



The Forgotten Right of Nurses and Patients in Iran's Islamic Penal Code

Shahram Molavynejad¹ and Asad Imani^{2*}

1. Nursing Care Research Center in Chronic Diseases, School of Nursing and Midwifery, Ahvaz Jundishapur University of Medical Sciences, Ahvaz, Iran

2. Student Research Committee, Department of Nursing and Midwifery, Ahvaz Jundishapur University of Medical Sciences, Ahvaz, Iran

Dear Editor,

Nurses are one of the largest groups in the health care and play an important role in supporting patients (1). Communication with patients is an essential part of nursing care, and existence of mutual rights is necessary to establish this communication (2). They have various roles in caring for patients and this issue makes them contact with legal issues every day. Familiarization of nurses with legal bases associated with care issues is a necessity. In Iran, nurses must refer to Iran's Islamic penal code in their legal challenges. Meanwhile, it seems that there is a controversial issue related to the rights of nurses and patients in the Islamic penal code of Iran.

“In the provision 1 of article 496, it is stated that if the patient or nurse knows that the physician order is wrong and causes damage and do it, the doctor is not the guarantor, but the documented damage is the responsibility of the patient or nurse” (3).

In this provision, the legislator has assumed more responsibility on the patient than expected; while there is no guarantee that the patient will perceive the physician's orders correctly. On the other hand, despite the fact that the nurse warned the physician's wrong order to him/her, no support provision was mentioned for the nurses. On the other hand, if the nurses do not follow the physician's orders at the bedside, they face work challenges and must be accountable to the clinical managers. It seems that the amendment of provision 1 of article 496 of Iran's Islamic penal code is necessary to protect the rights of nurses and patients.

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Conflict of Interest

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* Corresponding author

Asad Imani, PhD Student

Student Research Committee,
Department of Nursing and Midwifery,
Ahvaz Jundishapur University of
Medical Sciences, Ahvaz, Iran

Tel: +98 61 3373 8331

Fax: +98 61 3373 8331

Email: Imani.nursing@gmail.com

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