

The Ethical Imperative of Self-Care for Nurse-Attorneys

Stephanie Wise, ATR-BC, ATCS, LCAT

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Objectives

- Discuss common reasons nurse attorneys experience burn out.
- List 3 benefits of a robust self-care plan.
- Analyze the interaction between self-care and ethical practice.

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Why It Matters For Nurses

Occupational stress may:

- Significantly affect nurse's quality of life
- *Reduce quality of care*
- Caring is interpersonal procedure defined by:
 - Expert nursing
 - Interpersonal sensitivity
 - Intimate relationships, including positive communication
 - Implementation of professional knowledge & skills

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Why It Matters For Nurses

• Job-related stress:

- Causes loss of compassion for patients
- Increases incidences of practice errors
- Is unfavorably associated to quality of care

Source: Sarafis et. al

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Why It Matters For Attorneys

- Poor self-care may lead to:
 - Chronic stress & depression
 - Substance abuse
- Poor self-care incompatible with sustainable legal profession
 - Implications for competence
- Current state of lawyers' health cannot support profession dedicated to client service & dependent on *public trust*

Source: ABA

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Burnout

- Predictable
- Building over time
- Leads to work dissatisfaction

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Burnout

Lack of control

- Inability to influence decisions affecting job
 - Schedule
 - Assignments or workload
 - Lack of necessary resources

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Burnout

- Unclear job expectations
- Dysfunctional workplace dynamics

Source: Mayo Clinic

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Burnout

- Mismatch in values
 - Personal values differ from the way employer does business or handles grievances
- Poor job fit
 - Job doesn't fit interests & skills
- Extremes of activity
 - Job is monotonous or chaotic, requires constant energy to remain focused

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Burnout

- Lack of social support
 - Feeling isolated at work & in personal life
 - Isolation causes stress (solo practice)
- Work-life imbalance
 - Work takes up so much time & effort that don't have energy to spend time with family & friends

Source: Mayo Clinic

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Nursing Burnout

Inadequate Standards of Patient Care

- More likely to make poor decisions at work
- Nurse burnout also linked to higher rates of hospital-acquired infections
- 49% of RNs under 30 & 40% of RNs over 30 experience burnout

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Nursing Burnout

Staff Shortages

- Stressed nurses more likely to leave their job boosting nurse turnover rates
- Current nursing crisis could result in even more nurses becoming "burned out"

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Nursing Burnout

Negative Impact on Other Staff

- Nurse burnout could have a detrimental impact on entire workforce at a hospital —known as stress contagion effect
- Occurs when stressed individual "passes on" their stress to another person
- Nurse burnout could lead to strained relationships in workplace & uncomfortable working environment

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Nursing Burnout

Poor Patient Engagement

- Medical professionals who suffer from high levels of depersonalization more likely to experience poor relationships with patients
- Influences patient's experience & prevents people from seeking further medical treatment

Source: De Kreyel

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Nursing Stress

Survey of 700 Nurses about work-related stress

- 66% of respondents said they were either always short-staffed or short-staffed more than once a week
- 78% said they were under more pressure at work than this time 12 months ago, with 49% of respondents reporting that pressure was "significantly more"
- 13% said they often worked more than 10 additional hours/week
- Leads to falling morale & increased sickness

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Nursing Stress

One nurse in the study:

"Morale is at an all time low and I am seriously considering leaving the profession I once loved. I feel that I am compromising patient care and safety."

Source: Ford

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Compassion Fatigue

- Cumulative physical, emotional & psychological effect of exposure to traumatic stories or events when working in helping capacity, combined with strain & stress of everyday life
- Someone affected by compassion fatigue may be harmed by the work they do, experiencing intrusive imagery & a change in world-view
- Treatment of compassion fatigue may prevent development of more serious disorder

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Management of Nurse Burnout

- More healthcare providers investing in burnout prevention techniques to retain staff & improve employee happiness in workplace
- Include stress management techniques:
 - Breathing exercises
 - Mindfulness
 - Coping strategies
 - Social activities

Source: DeKeyrel

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Lawyer Vulnerability

Certain practice areas especially susceptible to compassion fatigue:

- Criminal
- Family
- Juvenile law

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Lawyer Vulnerability

Risk Factors:

- High caseloads
- High capacity for empathy

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Lawyer Vulnerability

Exposure to human-induced trauma:

- Empathetically listening to victims' stories
- Reading reports & descriptions of traumatic events
- Viewing crime or accident scenes
- Viewing graphic evidence of traumatic victimization

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The Finish Line Burnout Problem

- Tends to affect good lawyers
 - The better you are, the more they use you
 - The more they use you, the more they keep moving the finish line so they can keep using you more
- You stop taking weekends & personal time
- Your work life is all-consuming

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Attorney Traits

Finish Line never reached

You're a trooper
You're a team player
You're risk-averse
You're competitive
You're ambitious
You owe a fortune in school loans

Source: Meyerhofer

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Attorneys and Consequences of Burnout

- One in four lawyers suffer from elevated feelings of psychological distress, including feelings of:
 - Inadequacy;
 - Inferiority;
 - Anxiety;
 - Social alienation;
 - Isolation; and
 - Depression

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Attorneys and Consequences of Burnout

- Male lawyers in U.S. *two times more likely to commit suicide* than men in general population
- Substance abuse among lawyers *double* national average

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Attorneys & Consequences of Burnout

- Almost 26% of respondents exhibited symptoms of clinical depression
- Almost 12% said they contemplated suicide at least once a month
- Of more than 100 occupations studied, lawyers most likely to suffer from depression

Source: Cho

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Most Sleep-Deprived

8h57m	Home Health Aides
7h	Lawyer
7h1m	Police Officers
7h2m	Physicians, Paramedics
7h3m	Economists
7h3m	Social Workers
7h3m	Computer Programmers
7h5m	Financial Analysts
7h7m	Plant Operators
7h8m	Secretaries

Source: ABA Journal 2/27/12

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Most Well-Rested

7h20m	Forest, Logging Workers
7h16m	Hairstylists
7h15m	Sales Representatives
7h14m	Bartenders
7h13m	Construction Workers
7h13m	Athletes
7h13m	Landscapers
7h12m	Engineers
7h12m	Aircraft Pilots
7h12m	Teachers

Source: ABA Journal 2/27/12

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Management of Attorney Burnout

- Identify stakeholders & the role each can play in reducing toxicity in the profession
- Eliminate stigma associated with help-seeking
- *Emphasize that well-being is indispensable part of lawyer's duty of competence*
- Educate lawyers, judges, & law students on lawyer well-being issues
- Take small, incremental steps to change how law is practiced & how lawyers are regulated to instill greater well-being in profession

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Management of Attorney Burnout

Lawyer Assistance Programs (LAPs):

- Support lawyers, judges, students & other legal professionals who experience burnout & compassion fatigue

Source: ABA

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Intersectionality of Professions

- Expectation of being equally 'expert' in both fields
- Shifting between professional identities
- Identification with nurse-clients



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Professional Vulnerabilities to Stress

Nurses

- Responsibilities to patients
- Helping mentality
- Life & death pressures
- Long shifts
- Burnout
- Compassion Fatigue

Attorneys

- Responsibilities to clients
- Responsibility to the law
- Life effecting pressures
- Billable culture
- Burnout
- Compassion Fatigue

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Potential Consequences of Burnout to Patients/Clients

Nurses

- Silencing patients
- Medical errors
- Loosening of boundaries
- Endangering the lives of patients

Attorneys

- Silencing clients
- Careless work product
- Poor judgment
- Lacking competency to properly serve clients and the law

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"Do no harm to yourself in the line of duty when you helping/treating others."

"Attend to your physical, social, emotional & spiritual needs as a way of ensuring high quality services..."

Source: *Greencross Academy of Traumatology: Standards of Healthcare Guidelines*

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Nursing and the Ethics of Self-Care

Code of Ethics for Nursing
American Nurses Association 2010

PROVISION 5: DUTIES to SELF

*"Duties to self are an instrumental good that serves to support duties to others...supporting moral duties to others. Duties to self reside in the concept of **universal obligations**".*

(Interpretation by M. Fowler, ANA)

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Nursing and the Ethics of Self-Care

Code of Ethics for Nursing
American Nurses Association 2010

PROVISION 5: DUTIES to SELF

The nurse owes the same duties to self as to others including the responsibility to preserve integrity and safety, to maintain competence and to continue personal and professional growth.

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Lack of Self-Care = Professional Misconduct

"Nurses, who voluntarily work beyond their normally scheduled hours in a situation that is not a declared emergency, must be able to demonstrate that they are competent to perform their professional responsibilities. Voluntarily working beyond 16 hours in a 24 hour time period will be considered by the New York State Board for Nursing as a factor in determining the *willful disregard of patient safety* by nurses and will be subject to a potential charge of unprofessional conduct."

Source: New York State Education Department

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"Competence" for Attorneys

In any legal service shall mean to apply the:

- 1) diligence,
- 2) learning and skill, and
- 3) *mental, emotional, and physical ability* reasonably necessary for the performance of such service.

[Source: California Rules of Professional Conduct, RULE 3-110. Failing to Act Competently.] (emphasis added)

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Self-Care for Nurses & Attorneys

- Self-care should be viewed as a professional ethical obligation and not as an option.
- Not adequately taking care of his/her needs can put the patient/client at risk.
- Good self-care practices can help professional responsibilities be delivered optimally.

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WHO 1998 Definition

'Self-Care is what people do for themselves to establish and maintain health, and to prevent and deal with illness. It is a broad concept encompassing hygiene (general and personal), nutrition (type and quality of food eaten), lifestyle (sporting activities, leisure etc.), environmental factors (living conditions, social habits, etc.) socio-economic factors (income level, cultural beliefs, etc.) and self-medication.'

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Seven 'Pillars' Or 'Domains':

- Health literacy:
 - Capacity of individuals to obtain, process & understand basic health information & services needed to make appropriate health decisions
- Self-awareness of physical and mental condition:
 - Knowing your body mass index (BMI), cholesterol level, blood pressure; engaging in health screening

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Seven 'Pillars' Or 'Domains':

- Physical activity:
 - Practicing moderate intensity physical activity such as walking, cycling, or participating in sports at a desirable frequency
- Healthy eating:
 - Having a nutritious, balanced diet with appropriate levels of calorie intake

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Seven 'Pillars' Or 'Domains':

- Risk avoidance or mitigation:
 - Quitting tobacco, limiting alcohol use, getting vaccinated, practicing safe sex, using sunscreens
- Good hygiene:
 - Washing hands regularly, brushing teeth, washing food
- Rational & responsible use of products, services, diagnostics & medicines:
 - Being aware of dangers, using responsibly when necessary

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Benefits of Self-care Plans

- Increased worker satisfaction
- Increased productivity
- Optimal outcome of services

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Commitment to Self-Care

Tangible

- Written
- Specific
- Measurable

Attainable

- Strategize
- Plan
- Monitor

Accountable

- Goals connected to plan
- Follow through review
- Set inventory for self-care

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Physical Self-care

- Adequate sleep
- Separation from work
- Making time to eat slowly & properly
- Options for exercise & sports
- Cooking for pleasure

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Emotional Self-care

- Renewal on a regular basis
- Time for support from friends and family
- Opportunities to relax
- Engagement in creative activities
- Shopping leisurely
- Reading for pleasure

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Skills in Practicing Self-Care at Work

- Balance between attention to home & work
- Personal and Professional boundaries
- Realistic expectations of what one can & cannot accomplish
- Asking for help
- Attending to social relationships
- Avoiding loss of time boundaries
- Utilizing supervision, mentoring or other forms of professional oversight
- Seeking peer support

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Tips for Attaining Self-Care Habits

- Identify activities that you enjoy
- Put them on your calendar (in ink)
- Look for hidden opportunities for self-care
- Attend to your physical needs
- Just say “no”!
- Self-assess on a regular basis
- Keep positive people in your life
- Self-care is not an option!

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Directory of Lawyer Assistance Programs

https://www.americanbar.org/groups/lawyer_assistance/resource/lap_programs_by_state.html



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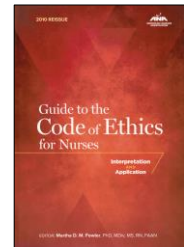
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