

**TECHNICAL UNIVERSITY OF MOMBASA**

**Faculty of Applied & Health Sciences**

**Department of Environment & Health Sciences**

**UNIVERSITY EXAMINATIONS FOR THE DEGREE OF BACHELOR OF SCIENCE IN COMMUNITY  
HEALTH (BSCH 13S)**

**ACM 4306: LAW & ETHICS IN COMMUNITY HEALTH (Y3S2)**

**END OF SEMESTER EXAMINATION**

**SERIES: MAY 2016**

**TIME: 2 HOURS**

**INSTRUCTIONS TO CANDIDATES:**

- This paper consists of FIVE questions
  - Answer question ONE (Compulsory) and any other TWO questions on the answer booklets provided.
  - Do not write on this question paper.
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1. a. (i). State the four legal concepts that are necessary in order to establish medical malpractice? (4 marks)  
(ii). Briefly describe what should be done by a healthcare worker after a medical error occurs? (4 marks)
  - b. Define Community Health Ethics:
    - (i) as a field of study (2 marks)
    - (ii) as a field of practice (2 marks)
  - c. List any 5 key benefits of community health ethics activities at the individual and organisational level (5 marks)
  - d. Identify the 3 essential components of any human action which inform ethical theories and frameworks (3 marks)
  - e. (i) What is the overarching aim of the law of tort? (2marks)  
(ii) Name the 4 basic elements of a tort (4marks)
  - f. Enumerate any 4 ethical dimensions to consider when evaluating a community based immunisation programme (4 marks)
2. Gashiti lives with his mother, aunt and her two cousins (both aged under 6 years), in a small shanty in a large slum in Nairobi. Average height for his age, Gashiti is 9 years old and weighs 50kg. His two cousins are not obese, but they are overweight. The mothers of the family work a number of jobs to make ends meet. They do not have

much money for material things or extra-curricular activities, and increasing insecurity in the area has made them reluctant to let the children play on their own outside the shanty. What the family does not do in the way of 'fun', they make up for with food. The school teacher has brought Gashiti's obesity to his mother's attention twice, each time suggesting several approaches to helping him lose weight. They include buying healthier foods and healthier cooking. Gashiti's mother has been slow to take up these practices because the foods are more expensive than what she usually buys, the recipes seem strange to her, and she suspects they will not taste very good to Gashiti or her niece and nephew, who she often also cooks for. At a recent paediatric check-up Gashiti's doctor cautions the mother that she really needs to get Gashiti's weight under control. He is developing elevated blood sugar and has experienced difficulty breathing in his sleep. If she does not take action, he says he might be obligated to alert the Children's Department.

As childhood obesity has become an epidemic problem in Kenya, such cases increasingly are being reported. The rate of childhood obesity has more than tripled in the last three decades with serious short- and long-term health consequences. Obese children are significantly more likely to experience a wide range of poor health outcomes, including type II diabetes, cardiovascular conditions, asthma, sleep disordered breathing, anomalies in foot structure, low self-esteem, depression, and high-risk behaviours. Studies suggest that as many as half of all obese children remain obese as adults, leading to further health risks: elevated risk of heart disease, stroke, diabetes, osteoporosis, lower-body disability, some types of cancer, and premature mortality in general.

Public health leaders emphasize structural and environmental interventions to remedy the global obesity epidemic, but even they acknowledge the role parents play in contributing to their children's health, including normal weight. Increasingly, in some countries, state intervention in severe cases of childhood obesity is being called for under certain circumstances.

- a. Explain whether healthcare workers are obligated to report parents of obese children to child protective services? Support your answer with relevant public health laws and ethics (10 marks)
  - b. As an expert in community health, suggest ethical ways in which obesity as a public health challenge could be addressed (10 marks)
3. a. Explain five reasons why Health Care Organisations ought to engage in ethical business practices (10 marks)

- b. Describe three factors that could influence the ethical conduct of a health care organisation (6 marks)
  - c. State four characteristics of an effective code of conduct (4 marks)
4. a
- (i) Define law (2 marks)
  - (ii) Define a state (2 marks)
- b. Explain any three characteristics of universal human rights (6 marks)
- c. Explore any 5 ways in which universal human rights could be violated during public health emergencies (10 marks)
5. a Describe any 4 ethical dilemmas that could arise when conducting qualitative research (8 marks)
- b Suggest possible solutions to the ethical dilemmas identified in question 5 a. above (8 marks).
- c. List the four cardinal principles of medical ethics (4 marks)