



# **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**

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## **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)