Avoiding litigation: legal-based mediation education for nurses

Takako Hiramatsu, RN, Assistant Director
Michiko Senda, RN, Director Nursing Division, Kawasaki Medical School Hospital, Japan

Keyword: Mediation, lawyer, nursing manager

Introduction
In response to an increasing number of litigations relating to medical errors and growing awareness of patients’ rights, training for a medical mediator, who engages in mediating role in a hospital, is in progress. Mediation is a dialogue-based negotiation, and is one of conflict management models, which aims to resolve confrontations resulting from different values and interests held between individuals or nations. Mediation also aims to manage individuals’ psychosocial and emotional needs. It is a solution-oriented and non-adversarial process. Mediation is a tool that is utilized to achieve win-win solutions.

The outline of Mediation Education
The nursing administrators presented problem cases they were personally dealing with and then discussed these cases in groups. The hospital’s legal advisors commented on legal aspects and participants learned the importance of legal and ethical relationships as a nurse.

The First Session
Avoiding litigation: "Validity of personal information is sharing information.

The Second Session
Avoiding litigation: "Sexual harassment is an illegal act." It is needed an administrators and 4 legal advisors. Key words of this session were "nursing records", "personal information", and ethical relationships as a nurse.

The Third Session
Avoiding litigation: "Sexual harassment is an illegal act," "it is needed an administrators and 4 legal advisors. Key words of this session were "nursing records", "personal information", and ethical relationships as a nurse.

The Fourth Session
Avoiding litigation: "Sexual harassment is an illegal act," "it is needed an administrators and 4 legal advisors. Key words of this session were "nursing records", "personal information", and ethical relationships as a nurse.

The Fifth Session
Avoiding litigation: "Sexual harassment is an illegal act," "it is needed an administrators and 4 legal advisors. Key words of this session were "nursing records", "personal information", and ethical relationships as a nurse.

The Sixth Session
Avoiding litigation: "Sexual harassment is an illegal act," "it is needed an administrators and 4 legal advisors. Key words of this session were "nursing records", "personal information", and ethical relationships as a nurse.

Outcomes
The researchers selected the nursing administrators and the cases discussed, and 61 out 84 nursing administrators participated in the first to five sessions. In the sixth session we invited 61 nurses higher than a chief nurse among nursing administrators in order to summarize those legal study sessions, and 59 nursing administrators participated in the first to five sessions. In the sixth session we invited 61 nurses higher than a chief nurse among nursing administrators in order to summarize those legal study sessions, and 59 nursing administrators participated in the first to five sessions.

Discussion
In addition to providing an opportunity for thinking from an ethical perspective, which is integral to nursing, consideration of problem cases from a legal standpoint during discussion with legal advisors enables nurses to acquire the skills to not only build relationships with patients but also protect themselves as nurses.

The outcomes of this educational program have not yet been evaluated. However, it is expected the continuance of this educational program would lead to desirable changes in the behaviors of nursing administrators.