

ETHICS CONSULTATION POLICY

WHAT IS AN ETHICS CONSULTATION?

An ethics consultation is a process by which trained consultants or an Ethics Consultation Subcommittee of the Human Values and Ethics Committee respond to requests for help from individuals directly involved in the case. An ethics consultation is designed to:

- Identify ethical problems in the care of a particular patient;
- Clarify these problems through a careful analysis of the values involved;
- Promote discussion and dialogue of the values, issues and ethical problems involved with those directly involved in the case;
- Resolve ethical problems through a process of shared decision-making.

An ethics consultation is advisory. Patients, family members, and health care providers remain responsible for their own decisions. Clarification of the ethically accepted course of action can help the health care providers and patients navigate difficult clinical circumstances.

WHAT IS THE ETHICS CONSULTATION SERVICE?

The ethics consultation service is a function of the Human Values and Ethics Committee that is provided through the Clinical Ethics Center. Typically, the ethics consultation service is able to respond quickly to requests for assistance.

The ethics consultation service is primarily intended as a resource when patients, family members or health professionals feel that they have reached the limits of their own personal or professional ability to address ethical questions.

Memorial Medical Center offers this advisory service free to patients, family members and health care providers. The patient and anyone involved in caring for that patient can request an ethics consultation without fear of intimidation or reprisal. All discussions are confidential.

ETHICS CONSULTATION SUB-COMMITTEE

Some questions or issues necessitate the use of the Ethics consultation Sub-Committee, an ad hoc sub-committee of the Human Values and Ethics Committee. This sub-committee is convened for any of the following reasons:

- The ethics consultant believes that the issues are sufficiently complex that an interdisciplinary team approach would be beneficial.
- The person requesting the ethics consultation believes that the issues are sufficiently complex that an interdisciplinary team approach would be beneficial.
- External agencies, such as the Guardianship and Advocacy Commission, request a formal analysis of or recommendation about a case.

WHEN SHOULD AN ETHICS CONSULTATION BE REQUESTED?

An ethics consultation may be requested by anyone when an ethical problem or question involving patient care is not being satisfactorily addressed or resolved for all concerned.

An ethics consultation is designed to support, not to replace normal lines of communication about ethically troubling situations. Requests for help from the ethics consultation service are especially encouraged when:

- A patient, a family member or health care provider wants to “talk through” important ethical dimensions of the patient’s care;
- Efforts by the patient, family and professional staff to resolve a problem have reached an impasse;
- There is serious ethical disagreement among health care providers or within the patient/family relationship;
- The case is ethically unusual, unprecedented or very complex;
- A patient, family member or health care provider needs help when an ethically significant decision has to be made.

An ethics consultation may especially be needed in decisions about life-prolonging medical treatment for patients unable to decide for themselves, when communication and rational discussion or cooperation is viewed as impossible, and when those involved in caring for a patient want to review the ethical aspects or implications of a decision.

WHAT ARE SOME COMMON ETHICAL PROBLEMS?

In general, an ethical problem exists when it is not clear what is the ethically sound action or course of action or when people disagree about what is best for a patient.

The following are some examples of ethical problems that can arise in the hospital:

- What should a patient or surrogate do when he/she cannot understand what caregivers are saying, but tests and treatments continue anyway?
- Who should make health care decisions when patients are unable to communicate or decide for themselves?
- What should family members or caregivers do when they strongly disagree or are very uncertain about what is best for the patient?
- When should life-prolonging treatments be started, continued or stopped?
- What should family members and caregivers do when a patient refuses treatment that promises to be medically beneficial?

The following are examples of issues, which might give rise to these questions:

- Withholding or withdrawing life support
- Patient dementia or incapacity
- DNR policy guidelines
- Organ and tissue donation

These and other ethical questions and concerns may develop to the point where conflict and serious disagreement results. Health care providers should rely on their education, experience and good judgment to prevent such escalation of disagreement. Discussing such situations with the ethics consultation service might prove helpful before a true impasse is reached.

HOW IS AN ETHICS CONSULTATION REQUESTED?

**INQUIRIES MAY BE DIRECTED TO THE HOSPITAL OPERATOR OR,
DURING REGULAR BUSINESS HOURS, TO THE CLINICAL ETHICS CENTER**

Patients and family members can directly request an ethics consultation by calling the hospital operator and asking for the ethics consultation service. They can also tell their nurse or health care provider that they want an ethics consultation. Staff made aware of a patient's or family's desire for an ethics consultation shall convey the request to the ethics consultation service.

Physicians or house staff may convey their request for an ethics consultation personally by telephone or by written orders in a patient's medical record, which shall be conveyed by nursing staff to the ethics consultation service.

Nursing staff or other employees may request an ethics consultation directly to the Clinical Ethics Center or through their supervisor or manager who will call the Clinical Ethics Center.

The attending physician or designee will be notified by the ethics consultant of the request for an ethics consultation. The attending physician or designee cannot cancel the request for a formal ethics consultation that was requested by another party.

ASSESSMENT/REASSESSMENT

When an ethics consultation is requested, an assessment is made based on information from the patient's medical record, the physicians, other caregivers involved and the patient and family as needed in order to sort through and assist individuals in addressing the ethical issue or issues under consideration. There will be occasions when a reassessment will be necessary given the changing needs of the patient and the involvement of the ethical problems or if new ethical issues arise.