Ethical Challenges in Surrogate Decision-making: A Relationship-based Strategy

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1. Describe the influence of bias in complex decision-making
2. Identify ways Case Managers can elicit patient values for enhanced medical decision-making.

I have no relevant financial relationships or other conflicts to disclose.
What is Bias?

- **Bias**: a preference or inclination, especially one that inhibits impartial judgment (The Free Dictionary)
  
  Synonyms: favor, nonobjectivity, one-sidedness, partiality, prejudice

**Conscientious Objection**

→ conflict with cultural values, religious beliefs, or deeply held moral convictions

From where does bias come?

1) Teachings
   a. Values
   b. Prejudices
2) Experiences
3) Vulnerabilities

Risks

- Unjustified Disparities
- Threat to Autonomy
- Inappropriate Treatment
**Implicit or Hidden**

- Unknowingly hidden from self
- Misaligned with conscious belief
- Difficult to identify

![Johari Window Diagram](Image)


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**Increasing our awareness...**

- Many patients receive care inconsistent with their preferences at end-of-life (Teno et al, 2002)
- Small study by Winzelberg et al (2005) identified 3 themes that influenced end-of-life decision-making and care
  - Dementia
  - Reversibility/recoverability
  - Unrealistic expectations
- Google: Implicit Bias
  - [https://implicit.harvard.edu/implicit/demo/](https://implicit.harvard.edu/implicit/demo/)
  - Demonstration/evaluation exercises on race, age, disability bias

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**Case: Thomas**

- 42 year old man, 3 years post lung transplant
- Hospitalized for respiratory failure, pneumonia and now also has chronic renal failure
- Involved family, including parents, siblings and an adult son
- A new hPoA document was completed 6 months prior to hospitalization, and named his new fiancée as the decision-maker
Fiancée • He trusted her  
Family • Future-thinking  
"fighter"  
Medical Team • "she doesn't 
know him"

Case Manager

Fiancée

Family

Medical team

Identify the biases
Putting the pieces together

Self-reflection & self-awareness
1. Identify your biases
2. Test your views

Patient's values, Autonomy & Respect for persons
1. Sincere inquiry
2. Body language
3. Don't skip people

Stakeholders' views
1. Foster a culture of respect
2. Find a balance professional & personal values
3. Use facts learned to tip scales

"Therefore, respect for autonomy often requires a process whereby a physician elicits the patient's values and goals related to healthcare and then recommends the medical means to honor those values and achieve those goals." ~ Billings & Krakauer, Arch Intern Med, 171(9) May 9, 2011.
References


http://www.thefreedictionary.com