Ethical Decision Making in times of Public Health Catastrophe

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Learning Objectives

• List and describe public health ethical principles and an ethical framework to resolve moral tensions disasters might bring up.

• Review scenarios that will illustrate how the framework and principles can be used.

• Develop methods to make decisions with collaborators in the midst of a disaster.
Problems of Catastrophes

In the midst of severe crises, our ordinary assumptions may crash against realities of limited resources and uncertain conditions, despite efforts to prepare.
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<th>Biomedical and Public Health Ethics</th>
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<td><strong>Autonomy</strong></td>
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<td>Personal autonomy vs. the common good</td>
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<td><strong>Beneficence</strong></td>
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<td>Obligation vs. responsibilities</td>
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Biomedical and Public Health Ethics (cont)

- Non maleficence, minimize harm
- Justice
- Authority and decision making
- Least unfair distribution of benefits and burdens

http://plato.stanford.edu

Allocating Resources

Processes should

- Be fair
- Promote human dignity
- Be part of our democracy
- Be a “just” way to proceed
- Help gain the support of suspicious populations

Accessed 11/15/08.
The Precautionary Principle

- Transparency
- Inclusion in the decision-making process
- Accountability

The Precautionary Principle (cont)

Action, even coercive action, must be taken when there is a serious threat to the public’s welfare, often in the face of uncertainty.
Wingspread Statement on the Precautionary Principle

Where an activity raises threats of harm to the environment or human health, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically.

Coercive Public Health Action

Must be shown to be

• Effective
• Necessary
• The least restrictive means
• Proportional
• Impartial

Poll Question

Most people make ethical decisions based on a blending of many different ethical frameworks or approaches, even though the deliberations may not be conscious.

A. True
B. False
Scenarios Illustrating Need for Ethical Principles
Situations That Might Trigger Ethical Concerns

Implementation of social distancing (isolation or quarantine) with potential closure of business, schools, churches, recreation, social events, and mass gatherings.

Situations and Events That Might Trigger Ethical Concerns

• Who makes decisions when multiple entities are involved?
• How will public health officials include and communicate with constituents?
• Where will resources come from?
• What will be sacrificed?

Implementing redistribution of resources to protect the public’s health in the face of a serious infectious disease epidemic (SARS):

“Hospitals closed; cancer treatments and surgery were postponed. The dead were disposed of quickly in the absence of family and friends.”
Obligation and Family Responsibility

One heroine of SARS in Canada—Professional Obligation and Family Responsibility when asked by the Commission if she ever considered not going to work, she said:

“I was one of the ones that could go in, to help my work. I think it’s your duty to go in as a nurse, to go to the last, to the very end.”
May 24, 2003, North York Memorial Hospital

SARS was back. Many friends and colleagues were ill. She had to go back to work the next day:

“I said to my husband, I’m going to go, but I am so afraid, and I saw my husband’s face and we both had tears in our eyes because I thought I was the next one to get it. I was just so emotional. I just felt so awful. I have to go in, I’m still standing here, I haven’t got SARS, but I thought I was going to be the next one, ’cause all our nurses were falling down.”

WHO has the authority. Who has the authority?

In April, 2003, after the first wave of SARS had subsided, the World Health Organization (WHO) issued a travel advisory against Toronto, an economic disaster for the city and the province. Ontario’s Minister of Health convinced the WHO to revoke the travel ban one week after it had been instituted.
Accountability: the Second Wave

“On May 23, 2003, officials announced that a ‘few’ new SARS cases had been discovered. It was revealed, almost as an afterthought, that a ‘few’ patients at North York General Hospital were being investigated for SARS. Under questioning by the media, the truth emerged. SARS was back with a vengeance.”
Distributive Justice

“The decision to implement rationing at any facility must be triggered in collaboration with public health authorities and must be coordinated within the community, among communities, and between the local communities and the state.”

Least Unfair Distribution of Benefits and Burdens

“Ethically sound responses to disaster should not exacerbate social, resource and economic disparities.”

But how do you focus on protecting the most vulnerable when the entire social infrastructure may fail because suppliers, protectors, and healers do not have the resources to fulfill their missions?

In the past year my coworkers and I have had formal structured discussions about ethical decision-making approaches to be used during a disaster.

A. True
B. False
Discussion Question

Please provide examples of discussions you have had or wished you could have had to be included in the March 2009 Hot Topics broadcast.

Write them in the text chat now or send them to Harvey or Francesca later.

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Francesca Holme: holmef@u.washington.edu
Decision Making Processes
Decision Making Processes (cont)

Decisions to change directions or start a new intervention will depend on a flexible, rapid, rational planning process, not on set plans that are in place.

A Decision-Making and Analysis Process (DMAP)

When decision makers must rapidly alter course during crises, based on evolving conditions, or change activities involving multiple jurisdictions, they will benefit from an existing, tested, validated Decision-Making and Analysis Process (DMAP).

http://en.wikipedia.org/wiki/Recognition_primed_decision
http://en.wikipedia.org/wiki/Naturalistic_decision_making
Planning a Framework for Decision Making

• Prior to crises, create a protocol for decision making or adapt an existing protocol.

• Describe situations or issues when such mechanisms should be used.

Planning a Framework for Decision Making (cont)

- Exercise with partner/stakeholders, so all know the vocabulary, principles, and methodology.
- Improve as needed.

The Process

• Should be scalable to larger or smaller venues
• Should include stakeholders from different geopolitical entities (cities, counties, countries)
  • political leaders
  • business leaders
  • educators
  • representatives of public institutions
  • health care providers
Using the Framework for Decision Making During a Disaster

• During a crisis, recognize that you are faced with a moral issue.

• Call together appropriate partner/stakeholders.

• Assemble data and supporting information.

• Include information that is uncertain.
A Framework for Ethical Decision Making

• Evaluate alternative actions from various moral and practical perspectives (to be discussed in detail at the March 2009 Hot Topics broadcast).

• Make a decision about what to do, when to take action, how to fund and implement.

• Act and reflect on the decision and alter course, if necessary.
Important Characteristics of a DMAP

Process that leads to action steps should:

- Be do-able—quickly (i.e., over several hours)
- Collaborative
- Consistent
Important Characteristics of a DMAP (cont)

Process that leads to action steps should:

• Resolve thorny issues of resource allocation
• Minimize social disruption
• Be defendable
How to Use the DMAP Tool

• Document stakeholder involvement

• Assure that conditions present at the time of the decision making are included in the deliberation

• Describe methods on how to finalize decisions, fund programs, and implement actions
Anchoring is a cognitive bias that describes the common human tendency to rely too heavily, or "anchor," on one trait or piece of information when making decisions, causing an error in accurately predicting the utility of a future outcome.

Discussion

• What aspects of this Hot Topics presentation should be expanded for the March 2009 broadcast?

• Other suggestions and comments?