

Ethical & Medico-Legal Dilemmas in Clinical Practice

ACOI 2018

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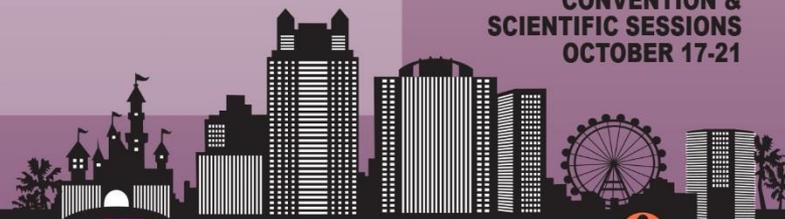
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OCTOBER 17-21



ORLANDO 2018

Disclosures

Mitchell Forman, DO

- Nothing to disclose

Weldon (Don) Havins, MD, JD

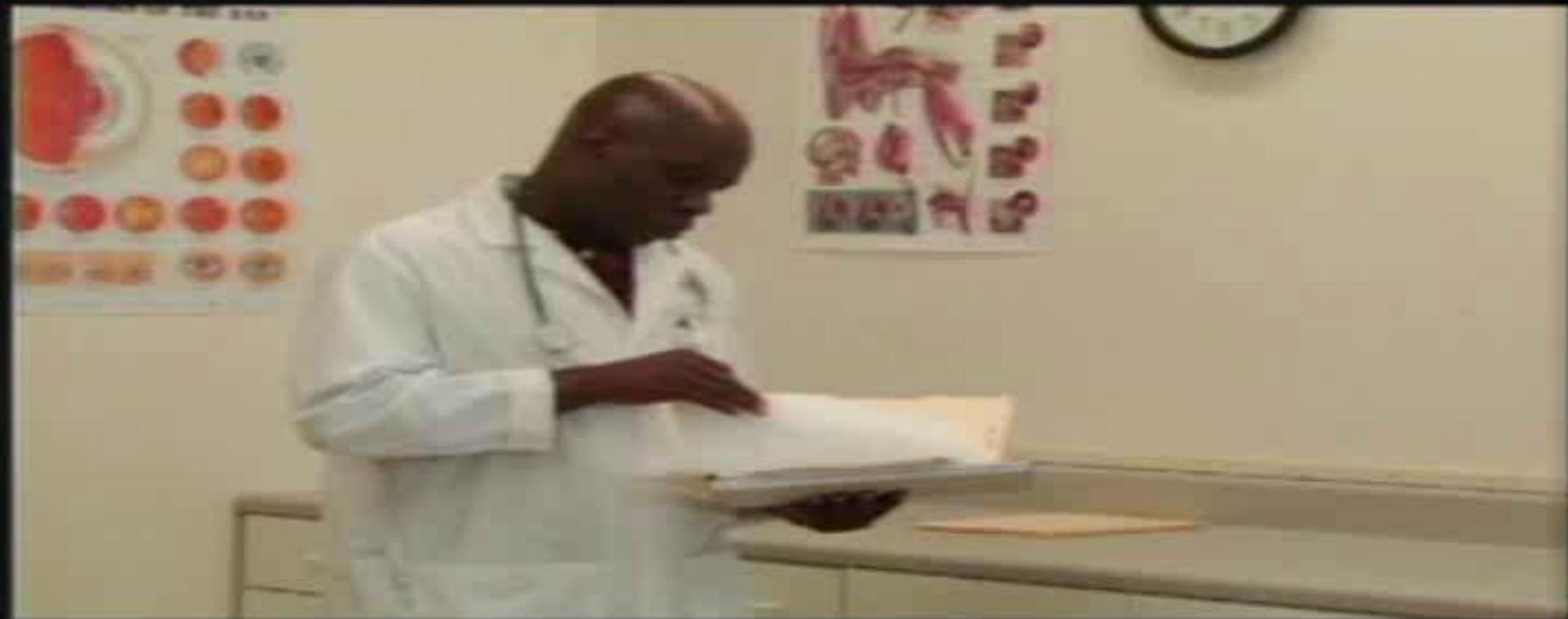
- Nothing to disclose

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Consultation gone awry

- a. What is the issue?
- b. Did the clinician handle the problem appropriately?

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It's my body....it's all in vein

- a. How far does autonomy go?**
- b. Are there circumstances that impact autonomy?**



I've got good news and bad news

- a. Is there an issue of confidentiality regarding what the patient reports?**
- b. Is it ethical to comply with the patient's wishes?**

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Show me your pain

- a. Can the attending's behavior be changed?
- b. Who has the responsibility for reporting?

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The worst of bad news

- a. What went wrong with this encounter?**
- b. How should bad news be presented?**

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Where is the chaperone when I need one?

- a. When did a problem first begin?**
- b. How should this interaction have been handled?**

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Angry patient

- a. How can you de-escalate an adversarial patient interaction?**
- b. Could something have been done before the clinician entered the office?**

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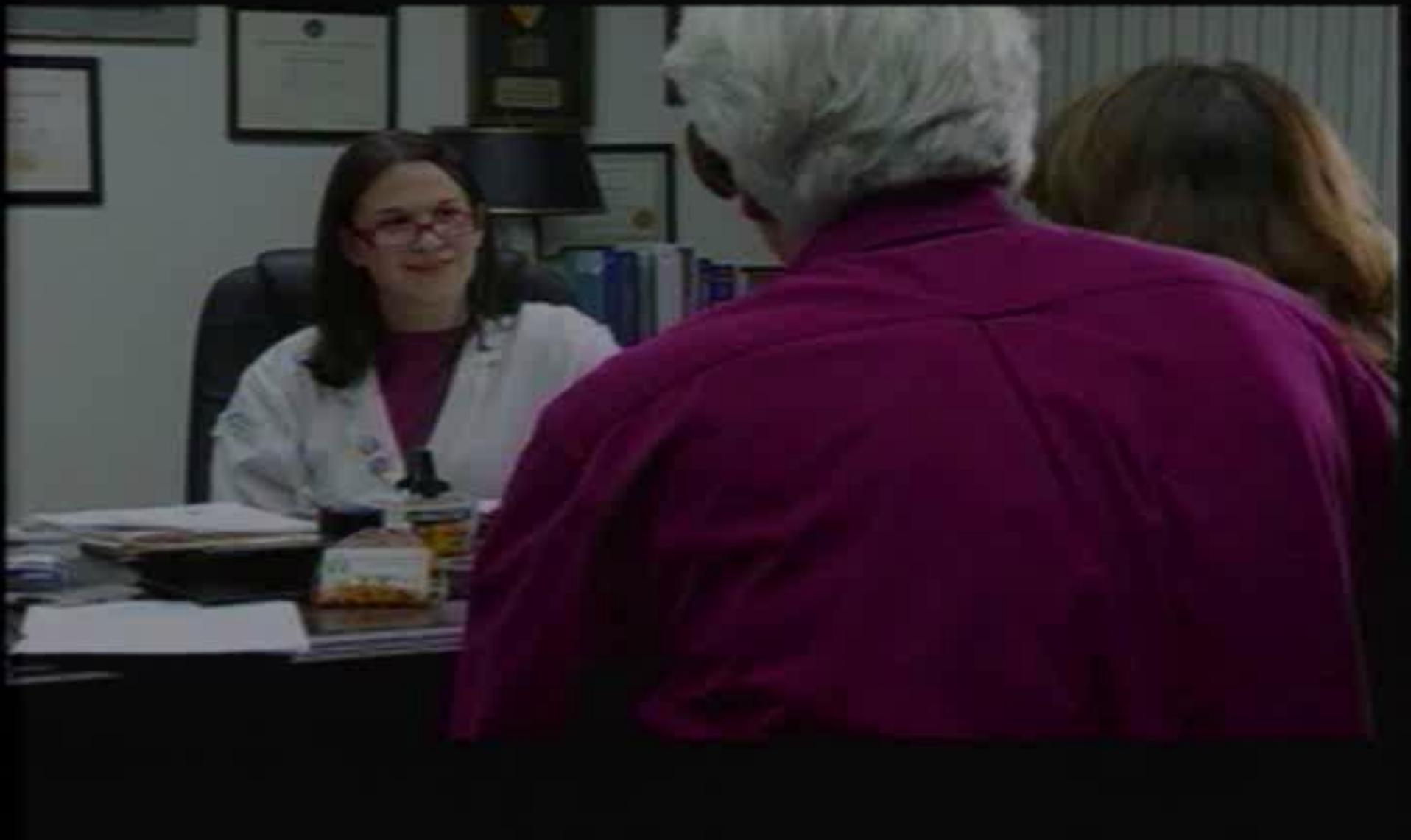
Telemedicine & Tele – Depression

Is telemedicine amenable to all types of patient health issues & interactions?



Threatening spouse

- a. What are the specific issues in this interaction?
- b. What is the clinician's responsibility to report?
- c. Is there liability in reporting?
- d. How should the clinician have handled her safety?



Minor's consent vs minor's coercion.

- a. Do the parents have the authority to make the decision regarding their child serving as a donor?**
- b. Who has the responsibility to protect the minor child?**



Give her the liver!

- a. What are the specific issues involved in the decision to assist this patient?**
- b. Is the clinician serving his patient's best interests?**



Loose lips sink ships

- a. Is this an issue of confidentiality?**
- b. What does “right to know” mean or imply?**
- c. When did it become a HIPAA issue?**

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You get what you pay for!

- a. How could this interaction have been handled more effectively?**
- b. Are there circumstances where telemedicine is not as effective as in person interactions?**



Trash talking doctor....a set - up for divisiveness & litigation

- a. Who is responsible for
addressing this issue?**
- b. Does the patient have any
recourse?**

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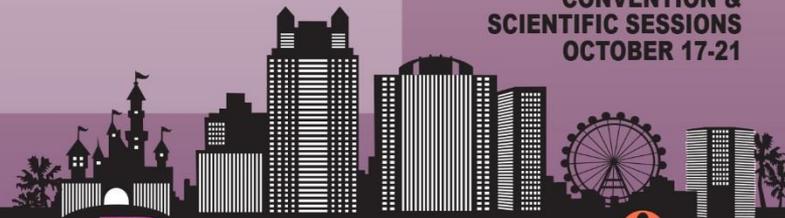


Doing it the Right Way?

1. Kind, soft-spoken, polite
2. Ask if she wanted her grandson present?
 - a) HIPAA violation?
3. What would you do differently?

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How do you avoid this?

What do you do if this happens?

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