

# LN 430 - Legal Nurse Theory & Practice III

## Exam Instructions

**Thank you for enrolling into LN 430 - Legal Nurse Theory & Practice III. This is your online examination. Please follow these instructions:**

- Before attempting, carefully read the question text.
- Then choose the correct answer.
- Click on **"Next"** to go to the next question.
- Use the **"Next"** and **"Previous"** buttons to navigate between questions.
- Bookmark difficult questions to return to them later.
- Click the **"Submit All"** button to submit your exam for grading.
- Use the Question List in the upper left corner to view and jump to a certain question.
- Within 24-48 hours, you will receive from us via e-mail, a copy of your graded examination.

If you have any questions, please contact us at: [info@aihcp.org](mailto:info@aihcp.org)

Full Name:

---

Email:

---

AH Number:

---

1. What distinguishes legal writing from other writing is its style.

- A) True
- B) False

2. A good example of inquisitive writing is/are requests for production.

- A) True
- B) False

3. When writing persuasively for an attorney client, you should frequently use the phrase... "it is my feeling that..."

- A) True
- B) False

4. "Keeping it simple" is an attribute of reader-friendly writing.

- A) True
- B) False

5. Effective legal writing always requires rigorous editing.

- A) True
- B) False

**6.** Medical records analysis is not within the scope of LNC practice.

- A) True
- B) False

**7.** Before reviewing medical records, the LNC needs to know the patient's perception of how an injury occurred.

- A) True
- B) False

**8.** The JCAHO requires health care providers to have patient records complete by the 60th day post-discharge.

- A) True
- B) False

**9.** Health care facilities must provide original x-rays to attorneys when requested.

- A) True
- B) False

**10.** Health care facilities retain the right to omit names of other patients, when providing copies of operating room logs.

- A) True
- B) False

**11.** Release of, or access to mental health records generally requires a judge's ruling.

- A) True
- B) False

**12.** The Electronic Communications Privacy Act of 1986 does not address issues of radio transmission communications.

- A) True
- B) False

**13.** Federal Law allows health care providers to provide attorneys with copies of records that they have on a patient, that were received from other treating physicians.

- A) True
- B) False

**14.** The most common book that an LNC may use to find information on DRG groupings is St. Anthony's DRG Guidebook.

- A) True

B) False

**15.** The JCAHO requires that a nursing assessment be completed on a patient within 48 hours of inpatient admission.

A) True

B) False

**16.** The JCAHO requires surgeons to create an operative report immediately after surgery.

A) True

B) False

**17.** The Nursing Care Plan may not be used against nurses in a malpractice case.

A) True

B) False

**18.** An LNC should review HMO records in the same manner as physician's records.

A) True

B) False

**19.** Falsification of medical records may be a basis for civil liability for damages suffered.

A) True

B) False

**20.** The most common medical records alteration is using "white-out" or erasing information.

A) True

B) False

**21.** Falsification of a patient's records is illegal.

A) True

B) False

**22.** Fabrication of medical records is not nearly as damaging as is falsifying entries.

A) True

B) False

**23.** Intentionally omitting a true entry does not constitute alteration of a medical record.

A) True

B) False

**24.** An LNC notes additions to notes that are on the edge of the page he/she is reviewing. The LNC knows this may be an issue of record alteration.

- A) True
- B) False

**25.** Medical records analysis is the cornerstone of LNC practice.

- A) True
- B) False

**26.** Access of records of HIV testing are routinely contained within the standard medical records release.

- A) True
- B) False

**27.** Audit trails help reduce chances of tampering with the medical record as deletions are easily identified.

- A) True
- B) False

**28.** "Grandfather" textbooks should not be used in research by the LNC.

- A) True
- B) False

**29.** To check credentials of a physician, the LNC may use MEDLINE plus.

- A) True
- B) False

**30.** If an LNC needs to order full text copies of articles located on MEDLINE, the LNC may use a service called LOANSOME DOC.

- A) True
- B) False

**31.** A good LNC practice is to use articles from peer-reviewed journals.

- A) True
- B) False

**32.** You can access WESTLAW to secure a search for expert witness.

- A) True
- B) False

**33.** IDEX is a popular database of the National Library of Medicine.

- A) True
- B) False

**34.** When reviewing a docket you will be able to find the name of the plaintiff's attorney.

- A) True
- B) False

**35.** Communication is a three-part process.

- A) True
- B) False

**36.** A report written by a testifying LNC is not discoverable.

- A) True
- B) False

**37.** It is necessary to write "attorney work product" on an LNC report to protect it from being a discoverable document.

- A) True
- B) False

**38.** Chronologies written in the LNC's report may be objective and/or subjective.

- A) True
- B) False

**39.** In a client's intake interview, the LNC should include the interviewee's recollection of the event.

- A) True
- B) False

**40.** If a testifying expert relies on the work product of the consultant to formulate an opinion, the consultant LNC's work product may be discoverable.

- A) True
- B) False

**41.** An expert witness is involved in litigation to teach.

- A) True
- B) False

- 42.** The most common criteria for acceptance of an appropriately experienced expert is publication in a peer-reviewed journal.
- A) True
  - B) False
- 43.** Certification by an expert LNC has not been shown to be an asset.
- A) True
  - B) False
- 44.** When selecting an expert for a case, the LNC knows that experience as an expert witness is damaging to the case.
- A) True
  - B) False
- 45.** The LNC expert witness may testify to medical causation in most states today.
- A) True
  - B) False
- 46.** Standards of care may be specific to an agency.
- A) True
  - B) False
- 47.** In nursing, it is generally believed that standards are the same throughout the nation.
- A) True
  - B) False
- 48.** A nurse is negligent if he/she failed to meet the standard of care.
- A) True
  - B) False
- 49.** In the legal case of Ewing v. Aubert, a Nurse Practitioner was held to the physician standard of diagnosis and treatment.
- A) True
  - B) False
- 50.** A medical expert witness may be a chiropractor.
- A) True
  - B) False

**51.** Physicians may never testify to nursing standards of practice.

- A) True
- B) False

**52.** Once an individual has been qualified as an expert by a trial court, they may give opinion testimony in any jurisdiction.

- A) True
- B) False

**53.** LNC's should not do commercial advertising for expert witness cases.

- A) True
- B) False

**54.** Liability nurse expert witnesses must base their testimony on the legal standard of care.

- A) True
- B) False

**55.** If the opposing attorney asks the nurse expert hypothetical questions, then the nurse expert should give hypothetical answers.

- A) True
- B) False

**56.** Most malpractice cases are not settled, but are heard by a jury.

- A) True
- B) False

**57.** The attorney who retains the nurse expert witness conducts the deposition of the nurse to allow clarification of opinions.

- A) True
- B) False

**58.** Federal Rule of Evidence 1006 will allow records to be presented in summary form.

- A) True
- B) False

**59.** The ideal expert fact witness has a graduate or doctorate degree.

- A) True
- B) False

- 60.** A judge may prevent a nurse from testifying as an expert fact witness.
- A) True
  - B) False
- 61.** Injuries alleged in a case include pain and suffering, physical and psychological injuries, but not loss of future earnings.
- A) True
  - B) False
- 62.** A Life Care Planner should always be a rehabilitation professional.
- A) True
  - B) False
- 63.** Costs of a Life Care Plan are always presented in today's dollars.
- A) True
  - B) False
- 64.** A "damages expert" should not discuss liability, causation or standard of care when giving deposition or testimony.
- A) True
  - B) False
- 65.** The opposing counsel is the one who pays for the nurse's expert time at the deposition.
- A) True
  - B) False
- 66.** If a deposition is requested by an attorney and there is an outstanding invoice not paid, the expert may decline to appear until the money is paid.
- A) True
  - B) False
- 67.** At deposition, the opposing attorney is not permitted to ask a nurse expert what their fees are for giving deposition.
- A) True
  - B) False
- 68.** It is recommended that expert witness reports be retained for at least 10 years after completion of a case.
- A) True



B) False

**69.** The purpose of a fee retainer is to prevent the need for a contract with the attorney.

A) True

B) False

**70.** Binding arbitration is an advanced agreement to abide by an arbitrator's decision.

A) True

B) False

**71.** The LNC helps develop "settlement brochures" to present evidence that the parties are prepared for trial.

A) True

B) False

**72.** During Mediation, the LNC's role is to develop questions for cross-examination.

A) True

B) False

**73.** Evidence obtained through an LNC's review of medical records may be used as demonstrative evidence at trial.

A) True

B) False

**74.** Actual exhibits used in trial are not permitted to be exchanged between the parties before the trial begins.

A) True

B) False

**75.** The definition of admissibility of records varies from state to state.

A) True

B) False

**76.** A Motion in Limine is made for protection against prejudicial questions at trial.

A) True

B) False

**77.** A preliminary Voir Dire is conducted by the plaintiff's attorney and the legal nurse consultant.

A) True

B) False

**78.** Cross examination is conducted by the Judge at the conclusion of Direct Testimony.

A) True

B) False

**79.** As a sole proprietor, the LNC's personal assets are legally protected because they are separate from the business assets.

A) True

B) False

**80.** Contingency fees for LNC's are never acceptable.

A) True

B) False