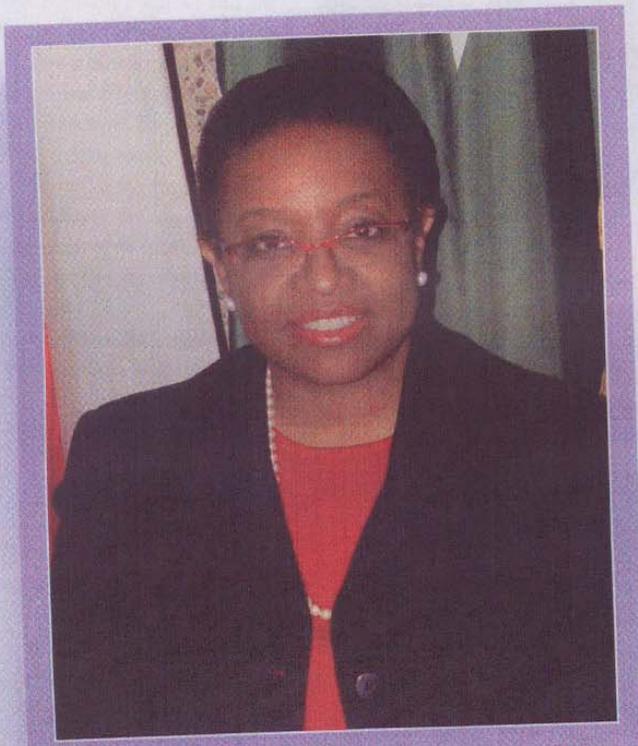


A Nurse-Attorney Talks About the Ethical Dilemmas, Rewards and Challenges of Combining Two Careers

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Why I Chose This Path

I chose to become a nurse-attorney because as a disabled young nurse I felt increasingly left out of the medical decision-making process, and I believed that the law would empower me to become both a more successful self-advocate and an advocate for the countless others who, due to disability, education, language skills, etc., were also being ignored.

Early on, I learned that some people equated my loss of the ability to walk with an inability to continue to practice as a competent nurse. They also wondered whether my gender, race and ethnicity were factors in my diagnosis and treatment recommendations. These experiences made a powerful impression on me, and during my illness, while reading an article in a professional journal, *RN*, that spoke of new career pathways for nurses, I became intrigued by one career in particular: nurse-attorney. Two principles that underlie the study of ethics — autonomy and respect for persons — drew me to the law. Patients have choices, and when those choices are informed, they ought to be respected.

I contacted The American Association of Nurse Attorneys (TAANA) and learned that there were no courses per se leading to a combined degree as a nurse-attorney, and that I would have to go to law school. So I set out to find an ABA-accredited program that offered the most health law-related electives. Seton Hall University

School of Law, my school of choice, was the right fit for someone interested in combining both careers.

Ethical and Legal Challenges Faced by Nurses

Nurses who provide care across all settings regularly confront and are challenged by ethical and legal issues. Some of the most frequently cited legal and ethical issues concern advance directives, competence and decision-making capacity, decisions about life-sustaining treatments, organ and tissue donation, pain management, participation in research and the use of ethics committees.

When asked, nurses report that care of the dying is perhaps the most difficult and emotionally charged issue they face. How much should I do? Am I doing too much? What is too much? When should I stop? When should I let go? Nurses who understand the legal and ethical frameworks within which these questions arise, and such issues as the influence of culture and religion on decision making, are best prepared to provide optimal care to patients and families, to be zealous advocates on their behalf, and to work in effective collaboration with the Palliative Care and Hospice personnel who also care for the dying.



Ideals

Ethical Dilemmas, Rewards and Challenges of Combining Two Careers *continued*

But nurses must be able not only to identify and address methods of problem solving relevant to the practice setting in which they work, and to the unique ethical issues in that setting — they must also be able to actively participate in policymaking, ethics committees and other formal forums for dispute resolution.

To that end, the American Nurses Association (ANA) has been active in developing Ethics and Human Rights Position Statements and has been involved in many of the policy issues our nation faces. For example, in 2000, the ANA Board of Directors addressed the need for nurses to participate actively in the public debate and to be able to speak to the ethical implications of policy developments. The ANA Board of Directors also determined that nurses must be present on governmental and nongovernmental ethics and policy boards engaged in examining the scientific, ethical, legal and social implications of advances in cloning and related technologies. The Board also recommended that continuing education programs focusing on the scientific and ethical intersections among issues such as cloning, gene therapy and stem cell advances be designed for nurses.

While each of these

recommendations is empowering for nurses, I believe that some are not being implemented vigorously enough. I am concerned that we have done a better job of addressing issues related to the care of dying persons and to withdrawal of life support than to issues such as stem cell research and genetic testing. Nurses in daily practice do not feel adequately prepared to address these more complex and complicated ethical, social and political concerns. More needs to be done to equip graduate nurses to address many of the controversial issues in health care today.

While I was teaching at NYU from 1994–2005, we addressed this need. With the generous support of the Teagle Foundation, Inc., we were able to build upon our existing nurse-ethics efforts to establish relationships with other key New York City organizations and

colleagues in order to link our students and faculty interested in this field of study. The mission of what became the NYU Program in Bioethics was to strengthen ethics education in baccalaureate programs and to prepare nurses to actively

participate in ethics research, practice and policy efforts. Our objective was to equip nurses to articulate, analyze and respond to the

complex ethical, legal, social and political aspects of their educational, practice and research roles. The NYU College of Nursing sponsored forums and conferences and collaborated with Montefiore Medical Center/ Albert Einstein College of Medicine to offer a Certificate Program in Bioethics and the Medical

Humanities. In addition, research opportunities for students and faculty were explored. Each of these efforts was

TWO PRINCIPLES THAT UNDERLIE THE STUDY OF ETHICS – AUTONOMY AND RESPECT FOR PERSONS – DREW ME TO THE LAW.



