

I.D.E.A.



Ethical Decision- Making Framework

Introduction

Ethical issues arise every day in health care, and everyone has a role to play in ensuring the ethical delivery of care, from bedside to boardroom. Ethical principles and values are incorporated into the way that decisions are made and care is delivered every day. Accreditation Canada expects that healthcare organizations will have in place a framework for guiding ethical behavior that is publicly accessible and consistent with the law.

Sunnybrook Health Sciences Centre (SHSC) endorses the I.D.E.A. Ethical Decision-Making framework to guide, and support individuals and teams in dealing with ethical dilemmas. This framework is available to the Board of Directors, all staff, physicians, volunteers, learners, patients, families, and the general public.

Goal of the Ethics Framework

Develop a common approach to enhance and guide ethical decision-making and practice that applies to both clinical and organizational ethical issues at SHSC.

Objectives

- Build awareness and understanding of the ethical dimensions of healthcare provision and administration
- Facilitate staff, physicians, and Board members to identify ethical dilemmas and issues related in their work and roles
- Help staff, physicians, and Board members to analyze, deliberate and resolve ethical dilemmas and issues
- Encourage staff, physicians, and Board members to align their decisions and actions with relevant values, duties and principles

Ethics in the clinical and organizational setting

Ethics is about making “right” or “good” choices and the reasons that we give for our choices and actions. Ethics promotes reflective practice in the delivery of health care. Ethics addresses the question “What should we do and why?”

Another way to describe ethics is as follows. It is about:

- Deciding what we should do – what decisions are morally right or acceptable;
- Explaining why we should do it – justifying our decision using language of values and principles; and
- Describing how we should do it – outlining an appropriate process for enacting the decision.¹
- Having a plan to assess and evaluate how the decision is impacting the situation

¹ Definition adapted from Dr. Barbara Secker, Joint Centre for Bioethics, University of Toronto.

- Providing opportunities to re-visit decisions when new information becomes available

While many decisions health care workers make on a daily basis have some ethical dimension, not every decision requires application of this framework; ethical oversight in a clinical context is typically supported by policies, systems and procedures.

However, in some situations, knowing or doing the right thing is unclear or difficult. These situations represent **ethical dilemmas**, which this framework is designed to address. Anyone who identifies an ethical dilemma is encouraged to apply this ethical framework to address the issue with appropriate stakeholders.

Ethical issues are often framed as “should” questions. For example:

- How *should* the organization make decisions about how much funding to provide to each of its programs?
- If there is a shortage of critical care beds, how *should* decisions about who to admit (and who not to admit) be made?
- *Should* life-sustaining treatment be continued for a patient for whom the treatment is burdensome with little to no benefit?
- *Should* a colleague’s alcohol abuse be reported?
- *Should* a patient be informed of a “near miss” in his or her care?

Ethical issues may involve one or more of the following:

- Ethical Violation – when an action that appears to be unethical is being proposed or carried out (e.g., a patient is being given a treatment without providing a valid consent)
- Ethical Dilemma – when there are competing courses of action both of which may be ethically defensible (e.g., conflicting values) and there is a difference of opinion as to how to proceed
- Ethical Uncertainty – when it is unclear what ethical principles are at play or whether or not the situation represents an ethical problem
- Ethical (Moral) Distress – when you find yourself in a situation of discomfort, if you have failed to live up to your own ethical expectations, or if you are unable to carry out what you believe is the right course of action due to organizational or other constraints

Signs of an ethical dilemma may include:

- The “yuck factor”: an intuition that something isn’t right; a feeling of moral angst or distress.
- Knowing the “right” thing to do in a situation, but encountering organizational or personal barriers.
- Wondering what a good person or professional ought do in a given situation
- Encountering a situation where two equally-important values seem to conflict (e.g. between telling the whole truth and preserving confidentiality)

- Conflict between members of a team around a challenging situation, often stemming from differing professional roles, beliefs or worldviews.
- Moral ambiguity: a situation characterized by uncertainty about the right thing to do either because it is novel or it has unique features that make standards of practice difficult to apply

As healthcare organizations seek to provide quality care in the face of significant financial constraints, they face difficult decisions. Both technical (e.g., cost-effectiveness analyses) and principle-based solutions (e.g., distributive justice) alone are limited in their ability to resolve priority-setting challenges (Gibson, Martin, & Singer, 2005). Given that there may be competing goals and values, ensuring procedural fairness may be the best way to ensure that decisions are socially accepted and demonstrate public accountability (Gibson et al., 2005).

Using the Ethics Framework

The purpose of the IDEA: Ethical Decision-Making Framework (see Figure 1) is to provide a step-by-step, fair process to help guide staff, physicians, and Board members in working through ethical issues encountered in the delivery of healthcare. The addresses two general types of ethical decisions that lie across a continuum: clinical and organizational.

The IDEA: Ethical Decision-Making Framework is comprised of four steps and incorporates five conditions identified as important in the accountability for reasonableness framework developed by Daniels and Sabin (2002) and adapted by Gibson, Martin, and Singer (2005). The first letter of each step in this framework forms the acronym “**IDEA**.” In the centre of the framework there is a light-bulb (a further reference to the framework’s acronym, IDEA). The light-bulb contains a set of questions to assist healthcare providers/administrators in the identification of ethical issues to which the framework can be applied. The framework is depicted as circular, suggesting that decisions need to be revisited as new facts emerge.

The four steps are:

1. Identify the facts.
2. Determine the relevant ethical principles.
3. Explore the options.
4. Act.

The five conditions are:

Empowerment: There should be efforts to minimize power differences in the decision-making context and to optimize effective opportunities for participation (Gibson et al., 2005).

Publicity: The framework (process), decisions and their rationales should be transparent and accessible to the relevant public/stakeholders (Daniels & Sabin, 2002).

Relevance: Decisions should be made on the basis of reasons (i.e., evidence, principles, and arguments) that “fair-minded” people can agree are relevant under the circumstances (Daniels & Sabin, 2002).

Revisions and Appeals: There should be opportunities to revisit and revise decisions in light of further evidence or arguments. There should be a mechanism for challenge and dispute resolution (Daniels & Sabin, 2002).

Compliance (Enforcement): There should be either voluntary or public regulation of the process to ensure that the other four conditions are met (Daniels & Sabin, 2002).

Use of the IDEA Framework should keep Sunnybrook’s Mission, Vision and Values at the core of its deliberations:

Our Mission

We care for our patients and their families when it matters most. In partnership with the University of Toronto, Sunnybrook leads by discovery, innovation, teaching, and learning.

Our Vision

Sunnybrook invents the future of healthcare.

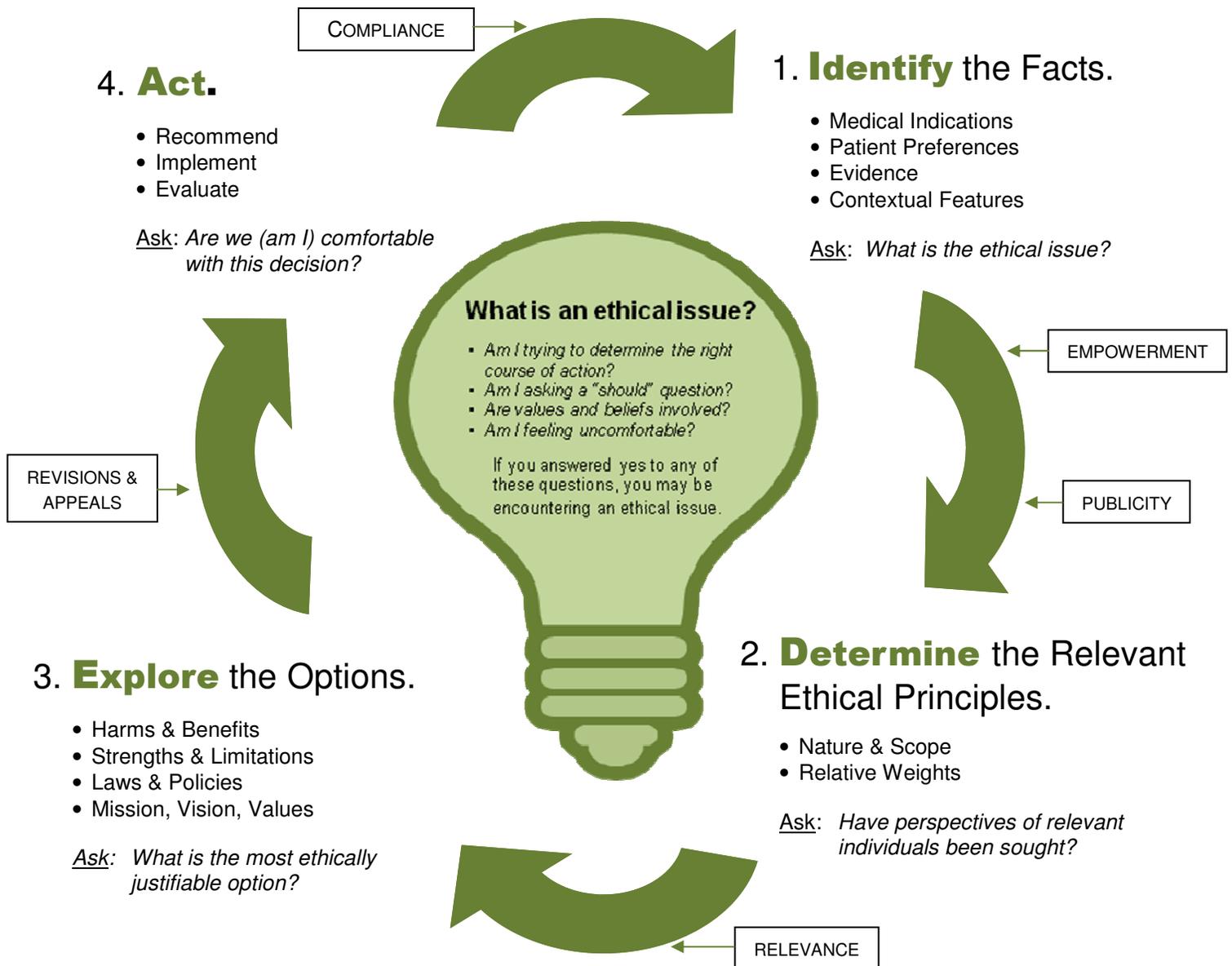
Our Values

- **Excellence:** We will exceed the expectations of our patients and their families by anticipating their needs, improving access to care, and ensuring the quality and safety of care.
- **Collaboration:** We value partnering with others to achieve our mission and vision.
- **Accountability:** My decisions impact the lives of others. I will assume responsibility for the commitments I make to our colleagues, patients, health care partners and communities. I am the face of Sunnybrook and my actions will improve the hospital.
- **Respect:** There is strength in our differences. By embracing how we are each unique and how every person’s perspective is of value, Sunnybrook can be a leader in health care.
- **Engagement:** We are all active members of the Sunnybrook team and therefore integral to the hospital’s success. By engaging others and being invested in our work, we all contribute to achieving our mission and vision.

Figure 1

I.D.E.A.

Ethical Decision-Making Framework



¹ The IDEA: Ethical Decision-Making Framework builds upon the Toronto Central Community Care Access Centre *Community Ethics Toolkit* (2008), which was based on the work of Jonsen, Seigler, & Winslade (2002); the work of the Core Curriculum Working Group at the University of Toronto Joint Centre for Bioethics; and incorporates aspects of the accountability for reasonableness framework developed by Daniels and Sabin (2002) and adapted by Gibson, Martin, & Singer (2005).

Step by Step Guidelines

For each step in the framework, a number of guiding questions and/or considerations and an overarching question are posed. Some of the questions may be more relevant for clinical decisions; others for organizational decisions. In addition the conditions that should be met during each step of the process are described. At any point in the process, you can seek the assistance of an ethicist, ethics facilitator, ethics forum, or other professionals to help work through the process and resolve any areas of contention.

Step 1: Identify the Facts

Given that ethical issues often arise because of a lack of sufficient information or evidence, as well as disagreements about the facts, the first step in the ethical decision-making process is an explicit call for identification of the facts. This may help to resolve some conflicts and sets the stage for an effective process in others. Begin by asking the question, "What is the ethical issue that has been identified?"

Medical Indications:

- What is the patient's healthcare problem (or the healthcare problem for a group of patients)? What is the diagnosis, prognosis?
- Is the problem acute, chronic, critical, emergent, reversible?
- What are the goals of treatment/intervention for this patient/patient population?
- What are the probabilities of success for this patient/patient population?
- What are the plans in case of therapeutic failure for this patient/patient population?
- What are the benefits of the treatment/intervention? How can these be maximized?
- What are the harms of the treatment/intervention? How can these be minimized?

Patient Preferences:

- What are the patient(s) preferences re: treatment/ intervention?
- What is the patient's assessment of quality of life with and without treatment/ intervention?
- Is the patient's decision voluntary and informed?
- If patient isn't capable of making the decision, who is SDM? Is SDM following principles governing substitute decision-making?
- If patient is a child, has his/her ability to consent/assent been ascertained?
- Has patient expressed prior wishes (in writing, orally or in any other manner)?
- Is patient unwilling or unable to cooperate with treatment/ intervention? If so, why?
- Is patient's right to choose being respected to the extent possible in ethics and law?

Evidence:

- What is the standard of practice?
- What data to inform decision is available locally, regionally, provincially, etc.?
- What research findings/literature are available to inform decision?
- What documentation is available (e.g., advance directives)

Contextual Features:

- Are family issues possibly influencing decisions about the treatment/ intervention?
- Are there any religious or cultural factors?
- Are there any health provider/administrator biases that might influence decision, including judgments about quality of life?
- Is clinical research or teaching involved?
- Is there any relevant legislation?
- Are there any confidentiality concerns, limits?
- What are the financial implications associated with the decision?
- What organizational policies are relevant to the decision?
- Is there any conflict of interest on the part of the healthcare providers or the institution?
- What are the mission, vision, values, and strategic directions of the organization?

Personal Considerations:

- What are your personal emotions, feelings, values and biases regarding this case/issue?
- How might the above influence you in your professional role? Are you able to respond professionally (as opposed to personally)? If this is difficult, what steps can you take to rectify this?
- How will you address expectations that don't align with your role or are beyond your scope?

Conditions:

1. Empowerment

Strategies to minimize power differentials and optimize effective opportunities for participation should be implemented at the outset and incorporated throughout the process. Such strategies reflect the condition of “empowerment” and, depending on the nature of the situation, may include community engagement, encouraging expression of divergent views, democratic voting procedures, secret ballots, ample preparatory time, and capacity building (Gibson et al, 2005).

2. Publicity

Similarly, the condition of “publicity” should be evident at each step of the process. This requires establishing and maintaining open channels of communication between relevant parties and transparency about the process.

Overarching Question:

Before proceeding to Step 2, revisit the question: “*What is the ethical issue(s)?*” Sometimes after the collection of relevant facts, the framing of the ethical issue requires modification.

Step 2: Determine the Relevant Ethical Principles

In the second step, open discussion about the dominant values and principles of the relevant parties (individuals and/or groups, as well as those of the organization) is necessary to further clarify the ethical issue(s) at hand. This step requires an exploration of the nature and scope of the identified ethical principles and consideration of the relative weights to assign to each principle. The agreed upon set of prioritized principles (decision-making criteria) will be used to guide the decision-making process.

- What principles/values do stakeholders consider most relevant to this issue?
- Which principles/values do the stakeholders agree are most important?
- Are there any additional factors that ought to be considered?

Condition:

1. Relevance

Completion of Step 2 of the process helps to satisfy the condition of relevance, that is, decisions should be made on the basis of reasons (evidence, principles) that “fair-minded” people can agree are pertinent and important given the current context.

Overarching Question:

Before proceeding to Step 3, the question: “*Have perspectives of relevant individuals been sought?*” should be considered.

Step 3: Explore the Options

The third step encourages brainstorming and reflection on a range of possible alternative courses of action. In any given situation, an attempt to identify at least three options should be made. Strengths and limitations of each option are explored. Options consistent with relevant laws and policies are identified. Options must be consistent with mission, vision, and values of organization. The agreed upon principles of decision-making as identified in Step 2 are applied to each viable option.

Condition:

1. Revisions and Appeals

Before a decision is acted upon, a mechanism for revisions and appeals is established, if not already in place. The decision may be revisited and revised in light of new or additional evidence. These procedures are necessary to satisfy the condition of “revisions and appeals.”

Overarching Question:

What is the most ethically justifiable option?

Step 4: Act.

Finally, the fourth step focuses on action. The most ethically justifiable option as identified in Step 3 is recommended for implementation. The decision(s) and the process used to arrive at the decision(s) is documented and communicated to relevant parties. An implementation plan is articulated. A process for evaluating the decision is determined.

Condition:

1. Compliance (Enforcement)

Lastly, to satisfy the condition of “compliance (enforcement)” the decision-making process should be reviewed to ensure that all of the conditions have been satisfactorily met. Although this review can be carried out by those directly involved in the decision-making process, validation by an individual or group that has not been directly involved is preferable as it is likely to be perceived as less biased.

Overarching Question:

Lastly, it is important to ask the question: *“Are we (am I) comfortable with this decision?”* The decision arrived upon might not be the one that would be most preferred by particular individuals or groups. However, those involved in the decision-making process should feel comfortable with the decision and the process that was used to reach the decision. If decision-makers are not feeling comfortable with the decision, further exploration of the reasons for the discomfort is warranted prior to implementation. Another way to think about this question is to consider: *“If this decision and the reasons for it were published in the paper tomorrow, would I be able to adequately defend the decision and the process?”*

Using the Ethics Worksheet

The Ethics Worksheet (see Appendix A) has been developed to document and facilitate the use of the IDEA: Ethical Decision-Making Framework. Each step in the IDEA Framework is identified and key questions to address are outlined. For each step, consider the scope of your role and level of expertise and whether you should involve other resources (e.g., ethicist/ethics facilitator/ethics forum, risk manager, professional practice expert, lawyer, patient/family council, supervisor, and administrator) to support, facilitate, or further inform the decision-making process.

Acknowledgment

The IDEA: Ethical Decision-Making Framework was modified and reprinted here with permission from Trillium Health Partner's Regional Ethics Program. The framework builds upon the Toronto Central Community Care Access Centre *Community Ethics Toolkit* (2008), which was based on the work of Jonsen, Seigler, & Winslade (2002); the work of the Core Curriculum Working Group at the University of Toronto Joint Centre for Bioethics; and incorporates aspects of the accountability for reasonableness framework developed by Daniels and Sabin (2002) and adapted by Gibson, Martin, & Singer (2005).

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Appendix A:

Ethics Worksheet

- I** Identify the facts
- D** Determine relevant ethical principles
- E** Explore the options
- A** Act - Recommend and implement

Date: _____

Step 1: Identify the Facts.

What is the presenting ethical issue(s)?

What are the relevant medical indications?

What are the patient(s) preferences?

What is the evidence?

What are the contextual features?

What is the ethical issue?

Step 2: Determine the Relevant Ethical Principles.

Who are the stakeholders (relevant parties)?

What values/principles does each believe are relevant to the issue?

Which values/principles do stakeholders agree are most important in the current context? (Rate from 1 to)

Are there any other factors that need to be considered?

Have perspectives of relevant individuals been sought?

Step 3: Explore the Options.

<i>Option 1:</i>		<i>Option 2:</i>		<i>Option 3:</i>	
<input type="checkbox"/> Consistent with laws and policies <input type="checkbox"/> Consistent with mission, vision, values, and strategic directions		<input type="checkbox"/> Consistent with laws and policies <input type="checkbox"/> Consistent with mission, vision, values, and strategic directions		<input type="checkbox"/> Consistent with laws and policies <input type="checkbox"/> Consistent with mission, vision, values, strategic directions	
<i>Benefits/Strengths:</i>		<i>Benefits/Strengths:</i>		<i>Benefits/Strengths:</i>	
<i>Harms/Limitations:</i>		<i>Harms/Limitations:</i>		<i>Harms/Limitations:</i>	
<i>Meets Decision-Making Criteria (list)</i>		<i>Meets Decision-Making Criteria (list)</i>		<i>Meets Decision-Making Criteria (list)</i>	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>Additional Resources Used (list):</i>		<i>Additional Resources Used (list):</i>		<i>Additional Resources Used (list):</i>	

What is the most ethically justifiable option?

Step 4: Act.

Documentation/Communication of Decision (who, what, where, how):

Implementation Plan:

Evaluation Plan:

<i>Process Met Conditions</i>	<i>Evidence:</i>	<i>Reviewed by:</i>
<input type="checkbox"/> Relevance		
<input type="checkbox"/> Publicity		
<input type="checkbox"/> Revisions and Appeals		
<input type="checkbox"/> Empowerment		

Are we (am I) comfortable with this decision?