



# UPDATE

from the National Center for Ethics in Health Care

Fall 2005

## FEATURED — IntegratedEthics Demonstration Group

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The National Center for Ethics in Health Care is VHA's primary office for addressing the complex ethical issues that arise in patient care, health care management, and research.

Our mission is to clarify and promote ethical health care practices throughout VHA and nationwide. The Center supports clinical, organizational, and research ethics by:

- providing ethics consultation to VHA leaders and field-based ethics programs on request
- developing and interpreting VHA national policies concerning health care ethics
- developing and delivering educational programs
- creating and administering tools to evaluate the quality of ethics programs and practices across VHA
- publishing ethics-related news, events, best practices, cases, and feature articles

In August the National Center for Ethics in Health Care launched the demonstration phase of its IntegratedEthics initiative, with 26 facilities participating from across VHA. The initiative takes its name and its philosophy from the recognition that in today's complex care environment, challenges in health care ethics can't be met by a discrete committee that operates in relative isolation from the rest of the institution it serves. Nor can today's challenges be met when activities are carried out independently by different programs and offices. During the year-long demonstration, participating facilities will use educational materials and tools developed for this national education and organizational change initiative to take stock of their current activities in health care ethics and build on local strengths and resources to implement a more systematic, integrated approach.

Facilities were selected for participation in the demonstration group through a national application process based on the facility's having an existing active health care ethics program, leadership support, and experience with organizational change projects. Applicant facilities were asked to describe their current health care ethics activities and programs, including ethics consultation, and to provide copies of written policies or other documents (if any) defining the structure and operation of their health care ethics program. Applicants were also asked to candidly identify their strengths in health care ethics and opportunities for improvement, and to define their goals for participating in the demonstration group.

*[IntegratedEthics] will help us transform our current program into a systematic, proactive, broad spectrum ethics program... workshop participants*

Each participating facility sent a four-person team to one of four IntegratedEthics workshops held across the country that were designed to introduce the initiative and materials. The day-long program familiarized workshop teams with the key concepts of the IntegratedEthics approach and introduced program materials and tools, including selections from training videos. Specially designed exercises also encouraged teams to brainstorm ways to implement the initiative when they returned to their facilities.

The composition of workshop teams reflected the initiative's emphasis on leadership participation, and its approach to organizing health care ethics around three



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in Health Care

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## STAFF NEWS

Ethics Center staff regularly participate in conferences and programs within VHA and with outside audiences. Below are highlights of recent activities.

On Veterans Day, Ethics Center Director *Ellen Fox, MD*, was an invited speaker at the Seventeenth Annual Dorothy J. MacLean Fellows Conference at the MacLean Center for Medical Ethics of the University of Chicago. In a special session, Dr. Fox presented on "A New National Initiative to Improve Ethics Quality in Health Care." She explained the rationale behind the Ethics Center's IntegratedEthics initiative, and described the education materials and tools developed for the initiative and activities of the year-long demonstration.



Several members of the Ethics Center staff participated in the 2005 Annual Meeting of the American Society for Bioethics and Humanities held in Washington, DC in October:

*Kenneth Berkowitz, MD*, chief of the Ethics Consultation Service, was a faculty member for a half-day preconference workshop, "Clinical Ethics Consultation: Putting Bioethics into Practice." Dr. Berkowitz also participated in a panel discussion, "New Systematic Approaches to Healthcare Ethics Consultation," later in the program in which he introduced the ASBH audience to the Ethics Center's step-by-step "CASES" approach. "CASES" was also featured in a separate poster session.



*Kenneth Berkowitz*

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## FROM THE DIRECTOR

In recent years, VHA has been applauded as a national leader in health care quality and patient safety. Today, with the IntegratedEthics initiative developed by the National Center for Ethics in Health Care, we have an opportunity to play a leading role in health care ethics as well.

As the Ethics Center launches the demonstration phase of this ambitious national education and organizational change project, we want to thank participating colleagues throughout VHA who've joined us in this important undertaking. Response to the Ethics Center's call for applications was enthusiastic, and feedback from participants in the kick-off workshops held in August has been very positive.

Leadership support is a key feature in our vision of IntegratedEthics and we are very gratified to have the endorsement of the Under Secretary for Health and active participation in this year-long demonstration by VHA leaders at the VISN and facility level.

We look forward to working with our colleagues over the coming year, and to their input in helping the Ethics Center evaluate the initiative and design improvements. We expect to begin national rollout of the revised Integrated Ethics program in early 2007.

## CONSULTATION NOTES

The Ethics Consultation Service of the National Center for Ethics in Health Care responds to inquiries from VHA staff. To request a consultation send an email to [vhaethics@va.gov](mailto:vhaethics@va.gov)

Requests to the Center's Ethics Consultation Service can involve not just health care ethics concerns but also legal concerns, questions about clinical practice standards, patient safety issues, etc. In such cases, the task of the consultation service is to clarify and analyze the health care ethics concerns at stake to help assure that VA addresses the overall problem effectively. When the consultation service identifies issues that are within the purview of other offices we work closely with those offices and/or refer the requester directly to them to ensure that such issues are appropriately addressed.

The consultation service was recently asked to comment on the matter of patient requests to remove sensitive information from the health record. In the particular case that triggered the consultation request, a patient had asked that the results of toxicology screening be deleted from his record on the grounds that he did not give consent for the screening. He argued that he was misinformed about why he was being asked to give a urine specimen when he was told that it was for "routine urinalysis."

One key task in health care ethics consultation is to help frame the central ethical question in a case. Here, the

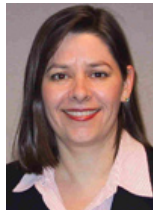
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Robert Pearlman

Robert Pearlman, MD, chief of the Ethics Evaluation Service, Mary Beth Foglia, RN, MN, MA, a member of the evaluation staff, and Barbara Chanko, RN, MBA, a member of the Ethics Consultation Service and the Center's Integrat-

edEthics Coordinator, joined Dr. Fox as faculty for a second pre-conference workshop, "Preventive Ethics: A Quality Improvement Approach to Healthcare Ethics." The session explored the value of using a quality improvement approach to identify and



Barbara Chanko

address systemic issues that can lead to recurring ethical concerns in health care. Workshop participants were introduced to "ISSUES," a step-by-step method for preventive ethics developed for the Center's IntegratedEthics initiative.



Mary Beth Foglia

And in a session of presentations devoted to ethical issues in mental health, Ruth Cecire, PhD, a member of the Center's Ethics Policy Service, addressed the overall theme of the 2005 meeting, "Suffering and Justice," in her paper entitled "Restorative Justice:



Ruth Cecire

An Ethics Approach to Mental Health Treatment for Returning Veterans." Dr. Cecire discussed how mental health practitioners could help veterans address the moral complexities of their combat experience.

consultation service formulated the central ethical question along these lines: Given that it is important to maintain the integrity of the health record, yet patients have a right to protect their privacy by refusing tests that result in sensitive health information, is it ethically justifiable to remove information from the health record when that information has been obtained without adequate informed consent?

Another key task is to clarify ethical standards for practice and their implications for the given fact scenario—e.g., informed consent and its implications for privacy and fairness. Our response focused on clinicians' obligation to provide the information that "a patient in similar circumstances would reasonably want to know" about a proposed treatment or procedure, as well as any alternatives. Including the fact that the intervention will introduce sensitive information into the health record—whether drug use, HIV status, pregnancy, or other information someone might reasonably want to keep confidential.

By providing expertise in health care ethics, the Center's Ethics Consultation Service complements the work of other program offices in meeting veterans' needs.

"IntegratedEthics Demonstration Group"— cont'd

core functions: ethics consultation, preventive ethics, and ethical leadership. Each participating facility sent a senior leader (e.g., medical center Director or Chief of Staff), a practicing clinician who is recognized as an opinion leader within the facility, an ethics consultant (typically the chair of the local ethics committee), and a quality manager.

The Ethics Center will provide ongoing support over the demonstration year through monthly teleconferences and a special password-protected website that hosts program materials, interactive online courses, and a moderated IntegratedEthics listserv. Program materials include primers on each of the core functions and a variety of administrative and assessment tools to help facilities implement their local IntegratedEthics programs and evaluate their health care ethics activities. In addition, the Center's Ethics Evaluation Service is collecting data from participating facilities to evaluate IntegratedEthics materials and the demonstration overall to identify program adjustments needed before additional facilities are invited to participate in the next phase of the initiative in 2007.

As one workshop participant put it, "We really appreciate that this isn't just some pie-in-the-sky model. Integrated Ethics gives us real, concrete tools to help us improve our health care ethics programs. And getting leadership buy-in is key; having so many facility directors be part of the workshop teams sent a wonderfully positive message too."

For more information, visit the [IntegratedEthics website](#).

## LOOKING AHEAD

**NOW AVAILABLE!**

### **Ethics Consultation Resources**

Integrated Ethics materials are intended to be used together as part of a comprehensive program of organizational change. However, the Center is pleased to make a stand-alone [primer and video course on ethics consultation](#) available to all VHA facilities:

1. **Ethics Consultation: Responding to Ethics Concerns in Health Care (primer)** provides information about ethics consultation. Part I of the primer gives an introduction to ethics consultation in health care. Part II presents CASES, a step-by-step approach to ethics case consultation. Appendices provide tools to help ethics consultation services assess consultants' proficiency, evaluate client satisfaction, and document ethics case consultations.
2. **Ethics Consultation: Responding to Ethics Concerns in Health Care (video course)** presents a humorous enactment of the CASES approach in a fictional VA facility. Modeled on the TV "makeover" approach, a team of ethics coaches arrives at the facility and helps an ethics consultation service improve its approach to ethics case consultation. Total running time of the 2-part course is approximately 100 minutes.
3. **Ethics Consultation: Responding to Ethics Concerns in Health Care (video exercises)** are designed for small group discussions that challenge viewers to evaluate the CASES approach as demonstrated in the video and to practice applying elements of this approach to new cases or situations.

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## NEWS FROM ... NATIONAL ETHICS COMMITTEE

Under the auspices of the National Center for Ethics in Health Care, VHA's National Ethics Committee provides ethical analysis and practical guidance on controversial issues affecting VHA patients, providers, and health care policymakers. To learn more, visit the NEC page on our website at <http://www.va.gov/vha-ethics> (Internet) or at <http://vaww.va.gov/vhaethics> (VA intranet),

**NEC Chair Steps Down.** In September Arthur Derse, MD, JD, stepped down after six years as chair of VHA's National Ethics Committee. Dr. Derse joined the NEC in 1995 and over his tenure with the Committee participated in developing eight of its reports on ethical issues important to clinicians and health care managers in VHA. He is succeeded by Michael Cantor, MD, JD, Clinical Director, GRECC, at the Boston VA Health Care System. Dr. Cantor was a member of Ethics Center staff from 1999 to 2001, and joined the NEC in 2001.

**Incoming NEC Chair Receives Hospice Award.** In May incoming NEC chair Michael Cantor received the 2005 Mary Davis Barber Heart of Hospice award from the Hospice & Palliative Care Foundation of Massachusetts. The award was presented in recognition of Dr. Cantor's service as co-chair of the Massachusetts Hospice-Veteran Partnership.

**NEC Member Appointed to AMA Ethics Council.** Sharon Douglas, MD, Associate Chief of Staff for Education and Ethics at the G.V. Sonny Montgomery VA Medical Center in Jackson, Mississippi, has been appointed to the American Medical Association's seven-member [Council on Ethical and Judicial Affairs](#) (CEJA). CEJA develops ethics policy for the AMA.

**New Reports from the NEC.** In May the NEC released its report [Disclosing Patients' Protected Health Information to Surrogates](#), which examines ethical dilemmas created for health care professionals by VA-specific federal privacy regulations (38 U.S.C. 7332). And in October the Committee concluded its discussions regarding relationships between VHA practitioners and industry. Its report, *Compensation to Health Care Professionals from the Pharmaceutical Industry*, will explore the nature of compensated relationships—for example, as consultants or speakers—and ethical concerns that such relationships risk compromising providers' professional objectivity and integrity and/or undermining their fundamental ethical commitment to putting the interests of patients first. The final document will be posted to the Ethics Center website shortly.

The National Center for Ethics in Health Care welcomes your feedback on **UPDATE**. Let us hear from you—  
[send your comments](mailto:vhaethics@va.gov) to [vhaethics@va.gov](mailto:vhaethics@va.gov)