



# Technical University of Mombasa

Faculty of Applied and Health Sciences

DEPARTMENT OF MEDICAL SCIENCES  
UNIVERSITY EXAMINATION FOR THE DEGREE OF BACHELOR OF  
MEDICAL LABORATORY SCIENCES  
**BMLS 13M**

## **AML 4204 : LABORATORY ETHICS AND LAW**

SEMESTER EXAMINATION

APRIL 2014 SERIES

2 HOURS

Instructions to candidates:

This paper consists of **TWO** sections **A** and **B**

**Section A** -Contains MCQS, Answer **ALL** questions in **Section B**.

### **SECTION A - MCQs - (30marks)**

1. The board appointed by the act of parliament in charge of the affairs of the Medical science profession is?
  - a) Kenya Medical Research institute
  - b) Kenya Medical Laboratory Technician and Technologists Board
  - c) Kenya Medical Laboratory Scientific Officers board
  - d) Medical practitioners and dentists board
  - e) Kenya Accreditation service
2. Consent maybe implied, verbal or written but to be lawful it must be?
  - a) Voluntarily and freely given
  - b) Given with understanding it cannot be withdrawn at any time
  - c) Can be obtained through coercion
  - d) General ; procedures concerned for or not maybe carried out
  - e) Given by an incompetent adult
3. In which of the following situation is an individual's autonomy violated?

- a) An older woman who refuses to undergo back surgery
  - b) An older man whose physician and family coerce him to have foot surgery
  - c) An infant whose parents consent for surgery to correct a congenital heart defect
  - d) An athlete who seeks a second opinion based on his coach's suggestion
  - e) A research participant who consents willingly after being informed
4. Law can be defined as?
- a) A set of rules and guidelines
  - b) A rule of misconduct
  - c) A rule of the judiciary
  - d) A rule of Government
  - e) A set of good morals
5. What is the importance of medical law?
- a) Provides knowledge on the health care delivery system
  - b) Provides insight on the legal issues facing the practice of medicine
  - c) Provides insight on the government to protect the society from injustice
  - d) Provides a level ground of operation for health workers
  - e) Provides security to the consumers
6. Civil law involves all of the following except?
- a) Crimes against the person
  - b) Offer remedies to individuals harmed by the unreasonable actions of others
  - c) Laws known as Torts
  - d) Accidental acts leading to injury
  - e) Crimes against the state
7. Three principles of medical ethics are
- a) Competence, information, non-maleficence
  - b) Autonomy, beneficence, justice
  - c) Impartiality, prognosis, support
  - d) Public acceptance, honesty, freedom
  - e) Honesty, competence, confidentiality
8. Which of the following are classified as biomedical wastes by national environmental authority?
- a) Farm wastes
  - b) Pathological wastes
  - c) Pharmaceutical drugs
  - d) Biocides
  - e) Industrial wastes
9. The Nuremberg doctor trial took place in the year?
- a) 1946 – 1947
  - b) 1900 -1901
  - c) 1920 – 1921
  - d) 1997 – 1998
  - e) 1876 – 1879

10. The following elements of a contract except?
- Disagreement
  - Contractual capacity
  - Legal formalities
  - Harmful consideration
  - All of the above
11. The following is true for a consent form to be valid except?
- The patient/participant must be competent
  - Must have a witness
  - Must be freely given without coercion or manipulation
  - A legal representative or surrogate decision maker must be present if the person is incompetent
  - The guardian or parent must be present if dealing with a minor
12. Research involving human subjects in Kenya is governed by?
- National council of science and technology
  - All the public research institutes such as KEMRI
  - All universities
  - Kenya National Examination council
  - All Referred hospitals
13. One can be de-registered by KMLTTB if ?
- The person is deceased
  - If the person is not a Kenyan citizen
  - If they have dual profession
  - When in debt
  - If the person is physically challenged
14. Beneficence is the obligation of the researcher:-
- Not to act in anyone's interest but the research
  - To care for their own interest as scientist
  - To act in the best interest of the participants
  - To treat equals as equal and un-equals as such
  - To pay justly
15. Regarding the contractual capacity of a minor's
- A minor cannot enter into a legally binding contract
  - Can sue and be sued
  - A contract for the purchase of shares is valid
  - A minor who enter into contract can enforce the contract against the other party
  - None of the above statement is true
16. Key international guidance on ethics include all of the following except?
- Declaration of Helsinki
  - CIOMS guidelines
  - Basel convention
  - Nuremberg code

- e) Belmont report
17. In what circumstances does one need a surrogate decision maker when an informed consent is required?
- a) When incompetent
  - b) When one is not educated
  - c) Language barrier
  - d) When one is dumb and mute
  - e) At one time as long as one is living
18. The following is true of the rights and fundamental freedoms
- a) They belong to the vulnerable in the community only
  - b) Belong to each individual and are not granted by the state
  - c) Applies to all law but does not bind all the state organs and persons
  - d) Every person shall enjoy the rights but not freedoms
  - e) Cannot be endorsable by law
19. Principle of justice in laboratory practice ensures:-
- a) Fairness in distribution of resources
  - b) Patients are treated for free
  - c) That confidentiality issues are addressed
  - d) Resources are accounted for
  - e) Personell are paid promptly
20. The following are type of contract is medical law:-
- a) Title contract
  - b) Memmorial contract
  - c) Implied contracts
  - d) Concenting for billing
  - e) Marriage contract
21. The evidence for a valid registration certificate is
- a) Seal of the board
  - b) Signature of the members of the board
  - c) The registrars stamp
  - d) The date of issue
  - e) Signature of the head of state
22. In laboratory practice, collection of patients information should be for the following reasons except?
- a) To adequately identify the patients
  - b) To identify the specimen
  - c) Sufficient for correct testing and interpretation of result
  - d) Information relevant to their financial status
  - e) Information for billing
23. Universal declaration on bioethics and human rights addresses the following patient principles except?
- a) Respect for human dignity
  - b) Respect for human rights and fundamental freedoms
  - c) The interest of the society should surpass that of the individual

- d) Balance of good and harm
  - e) The right to autonomy
24. The following statement is true about implied contract
- a) It must be clearly stated in words
  - b) It involves actions of the parties
  - c) It is clearly stated in writing
  - d) Is applied only for the dumb and mute
  - e) Is not applicable medical ethics
25. The consent process involves all of the following except?
- a) Providing information
  - b) Allow adequate time for assessment
  - c) Assessment of comprehension
  - d) Does not address other influences of their decision
  - e) Obtain their decision or consent
26. Occupation safety and Health administration (OSHA) requires which of the following?
- a) The employer provide all necessary protective clothing to employers at a small cost
  - b) More protection be given where there is more exposure
  - c) Hospitals are required to adhere to the regulations only if they attain the level of a refer of a referral
  - d) Requires protection of the community from toxic substances from the hospitals
  - e) All of the above
27. When one is in private :-
- a) You cannot be employed by government or any other public body
  - b) You can be employed by a state corporation
  - c) You must undergo further training
  - d) Your registration and liscence are renewed quarterly
  - e) You are not subject to the disciplinary of the board
28. Which of the following is true about National environmental management authority?
- a) It is an act of parliament
  - b) Was established to coordinate the various environmental activities
  - c) Was established to control import and export of trees
  - d) Was established to replace the public health act
  - e) Was not established by act of parliament but by human rights activists movement in Kenya
29. Which of the following can influence the volunteer in giving consent?
- a) Accurate and complete information
  - b) More than just the informal consent form but understanding risks
  - c) Written, verbal and visual information
  - d) Time
  - e) Personal relationships
30. The principles of Nuremberg encompasses all of these except?
- a) Good results for the good of society
  - b) Collaborations with other scientists
  - c) Participation by qualified persons

- d) Research should following animal experimentation
- e) The voluntary consent of the participants

**SECTION B ESSAY**  
**(ANSWER ALL QUESTION IN THIS SECTION)**

1. (a) Discuss the application of ethical principles in biomedical research involving subjects  
  
(10marks)  
(b) Explain the OSHA regulation (10marks)
2. Discuss any 10 fundamental human rights as described in the Kenyan constitution. (20marks)