Martínez Montauti J. *La Relación médico-paciente*. Barcelona: Edicions Universitat de Barcelona; 2018. 169 p.
28. Asenjo Sebastián MA, Bohigas i Santasusagna L, Prat Marín A, Trilla García A. *Gestión diaria del hospital*. Barcelona: Masson; 2006. 637 p.
29. Mayor Zaragoza F, Alonso Bedate C. *Gen-ética*. Barcelona: Ariel; 2003. 353 p.

## **Legislation**

1. Constitución Española. Boletín Oficial del Estado nº. 311, (29-12-1978).
2. Ley General de Sanidad. Ley 14/1986 de 25 de abril. Boletín Oficial del Estado nº 102, (29-04-1986).
3. Ley básica reguladora de la autonomía del paciente y de derechos y obligaciones en materia de información y documentación clínica. Ley 41/2002 de 14 de noviembre. Boletín Oficial del Estado nº 274, (15-11-2002).
4. Llei d'ordenació sanitària de Catalunya. Llei 15/1990 de 9 de juliol. Diari Oficial de la Generalitat de Catalunya núm. 1324, (30-07-1990).
5. Llei sobre els drets d'informació concernent a la salut i l'autonomia del pacient, i la documentació clínica. Llei 21/2000 de 29 de desembre. Diari Oficial de la Generalitat de Catalunya núm. 3303, (11-01-2001).

## **Articles:**

1. Davis AJ. Las dimensiones éticas del cuidar en enfermería. *Enfermería Clínica*. 1999;9(1):21-8.
2. de la Luz Casas Martínez M. Limitación del esfuerzo terapéutico y cuidados paliativos. *Bioethics Update*. 2017;3(2):137-51.
3. Devik SA, Munkeby H, Finnanger M, Moe A. Nurse managers' perspectives on working with everyday ethics in long-term care. *Nurs Ethics*. 2020:969733020935958.
4. Falcó Pegueroles A. Cuidar siguiendo los valores y principios éticos propios de la enfermería. *Enfermería*

Clínica. 2005;15(5):287-90.

5. Feito Grande L. Los cuidados en la ética del siglo XXI. *Enfermería Clínica*. 2005;15(3):167-74.
6. Gaitán Zamora MA, Hernán Vicco M. Objeción de conciencia como necesidad legal: una mirada desde el aborto. *Revista Bioética*. 2019;27(3):528-34.
7. Pesut B, Greig M, Thorne S, Storch J, Burgess M, Tishelman C, et al. Nursing and euthanasia: A narrative review of the nursing ethics literature. *Nurs Ethics*. 2020;27(1):152-67.
8. Távara Orozco L. Objeción de conciencia. *Revista Peruana de Ginecología y Obstetricia*. 2017;63(4):581-90.
9. Torralba Roselló F. Constructos éticos del cuidar. *Enfermería Intensiva*. 2000;11(3):136-41.
10. Valles-Fructuoso O, Ruiz-de Pablo B, Fernandez-Plaza M, Fuentes-Mila V, Valles-Fructuoso O, Martinez-Estalella G. [Perspective of intensive care nursing staff on the limitation of life support treatment]. *Enferm Intensiva*. 2016;27(4):138-45.

## Websites:

1. Institut Borja de Bioètica. Institut Borja de Bioètica. Recuperat de <https://www.iborjabioetica.url.edu/ca>.
2. Comitè de Bioètica de Catalunya. Comitè de Bioètica de Catalunya. Recuperat de <https://canalsalut.gencat.cat/ca/sistema-de-salut/el-sistema-de-salut-de-catalunya/ambits-dactuacio/comite-de-bioetica-de-catalunya/>.
3. Observatori de Bioètica i Dret. Documentas de l'Observatori de Bioètica i Dret Barcelona: Universitat de Barcelona. Recuperat de <http://www.bioeticayderecho.ub.edu/ca/documentos>.
4. Fundació Víctor Grífols i Lucas. Fundació Víctor Grífols i Lucas. Recuperat de <https://www.fundaciogrifols.org/ca/web/fundacio/monographs>.

## Other resources

1. Canal Salut. Generalitat de Catalunya. Voluntats anticipades: Canal Salut; 2020 Recuperat de <https://canalsalut.gencat.cat/ca/salut-a-z/v/voluntats-anticipades/>.
2. Comitè de Bioètica de Catalunya. Guia de recomanacions sobre el consentiment informat. Barcelona: Comitè de Bioètica de Catalunya; 2003.
3. Comitè de Bioètica de Catalunya. Consideracions ètiques entorn de la informació sanitària. Barcelona: Comitè de Bioètica de Catalunya; 2004.
4. Comitè de Bioètica de Catalunya. Recomanacions del Comitè de Bioètica de Catalunya davant el rebuig dels malalts al tractament 2010. Aprovat en la sessió plenària de 9 de març de 2010. Barcelona: Comitè de Bioètica de Catalunya; 2010.
5. Comitè de Ministres del Consell d'Europa. Conveni per a la protecció dels drets humans i la dignitat de l'ésser humà en relació a les aplicacions de la biologia i la medicina. Conveni europeu sobre drets humans i biomedicina. (Aprovat pel Comitè de Ministres del Consell d'Europa el 19 de novembre de 1996. Obert a la signatura dels Estats a Oviedo, el 4 d'abril de 1997 i ratificat per les Corts Generals espanyoles el 5 d'octubre de 1999 (BOE 20 octubre 1999 - núm. 251). 1997.
6. Consell de Col·legis d'Infermeres i Infermers de Catalunya. Codi d'Ètica de les infermeres i infermers de Catalunya. Barcelona: Consell de Col·legis d'Infermeres i Infermers de Catalunya; 2013.
7. Departament de Salut. Generalitat de Catalunya. Carta de drets i deures de la ciutadania en relació amb la

salut i l'atenció sanitària. Barcelona, Departament de Salut; 2015.

8. Enfermeras CId. Código deontológico del CIE para la profesión enfermería. Ginebra: Consejo Internacional de Enfermeras; 2012.

9. Española CGdE. Código deontológico de la enfermería española. Madrid: Consejo General de Enfermería Española; 1989.

10. Grup d'Opinió de l'Observatori de Bioètica i Dret. Document sobre salut sexual i reproductiva en l'adolescència. Barcelona: Observatori de Bioètica i Dret; 2002.

11. ONU. Assamblea General. Declaració universal dels drets humans. 10 de desembre de 1948.