

**Policy and Procedure**

Title:	<b>Clinical Ethical Issues</b>
Policy Number:	01.300 (formerly 02.005)
Effective Date:	December 7, 2007
Revised Date:	April 21, 2015
Approving Body:	President and CEO
Authority:	CancerCare Manitoba Act
Responsible Officer:	President and CEO
Delegate:	Chair, Clinical Ethics Committee
Contact:	
Applicable to:	CCMB Staff and Physicians

1.0 **BACKGROUND:**

- 1.1 The foundations for decision making and resolution of clinical ethical issues at CancerCare Manitoba (CCMB) are the CCMB Mission, Values and Code of Ethics, as well as the various professional disciplines' Codes of Ethics.
- 1.2 CCMB is committed to providing support and resources for its care providers in dealing with difficult ethical issues that arise in their daily work.

2.0 **PURPOSE:**

- 2.1 To ensure that structures and processes are in place to provide guidance for decision-making and the resolution of clinical ethical issues.
- 2.2 To ensure that clinical ethical issues are dealt with in a timely and appropriate manner.

3.0 **DEFINITIONS:**

- 3.1 **Ethics:** the study of human action as right or wrong according to agreed to standards / values / principles of human behavior.
- 3.2 **Service Providers:** all persons providing services within CCMB facilities, including staff, physicians, volunteers, board members, students and those associated through contracts.
- 3.3 **Clinical Ethical Issues:** those relating to decisions to be made in the care of patients at CCMB.
- 3.4 **Ethical Dilemma:** any issue that arises where a service provider has concerns about decisions that are being made or need to be made for the care of a patient, e.g. wishes of the patient are not being heard; patient is demanding treatment that is unreasonable for their condition.

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#### 4.0 **POLICY:**

- 4.1 CCMB is committed to providing services in accordance with its Mission, Values and Code of Ethics in an ethically sound manner and will ensure that resources are available to facilitate the provision of ethically sound care.
- 4.2 Department Directors / Managers / Supervisors will ensure that all service providers are oriented to the CCMB Mission, Values, Code of Ethics, Clinical Ethical Framework and policies and procedures relating to ethical issues.
- 4.3 A Clinical Ethics Committee will be maintained whose mandate is to promote and facilitate ethical practice and decision-making within the organization through education, awareness and assistance with problem-solving pertaining to ethical concerns.
- 4.4 Internal resources such as the Clinical Ethics Committee and trained resource persons, as well as access to external ethics consultations, will be available to service providers.
- 4.5 All consultations regarding clinical ethical issues will be handled confidentially in accordance with existing legislation and policies. Individuals bringing forward legitimate, reasonable based concerns will be supported and protected from any reprisal.
- 4.6 Resolution of clinical ethical issues will be guided by the general principles outlined in the Joint Statement on Preventing and Resolving Ethical Conflicts Involving Health Care Providers and Persons Receiving Care.

#### 5.0 **PROCEDURE:**

- 5.1 Orientation provided to all service providers will identify the expectations, processes and procedures for dealing with clinical ethical issues. A Guidance Document for Managers / Supervisors for staff orientation is attached as Appendix A.
- 5.2 Service Providers with questions or concerns relating to Clinical Ethical Issues should discuss the issue with their immediate supervisor, if that person is not involved in the issue. Whenever possible, attempts to resolve the issue within the usual team interaction will be pursued.
- 5.3 Where resolution of an issue is not achieved through usual processes, the Service Provider and/or supervisor will contact the Chair of the Clinical Ethics Committee through the Office of the CCMB President and CEO.
- 5.4 The Chair of the Clinical Ethics Committee or designate will meet with the Service Provider(s) and determine the most appropriate next steps / process for resolution

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of the issue. These may include the use of CCMB's internal ethics resource persons, an external ethics consultation, participation of the involved patient and/or family and/or participation of the CCMB Patient Representative.

- 5.5 Referrals to the Chair of the Clinical Ethics Committee and the plan of action will be recorded. Minutes of all meetings will be kept and remain confidential. Records will be stored in the Office of the CCMB President and CEO.
- 5.6 Where resolution of the issue has not been achieved through internal processes, outside ethics services or consultants may be approached for assistance after discussion between the Chair of the Clinical Ethics Committee and the CCMB President and CEO.
- 5.7 The Chair of the Clinical Ethics Committee will provide an annual report on consultations, actions and trends to the CCMB President and CEO. Presentation of the same will be provided to the Board on request.
- 5.8 CCMB's Clinical Ethical Framework and Ethics Consultation information / forms may be found on the CCMB J: drive in the Ethics folder.

**6.0 REFERENCES:**

- 6.1 Joint Statement on Preventing and Resolving Ethical Conflicts Involving Health Care Providers and Persons Receiving Care – Boards of Directors of the Canadian Healthcare Association, the Canadian Medical Association, the Canadian Nurses Association and the Catholic Health Association of Canada, 1999.
- 6.2 CCMB Mission and Values Statements, Code of Ethics – available at [www.cancercare.mb.ca](http://www.cancercare.mb.ca)
- 6.3 Manitoba Provincial Health Ethics Network – on-line resources relating to Clinical Ethical Issues at [www.mb-phen.ca](http://www.mb-phen.ca)

<b>Policy Contact:</b> All enquiries relating to this policy should be directed to:	
Name:	
Title/Position:	Chair, Clinical Ethics Committee via Office of the President and CEO, CCMB
Phone:	Via President and CEO's office: 204-787-2241 or 204-787-2186
E-mail:	
Address: (if required):	

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**DOCUMENTATION**

**Policy Location:**

This policy is located (hard and e-copy formats):

1. The original signed and approved policy is on file in the Executive Office, CCMB
2. The e-copy is on file in the CCMB Governing Documents Library, SharePoint
- 3.

**Revision History:**

<b>Date</b>	<b>Version</b>	<b>Status</b>	<b>Author</b>	<b>Summary of Changes</b>
dd/mm/yyyy	#	Initial, Draft Final Minor/Major revision		
07/12/2007	1	Initial	K. Suderman	
21/04/2015	2	Minor Revision	K. Suderman Policy Team	Minor wording changes. Addition of Appendix.
26/03/2018	2	Minor revision	S.Friedenberger	Reformatted to new template

**Approvals Record:**

This Policy requires approval by:

<b>Approval</b>		
<b>Date</b>	<b>Name / Title</b>	<b>Signature</b>
	Not required.	

**FINAL APPROVAL:**

<b>Date</b>	<b>Name / Title</b>	<b>Signature</b>
14/07/2015	Dr. S. Navaratnam President and CEO, CCMB	<i>Original signed by Dr. S. Navaratnam</i>

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## Appendix A

### CancerCare Manitoba Clinical Ethics Orientation for New Staff in Patient Contact Areas Guidance Document for Managers / Supervisors

#### Background:

As per CCMB policy 01.300, Clinical Ethical Issues, department managers / supervisors are responsible for ensuring new staff members are provided information on how to deal with clinical ethical issues. This includes where to access information and support, should an ethical dilemma occur, as these situations can create anxiety for patients and staff, as well as disruptions in the care of those patients.

You are the primary support for your staff, therefore they should always be encouraged to talk to you first before moving on to other resources. That being said, other supports are in place in case a staff member wants to have a confidential conversation with someone who is not involved or connected with the situation.

This information should be provided as soon as possible to new staff members. It will take just a few minutes extra during your regular orientation session. It may be reinforced during a Corporate Orientation session, but a session may not be available immediately. This also gives you an opportunity to open the dialogue and first line of communication for any issues that arise. The following outlines the information to be provided to staff and additional resources that are available to them and you.

**Information for New Staff Members in Patient Contact Areas** (also available as a PowerPoint presentation on the J: drive in the Ethics folder):

*Clinical Ethics* – Ethics is the study of human action as right or wrong according to standards/values / principles of human behavior. Clinical Ethics relates to decisions made in the care of patients - setting a framework or methodology for helping care givers make the “right” decisions.

*CCMB Values* – All CCMB staff are expected to live our stated values in the workplace, as they are the foundation of ethical work. Patient/Family/Community Focus; Respect; Teamwork; Continuous Learning and Improvement; and Stewardship – definitions of these values statements are available on the CCMB website.

*CCMB Code of Ethics* – Outlines our responsibilities, both as an organization and as individuals within the organization. It recognizes that we have at least 15 different professional codes of ethics that are respected at CCMB. It is available on the J: drive in the Ethics folder and on the intranet.

*CCMB Ethical Framework* – A guidance document for staff involved in the care of patients to help in the decision making process where conflicts or ethical dilemmas have developed. Questions guide care providers to ensure all four ethical principles relating to clinical practice are considered. This document is available on the J: drive in the Ethics folder.

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*CCMB Policies Related to Ethics* – along with Clinical Ethical Issues (01.300), CCMB has several other policies that exist to provide staff with rules and guidance in ethical issues. These include Informed Consent; Advanced Care Planning; Conflict of Interest; Respectful Workplace; Interactions with Industry Representatives to name just a few. All of these policies are available on CCMB's SharePoint site.

*How to recognize an ethical dilemma* – you get that “sick feeling” or feel paralyzed and unable to make a decision or to help your patient to make a decision. You may feel that the actions of others are not “right” or that you are being forced into a situation that you feel isn't the right thing to do. If you think it might be an ethical dilemma, it probably is.

*How to get support when needed* – if you can, talk to your immediate supervisor or manager about the situation. Often talking through the issue with someone who isn't directly involved will bring a reasonable course of action to light. If your supervisor is involved in the situation or you feel you need to speak to someone else, contact the Chair of the Clinical Ethics Committee through the office of CCMB's President and CEO (call 204-787-2241 or 204-787-2186 and leave a message). The Chair will listen and provide guidance on possible next steps, which may include a formal consultation with CCMB's Ethics Advisor or with the Clinical Ethics Committee.

*Where to find reference material* – CCMB's J: drive has an Ethics folder that is available to all staff. This folder contains the Framework, consult information, articles and presentations relating to clinical ethics. CCMB's intranet has links to the Values statements and Code of Ethics. CCMB's SharePoint site contains all of the policies noted above. The Manitoba Provincial Health Ethics Network has many on-line resources at [www.mb-phen.ca](http://www.mb-phen.ca), including educational opportunities for those interested. Also, look for information / notifications in CCMB's Weekly Update.

April 2015