



MACHAKOS UNIVERSITY

University Examinations for 2018/2019 Academic Year

SCHOOL OF HEALTH SCIENCES

DEPARTMENT OF PUBLIC AND COMMUNITY HEALTH

SECOND SEMESTER END OF YEAR EXAMINATION FOR

DIPLOMA IN HEALTH RECORDS

DHR 012: LAW AND ETHICS

DATE: 6/5/2019

TIME: 2:00 – 4:00 PM

INSTRUCTIONS:

- This paper consists of two sections A and B
- Section A is Compulsory and has two parts (i) and (ii)
- Do not write on the question paper

SECTION A: QUESTION ONE: COMPULSORY (30 MARKS)

PART I : MULTIPLE CHOICE QUESTIONS (MCQs) (10 MARKS)

1. Legal obligations are those that are;
 - a) Imposed by state through laws formulated by government
 - b) Imposed by a professional code of ethics
 - c) Imposed by the institution one is employed at
 - d) Imposed by the community by the virtue of being medical trained personnel
2. Which of the following is a public law;
 - a) Tort law
 - b) Contract law
 - c) Administrative law
 - d) Family law

3. Which of the following is a criminal law;
 - a) Company law
 - b) Tort law
 - c) Family law
 - d) Constitutional law
4. Sources of law include;
 - a) Culture, Constitution, Morals and Ethics
 - b) Constitution, Religion, and Culture
 - c) Religion, Culture, Morals and ethics
 - d) Religion, Constitution, constitution
5. Situation where a doctor must owe a client a service is referred to as;
 - a) Breach of duty
 - b) Duty to act
 - c) Damage
 - d) Causal connection
6. The failure to use reasonable care to avoid consequences that threaten/ harm the safety of the public is;
 - a) Criminal negligence
 - b) Breach of duty
 - c) Claimant damage
 - d) Veracity
7. Kenyan legal system is;
 - a) Anglo-saxon system
 - b) Latin system
 - c) Dictatorial system
 - d) Paternalistic system
8. _____ type of law deals with prevention of harm and compensation
 - a) Tort law
 - b) Constitutional law
 - c) Criminal law
 - d) Public law

For question 9 and 10, identify the ethical conflict arising in each of the scenario

9. A client is not willing to undergo a medical procedure but a nurse out of care and concern goes ahead to offer it anyway because of its benefits to the client;\
- a) Autonomy versus paternalism
 - b) Professional ethics versus beliefs, culture and religion
 - c) Veracity versus truth
 - d) Justice versus utilitarianism
10. A hospital places a TB patient in quarantine to prevent its spread and infection of the public
- a) Autonomy versus paternalism
 - b) Professional ethics versus beliefs, culture and religion
 - c) Veracity versus truth
 - d) Justice versus utilitarianism

PART II: SHORT STRUCTURED QUESTIONS (20MARKS)

- a) Define the following terms as used in ethics and law (3 marks)
- i) Law
 - ii) Ethics
 - iii) Health inequality
- b) Differentiate between law and ethics (2 marks)
- c) State three general purpose of law to any community (3 marks)
- d) State three circumstances under which consent is not required (3 marks)
- e) Explain the two types of consent (3 marks)
- f) Explain the relationships between law and ethics (3 marks)
- g) Explain the circumstances under which a contract could be terminated (3 marks)

SECTION B: ANSWER ANY TWO QUESTIONS. EACH QUESTION IS 20 MARKS

QUESTION TWO (20 MARKS)

- a) Consent is a major medico legal issue in the health care practice. Explain problems facing the doctrine of informed consent (10 marks)
- b) Discuss the ethical decision-making process (10 marks)

QUESTION THREE (20 MARKS)

- a) Discuss the medical legal issues that may arise in any health care practice (10 marks)
- b) Explain the ethical principle as guiding the practice of all health care professionals (10 marks)

QUESTION FOUR (20 MARKS)

- a) Explain the various types of conflicts that may arise in Ethics (10 marks)
- b) Discuss the theory of utilitarianism, clearly outlining the types, advantages and disadvantages (10 marks)

QUESTION FIVE (20 MARKS)

- a) Explain the linkage between health and human rights (10 marks)
- b) Discuss the role of public health law in the promotion of good health (10 marks)