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Assessment of knowledge of midwives about the scope of professional responsibility under the amended provisions of law

Abstract

Introduction. To work safely, knowledge of law is crucial for midwives who should be familiar with the midwife's rights and duties as well as their professional responsibility.

Aim. Assessment of knowledge of midwives about their professional responsibility.

Material and methods. A total of 103 MA Midwifery students of the Medical University of Warsaw, including 55 working and 48 not working as midwives. A diagnostic poll, original anonymous questionnaire, 25 close-ended questions, 8 open-ended questions. Statistical analysis: STATISTICA 10.0, Mann-Whitney U test, $p < 0.05$.

Results. Seventy-one percent of the study participants had knowledge of the binding provisions of law and 83% considered this kind of knowledge as necessary in their professional activity. Twenty-four percent of the total did not know any legal regulations. Thirty percent was not familiar with the Nurses and Midwives Act. Only 52% of the study participants were knowledgeable about the legal protection of midwives and indicated the protection established for public officers. Forty-six percent of the total said that the Act on Professional Self-Government of Nurses and Midwives of July 1st, 2011 regulates the issue of self-governance. As many as 30 study participants knew that membership in the self-governing body of midwives is obligatory.

Conclusions. Knowledge of nurses about professional responsibility under amended provisions of law is insufficient and does not improve with experience as a midwife. Due to the fact that new acts on professional responsibility of midwives were implemented in Poland beginning in January 1st, 2012, it is advisable to extend qualifications and knowledge of midwives in order to improve their knowledge of professional issues. Midwives should constantly update their knowledge of legal regulations on their profession.

Keywords: midwifery, professional responsibility, provisions of law.

DOI: 10.2478/pjph-2014-0004

INTRODUCTION

At present, the profession of a midwife puts high demands of society towards midwives. Proper qualifications, competence, professionalism, and experience constitute crucial criteria to make a choice. Changes undergoing in modern midwifery allow for greater independence of midwives in their professional activity. A great modification of the role of midwives during labour and in maternity care results from medicalization and changed social awareness. A midwife used to care for a woman at any age and in all respects and a pregnant woman hardly ever had a contact with a gynaecologist. Following the provisions of the Nurses and Midwives Act of July 15th, 2011, "the professions of nurse and midwife are independent professions"; therefore, a midwife recognizes and accepts her professional and personal responsibility for the performance of professional activities [1]. Knowledge and understanding of ethical and deontological norms, bind-

ing legal regulations and procedures associated with the latter are crucial for safe and efficient work in the profession of midwife who is obliged to know the rights and duties associated with her profession as well as the responsibility related to it [2]. Responsibility in a broad sense involves also its specific kind, i.e. professional responsibility, which is associated with being a member of a particular professional group and with being allowed to act independently within this group. Professional responsibility of health professionals towards ethics may be considered contrary to or violating the legal regulations now in force by persons of medical professions, midwives included [3].

AIM

An attempt to assess the knowledge of professional responsibility among midwives starting an MA Midwifery course at Medical University of Warsaw. A detailed aim

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of the study was an attempt to assess the knowledge of midwives about the scope of professional responsibility under the amended legal regulations in relation to being (or not) a practising midwife.

MATERIAL AND METHODS

The study was conducted in the academic year 2012/2013 among 103 regular and extramural MA Midwifery students at Medical University of Warsaw. Group 1 comprised 55 students who were working as midwives, whereas Group 2 included the remaining 48 who were not working in the chosen profession at the time of the present study. A diagnostic poll method with a survey technique was used in the study. The study was carried out between February and March 2013 with the use of a questionnaire developed by the authors. Participation in the study was voluntary and the questionnaire was anonymous. The questionnaire comprised 25 close-ended single choice questions concerning various aspects relating to professional responsibility in the selected professional group and 8 open-ended questions designed to assess the level of knowledge of midwives about the amended provisions of law relating to professional responsibility.

Statistical analysis of the study results

The data were collected in the Microsoft Excel program. Two groups of midwives were compared: Group 1 comprised MA students who were working as midwives, whereas Group 2 involved those MA students who were not working as midwives at the time of the present study. Statsoft STATISTICA 10.0 (licensed to Warsaw Medical University) and non-parametric statistical Mann-Whitney U test were used for statistical analysis. The significance level was established at $p < 0.05$.

RESULTS

Among the study group of MA Midwifery students, employment as midwives did not influence the level of knowledge of professional responsibility under the amended provisions of law. The level of knowledge of the amended provisions of law regulating the issues of professional responsibility among Group 1 (students employed as midwives) and Group 2 (students not employed as midwives) was insufficient. See Table 1 for details on the level of knowledge of professional responsibility among the study group.

TABLE 1. Knowledge of professional responsibility among the study group of midwives.

Question	The entire group	Group 1	Group 2	p	
Have you become acquainted with legal regulations on the profession of midwife?	– yes	73	40	33	0.977
	– no	25	12	13	
	– do not know	5	3	2	
Do you think that knowledge of legal regulations is necessary in professional activity of a midwife?	– yes	86	44	42	0.144
	– no	3	3	0	
	– do not know	14	8	6	
Nurses and Midwives Act now in force was passed on:	– the 1st of January, 2012.	6	5	1	0.030
	– the 15th of July, 2011.	63	25	38	
	– the 1st of July, 2011.	8	5	3	
	– the 15th of July, 1996.	26	20	6	
Who can perform the profession of a midwife?	– a person who graduated from a medical school	0	0	0	0.001
	– a person who graduated from a medical school with a major in Midwifery	19	18	1	
	– a person who has the right to practise the profession of a midwife	7	5	2	
	– a person who has a valid right to practise the profession of a midwife	77	32	45	
The Minister of Health defines the type and range of health services that can be provided by a midwife independently without a physician's instruction in the form of:	– a regulation	61	35	26	0.079
	– a resolution	1	1	0	
	– an act	40	19	21	
	– a directive	1	0	1	
Which of the following cannot be performed by a midwife independently without a physician's instruction?	– manual removal of the placenta in the case of haemorrhage	51	28	23	0.562
	– urinary bladder catheterization and removal of a catheter	1	0	1	
	– designing a diet in particular periods of a woman's life, in physiological pregnancy and in high-risk pregnancy	2	1	1	
	– placement of a gastric tube and removal of the gastric contents	49	26	23	
Which of the following diagnostic actions performed by a midwife requires a physician's instruction?	– suction of the respiratory tract	22	12	10	0.363
	– pulse oximetry	1	0	1	
	– urinary bladder irrigation	70	36	34	
	– removal of sutures from the perineum	10	7	3	
State, which rehabilitation service may be performed by a midwife independently without a physician's instruction.	– bedside rehabilitation performed to prevent complications following immobilization	79	44	35	0.314
	– urinary bladder training	11	6	5	
	– applying for social care for a patient	2	2	0	
	– rehabilitation of persons with psychological disorders	11	3	8	
A midwife who provides health services is protected the same way as:	– public officer	54	30	24	0.649
	– medical officer	49	25	24	
	– social officer	0	0	0	
Can a midwife refuse to execute a physician's instruction?	– yes	99	52	47	0.385
	– no	0	0	0	
	– do not know	4	3	1	

DISCUSSION

The available Polish and foreign literature presents topics related to professional responsibility of members of medical professions in many dimensions [2,4-10]. Most of these publications relate to the Code of Professional Conduct of Nurses and Midwives and Act on the Profession of Nurse and Midwife [6-8,11,12]. No publications were found on the knowledge of the Act on Professional Self-Government of Nurses and Midwives among midwives.

The issue of professional responsibility of nurses and midwives is discussed in most publications devoted to the knowledge of the provisions of law regulating practising the professions mentioned above [2-12].

A study by Rozwadowska et al. [6] analysed the knowledge of the Act on the Profession of Nurse and Midwife. The study among 273 Nursing and Midwifery students as well as practising nurses and midwives analysed the answers provided by the study participants with reference to the aforementioned Act. The study results demonstrated that a majority of the study participants rightly considered the following statement false: "A nurse/midwife who is a citizen of a Member State of the EU cannot be granted the right to practice the profession within the territory of the Republic of Poland". A similar answer was also given to the following statement: "The duty of confidentiality of a nurse/midwife terminates when a patient dies". Most of the study group presented wide knowledge of the provisions of law applicable to nurses. As many as 85% of the respondents incorrectly

TABLE 1. continued

	– yes, in all circumstances	3	1	2	
Can a midwife inform patients about their health?	– yes, but only to the extent necessary for nursing care	88	46	42	0.250
	– no, only a physician can give such information to the patient	12	8	4	
	– do not know	0	0	0	
Can a midwife refuse to change the form of practising her profession?	– yes	52	25	27	0.573
	– no, because this will result in termination of employment relationship	6	4	2	
	– do not know	45	26	19	
Can a midwife, under Polish law, provide additional nursing care in a health care entity such as a hospital?	– yes	93	50	43	0.985
	– no	3	2	1	
	– do not know	7	3	4	
How long does it take to train a midwife with a 6-year career break?	– not shorter than 6 months	44	26	18	0.178
	– not longer than 6 months	15	8	7	
	– not shorter than 3 months	40	21	19	
	– not longer than 3 months	4	0	4	
Does the training of a midwife with a career break require supervision of another midwife?	– yes	97	55	42	0.007
	– no	1	0	1	
	– do not know	5	0	5	
Who grants the right to practice the profession?	– Regional Council of Nurses and Midwives	6	5	1	0.018
	– Regional Chamber of Nurses and Midwives	85	46	39	
	– Supreme Council of Nurses and Midwives	3	2	1	
	– Supreme Chamber of Nurses and Midwives	9	2	7	
Which legislative act regulates the activity of the professional self-government?	– Nurses and Midwives Act	29	20	9	0.295
	– Regulation of the Minister of Health	26	10	16	
	– Act on Professional Self-Government	48	25	23	
The Act on Professional Self-Government is valid beginning with:	– the 1st of July, 2011.	53	25	28	0.124
	– the 7th of July, 1991.	37	23	14	
	– the 15th of July, 2012.	7	4	3	
	– the 1st of October, 2012.	6	3	3	
Is the membership in the self-governing body obligatory?	– yes	30	18	12	0.007
	– no	44	30	14	
	– do not know	9	7	22	
Does professional responsibility apply to midwives?	– yes	101	53	48	0.188
	– no	0	0	0	
	– do not know	2	2	0	
Which document is the source of professional responsibility of midwives?	– Code of Professional Conduct of Nurses and Midwives of the Republic of Poland	54	34	20	0.044
	– Penal Code	39	18	21	
	– Civil Code	10	3	7	
	– Administrative Code	0	0	0	
Can the right to practice the profession expire or be limited?	– yes	99	55	44	0.030
	– no	2	0	2	
	– do not know	2	0	2	
Is a midwife obliged to update her knowledge continuously?	– yes	102	54	48	0.360
	– no	0	0	0	
	– do not know	1	1	0	
When can a midwife apply for being admitted to another specialization course co-funded from public sources?	– after 5 years	26	17	9	0.698
	– after 3 years	32	13	19	
	– after 1 year	16	4	12	
	– there are no such conditions	29	21	8	

Group 1: students working as midwives
Group 2: students not working as midwives
p – significance level

answered the following question: "Taking on employment as a nurse/midwife 5 years after completion of post-graduate internship or after a career break that lasted longer than 5 years is possible". Thirty-three percent of midwives gave the correct answer to a question concerning the appeal period in the case of suspension of the right to practice the profession for the duration of inability or in the case of restriction in performing certain professional activities for the duration of inability. The respondents proved to be familiar with the issue relating to the obligation of providing first aid to patients in any life-threatening situation. It is worth emphasizing that 100% of the midwives answered correctly the question relating to a refusal to carry out a physician's instruction, providing reasons for the refusal in writing immediately. The study results demonstrated that a vast majority of the study participants were well familiar with the legal regulations. Our study also involved a question relating to the Act on the Profession of Nurse and Midwife. A majority of the study population (51%) knew that this Act was passed on the 1st of July, 2011, and 57% of the total said that knowledge of the Act on the Profession of Nurse and Midwife is necessary to practice the profession of midwife.

Grochonas et al. [9] studied the influence of the level of education of nurses on their knowledge of selected legislative acts relating to nursing. The study enrolled 366 practising nurses with the mean length of service of 14 years. The results showed that the knowledge of the legislative acts among nurses with a secondary school degree was at the same level compared to nurses with a higher education degree. Our study results also showed that being a practising midwife does not influence the level of knowledge and answers provided to questions concerning provisions of law regulating the profession of midwife among the Midwifery students participating in the study.

The study by Gawęł et al. [5] aimed to assess the awareness of professional responsibility among nurses. It demonstrated the knowledge of legal regulations in force and use of the binding procedures that provide both the patient and medical personnel with safety guarantee. Over 2/3 of the study population knew the scope of professional responsibility. As many as 79% of the study participants said they were familiar with the Act on the Profession of Nurse and Midwife; 60% of the total admitted that they were familiar with the Code of Professional Conduct; 40% of the total reported the knowledge of the Act on Professional Self-Government of Nurses and Midwives, whereas 22% of the total reported the knowledge of the Regulation of the Minister of Health on the range and type of prophylactic, diagnostic, treatment, and rehabilitation services performed by a nurse unassisted and without a physician's instruction. In our study, Midwifery students were also asked about the knowledge of the provisions of law regulating the profession of midwife. Although 73 persons answered that they had knowledge of legal regulations in force, every fifth practising midwife did not have such knowledge.

The obligation to provide first aid in emergency and life-threatening situations is another issue covered in both the literature [5,6,8] and our study. This is an obligation of any person, particularly of qualified health professionals. Mroczek et al. [8] and Rozwadowska et al. [6] obtained similar

results demonstrating that the majority of the study participants considered the statement mentioned above as obvious. In the study by Mroczek et al., 99% of the students of Pomeranian Medical University in Szczecin responded correctly to a question about providing first aid. In the study by Rozwadowska et al., the correct answer was given by as many as 100% of the Midwifery students, 96% of the midwives, 89% of the Nursing students, and 84% of the nurses. Almost half of our study participants responded incorrectly by saying that a midwife needs a physician's instruction to remove manually the placenta in the case of haemorrhage, i.e. in a life-threatening situation.

An article by Zaniewicz and Marczewski [13] constitutes another example of common and frequent incompatibility with binding procedures. The study results demonstrated that for a vast majority of the study population the closest environment was the basic source of information on professional duties and for 54% of the total it was a ward nurse. Ninety-one percent of the respondents gave the correct answer to a question concerning the competence to provide patients and their families with information about their health and prognosis. Our study results showed that a vast majority of students asked whether a midwife could inform patients about their health gave the correct answer, i.e. they knew that a midwife could provide patients with such information, but only to the extent necessary for nursing care. Twelve percent of the study population believed that only a doctor can inform patients about their condition.

Mroczek et al. [8] came to a very interesting conclusion on the level of knowledge of nurses and midwives about the Code of Professional Conduct. Midwives are obliged by the Code of Professional Conduct to share their knowledge and professional skills with other midwives. Seventy-nine percent of the study participants were aware of this fact, while the remaining study participants considered such a solution as an option only in certain circumstances. Ten percent of the study group believed that this is not a moral obligation of nurses. In our study, the students were asked if a midwife was obliged to update her knowledge continuously. Only one person answered "I don't know", while the remaining 102 students knew that midwives have such an obligation.

In our study as well as in the study by Gawęł et al., [5] the study groups were asked about the kind of responsibility of a nurse in the case of failure to provide first aid in a life or health-threatening situation. Sixty-four percent of the respondents in the study by Gawęł et al. knew that this is a penal responsibility [5]. In our study, midwives were asked whether they are subject to criminal liability and a vast majority of them (98%) knew the correct answer, i.e. that they are subject to it. On the other hand, only 38% of the study population (including as little as 44% of students not working in their profession) responded correctly to the question about the source of midwife's professional responsibility and knew that it is the Penal Code. Over half of the respondents (52%) indicated the Code of Professional Conduct of Nurses and Midwives of the Republic of Poland as the source of midwife's professional responsibility.

Jara [4] also analysed the knowledge of the study participants about the procedures in the case of violation of the principles of professional responsibility. As many as 60% of

the study group were not able to list the penalties imposed on nurses who had gone beyond their competences, while 27% of the total managed to name only a reprimand and financial penalty and, some of them, deprivation of the right to practice the profession. In our study, deprivation of the right to practice the profession was indicated by the most numerous group of respondents and a reprimand and financial penalty were mentioned by a slightly less numerous group, even though as much as 36% of the total did not know any penalties, including 35% of those working and 27.5% of those not working as a midwife.

In our study, only 30 participants (including 18 midwives working in their profession) knew that membership in the self-governing body is obligatory. Forty-three percent of the total responded incorrectly, i.e. that it is not obligatory. As many as 46% of the midwives not working in their profession said that they did not know, proving that the knowledge of the provisions of law regulating the profession of midwife was insufficient and that the level of knowledge in this field was low.

An analysis of our study results and the available literature [4-6,8,10,11] showed that the level of knowledge of midwives about the amended provisions of law regulating their professional responsibility is insufficient. The knowledge of the rights and duties of the profession is of great importance at work since it ensures safety to patients. A study by Fedak et al. [12] demonstrated that a vast majority of nurses, in fear of going beyond their competences, withdraw from their professional (mainly independent) activities. Our study respondents presented an insufficient level of knowledge, therefore it is advisable to conduct a greater number of workshops and courses on legal regulations that would present and discuss the scope of rights and duties of midwives.

CONCLUSIONS

1. Knowledge of midwives of professional responsibility under the amended provisions of law is insufficient.
2. The level of knowledge and awareness of professional responsibility among the midwives participating in the study did not improve with taking on employment as midwife.
3. Among the study participants, midwives working in their profession represented the same level of knowledge of professional responsibility as those students not working as midwives.
4. Due to the fact that new acts on professional responsibility of midwives were implemented in Poland beginning in January 1st, 2012, it is advisable to extend qualifications and knowledge of midwives in order to improve their knowledge of the professional issues.
5. Midwives should constantly update their knowledge of legal regulations on their profession.

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