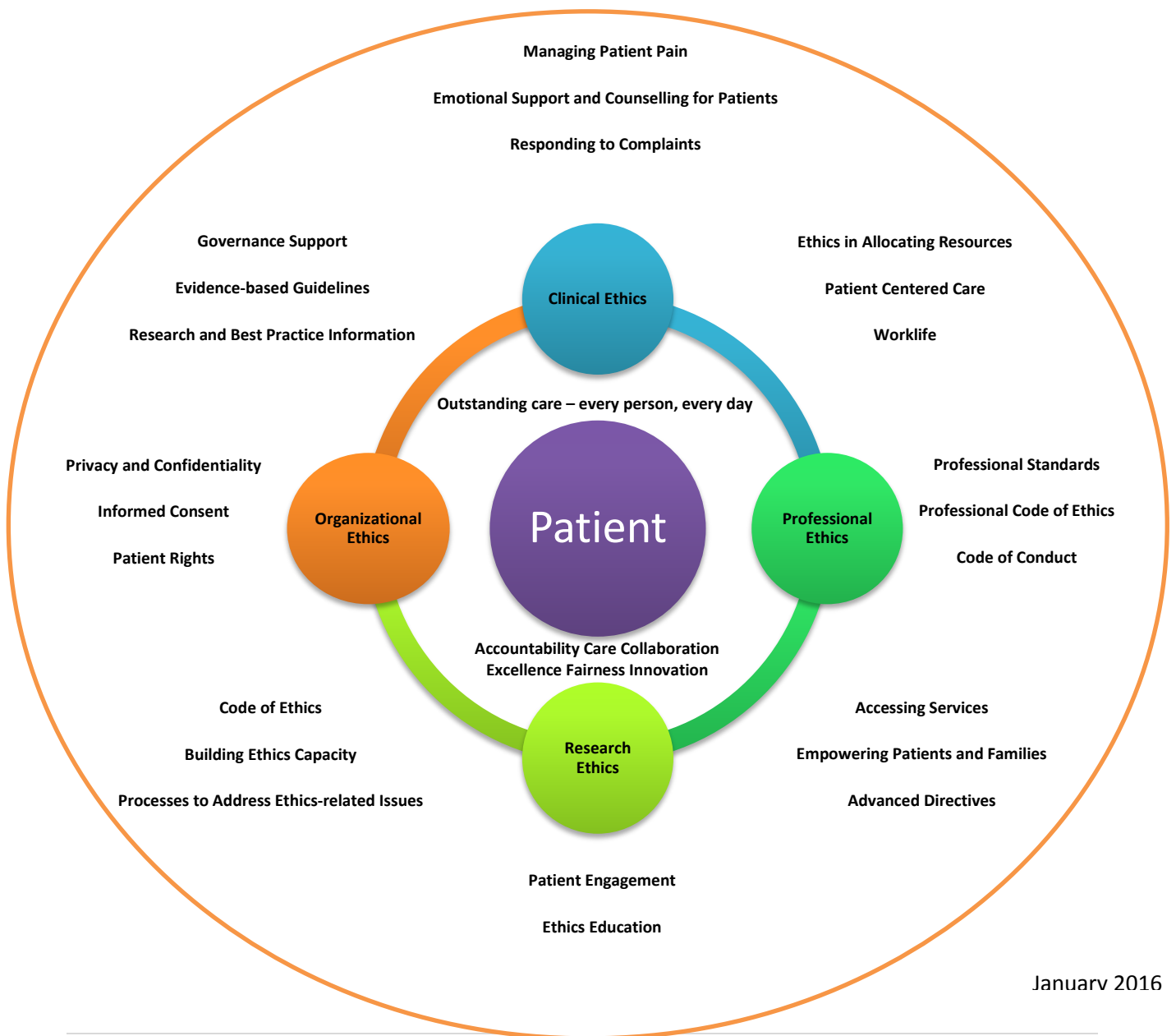


# ETHICS FRAMEWORK



**Contents**

Introduction..... 3

Key Terms ..... 4

Ethical Decision Making Tool – “SOLVE” ..... 6

Ethics Resources ..... 11

Clinical Ethics Consultation ..... 12

Human Resources ..... 14

Finance ..... 14

Privacy Ethics ..... 14

Quality ..... 15

Research Ethics ..... 15

Professional Ethics..... 15

Ethics Policies..... 16

**Acknowledgements**

The Hamilton Niagara Haldimand Brant Community Care Access Centre (HNHB CCAC) Ethics Committee has created this Ethics Framework. The Committee is grateful for the great work of our CCAC colleagues in past, as well as the excellent work outlined by other Canadian healthcare organizations. This was an impetus to improve our own ethics framework. HNHB CCAC is part of the Regional Ethics Network and member organizations have a goal to create standardized approaches, tools and processes to provide quality care for our patients.

We must acknowledge many outstanding resources that informed our work, including:

- The Toronto Central Community Care Access Centre IDEA Framework (2008)
- Alberta Health Services “Ethics Framework: a guide for AHS staff, physicians and volunteers” (2014)
- Hamilton Health Sciences Ethics Framework (2015)
- Niagara Health System Ethics Framework (2011)

## Introduction

The purpose of creating a comprehensive ethics framework for Hamilton Niagara Haldimand Brant Community Care Access Centre (HNHB CCAC) is to:

- Describe available ethics decision-making tools
- Provide information about the existing organizational resources to support culture of ethics
- Compile a list of patient-related and corporate policies that support fair and transparent processes in our organization.

Everything we do, either in our professional or personal life, has an ethical implication.

Generally, people make decisions based on their individual values and beliefs. When choosing what is ethically acceptable, people consider the possible options and their consequences, based on the values and principles that are important in their lives. Similarly, healthcare organizations do not simply follow the existing rules; rather, they consider their own values and the values of the people they serve and the potential harms and benefits for the patients.

Ethical practice in healthcare focuses on doing the right thing which results in excellent patient care. It considers cultural diversity, technology, consideration of moral distress and residue and ultimately promotes quality care and safe and healthy work environments. There is evidence that a focus on ethics improves outcomes such as:

- Increasing patient satisfaction
- Improving quality of care
- Improving satisfaction of employees and mitigating moral distress
- Improving compliance with accreditation standards
- Being a responsible steward of limited resources
- Reducing risk of legal action.

As depicted on the title page, HNHBCAC recognizes that the patient is in the center of everything we do in our organization. No organizational decision can be justified without contemplating what kind of impact it will have on our patient population and engaging patients in the deliberation processes. We also acknowledge that ethical duties extend to other stakeholders, like our employees, our service providers and our external partners. HNHBCAC, like other publicly funded organizations, has a specific set of ethical obligations towards their patients. As defined in the HNHBCAC's [\*Vision, Mission and Values\*](#), the organization has an ethical duty to connect patients about the care they need, at home and in their community and to provide outstanding care for every person, every time.

Ethical obligations also extend to our personnel, so they can expect a safe and good work environment. Further, HNHB CCAC has an obligation to be a responsible steward of public financial resources. In addition, the organizational values summarize what patients and their families should expect when receiving care through HNHB CCAC:

- ✓ Accountability
- ✓ Care
- ✓ Collaboration
- ✓ Excellence
- ✓ Fairness
- ✓ Innovation

HNHB CCAC has a Code of Conduct that applies to everyone. The Code ensures that the values are brought to life in all aspects of organizational operations and strategic planning.

## Key Terms

Throughout the Ethics Framework document certain terms will be used repetitively, so they are defined here:

***Clinical Ethics*** - critical reflection on how to integrate values and morals into specific patient care decisions and practices

***Organizational Ethics*** - critical reflection on the ethical dimensions of health care systems, management, processes (e.g. how to treat groups of patients)

***Research Ethics*** - the ethics of the planning, conduct, and reporting of research - (including protection of human and animal subjects; managing relationships between researchers and participants; conflicts of interest, management of data, reporting of findings etc.)

***Ethics Framework*** - organizational resources and processes that exist to support ethical decision-making

***Ethics Decision-Making Tool*** - a document that supports structured approach to addressing ethical questions, regardless of where the question has occurred.

## Ethical Decision-Making Processes

Occasionally, the value-laden nature of healthcare results in highly charged conflict situations. Such situations often have significant consequences and result in ethical dilemmas. It is important to address both questions and signs of ethical issues:

<b>Questions</b>	<b>Signs</b>
<i>What should be done?</i>	<i>“Yuck factor”</i>
<i>Why should it be done?</i>	<i>Moral uncertainty</i>
<i>How should it be done?</i>	<i>Conflict</i>
<i>Who should do it?</i>	<i>Competing “goods”, not right vs. wrong</i>

HNHB CCAC is committed to inclusive, transparent and structured ethical decision-making process, keeping in mind that everyone may not be happy with the final decision, but that everyone should feel they have been heard and their concerns have been taken into consideration.

HNHB CCAC has developed SOLVE Ethical Decision-Making Tool:

- **Situation** identification
- **Obtain** information
- **List** and rank options
- **Verify** steps taken / actions
- **Evaluation/education**

The SOLVE Ethical Decision-Making Tool includes a comprehensive, step-by-step worksheet that has been created to guide individuals or teams facing an ethical dilemma. Although the purpose is primarily to address clinical ethics question, it can be easily modified to provide support for organizational ethics decision-making. For example, in the section “Clinical Indications” instead of examining facts related to a specific patient, the focus can be shifted to a specific patient group and examine the situation from a population perspective.

**Situation**

**Identification**

**A.** Gather the facts.  
Acknowledge the feelings.

Consider your “gut reaction”. What are your initial feelings?

**B.** List your concerns & the components.  
Consider what ethical values are in conflict?  
Explain the issue.

Who is the conflict with?

Identify the Problem as you see it.

**Gather the Facts:**

**Values:** Accountability, Care, Collaboration, Excellence, Fairness, Innovation, Confidentiality, Employee Safety, Conflict of Interest.

**Value:**

**Explain the issues**

Value:	Explain the issues

<p><b>Obtain the Information</b></p> <p><i>Consider the 4 factors in order to collect as much information as possible.</i></p> <p><i>Which values are in conflict?</i></p> <p><i>Are other values relevant?</i></p> <p><i>Who are the stakeholders?</i></p>	<p><b>Indications:</b></p>	<p><b>Stakeholder Preferences:</b></p>
<p><i>Ascertain what needs to be decided?</i></p> <p><i>Consider where to look for solutions- corporate mission, vision, values - P&amp;Ps, standards, directives, regulations, law.</i></p>	<p><b>Contextual Features:</b></p>	<p><b>Considering Options:</b></p>

<b>List &amp; Rank Option</b>	<b>Options</b>	<b>Strengths (+)</b>	<b>Weakness (-)</b>
<p><i>What are the alternatives / consequences? List options. Consider the Strengths (benefits) &amp; Weaknesses (harms) for each option.</i></p> <p><i>Consider what <b>principles</b> will guide your decision, your standards of practice, and the resources available.</i></p> <p><i>Consider other consequences.</i></p> <p><i>What <b>values</b> support each option? Rank the options...</i></p>	1.		
	2.		
	3.		
	4.		



<p><b><u>Verify Steps taken/action</u></b></p> <p><i>Select the option with the best balance of values and outcomes. Identify how best to implement, communicate and document the decision.</i></p> <p><i>Predict outcomes</i></p>	
<p><b><u>Evaluation / Education</u></b></p> <p><i>Use your problem solving, decision making, and critical thinking skills. What are the outcomes – What would you do differently next time? Lessons learned? Re-examine the alternatives. Identify educational opportunities</i></p>	

The SOLVE Ethical Decision Making Tool should enhance already existing organizational processes, including opportunity for a person facing an ethics dilemma to consult with her team, escalate question to her manager and apply existing policies.

## HNHB CCAC ETHICAL Decision Making Tool

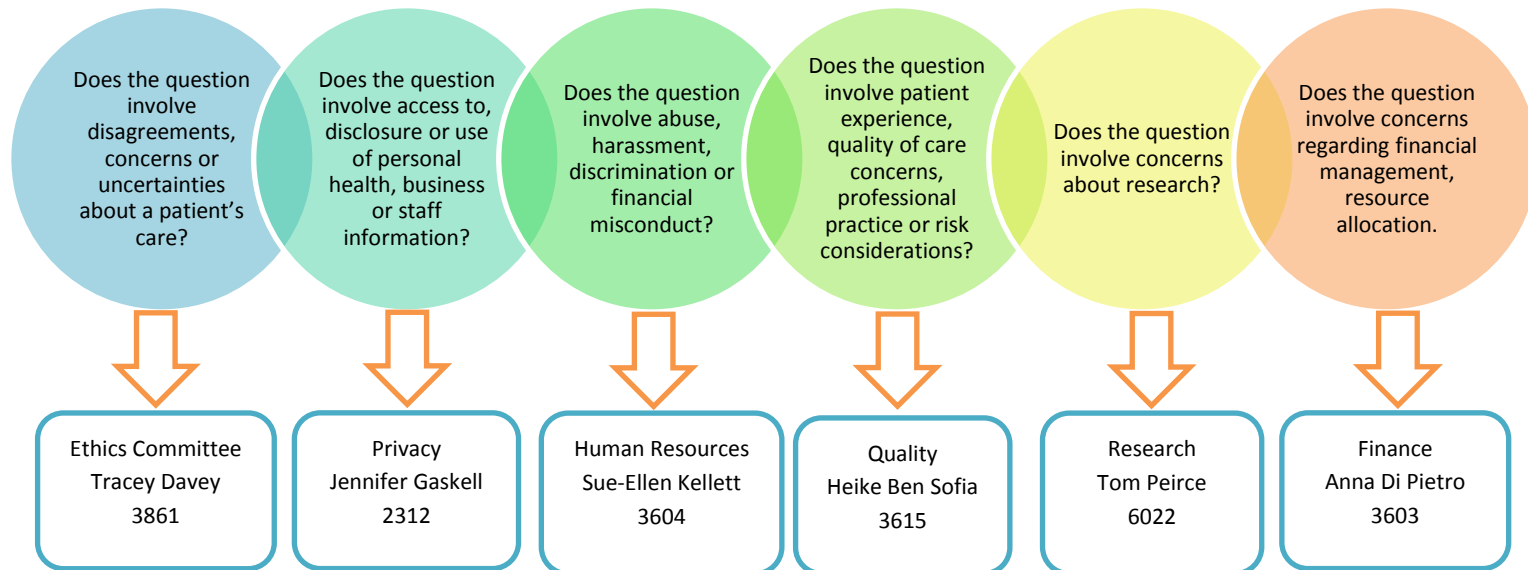
Indications	"Guiding Principles"	Stakeholder Preferences
<ul style="list-style-type: none"> <li>▪ What is the patient's medical history / diagnosis / prognosis?</li> <li>▪ Is the problem acute / chronic / critical / emergent/ reversible?</li> <li>▪ What are the goals?</li> <li>▪ What are the probabilities of success?</li> <li>▪ What are the plans in case of failure?</li> <li>▪ How can harm be avoided?</li> <li>▪ What are the Risks?</li> <li>▪ Other relevant facts.</li> </ul>	<p><b>Autonomy:</b> Right to Self Determination. The right to make <u>independent decisions</u> concerning one's own life and well-being. Would we be exploiting others, treating them paternalistically, or otherwise affecting them without their free and informed consent?</p> <p><b>Beneficence:</b> <u>Do good</u> or act in a way that benefits others. Is this an occasion to do good to others? Remember that we can do good by preventing or removing harms.</p>	<ul style="list-style-type: none"> <li>▪ What are the long and short term goals?</li> <li>▪ Is the person capable or incapable?</li> <li>▪ Have the stakeholders expressed their preferences about the situation?</li> <li>▪ Have the benefits and risks been explained?</li> <li>▪ Who is the decision maker and are they using appropriate standards for deciding?</li> <li>▪ Is the person's right to choose being respected to the extent possible in ethics and the law?</li> </ul>
Contextual Features	Considering Options	Considering Options
<ul style="list-style-type: none"> <li>▪ Are there family or provider issues that might influence the decisions?</li> <li>▪ Are there financial and economic issues that could be a factor?</li> <li>▪ Are there cultural, religious or social factors that might influence decisions?</li> <li>▪ Potential problems with allocation of resources? (human/economics/beds)</li> <li>▪ Are there government, agency, LHINs regulations? P &amp; P?</li> <li>▪ Are there any conflicts of interest? Legal issues to consider?</li> <li>▪ Are there issues for the staff?</li> </ul> <p><b>Consider:</b> What benefits and what harms will each course of action produce? What rights do parties have and what actions best respect those rights?</p>	<p><b>Non-maleficence:</b> First <u>do no harm</u>. Will this harm Patients, caregivers, or members of the general public?</p> <p><b>Fidelity/Truthfulness:</b> Are we being <u>faithful</u> to institutional and professional roles?</p> <p><b>Fiduciary Duty:</b> Are we living up to the <u>trust relationships</u> that we have with others? Have we fulfilled our responsibilities to our Patient's?</p> <p><b>Justice:</b> Are we treating others <u>fairly</u>? Do we have fair procedures? Are we producing just outcomes? Are we respecting morally significant rights and entitlements? Consider the allocation of resources.</p>	<ul style="list-style-type: none"> <li>▪ What are the prospects with or without treatment for a return to normal life?</li> <li>▪ Are there biases that might prejudice the provider's evaluation of the patient's quality of life? What does it mean to the patient?</li> <li>▪ What physical, mental, and social deficits is the patient likely to experience?</li> <li>▪ Is the patient likely to find this new baseline acceptable?</li> <li>▪ Are there plans for palliative care? How can the patient's psychosocial and spiritual needs be met?</li> </ul> <p><b>Consider:</b> Which course of action will guide future decisions – does not discriminate? Which action advances the common good and develops moral virtues?</p>
Evaluate	Educate	
<p>Are the results what you expected? Do you revisit the problem? Do you need to revisit the Problem Solving flowchart?</p>	<p>What did you learn? New knowledge? Understanding? Skills? How will you share Lessons Learned? <b>Celebrate!</b></p>	

## Ethics Resources

### DO YOU HAVE AN ETHICS QUESTION? ARE YOU FACING AN ETHICAL DILEMMA?

- Are you wondering “What is the right thing to do?”
- Are you feeling caught between two or more obligations such as promoting respect for the patient’s choice and ensuring public safety?
- Do you use phrases like “it’s the patient right to...” or “it’s not fair that the patient doesn’t have access to...?”
- Do multiple options seem right, or seem wrong?
- Are you concerned about how to protect others from harm?
- Is there no clear policy, law or standard to guide decision-making?
- Would you describe yourself and others as feeling moral distress over an issue?

- Step 1:** Consult your team, your manager, apply the SOLVE Ethical Decision-Making Tool or refer to appropriate policy.
- Step 2:** Refer to ethics resources on the HNHB CCAC Intranet.
- Step 3:** Contact the appropriate resource below. If you are still unsure whom to contact, please call the Chair of Ethics Committee 905 633 3861



## Clinical Ethics Consultation

Healthcare teams, consisting of patients, families, HNHB CCAC staff, doctors, leaders and trainees, make ethical decisions related to patient care every day. Their decisions are guided by trying to answer the following questions:

- **What** should we do? (What actions are good or right?)
- **Why** should we do it? (Exploring the reasons for our decisions.)
- **How** should the decision be made, and **who** should make it?

In some cases, the situation is very complex or there is a divide among the healthcare team members in which case it requires assistance from an outside group. In HNHB CCAC healthcare team has an opportunity to contact the Ethics Committee for support and guidance. Any member of the health care team, including patients and families, may contact the Ethics Committee for support. Since HNHB CCAC is the founding member of Regional Ethics Network, a Regional Ethicist supports Ethics Committee by providing clinical ethics consultative support for the HNHB CCAC community.

Even after consulting members of your healthcare team, your managers and trying to use SOLVE Ethics Decision-Making Tool, you may decide that some difficult situations still may not be resolved. Common situations where the Ethics Committee can help, include:

- disagreements regarding the goals of care for a patient
- uncertainty about how to make decisions for a patient who lacks capacity to make his/her own decisions
- doubt regarding which particular care plans, treatments or placement options are best for patients

The Ethics Committee does not make decisions for others, but it helps the process of making ethical decisions by:

- making clear the patient's goals, values, wishes and best interests
- discussing the facts of the situation with everyone involved to make sure that the issues, choices and likely outcomes are clearly understood
- exploring ethical values, principles, norms, policies, standards and resources
- mediating and resolving conflicts between parties
- providing retrospective debriefing of difficult cases

- providing specific education related to ethical situation.

Consultations can consist of a simple phone call or a series of meetings, depending on the complexity of the situation. The Ethics Committee members and Regional Ethicist respect the privacy of everyone involved, within legal limits.

You can access Ethics Committee by calling the chair of the committee at telephone number 905-633-3861. The service is available Monday-Friday, 8:30 am-4:30 pm.

The Regional Ethicist tracks clinical ethics consultation in an encrypted and password protected database that does not include any personal healthcare information. All activities related to clinical ethics consultation cases are reported to HNHB Ethics Committee in an anonymized way. The Ethics Committee Chair and Regional Ethicist provide quarterly updates to Senior Leadership Team and submit an annual report to the same group. The VP of Patient Services monitors and addresses ethic trends as reported.

All ethics related trends are brought forward to the Regional Ethics Network Steering Committee, where both the VP Patient Care and Chair of the Ethics Committee represent HNHB CCAC. The goal of the Regional Ethics Network Steering Committee is to examine ethics trends from a broader perspective in collaboration with our external partners and to ensure quality care for our patients.

## Organizational Ethics

Organizational Ethics represents a critical reflection on the ethical dimensions of health care systems, management, organizational processes and stewardship of limited financial and other resources. For example, this may include how groups of patients are treated and whether this is captured in organizational policies and procedures, how resources allocations are made and whether there the organization is committed to safe workplace.

Most of the organizational ethics decision-making takes place away from the frontline and direct delivery of services, but it is indeed informed by what is observed by front-line providers and care coordinators. The SOLVE Ethical Decision-Making Tool is a good starting point to try to summarize relevant facts about a specific organizational ethics dilemma, but HNHB CCAC has also other resources that may assist in resolving these dilemmas.

## Human Resources

If you have any additional questions related to ethical questions related to Code of Conduct or the area of human resources please contact 3604, Monday to Friday during business hours.

## Finance

If you have any additional questions related to ethical questions related to finance please contact 3603, Monday to Friday during business hours.

## Privacy Ethics

HNHB CCAC has a legal obligation under the *Personal Health Information Protection Act (PHIPA)*, 2004, and also a fundamental ethical obligation to protect personal health information of our patients.

Some typical privacy questions include:

- Can a patient/SDM request to access, correct or restrict access to personal health information?
- Is it acceptable to disclose personal health information to someone not providing care or for a purpose that is not related to providing patient care?
- What do I do if I have lost a patient's personal health information (i.e. made a privacy breach)?
- Who can gain access to HNHb CCAC business records?

The Privacy Office was established to be a resource for privacy issues and to:

- Facilitate compliance of HNHb CCAC and the governing board with legal requirements as identified in the *PHIPA*
- Respond to inquiries or complaints from the public about HNHb CCAC information practices.
- Respond to inquiries from staff about HNHb CCAC information practices with respect to employment information.
- Respond to Patient's requests for access to or correction of health information that is under the ownership of HNHb CCAC.
- Ensure that all agents of HNHb CCAC are informed of their duties under the Personal Health Information Protection Act of Ontario through education and capacity-building.

If you have any additional questions related to privacy ethics, please contact Privacy Office at number 2312, Monday to Friday during business hours.

## Quality

If you have any additional questions related to patient safety/experience, quality of care concerns, professional practice or risk considerations contact the Quality Office at number 3615, Monday to Friday during business hours.

## Research Ethics

Healthcare research may involve patients, families and caregivers, as well as our staff, service providers, leadership and students, Research on humans cannot take place without it being reviewed and considered safe by a group of people who are trained and experienced to do so. The [Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans \(2014\)](#) describes commitment by Canadian researchers, research funders and oversight bodies to ethical conduct of research involving human participants.

There are a number of research studies that are conducted throughout HNHB CCAC, but most often the research has originated outside of our organization. The process of starting and doing research in ethical manner at HNHB CCAC is outlined in the [research policy](#). HNHB CCAC does not have Research Ethics Board (REB) and requires that the researcher has obtained an ethics approval for conducting the research from a certified REB. HNHB takes into account how the proposed research aligns with the organizational Mission, Vision, Values and Strategic Goals, as well as what kind of impact the studies may have on patient care and other aspects of the organizational operations. If you have any additional questions related to research ethics, please contact 6022, Monday to Friday during business hours.

## Professional Ethics

If none of the available HNHB CCAC resources are helpful to address your ethical dilemma and you are a member of a professional college or association, you may need to contact the respective organization to get more information and support. Here is the list of relevant organizations for registered healthcare professionals in Ontario:

[College of Audiologists and Speech-Language Pathologists of Ontario](#)

[College of Dietitians of Ontario](#)

[College of Nurses of Ontario](#)

[College Of Occupational Therapists of Ontario](#)

[College of Physical Therapists of Ontario](#)

[Ontario College of Social Workers and Social Service Workers](#)

These organizations also have specific resources related to ethics and standards of practice and some are listed below:

[Code of Ethics - College of Occupational Therapists of Ontario](#)

[Code of Ethics - College of Physical Therapists of Ontario](#)

[Code of Ethics - College of Audiologists and Speech-Language Pathologists of Ontario](#)

[Code of Ethics for Registered Nurses - Canadian Nurses Association](#)

[Code of Ethics of Dietetic Profession in Canada](#)

[College of Nurses of Ontario - Ethics Resources](#)

[College of Nurses of Ontario - Practice Standards - Ethics](#)

## **Ethics Policies**

HNHB CCAC has a number of policies to address a range of ethical issues. Here is a sample list of policies related to frequently encountered issue in healthcare. For a comprehensive list of policies/procedures/tools/forms, please access the HNHB CCAC policytech application.

### ***Patient- related policies***

- [Informed Consent](#)
- [Expected Death in the Home - Pronouncement and Death Certification](#)
- [Plan of Treatment Regarding Cardiopulmonary Resuscitation \(CPR\)](#)
- [LTCH - Capacity Assessment for Shelter Decisions](#)
- [Management of Client Risk](#)

### ***Corporate policies***

- [Ethical Decision Making](#)
- [Client Event Management - Complaints and Appeals](#)
- [Client Event Management - Risk Event Adverse Event and Near Miss Policy](#)
- [Confidentiality and Conflict of Interest](#)
- [Code of Conduct](#)
- [Confidentiality](#)



- [Eligibility Determination and Outcome for Home Care Services](#)
- [Essential Services](#)
- [Extraordinary Circumstances: Personal Support and Homemaking Services](#)
- [Financial Disclosure And Notes](#)
- [Organizational Risk Management](#)
- [Patient Rights and Responsibilities](#)
- [Personal Health Information – Consent for Collection, Use and Disclosure Policy](#)
- [Personal Health Information – Privacy Complaints Policy](#)
- [Prevention of Violence and Harassment in the Workplace](#)
- [Priority Coding](#)
- [Procurement of Goods and Services](#)
- [Reporting Child Abuse and Neglect](#)
- [Risk Management - Elder Abuse](#)
- [Waitlist Management](#)
- [Accepting Gifts/Bequests/Fees For Services/Honoraria](#)