Essay

Your Name (First M. Last)

School or Institution Name (University at Place or Town, State)

**Introduction:**

It has been seen that in almost all the industrial and well-developed countries, the number and the proportion of the aged persons has greatly increased. As the number of these aged persons increased, their ethical and legal issues related to the health care start increasing with the same tempo. Many questions start rising about how these aged person’s health related issues are going to be addressed depends upon the ability of the families and the communities where they lived. The improvement of the life quality of aged people depends on the social and economic resources as well. All the developed countries are committed to provide advanced health and social services to all age groups particularly to the aged people (Kerridge,et,al,2009). But this fact cannot be denied that systems that check and maintain a balance of these services remains in a continuous flux. This flux is guided by the national and regional policies that changes because of change in time, governments and legislation.

Social, economic and health related policies vary substantially from other policies that deal with other citizens. But there are specifically many ethical issues related to health care that aged people faces even in the well developed countries. Most of the time, aged people used to face many ethical and legal issues and these issues are not only related to the healthcare. These issues are mainly attached with the ethics of the society. These ethical issues could be witnessed in almost all the societies as a common thing and a society is mainly responsible for shaping the behavior of its citizens (Beaglehole,et,al,2008). Aged people had to face many ethical and legal issues when it comes to their health and this is getting even severe with the passage of time as with the passing time morality and ethics specifically for the aged person in the field of health is losing its place

**For example:**

An aged person who was admitted in hospital was seen having very high blood pressure like twice of a normal person’s blood pressure. But he refused the doctors who tried to deal with his blood pressure rather he just asked them to treat all of his other things and issues. He even doesn’t want the nurses and doctor to check his blood pressure. Because once he was there in the same hospital with high blood pressure and they gave him a medicine for lowering his blood pressure but that medicine reacted badly and despite of getting better his condition was getting more critical (Tarzia,et,al,2012). So this bad experience was there in his mind that made him reluctant to have any kind of treat for his high blood pressure and even the doctor tried to deal with his hypertension by using alternative ways (Smith,et,al,1996). So by taking notice of such situation it could be said that the aged person should be given space. This decision and autonomy of the aged person should be respect despite of forcing him for any sort of treatment. So it is important to give respect to their decisions as well because they have some ethical and legal rights about their health as they are the ones who have been going through a stage and they know what they are doing with them.

**Discussion:**

One of the primary issues that should be focus is the autonomy and beneficence. Undoubtedly doctors and the medical staff used to abide by the ethical code but the present scenario have been changed. This ethical code when comes to the aged persons include autonomy, beneficence, justices and non-malfeasance (Quill,et,al,2008). It is not necessary that this code is going to be in the form of black and white. Law and competing values comes to play a significant role in the way and makes it somehow grey. One of the first parts of this grey area is the battle that takes place between autonomy and beneficence. In the case of autonomy, the aged person just have this concept in their mind that they are masters of their own body and it is their right to do whatever they want to do with their body. The aged people claim that it is their right to eat unhealthy and get all the toxins in their body.

The autonomy of the aged patients could be seen clearly as not the doctors, nor can the nurses force the patient to receive any sort of treatment forcefully. It totally depends on the aged individuals if they want to get treated. But the autonomy of the patient sometimes comes in conflict with the doctor’s beneficence. This is the point where ethically, aged persons are challenged. In some case when patient is not conscious, doctors decide what is best for him (Smith,et,al,2009). But these things should not be negated that the patients knows more about their condition and the doctors must respect the decisions taken by the patients. But doctors seemed not respecting the decisions of patients. Lack of ethical consideration such as not taking consent of aged people by having a thought that they are not capable of taking important decisions of their life has contributed to legal and ethical issues. From the ethical point of view, it is important to take the consent of the patients without considering their age. Aged patients are underestimated because of their age factor.

Another major ethical issue that aged people face is that on the basis of race and culture they have to face discrimination. But rules of ethics demands that no one should be considered superior or inferior when it comes to their health. Elderly people specifically, those who belonged to other race become the target of the discrimination. Both the things like ethical dilemmas and the meanings of being get trapped in situations like racial discrimination are related to the aged persons. There are many ethical dilemmas that are attached with the good care of aged people because of the lack of budge. There is another major ethical issue in the case of the aged persons, that is, being laid on the death bed they may have some wishes. But most of the time, healthcare provider becomes a hurdle in the fulfilling of these wishes. Families of old dying people, when wants to fulfill their wishes, medical staff mostly don’t understand the value of their emotions. So this ethical issue should be taken into consideration by the faculties who deal with healthcare services.

Most of the ethical issues arise when there are two conflicting ideas proposed by the authorities that how a matter should be catered for getting the positive outcome. Physicians put them in many difficult situations when they have to make some important decision for an aged patient. They get confused when it comes to make a choice between two things. It becomes difficult to choose that which opinion is going to work best in the favor of patient. But in this conflict the ethical rights of the aged patients are going to be compromised. Nurses and doctors have to do something that they think would satisfy the patient’s need and their mind as well, when it comes to their ethical teachings. But Aged persons being at the death bed does not known most of the time that they what are doing or how they are behaving with others. Mostly, their unconsciousness is taken as an advantage by the medical staff and they treat them inhumanely. It is a common practice to see medical staff, talking and behaving rudely with the aged persons. Aged people in the case of health issue have to face humiliation many times. They are taunted, abused and blamed for being the burden on others. This rude and unethical behavior broke them internally.

In many countries the elderly people are being sent to different institution for their care. There has been a laws “**The Aged Care Act 1997**” according to which the elderly people or their family members can report any sexual abuse or any other kind of ethical issue that the elderly people face in these institutions of healthcare. But according to the researches, it has been proved that the elderly people are more satisfied by the community care than any institutional care. Though it would be little expensive but even most of the families go for the community care rather than institutional care when it comes to the health of their elders. In these researches it has been reported that there are 12% institutional care givers in institutional healthcare centers that have been reported of doing physical abuse with the patients. The distance of the families from patient is also one reason of showing less morality by the health workers. But support from friends and family would play most effective role when it comes to give care to the elderly people. Most of the families search for such institutions where there would be female care givers as they are more generous towards elderly persons. There should be cost free care houses for the elderly people for minimizing the burden of working family members as they have to do multiple jobs for paying to the care givers.

Having a look at the present conditions and laws that has been made for facilitating aged people in the case of healthcare issues, it has been seen that there are three main areas where the elderly patients are going to have issues. There are long-term healthcare issues that would include planning how the cost of the expense is going to be paid to the assisting nurse home care. Secondly, by looking at the impacts of the health issues on the management of personal life and other matters it becomes hard to deal with aged people because of their childlike behaviour. Aged people face many ethical issues in the case of healthcare services but there are many legal issue as well that they have to face. Aged people have many legal issues that reach all areas of life. Living will is one of the major issues that the aged people have to face. Medical intervention through which an aged person is going to specify the healthcare choice of his own, could be made by others by taking this fact under consideration that the aged people may not be in a good state of taking sound decision about their health. They cannot take good decisions about their treatment that they should be given. Power attorney if think from a legal perceptive should be under the control of the aged patient but mostly, decisions are seen to be taken by the family member and the doctors (Hughes,et,al,2006). This puts a question mark on the legal system or the laws that has been made for securing the rights of aged people. If other people are supposed to take decision on the behalf of aged people then there is no point of giving place to these kinds of legal restrictions or commands.

**Conclusion:**

It could be conclude that the aged people have to face innumerable issues in the matters of healthcare, not only ethically but legally as well. They are being badly treated for being someone who irritates other. Medical staff and the family members have been seen getting irritated by the aged person even knowing that they are medically unwell. Aged person passes through a childlike phase when they reach at old age where they really don’t know what they do and why they do. Many laws that are supposed to protect their rights are not working properly. The Charter of Care Recipients and Responsibilities is being proposed to ensure all rights of the aged people. Also this charter is going to be funded by Australian Government.

One of the major things that absorbs attention is that there is a great clash between the interests of the elderly persons and their families, institution and health professionals. It is important to have a balanced way in the demands of elderly people and the ones who would take care of them. But providing care to the elder patients is an expensive matter and the issue of their funding is still unsolved. It becomes difficult to decide who is going to be responsible for their health and care, government, institutes or their families (Lothian,et,al,2001). There are different rules and laws for taking care of the elderly people, as all the countries are concerned about the people who are in the ending phase of their life. But in the present scenario, it is quite obvious that elder people had to face many issues at the end stage of their life that makes their last days of life much difficult. The care givers never bother about the age of the aged patients when they become frustrated and it has been seen that care givers release all their frustration on these aged people. Also from the legal perspective, rights of elderly people are not much secure as well. But the government should take some sound steps for giving a protection to these elderly people so that they could leave this world with ease and mental satisfaction. Also when there would be a strong legal restriction on the care giver, they would also serve them better and would not regret upon their bad behaviour after the departure of their elder patient and would remember that they took great care of their aged patients in their last days.

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