

Turn Up 2 Law and Ethics Practice Test (Sample)

Study Guide



Everything you need from our exam experts!

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 - 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. All suicidal patients are considered to lack capacity to understand.**
 - A. True**
 - B. False**
 - C. Depends on the patient**
 - D. Only when the patient expresses intent to harm themselves**

- 2. What legal doctrine describes an employee who, while employed by one party, may be loaned to another so that the borrowing employer becomes responsible for the employee's actions?**
 - A. Agency**
 - B. Borrowed Servant**
 - C. Damages**
 - D. Affidavit**

- 3. What term describes payment to physicians that occurs when they are paid a contracted rate for each member assigned, regardless of services provided?**
 - A. Fee for service**
 - B. Joint venture**
 - C. Collective bargaining**
 - D. Capitation**

- 4. Which legal concept describes negligent conduct by a physician toward an established patient resulting in direct harm?**
 - A. Duty of Care**
 - B. Breach of Duty**
 - C. Malpractice**
 - D. Negligence**

- 5. Which statement best captures the intent behind the Federal Anti-Kickback Statute?**
- A. To standardize clinical guidelines**
 - B. To prevent payments that induce referrals for federal health program reimbursements**
 - C. To ban all physician compensation**
 - D. To regulate medical device safety**
- 6. Which term refers to punishment after a crime is committed to discourage future offenses?**
- A. Retribution**
 - B. Deterrence**
 - C. Rehabilitation**
 - D. Restitution**
- 7. When is it okay to break patient confidentiality?**
- A. If they are a harm to themselves or others**
 - B. If the patient requests confidentiality**
 - C. If the patient is not paying**
 - D. If the information is trivial**
- 8. Who determines a patient's competency and capacity?**
- A. Competency—the court; Capacity—any physician (does not require a psychiatrist)**
 - B. Competency—the court; Capacity—the court**
 - C. Competency—any physician; Capacity—the court**
 - D. Competency—the patient; Capacity—the nurse**
- 9. Can a physician ethically participate in executions in prisons?**
- A. Yes, if allowed by law**
 - B. Yes, if instructed by the hospital**
 - C. Only if the patient consents**
 - D. No**

10. In the standard surrogate decision-maker hierarchy, which group is third in the ranking from most to least important?

- A. Spouse**
- B. Friends**
- C. Adult Children**
- D. Parents**

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Answers

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1. A
2. B
3. D
4. B
5. B
6. B
7. A
8. A
9. D
10. C

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Explanations

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1. All suicidal patients are considered to lack capacity to understand.

A. True

B. False

C. Depends on the patient

D. Only when the patient expresses intent to harm themselves

Capacity to understand and make decisions is determined for each situation, not by a blanket label about a person's mental state. What matters is whether the patient can understand the information relevant to a decision, appreciate how it applies to their own situation, reason about options, and communicate a clear choice. Suicidal thoughts by themselves do not automatically mean someone lacks this ability. A patient with suicidal ideation may still understand risks, benefits, and alternatives, and may be able to participate in decisions about treatment, including options like hospitalization or safety planning. Only in cases where a mental condition, intoxication, delirium, or severe cognitive impairment undermines understanding, appreciation, reasoning, or communication would capacity be lacking for the specific decision. Therefore, capacity is not determined by the presence of suicidality alone; it depends on the individual and the particular decision at hand.

2. What legal doctrine describes an employee who, while employed by one party, may be loaned to another so that the borrowing employer becomes responsible for the employee's actions?

A. Agency

B. Borrowed Servant

C. Damages

D. Affidavit

Borrowed servant doctrine, a form of vicarious liability, explains why the borrowing employer can be responsible for an employee's actions when the worker is loaned to them. The key idea is who has control over and directs the employee during that period; when the borrowing employer directs the employee and the tort occurs in the course of the borrowed work, that employer bears the liability for the employee's actions. If the original employer retains control, liability might stay with them instead. The other terms don't fit because agency is a broader representative relationship, damages refers to compensation for harm rather than who bears responsibility, and an affidavit is simply a sworn statement and not a liability doctrine.

3. What term describes payment to physicians that occurs when they are paid a contracted rate for each member assigned, regardless of services provided?

- A. Fee for service
- B. Joint venture
- C. Collective bargaining
- D. Capitation**

Capitation is a payment model where physicians are paid a fixed amount for each enrolled patient per period, regardless of how many services are provided. This setup shifts financial risk to the provider and rewards care coordination and preventive measures, since income doesn't rise with more visits or procedures. The contracted rate is usually described as a per-member-per-month payment, so the provider receives that amount whether the patient uses services or not. Fee-for-service, by contrast, pays for each service rendered, so higher service volume means more payment. A joint venture is a business arrangement between providers, not a payment method, and collective bargaining concerns negotiating terms with employers or unions, not how patients are paid. This description fits capitation best.

4. Which legal concept describes negligent conduct by a physician toward an established patient resulting in direct harm?

- A. Duty of Care
- B. Breach of Duty**
- C. Malpractice
- D. Negligence

In medical law, the physician-patient relationship creates a duty of care, meaning the physician must act with the skill and diligence of a reasonably competent doctor under the circumstances. When the physician's conduct falls short of that standard, it constitutes a breach of duty. That breach, along with causation and damages, forms a negligence claim. While negligence is the broad idea of failing to exercise due care and malpractice is the general label for professional negligence, the specific act described here—the negligent conduct toward an established patient that causes harm—is best understood as a breach of duty.

5. Which statement best captures the intent behind the Federal Anti-Kickback Statute?

- A. To standardize clinical guidelines**
- B. To prevent payments that induce referrals for federal health program reimbursements**
- C. To ban all physician compensation**
- D. To regulate medical device safety**

At its core, the Anti-Kickback Statute is about preventing financial incentives from influencing referrals for services paid for by federal health programs, like Medicare and Medicaid. It makes it illegal to knowingly offer, pay, solicit, or receive any remuneration to induce referrals or purchases of items or services that are reimbursed by these programs. This protects the integrity of patient decision-making and the programs themselves from improper incentives. It's not about standardizing guidelines, it doesn't ban all physician compensation, and it isn't about regulating device safety. There are safe harbors that allow certain legitimate arrangements if they meet specific criteria, but the basic intent remains to deter kickbacks that could sway referrals for federally reimbursed care.

6. Which term refers to punishment after a crime is committed to discourage future offenses?

- A. Retribution**
- B. Deterrence**
- C. Rehabilitation**
- D. Restitution**

Deterrence is punishment aimed at preventing future crime by making the costs of offending clear. It can work on the individual (specific deterrence) or society at large (general deterrence) to discourage future offenses. In this scenario, the emphasis is on using punishment after the act to deter future crimes, which fits deterrence best. The other terms describe different aims: retribution focuses on punishment deserved for the wrongdoing, rehabilitation aims to reform the offender, and restitution seeks compensation for the victim.

7. When is it okay to break patient confidentiality?

- A. If they are a harm to themselves or others**
- B. If the patient requests confidentiality**
- C. If the patient is not paying**
- D. If the information is trivial**

Confidentiality is essential in patient care, but it isn't absolute. The crucial idea is that disclosure is permissible when there's a real risk that the patient will harm themselves or others, and sharing enough information can prevent that harm. In those situations, you can disclose necessary details to the right people or authorities to protect safety, while keeping disclosures as limited as possible. The other options don't fit because a patient's request for confidentiality typically means you should keep information private unless an exception applies; payment status and the trivial nature of information do not justify breaking confidentiality. So, breaking confidentiality is appropriate when there's a credible risk of harm to self or others.

8. Who determines a patient's competency and capacity?

- A. Competency—the court; Capacity—any physician (does not require a psychiatrist)**
- B. Competency—the court; Capacity—the court**
- C. Competency—any physician; Capacity—the court**
- D. Competency—the patient; Capacity—the nurse**

Competency and capacity are two different kinds of determinations. Competency is a legal status decided by a court, outlining a person's overall ability to manage their affairs and make major decisions. Capacity is a clinical judgment about a specific decision at a specific time, and it's assessed by a healthcare professional, typically a physician (often with expertise in mental health). The best choice reflects that distinction: the court determines competency, while a physician determines capacity. Capacity assessments focus on whether the patient can understand, appreciate, reason about, and communicate a choice about a particular medical decision, and these assessments can be made by a physician without requiring a psychiatrist. It's also important to remember that capacity is decision-specific and can vary over time. So, the idea is that legal competence is decided by the court, whereas medical capacity for a given decision is determined by a clinician.

9. Can a physician ethically participate in executions in prisons?

- A. Yes, if allowed by law**
- B. Yes, if instructed by the hospital**
- C. Only if the patient consents**
- D. No**

Physicians are bound by a healing, life-preserving role. Participating in an execution would require them to facilitate the intentional taking of a life, which directly violates the physician's duty to do no harm and to protect the patient's life. Ethics codes from medical associations make this clear: physicians should not participate in capital punishment, even if it's legal or mandated by a hospital, and even if the execution would be performed with the patient's (prisoner's) consent. The trust between doctor and patient, and the profession's commitment to life and health, cannot be upheld if a physician helps carry out an execution. For these reasons, the ethically appropriate stance is that a physician should not participate in executions in prisons.

10. In the standard surrogate decision-maker hierarchy, which group is third in the ranking from most to least important?

A. Spouse

B. Friends

C. Adult Children

D. Parents

In surrogate decision-making, decisions are guided by who is most likely to represent the patient's values and best interests when the patient can't speak for themselves. The top choice is the spouse, because of the intimate, ongoing caregiving relationship and deep familiarity with the patient's preferences. The next in line are the closest kin who are readily available; in this standard order, that means the parents. After them come adult children, who are still family and able to advocate for the patient, but are further removed in daily involvement than the parents. Friends aren't typically part of the primary family-based hierarchy unless no family is available or the patient had designated a friend as surrogate. So the third position in this ranking is adult children.

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Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://turnup2lawethics.examzify.com>

We wish you the very best on your exam journey. You've got this!

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