

“I CAN’T BELIEVE SHE DID THAT!”

ETHICS & PROFESSIONALISM

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- I have no conflicts of interests and no bias towards any companies or products.

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- Case Study questions will be on the app. They are easy! Don't sweat it!!
- The app is free!!

OBJECTIVES

- At the end of this presentation, participants will be familiar with the three step Ethical-Decision Making Model.
 - 1. Is it Legal?
 - 2. Is it Balanced?
 - 3. How Does it Make me Feel?
- This model can be used to help improve patient outcomes by placing the patient first in regards to confidentiality, accountability, liability and controversial medical issues.

ETHICS

- Right versus wrong
- Good versus bad
- "Thou Shalt" versus "Thou Shalt Not"
- Absolute versus situational
- Do No Harm!

DECISION MAKING

- Ethics not really determining right and wrong answers but looking at how we as humans come to decisions about what is right and wrong.
- BIAS -- preference or inclination that causes impartial judgment
- Prejudice -- judgment performed before examination of facts
- A person's ethical decisions will be based on their personal belief system, personal value system and on moral philosophy.

ETHICAL DECISION MAKING

- “There is no right way to do a wrong thing.”—From The Power of Ethical Management by Blanchard and Peale
- Three Step Decision Making Model developed over 30 years ago—simplistic—time tested—Effective

STEP ONE

- Is It Legal?
 - Failure to abide by the law results in penalties, fines, or imprisonment.
 - If it is not legal, it cannot be ethical.
 - If the answer is NO, you must STOP! Go no further with the debate.

PRACTICE

- Is it Legal?
- TR has been audited and asked to submit evidence of 24 CEU's. TR moved recently and cannot find any paperwork that relates to his Continuing Education. He thinks he can reconstruct and remember all the events he attended.
- Kahoot:TR with limited evidence of 24 CEU's should:

STEP TWO

- Is it Balanced?
 - Does the situation seem extreme?
 - Too much of a "good thing" becomes a bad thing.
 - "All work and no play makes Jack a dull boy"

PRACTICE

- Is it Balanced?
 - A caregiver intentionally holds back a medication with intent to steal the medication for their own use or to resell it. The patient really did not "need it" at this time and would not be in any harm if the medication was not given.....
 - Kahoot:With holding the med with intent to keep it when the patient does not need it, is ethical.T/F

STEP THREE

- How Does it Make Me Feel?
 - Do not ignore your feelings about a situation.
 - Feelings guide us mentally and even physically and are a product of our conscious and subconscious beliefs.

PRACTICE

- How Does it Make Me Feel?
 - Lucy is 55 and having chest pain & short of breath. She believes she is having a heart attack. Her daughter Ethel is visiting & and takes her to the ER. Ethel does not know Lucy is a frequent visitor to the ER, averaging once a week visits to get meds for back pain. On this day the staff gets in no hurry to help Lucy. After 30 minutes of wait time and increasing pain, Ethel goes to the desk to complain. In the meantime, Lucy arrests and after an extreme code situation dies.
 - The hospital is ethically responsible for Lucy's code situation.T/F

SEEMS EASY, BUT IS IT?

- What is Patient Abandonment?
 - When you are assigned to a patient, and you do not fulfill the job duty to the best of your ability, that is abandonment.
 - EVEN IF THE ASSIGNMENT IS UNREASONABLE!
 - A hospital is required to staff properly, but not required to divide workload properly.
 - If you make a choice to not see a patient because you do not have time and you do not make arrangements for someone else to see them, (even if the assignment was unreasonable) you could be charged with abandonment.

CASE

- The night shift therapist calls and says they are running ten minutes late. You have an appointment and accept the word of the therapist that they will be there. The therapist is actually one hour late and treatments get missed.
- Kahoot: The Therapist that left without coverage is liable for patient abandonment.T/F

HOW IMPORTANT IS CONSENT?

- Assault- putting someone in fear of an unlawful or unpermitted touching
- Battery- A completed Assault (intentional, wrongful, offensive physical contact without consent.)
- Swinging at someone is an assault. Hitting them is a battery.
- If you intentionally misrepresent what will happen, what the risks and benefits are, and what the alternatives are, you commit either an assault or a battery.

CASE

- Mike tells the patient he is going to draw a blood gas. The patient says she heard about those and they really hurt. Mike responds, "It's no big deal. You will feel a little sting on your wrist."
- Kahoot: Mike got informed consent for the ABG procedure he is about to perform.T/F

STILL EASY? LET'S PUSH IT FURTHER.

- Back to Step 3: How Does it Make Me feel?
 - What about when it doesn't feel right?
 - Fidelity implies an obligation to duty while on the job.
 - Direct Supervisor/Team Leader/Shift Report
 - Risk Management- part quality assurance, part medical error prevention and part customer satisfaction
 - It is the job of EVERYONE in a facility to avoid medical errors and to be on the lookout and report them when they occur.

CASE 1

- Efen Saldivar is an American serial killer who murdered patients while working as a RT in the state of California. He initially confessed to 50 murders but later retracted his confession. When Saldivar was first reported to supervisors for having Succinylcholine in his locker, no further action was taken. Reasons stated were that no one wanted to believe they could be working with anyone not competent and caring, the supervisors felt the person making the report had an axe to grind with Saldivar and there was also a desire to protect Saldivar's supervisors from making a report to the California Board for Respiratory Care.
- Kahoot:Who's responsibility is it to follow up and report when something doesn't feel right?

CASE 2

- After a busy shift, your relief shows up and while giving report you smell alcohol on their breath and notice slurred speech. You question your co-worker about your suspicion of alcohol use and they admit it but state it was only a couple, no big deal and assure you they are able to do their job. You are torn between fidelity to your patients and fidelity to your co-worker.
- In the fidelity case, who should take precedence? Fidelity to patients or co-worker?

CONFIDENTIALITY

- When confidentiality is broken, one must balance the need to protect others from foreseeable harm with the need to protect confidentiality.
- Thus, Confidentiality may be broken when a concern exists for the public's welfare. (TB and sexually transmitted diseases must be reported to public health agencies.)—(Child and Elder abuse must also be reported.)

CASE

- Your sister is dating a new man. She's really excited to bring him home to dinner at your mother's and has invited the whole family over for the evening. (Your mother is excited too and agreed to cook!) When you arrive you immediately recognize the new man as one you have had in your Emergency Room department frequently and you are sure his past medical history entails HIV + and HEP C + indicators.
- Kahoot: You can tell your sister what you know about her new man. T/F

I CANT BELIEVE SHE DID THAT!

- What examples do you have where ethics and professionalism clearly were crossed?
- Looking back at the three steps, could the lines have been avoided?
 - Was it legal?
 - Was it balanced?
 - How did/does it make you feel?

QUESTIONS FOR ME?

- My information is shared from: Applied Law & Ethics for Health Professionals (Stanford & Connor, 2020), The Respiratory Therapist's Legal Answer Book (DeWitt, 2006), Respiratory Care Principles and Practice (Hess, Macintyre, Galvin, & Mishoe, 2016).


