



KENYATTA UNIVERSITY

UNIVERSITY EXAMINATIONS 2017/2018

FIRST SEMESTER EXAMINATION FOR THE DEGREE OF MASTER OF SCIENCE (HEALTH MANAGEMENT)

PHM 806: LAW ETHICS AND PUBLIC HEALTH

DATE: Wednesday, 22nd November, 2017

TIME: 2.00 p.m. - 5.00 p.m.

INSTRUCTIONS:

Question **ONE (1)** is **Compulsory**. Answer any other **THREE** questions.

LEQ 1. Write an essay on the contractual relationship between health professionals and patients. (50 marks)

LEQ 2. Discuss the concept of confidentiality in doctor-patient relationship as illustrated in CAP 252 of the Law of Kenya. (30 marks)

LEQ 3. Case Study

A passenger in an automobile was injured in an accident. Her leg was badly broken, and she was treated by an osteopathic physician, who gave her a choice of procedures in treating her injury. The woman chose to have a closed reduction of her fracture. The end result was that the leg was bowed and one inch shorter. The patient sued the physician for negligence.

- Discuss and make decision. (30 marks)

LEQ 4. Case Study

A patient underwent surgery to correct hammer toes and awoke in the recovery room to find her front teeth missing. A podiatrist performed the correcting surgery. General anesthesia was administered by a board-certified anesthesiologist. An expert

gave the opinion that the patient's injury was caused by use of excess force by the anesthesiologist during the operation.

- Which doctrine is applying in this case?
- Explain how the court rules.

(30 marks)

LEQ 5.

Case Study

The plaintiff's eighteen-year old son died suddenly at home. His body was taken to the hospital, where the cause of death could not be found without an autopsy. The deputy medical examiner ordered a postmortem examination. The plaintiff was a member of the Jewish Orthodox faith and refused the postmortem examination of his son on the basis that religious conviction prohibited any molestation of the body after death.

- Identify the problem
- Discuss

(30 marks)