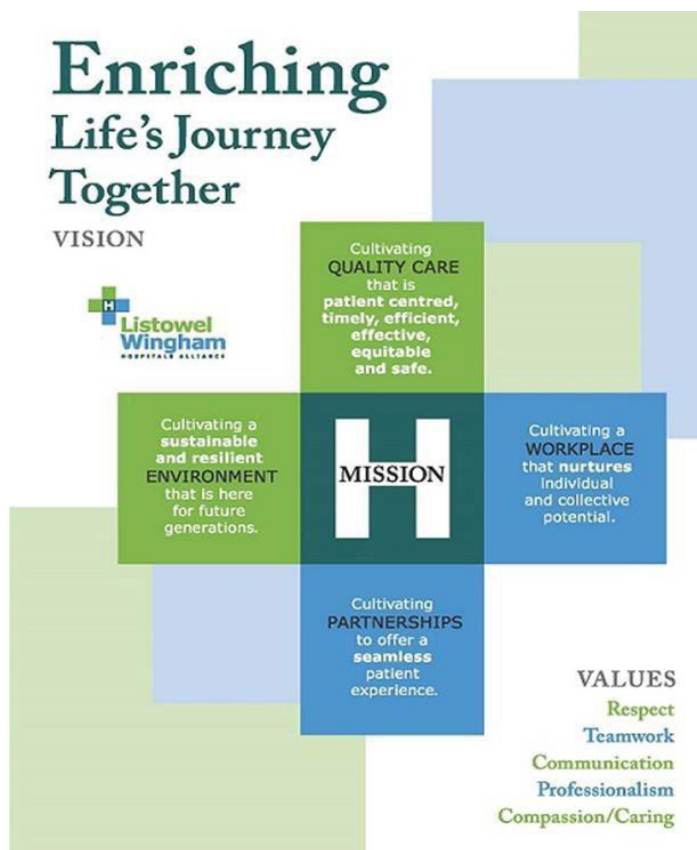


Ethical Decision-Making Framework Listowel Wingham Hospitals Alliance



Ethical Decision-Making Framework

Best practices require that organizations support ethical decisions by applying a written ethics framework. This framework is available to the Board of Directors, all staff, physicians, volunteers, learners, patients, families and the general public.

Ethics Defined

Ethics can be defined as the following:

- Deciding what we should do (what decisions are morally right or acceptable)
- Explaining why we should do it (justifying our decision using values and principles)
- Describing how we should do it (developing an appropriate process to act upon the decision) (Gibson, Martin, & Singer 2005)

Ethical Decisions

Ethical decisions in healthcare are commonplace and typically follow two courses, clinical and organizational. Some decisions encompass both (Trillium Health Centre, nodate).

- **Clinical ethical decisions** are decisions that involve and impact specific patients or staff members. They focus on individual values (e.g. should patient A's life-sustaining treatment be discontinued?)
- **Organizational ethical decisions** are decisions that involve and impact groups of patients or staff, units, systems or the organization as a whole. They focus on the values of the organization (e.g. should the OR program be expanded, reduced or remain unchanged). (Gibson, et al 2005)

Goal of the Framework

- Develop a common approach to enhance and guide ethical decision-making and practice that applies to both clinical and organizational ethical issues at Listowel Wingham Hospitals Alliance (LWHA).

Objectives of the Framework

- Increase awareness and understanding of the ethical dimension of healthcare provision and administration
- Enable staff, physicians, and Board members to identify, analyze, deliberate, and resolve ethical dilemmas and issues related to their work and roles
- Encourage staff, physicians, and Board members to align their decisions and actions with relevant values, duties and principles
- Educate staff, physicians, and Board members about organizational ethics resources that can assist with decision making (Hamilton Health Sciences, 2010)

When to use the Framework

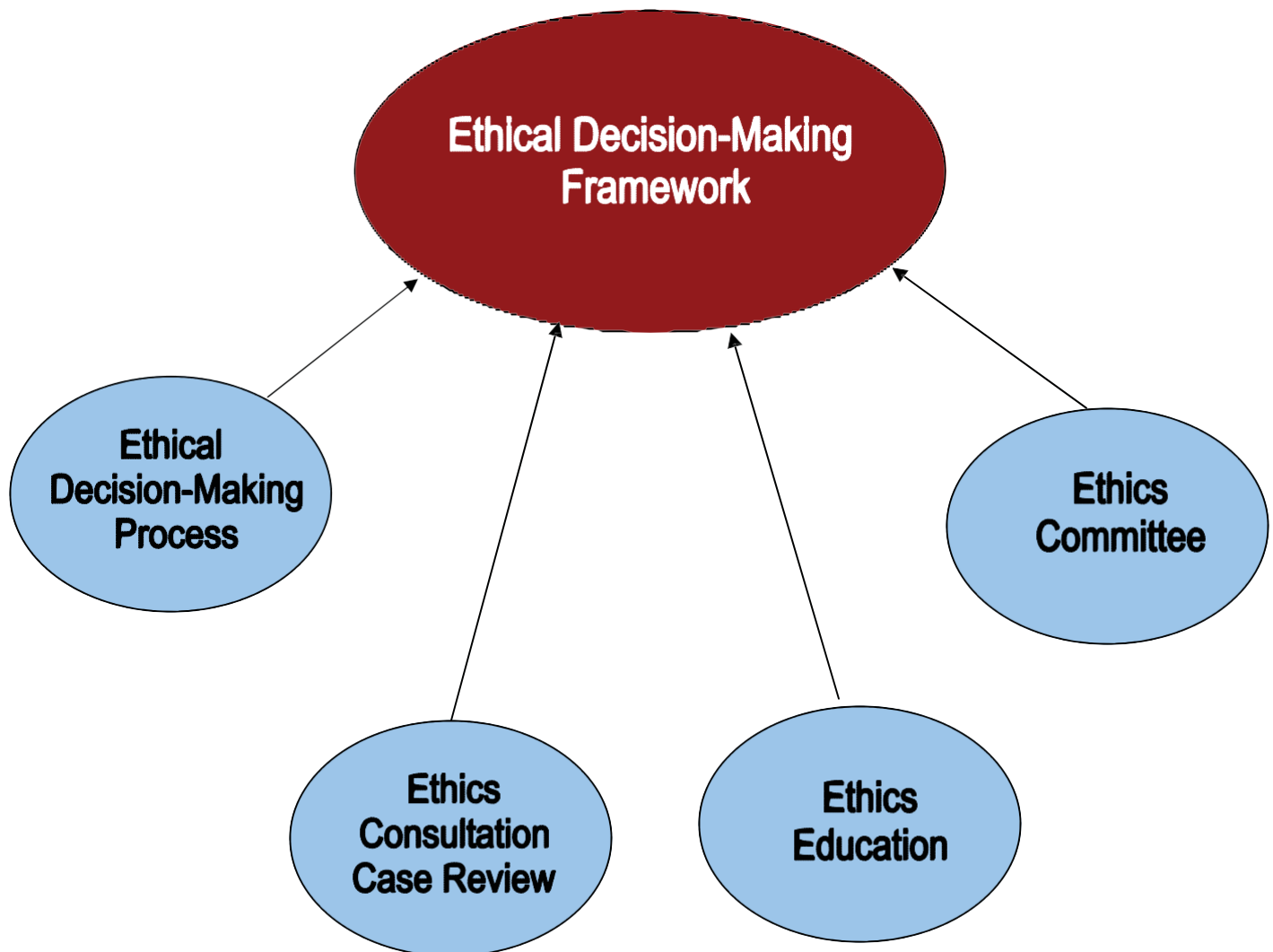
In some situations, knowing the right thing and doing the right thing is difficult or unclear. These situations represent ethical dilemmas, which this framework is designed to address. Signs of an ethical dilemma may include:

- A feeling of moral angst or distress
- Encountering organizational or personal barriers to doing the right thing
- Encountering a situation where two equally important values seem to conflict (i.e. telling the whole truth and maintaining confidentiality)
- Conflict between team members around a challenging situation
- Moral ambiguity

Ethical Decision-Making Framework Components

Ethical Decisions-Making Framework Components The components of the Ethical Decision-Making Framework are:

- Ethical decision-making process
- Ethics consultation and/or casereview
- Ethics Education
- Ethics Committee



STEP 1: Situation



STEP 2: Background

Problem - Tell the story

- What are the facts?
- What exactly is the problem to be resolved?
- Who has the authority to make the decision?
- Who needs to be involved?

- Who should be involved?
- Have I considered other perspectives?
- What values or principles are in conflict?
- How do LWHA Mission, Vision and Values fit?
- Is there relevant organizational or professional policy?
- Is there relevant law?
- What is my personal context/bias?



STEP 4: Recommendation

Decide

- State the decision

Act

- What is the implementation plan?
- Who has to take action?
- What is the communication strategy?



STEP 3: Assessment

Options

- What are the options?
- Are there compromises available?
- What about doing nothing?

Deliberate/Evaluate

- What are the consequences of each of the options?
- How are the options related to identified values or principles?
- What are the risks and benefits of the options?

At each step ask "Do we need expertise to assist?" If the answer is "YES" consult the ethicist.

Ethical Decision-Making Process

The following questions may help you recognize that using the LWHA Ethics SBAR may assist you to come to a decision.

- Are there several possible courses of action?
- Are conflicting values highlighting differences in opinion on the best course of action?
- Are you unable to carry out what you believe is the right course of action?
- Are you concerned about a perceived unethical action being proposed?

STEP 1: Situation

The purpose of this step is to come to an understanding of what exactly is the problem to be solved. Asking the following questions will assist in coming to that understanding.

What is it about this situation now that is triggering ethical consideration?

What are the facts, include subjective data (perspective) and objective data (measurable)?

What, exactly, is the ethical problem that needs to be solved?

Who is the decision maker in this situation?

STEP 2: Background

In this step the problem identified in Step 1 is put into context. It is important to identify who should be involved in the problem and collaboratively consider relevant national and provincial law; organizational mission, vision and values which help guide the work completed at LWHA. Professional values are also important to consider and it is helpful to think critically about one's own perspective, "biases" or stake in the situation.

Is there relevant law? Stop and consider this thoroughly.

Some ethical principles are fundamental to healthcare ([Appendix 1](#)).

Acknowledge the power differentials among the participants in your process and create an open, collaborative environment where all perspectives can be considered. Empowerment is fundamental to fairness.

STEP 3: Assessment

In this step we develop options on how to proceed and deliberate and evaluate the risks and benefits, the advantages and disadvantages and the consequences of each of the options. (This is easy to say - but sometimes hard to do.) When we talk of ethical decision-making we have to resort to metaphors: "weighing options," "balancing competing values," "trading-off interests" and so on. Relate the options to the values or ethical principles that support (or do not support) them. Be prepared to say "We should (should not) do this because..."

What about doing nothing? Remember to consider compromises to identified options.

Writing the options down may help to focus the discussion and come to a decision.

STEP 4: Recommendation

In this step, the recommended course of action is confirmed and the implementation plan is developed. Who needs to act, when and how? What is the communication plan?

Ethical Decision-Making Process

At times the decision may feel like the "least wrong" decision, therefore apply the "**TV test**". The **TV test** is, in effect, a publicity test. Could I step out of the meeting room and identify and explain our chosen course of action to the local media? Could I expect the public reaction to be "wow, that must have been a really difficult decision to make but I can see why they did it..."

It is important to recognize that the decision made is the best decision that could be made given the knowledge and information at the time the decision was made. If new information becomes available the decision may need to be revised. Applying the TV test will help to determine if the decision should be re-visited.

Using LWHA Ethical Framework SBAR Worksheets

Each step in the Ethics SBAR includes guiding questions to consider in the decision making process.

For each step, consider the scope of your role and level of expertise and whether you should involve other resources (e.g., ethicist, manager, patient/family advisory council, administrator) to support, facilitate, or further inform the decision-making process.

Keep the whole toolkit handy as you work through the process, some of the information in the descriptions of the steps may be helpful as you consider the questions on the worksheets. The steps are not always linear or sequential. You may go back and forth between the steps a few times, as you consider information and perspectives.

Use the worksheets during the decision making process. The act of recording will assist the reflective process, coming to a decision and continuing through to action. When you come to a point where you have worked through the problem and you feel you can own the decision, it is time to act.

If that doesn't happen and you need help, consult with others on your team and determine if there is anyone who can assist and consider contacting your Manager/designate.

LWHA Ethics SBAR Worksheet ([Appendix 2](#)).

Ethics Consultation is available during ANY step in the process

Ethical Case Consultation and Case Review

Case Consultations

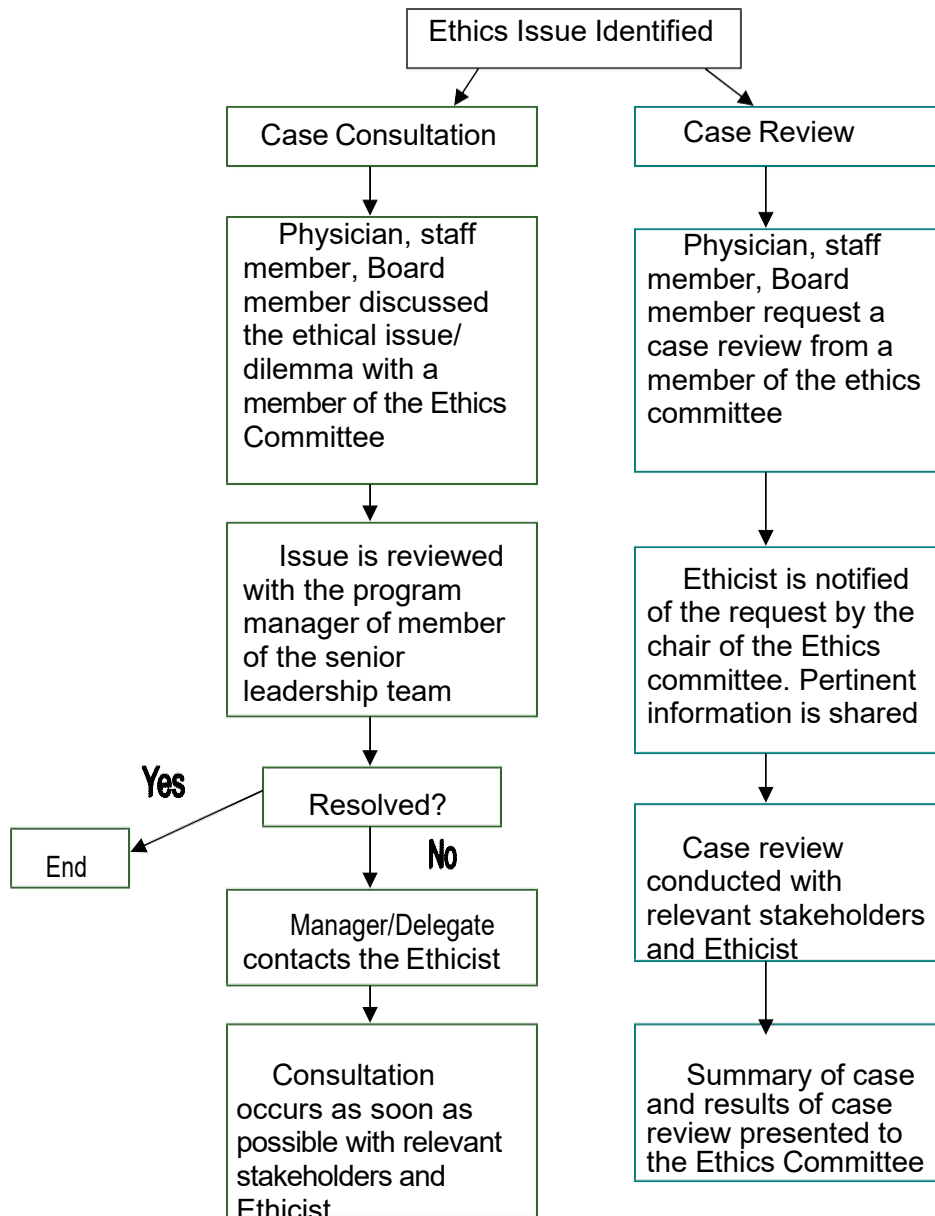
Situations may arise that challenge the capacity of the healthcare team to make good decisions. Case consultations may be a valuable resource at these times. The objective of a case consultation is to identify the relevant ethical issues, assist in decision making and/or planning appropriate care, and communicating the outcome to all relevant parties.

Case consultations may be initiated by a request from physicians, staff members, and members of the Board. In conjunction with the health care team, a patient or a family member may also request a case consultation.

Case Review

A case review is a retrospective study aimed at improving our ability to deal with similar circumstances in the future.

Accessing Case Consultation and Case Review Services



Ethical Education



Ethics Education

Education in ethics raises the sensitivity of staff to ethical issues and assists health care providers and Board members in developing the tools required to solve ethical problems as they arise. Education either builds awareness or buildscapacity.

Education Services Include

- Rounds
- Workshops
- Team meetings

Ethics education will be facilitated by the Ethics Committee.

Ethics Committee



The Ethics Committee will oversee the development or review of policy on ethical issues, planning education events, and serve as the Research Review Committee for the organization.

Terms of Reference for the Ethics Committee are available on the LWHA Intranet.

Acknowledgements



The LWHA Ethics SBAR is based upon the Niagara Health System SBAR Framework and CMGH Ethics SBAR Decision-making Framework.

Resources from the following organizations were reviewed and considered by members of the LWHA Ethics Committee in the creation of the LWHA Ethics SBAR.

Niagara Health System, Ontario

Hamilton Health Sciences Centre, Hamilton, Ontario

Health Sciences North, Sudbury, Ontario

Collingwood General and Marine Hospital, Collingwood, Ontario

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SBAR Ethics Toolkit (Collingwood General and Marine Hospital).

Appendix 1 see below

Appendix 2 [Ethical Decision Making Framework - SBAR Worksheet](#)

References

Appendix 1

Ethical Principles in Healthcare

Delivery of health services is a continual process of balancing values, principles and interests in the allocation and delivery of health services. Commonly, principles or values come into conflict and must be reflected upon to help you decide how to proceed. Below are some of the important ethical principles and concepts that are prevalent in health care service delivery:

Autonomy: the right to self-determination, independence and freedom. Involves the provider's willingness to provide information to the client so that they may make informed decisions and subsequently respect a client's right to choose what is right for himself, even if the provider does not agree with the client's decision. Valid Consent is an example of how this principle is applied.

Beneficence: to "do good". Requires providers perform acts that will benefit clients. Good care requires that the provider understands the client from a holistic perspective that respects the client's beliefs, feelings, wishes and values, as well as those of the client's family or significant others. Beneficence involves acting in ways that demonstrate caring, listening, and supporting.

Non-Maleficence: protection from harm. This requires that providers do not harm their client, even if they cannot protect themselves. Hazards in the workplace may put the client at risk. Staff are expected to identify such risks and act to prevent harm.

Justice: the obligation to be fair to all people, regardless of their race, sex, sexual orientation, marital status, medical diagnosis, social standing, economic level, or religious beliefs. The principle of justice can further be expanded to include distributive justice such as equal access for and fair allocation of resources and procedural justice, or shared decision-making; including people in the decisions that affect them.

Confidentiality: the obligation to keep patient information confidential. Professional standards and privacy legislation provide guidance on the conditions under which health information can be ethically and legally disclosed.

Sanctity of life: the principle that every life is of equal and infinite value. In its utmost form (vitalism), this principle would be upheld at all costs, no matter what is at stake. A more moderate interpretation of this principle is that life has instrumental value (to carry out a purpose).

Quality of life: the principle that mere biological existence does not in itself have value; rather that life gives rise to activities and experiences which provide pleasure, satisfaction and wellbeing. The person whose life is in question is the only reliable judge of that life's quality.