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|   | <p>POLICY</p> <p>SHR Number: 7311-60-009 SCA Number: ETH-0100 Title: ETHICS CONSULTATION SERVICE</p> |
| <p>Authorization</p> <p><input checked="" type="checkbox"/> President and CEO, Saskatoon Health Region <input checked="" type="checkbox"/> CEO, Saskatchewan Cancer Agency</p> | <p>Source: Chair(s), SHR/SCA Joint Ethics Committee Date Approved: June 13, 2013 Scope: Saskatoon Health Region and Saskatchewan Cancer Agency</p> |

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OVERVIEW

In the normal course of health care provision, problems or disagreements will occasionally arise with respect to the moral or “right” thing to do. These problems cause “moral distress” for healthcare workers, patients, clients, residents and families. Ethics consultation services assist with gathering of the essential facts, clarification of the problem, provide informal education about moral principles and options and help identify hidden assumptions and values.

The services described in this policy are not intended to supplant existing ethics services at SHR affiliates.

DEFINITIONS

(All) staff means SHR and SCA employees, practitioner staff, professional staff, students and volunteers.

Ethics Consultant means individuals authorized by Saskatoon Health Region/Saskatchewan Cancer Agency (SHR/SCA) Joint Ethics Committee Chair(s) to provide ethics consultation services.

Ethics Consultation Service(s) means ethics services provided by consultant members of the SHR/SCA Joint Ethics Committee.

Most Responsible Physician (MRP) means the physician who initiates the admission of the patient to the hospital, and who coordinates the care of the patient.

Moral Distress “arises when one knows the right thing to do, but institutional constraints make it nearly impossible to pursue the right course of action”. (as cited in Jameton, 1984)

Personal Health Information means, with respect to an individual, whether living or deceased (Health Information Protection Act (HIPA), 1999):

- (i) Information with respect to the physical or mental health of the individual;
- (ii) Information with respect to any health service provided to the individual;
- (iii) Information with respect to any body part or bodily substance donated by the individual;
- (iv) Information with respect to any body part or bodily substance of the individual;
- (v) Information collected in the course of providing health services to the individual;
- (vi) Information collected incidentally to the provision of health services to the individual;

1. PURPOSE

The purpose of this policy is to establish SHR's/SCA's position regarding ethics consultation services.

2. PRINCIPLES

- 2.1 Moral distress can impact patient care by negatively affecting relationships amongst healthcare providers, patients, clients, residents and families.
- 2.2 Neutral and objective assistance can identify an ethical issue or dilemma. It can also be helpful to obtain an independent review of the pertinent facts about the issue.
- 2.3 Ethics consultants may be able to identify breakdowns in communication leading to moral distress. Once identified, these breakdowns can often be remedied by the team.

3. POLICY

- 3.1 SHR and SCA recognize the need for the provision of an ethics consultation service, available upon voluntary request, to SHR/SCA staff, patients, clients, residents and families.
 - 3.1.1 Ethics consultants provide on-call ethics consultation services to both organizations.
- 3.2 Ethics consultation services will be provided by members of the SHR/SCA Joint Ethics Committee (see procedure).
 - 3.2.1 Ethics consultants shall be covered by SHR liability insurance.
 - 3.2.2 SHR/SCA staff must contact an ethics consultant to obtain ethics consultation services (see procedure).
- 3.3 Before providing an ethics consultation the ethics consultant will determine if consent is required. Whenever possible, ethics consultations will be undertaken with patient/client/resident/proxy/substitute decision maker's (SDM's) consent.
- 3.4 Ethic consultations involving healthcare providers do not always require notification of the Most Responsible Physician (MRP). However, if the ethics consultation involves a change in the treatment plan/care plan, the ethics consultant will notify the MRP.
- 3.5 SHR/SCA will provide necessary personal health information to ethics consultants including access to patient's/client's/resident's medical records for the purpose of conducting and documenting an ethics consultation (see procedure).
- 3.6 Ethics consultants will provide non-binding; opinions, advice and recommendations for facilitative and educational purposes.
- 3.7 Opinions, advice and/or recommendations of ethics consultants do not supplant physician, healthcare provider or any other person's role in decision making.
- 3.8 Ethics consultants will collect, use and disclose personal health information on a need to know basis in compliance with HIPA and other relevant legislation.

- 3.8.1 Ethics consultants shall safeguard personal health information that they use or disclose for the purpose of conducting an ethics consultation.
- 3.8.2 Ethics consultants will determine if consent for use or disclosure of personal health information is required. Whenever possible, ethics consultant will obtain consent from the patient/client/resident/proxy/SDM for use or disclosure of personal health information.
- 3.8.3 SHR Privacy Officer or SHR IT Security may at any time access the entire database for auditing purposes in compliance with 3.8.
- 3.8.4 SHR and SCA will work collaboratively to resolve any outstanding issues.
- 3.8.5 All ethics consultations must be documented in the Ethics Consultation Database software on the SHR network (see procedure).

- 3.9 Ethics consultants are accountable to the person/team requesting an ethics consultation, and therefore, ethics consultants will be transparent about their ethics lens when providing consultation services.

- 3.10 Ethics consultants must declare conflicts of interest, where they exist, to the patient/client/resident/proxy/SDM and or SHR/SCA Joint Ethics Committee Chair(s) or designate (see procedure).

- 3.11 Ethics consultants must be either existing employees or authorized SHR/SCA health region practitioners or volunteers. All ethics consultants must:
 - 3.11.1 Obtain approval by the Chair(s) SHR/SCA Joint Ethics Committee to act as an SHR/SCA ethics consultant.
 - 3.11.2 Volunteer ethics consultants must develop a letter of understanding with SHR or with SCA to formalize their relationship as an ethics consultant for SHR/SCA.
 - 3.11.3 Attend training provided by the ethics consultants in order to be authorized to provide ethics consultation services.
 - 3.11.4 Submit a current criminal record check and vulnerable sector search, at your own expense, to the Chair(s) SHR/SCA Joint Ethics Committee.
 - 3.11.5 Sign the SHR or SCA Confidentiality Agreement.
 - 3.11.6 Obtain an SHR identification indicating their ethics consultant role and present it when required.

- 4. **ROLES AND RESPONSIBILITIES**
 - 4.1 **SHR/SCA Joint Ethics Committee**
 - 4.1.1 Provides leadership, coordination and support for ethics-related activities with particular focus on clinical ethics, organizational ethics, education and training and where appropriate policy review.
 - 4.1.2 Oversee the SHR/SCA Ethics Consultation Services.
 - 4.1.3 Reviews and updates the Ethical Decision Making Framework.
 - 4.1.4 Monitor s trends in ethical issues or dilemmas (including research) and reports these to respective senior leadership.
 - 4.1.4.1 Liaise with the University of Saskatchewan Research Ethics Board, as required.

 - 4.2 **Ethics Consultants**
 - 4.2.1 Conduct ethics consultations in accordance with this policy.
 - 4.2.2 Provide on call ethics coverage to all SHR/SCA sites and affiliates.
 - 4.2.3 Perform on call ethics services as per roster.

- 4.2.4 If unavailable arrange for an alternate ethics consultant to provide coverage (all request for changes are directed to the SHR/SCA Joint Ethic Committee administrative support).
- 4.2.5 Comply with SHR/SCA policies.
- 4.2.6 Provide ongoing ethics training in the form of lectures or mentoring ethics trainees.
- 4.2.7 Ethics consultants who are SHR staff participate on SHR Incident Command when requested by senior leadership.
- 4.2.8 For a detailed role description see [Ethics Consultant Role Description](#).

4.3 All Staff

- 4.3.1 Be aware of SHR's/SCA's Ethical Decision Making Framework - [IDEA: Ethical Decision-Making Framework Guide & Worksheets](#).
- 4.3.2 Provide patients/clients/residents/proxy's/SDM with the [Bioethics brochure](#) in situations which may contain moral/ethical content.
- 4.3.3 Contact an ethics consultant to obtain ethics consultation services (see procedure).

5. POLICY MANAGEMENT

The management of this policy including policy education, monitoring, implementation and amendment is the responsibility of Chair(s), Joint SHR/SCA Ethics Committee.

6. NON-COMPLIANCE/BREACH

Non-compliance with this policy will result in a review of the situation or incident by the by Chair(s), SHR/SCA Joint Ethics Committee. Disciplinary action may involve a verbal or written warning, or in serious cases, suspension or termination of employment or ethics consulting privileges with SHR/SCA.



7. REFERENCES

Nathaniel, A. (2012). Moral distress. In J. Fitzpatrick & M. Wallace Kazer (Eds.), *Encyclopedia of nursing research* (3rd ed., p. 302). New York: Springer.

Health Information Protection Act, S.S. c.H-0.021 s.2 (1999)

The IDEA: Ethical Decision-Making Framework was developed by the Regional Ethics Program based at The Credit Valley Hospital and Trillium Health Centre. It builds heavily upon the Toronto Central Community Care Access Centre Community Ethics Toolkit (2008), which was based on the work of Jonsen, Seigler, & Winslade (2002); the work of the Core Curriculum Working Group at the University of Toronto Joint Centre for Bioethics; and incorporates aspects of the accountability for reasonableness framework developed by Daniels and Sabin (2002) and adapted by Gibson, Martin, & Singer (2005).

Content within the Framework has been modified and used with permission from Dianne Godkin, RN, PhD (Senior Ethicist, The Credit Valley Hospital & Trillium Health Centre), March 22, 2012.

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1. PURPOSE

The purpose of this procedure is to establish the process for ethical decision making and accessing SHR/SCA's ethics consultation services.

2. Procedure

2.1 All staff are encouraged to use SHR's/SCA's Ethical Decision Making Framework [IDEA: Ethical Decision-Making Framework Guide & Worksheets](#) for ethical decision making.

Accessing Ethics Consultation Services

2.2 To request an ethics consultation, call RUH Switchboard (306-655-1000).

2.3 Provide switchboard with the name and telephone number of the person requesting the ethics consultation.

2.4 Switchboard provides the name of the ethics consultant on-call at that time and contacts this individual.

2.5 The ethics consultant will speak with the individual requesting an ethics consultation as soon as possible, usually within twenty four (24) hours.

2.5.1 Patient records will be reviewed if necessary.

2.6 If a review meeting is required, every effort will be made to schedule this meeting within three (3) working days following receipt of the ethics consultation request.

2.6.1 A meeting will not always be necessary. The ethics consultant may, on occasion, provide sufficient assistance to enable resolution of the problem upon initial review of the case and in discussion with the individual requesting the ethics consultation.

2.6.2 Ethics consultants might attempt to facilitate discussions amongst the relevant parties, who will then be encouraged to make their own decisions regarding the ethical issue or dilemma.

2.7 When appropriate, all ethics consultants will use the [IDEA: Ethical Decision-Making Framework](#) to address ethical issues.

- 2.8 The ethics consultant will raise issues to the Chair(s) or designate in the following circumstances:
- 2.8.1 The ethics consultant is unable to perform his/her duties due to time constraints,
 - 2.8.2 Conflict of interest situations including issues of conscience,
 - 2.8.3 Ethics consultations arising in Regina and requiring an in person meeting.
 - 2.8.4 Ethics consultations arising outside of SHR/SCA.
 - 2.8.5 When an ethics consultant requires input.

Documentation

- 2.9 All ethics consultations must be documented in the Ethics Consultation Database software on the SHR network.
- 2.9.1 Identifiable personal health information may only be stored on the Ethics Consultation Database.
 - 2.9.2 Only ethics consultants have access to the Ethics Consultation Database and that too will be limited to their own records. Ethics consultants may choose to share access to a record amongst themselves on a need to know basis.
 - 2.9.3 SHR Privacy Officer or SHR IT Security may at any time access the entire database for auditing purposes.
 - 2.9.4 SHR and SCA will work collaboratively to resolve any outstanding issues.
- 2.10 If an ethics consultation request was received via a Consultation Request form, documentation must be recorded on the form and placed in the patient, client, resident's chart. Documentation may also take place in the Progress Notes or via a written report. If documentation is required, the ethics consultant will determine the appropriate means of documentation.
- 2.10.1 When appropriate document consent, if obtained.
- 2.11 Where an ethics consultation brings to light an ethical concern in relation to SHR/SCA policy, or if policies are discovered to be in conflict, the ethics consultant will advise the Chair(s) of the Joint SHR/SCA Ethics Committee.
- 2.11.1 The Chair(s) or designate will advise the identified policy lead and/or the SHR Policy Consultant or the SCA Policy Consultant.

How to become an Ethics Consultant

- 2.12 Contact Chair(s) SHR/SCA Joint Ethics Committee for more information.

3. PROCEDURE MANAGEMENT

The management of this procedure including procedure education, monitoring, implementation and amendment is the responsibility of Chair(s), Joint SHR/SCA Ethics Committee.

4. NON-COMPLIANCE/BREACH

Non-compliance with this procedure will result in a review of the situation or incident by the by Chair(s), SHR/SCA Joint Ethics Committee. Disciplinary action may involve a

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The following documents have been referenced and linked in this policy:

- 1) IDEA: Ethical Decision-Making Framework Guide & Worksheets
- 2) Ethics Consultant Role Description
- 3) Bioethics Brochure

These documents are available on the SHR InfoNet network at:

Path: InfoNet Home >> Bioethics >> Pages >> Ethics Consultation Policy

These documents are available on the SCA network at:

Path: The Staff Room >> Information >> Ethics Program

What can I expect from an ethics consultation?

An ethics consultant will help to clarify the nature of the ethical dilemma and identify potential solutions based on ethical values and standards. The ethics consultant will be clear about their ethical viewpoint when providing consultation services, and they will apply the IDEA: Ethical Decision-making Framework, where appropriate. The recommendations, advice or opinions of the ethics consultants are not binding. Reference: Ethics Consultation Service policy.

A consultation may take place over the phone, in-person or through a meeting, which includes all the relevant people. The ethics consultant will disclose any conflict of interest they may have, including issues of conscience.



How do I call for an ethics consult?

- Ethics consultants are available for consultation during regular work hours (8 a.m. to 4 p.m. Monday to Friday, excluding statutory holidays).
- Call the Royal University Hospital switchboard at 1-306-655-1000 and ask for an ethics consultant.
- The switchboard will direct your call to an ethics consultant. If an ethics consultant is not available, you should expect to receive a call as soon as possible, usually within 24 hours.

Anyone may request an ethics consultation
Call 1-306-655-1000

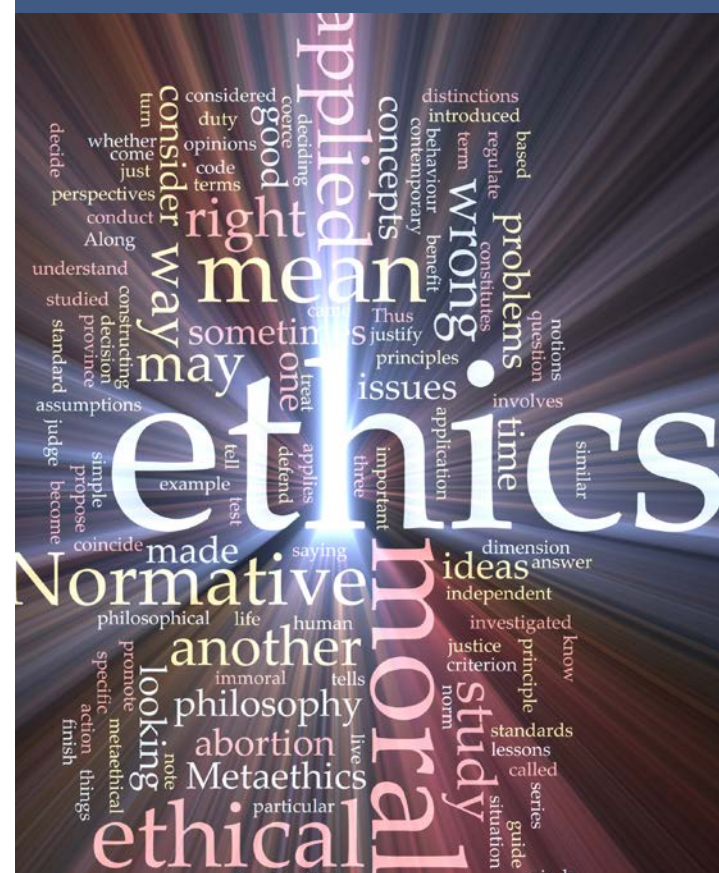
Ethics Services Contact Information:

- Saskatoon Health Region/Saskatchewan Cancer Agency Bioethicist (1-306-655-2068)
- Saskatoon Health Region/Saskatchewan Cancer Agency Ethics Admin. Coordinator (1-306-655-2877)
- St. Paul's Hospital/Catholic Health Association of Saskatchewan Ethicist (1-306-655-5197)
- St. Paul's Hospital Ethics Admin. Support (1-306-655-5808)

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Saskatchewan Cancer Agency Joint Ethics Committee

Bioethics and You:

Where practice meets principle



Saskatoon Health Region
St. Paul's Hospital
Saskatchewan Cancer Agency



Bioethics and You:

Every day healthcare providers and administrative staff make decisions about how to provide the very best care possible for patients/residents/clients and families.

Sometimes, situations arise that present unique challenges – particularly when conflicting expectations, standards of care and value systems are involved.

What is bioethics?

Bioethics is the study of issues brought about by advances in biology and medicine and their effects on patients/residents/clients, families and healthcare providers. Bioethics deals with the ethical questions that arise in the relationships among life sciences, technology, medicine, law and philosophy.

The bioethics principles of respect for autonomy, justice, beneficence and non-maleficence are applied and a risks and benefits assessment is performed in the decision-making process.

Bioethics is a key component of clinical care, organizational decision-making and research in healthcare organizations.

What is an ethical dilemma?

An ethical dilemma arises when competing values or duties pull us in different directions (e.g., you want to be honest but you are worried that the truth may cause harm to someone).

What are the signs that an ethical dilemma may exist?

- A feeling of discomfort about a decision or course of action.
- Being faced with more than one possible course of action and being unclear which is best.
- Disagreement between people about what should be done in a particular situation.
- Concern that someone has been treated unfairly.

Ethical dilemmas may include issues like:

- Access to care or treatment
- Adherence to treatment or living at risk
- Advance care directives
- Beginning-of-life care or end-of-life care
- Capacity (ability to give consent)
- Cardiopulmonary resuscitation (CPR)
- Conflict of interest
- Conscientious objection
- Disclosure
- Diversity and cultural sensitivity
- Duty of care
- Informed consent
- Justice, equity and human rights
- Medical assistance in dying
- Moral distress
- Priority setting and resource allocation
- Privacy and confidentiality
- Respect for autonomy and empowerment
- Substitute healthcare decision maker
- Withholding or withdrawing of treatment

What does an ethics consultant do?

An ethics consultant works with you and those involved, ensuring all options and solutions are carefully considered and understood in order to reach an ethically sound decision.

Who may request an ethics consultation?

Anyone experiencing an ethical dilemma may request an ethics consultation, including patients/residents/clients, family members and staff. Permission is not required from leadership to request an ethics consult.

When should I request an ethics consult?

- When there are seemingly irresolvable disagreements over ethical questions/concerns.
- When there is a disagreement on whether an ethical dilemma actually exists.
- When you have tried to resolve the dilemma, but have not been successful.

