



Annual Health Ethics Conference

Ethics by Example: Exploring ethical issues through case studies, Apr 26, 2024

Conference Overview

This conference offers a unique platform to delve into the intricacies of ethical decision-making in health care. It gives us the valuable opportunity to revisit health care decisions with the benefit of hindsight. This retrospective approach will enable participants to thoroughly explore the ethical dimensions of complex clinical decisions, understand key ethical principles and concepts, and unearth the hidden opportunities that each real case presents.

What sets this conference apart is its practicality – the cases discussed are relatable, making them applicable not only to health care professionals and providers, but also to community members who are interested in health care and health ethics.

Conference speakers will draw from an array of case studies, representing a range of health care practice settings and diverse patient and client populations and circumstances.

Overarching Learning Objectives of the Annual Health Ethics Conference

- 1. Delve into the realm of ethical decision-making in health care by examining real-life case studies that encompass a variety of clinical scenarios and patient/client populations.**
 - Deepen and enrich the understanding of how personal values, beliefs, and perspectives influence and shape ethical decision-making.
 - Engage in thought-provoking discussions about nuanced ethical cases. Appreciate how the involved and interested parties valued different ideas and desired different options.





- Learn about ways in which ethical dilemmas can arise when there is distrust among the interested and involved parties. Examine cases like Ms. Jahi McMath, a 13-year-old girl who was determined brain dead in 2013 following complications after a complex oropharyngeal surgery. Gain awareness of the international attention garnered by this case and appreciate the multiple perspectives and experiences of this case.
- Explore the issues and complexities that can arise in the context of advance care planning and advance directives. Unpack learnings from cases like the Margaret “Margot” Bentley case, where Mrs. Bentley, a nurse, died from dementia. Prior to losing the ability to communicate with her family, Mrs. Bentley had expressed wishes with regards to what she wanted. Mrs. Bentley’s daughter raised concerns in relation to what she understood Mrs. Bentley would have wanted if she were able to direct her care.
- Examine cases involving the right to privacy and duty of confidentiality. Learn about ethical considerations involving disclosure of private information when there are potential risks of harm to others.

2. Explore complexities and ethical dilemmas with substitute decision-making.

- Strengthen and grow understanding of the duties of substitute decision-makers and explore the nuances of making decisions in the best interests of others.
- Examine various ways in which substitute decision-makers can face challenges, including situations where a patient’s capacity might fluctuate, where personal values are unknown, or where teams are struggling to know the best way to incorporate known values into the options.
- Learn new ways to support patients and families when substitute decision makers are unable to fulfill their duties.

3. Develop new insights into the impacts of biases, discrimination, and systemic racism in health care. Build understanding about ways that stigma and bias impact care experiences for people who experience marginalization.





- Build knowledge and understanding of scenarios where biases, discrimination, and systemic racism had devastating impacts on patient/family care experiences.
- Confront truths about the experiences of people who face discrimination and racism when accessing healthcare, including Indigenous peoples.
- Identify biases and feelings that surface in cases involving people with complex clinical histories who use substances. Cultivate empathy, compassion, and trauma-informed practices, while gaining a deeper understanding of the impact of trauma histories on an individual's life story and experience.
- Strive towards person-centred, trauma-informed, cultural safety and compassionate care practices rooted in greater insight and understanding.

Opening messages and welcomes from Coast Salish Elder Roberta Price, Fiona Dalton, and Francis Maza

0905 – 0950h **Walking through ethical labyrinths: Perspectives and reflections from health care cases that are heard in the court system.**

Themes: overarching reflections/impressions from cases that escalate to courts, factors considered in decisions about potentially non-beneficial and/or harmful treatments, duties of a substitute decision-maker and the best interests standard, interpreting prior known wishes and values into decision-making and challenges that can arise

Learning objectives:

- Learn from judicial reflections about overarching impressions from cases that escalate to courts, considering the ethical, legal, and practical considerations involved in these complex situations. Appreciate why some cases escalate to court and why others do not. Consider missed opportunities for preventing escalations.





- Grow knowledge about professional obligations to provide medical care that is not indicated, is “futile”, or where the potential harms outweigh the benefits. Evaluate factors considered in decisions regarding potentially non-beneficial and/or harmful treatments.
- Examine duties and responsibilities of substitute decision-makers, with a focus on understanding the best interests standard, consideration of prior known wishes/values, duties and obligations of health care professionals to provide beneficial and clinically appropriate care, etc. Explore dilemmas and challenges that can arise when attempting to align patient preferences with clinical recommendations or indications, particularly where conflicts or ambiguities exist. Discuss limits to substitute decision making (e.g., limits to authority) and how this can interface with involuntary treatments such as those provided under the MHA or AGA.
- Consider broader social implications for decisions made in courts, including the benefits and drawbacks.

Speaker: Chief Justice Christopher Hinkson, LLB

Chief Justice of the Supreme Court of British Columbia

0950 – 1030h **The roots of ethical practice: The unseen impact of our worldviews, values, and biases and what we can do to understand them.**

Themes: respecting different viewpoints and perspectives, cultivating empathy and compassion for others, privilege and power in clinical ethics, giving space to hear marginalized voices, building awareness about practitioner bias, and best strategies to include all interested/involved parties

Learning objectives:

- Build understanding of what underlies ethical practices, including our own life histories, perspectives, worldviews, biases, and preferences. Appreciate the impact of these in shaping how ethical dilemmas are approached and interpreted, how they give rise to discriminatory care with devastating impacts on others (e.g., impacts from systemic





racism on Indigenous peoples, BIPOC people, people who use substances, and other marginalized groups).

- Develop strategies to foster insight into our own belief systems. Learn ways to invite others to share their perspectives/values and prioritize marginalized voices.
- Build new skills to grow compassion, empathy, and understanding.

Speaker: Jon Gilchrist, MCS, CEC

Ethicist & Corporate Director of Ethics and Diversity, Covenant Health

Morning refreshment break (20 min)

1050 – 1135h **Cultivating trust through the forest of divergent viewpoints: Learnings from the Jahi McMath case.**

Themes: trauma-informed practice, anti-racist practices, supported decision-making, parental decision-making, navigating different viewpoints on medical facts, fostering and repairing trust

Learning objectives:

- Examine the case of Jahi McMath, a 13-year-old girl in California, who was declared brain-dead following a brain surgery in 2013. Analyse the various perspectives brought by the involved parties (parents, the health care team and the legal team) and how they impacted care planning. Learn about the outcome of the case and explore what may have been done differently to navigate conflicting viewpoints.
- Explore how systemic racism may have been implicated, and how trauma-informed and anti-racist practices may have produced different outcomes in Ms. McMath’s case.





- Delve into meaningful conversations about supporting families where there has been a loss in trust. Identify approaches to understand why a loss of trust has occurred and how that is impacting health outcomes. Consider new ways to build positive relationships and navigate situations when communication has broken down.

Speaker: Yolanda Wilson, PhD

Associate Professor in Health Care Ethics, Saint Louis University

1135 – 1220h **Sowing the seeds of choices: Advance directives and decision making for a future self.**

Themes: prior known capable wishes and advance care planning, the disability paradox, legal requirements for valid advance directives, dementia, substitute decision-making in a person's best interests, substituted judgement when prior known wishes are unclear, implications for substitute decision-making in future contexts

Learning objectives:

- Develop new insights into the complexities surrounding advance directives and the utilization of substituted judgement to inform decisions made by a substitute decision maker. Acquire understandings of the pitfalls of commonly expressed wishes such as "no heroics". Enhance knowledge about the legal requirements for valid advance directives, including the limitations and challenges in addressing specific requests or wishes that are not provided for under current legislation.
- Explore the role of advance directives in future legal frameworks, including the possibility of advance requests for Medical Assistance in Dying. Understand the concerns raised (e.g., by groups such as the Canadian Council of Academies).
- Understand the concept of the disability paradox and identify its relevance in the context of dementia care. Appreciate the nuanced challenges and tensions inherent in making decisions for a future self whose identity and interests may be uncertain. Explore the complexities that arise when navigating decisions for individuals with evolving cognitive capacities.





Speaker: Margaret Hall, LLB, LLM, PhD

Professor and BC Notaries Chair in Applied Legal Studies, School of Criminology, Simon Fraser University

Lunch break (60 min)

1320 – 1405h **Confronting truths and cultivating change: Addressing Indigenous biases, discrimination, and racism in healthcare.**

Themes: Indigenous-specific racism, anti-racist practices, impacts of biases/stigma/discrimination, health outcomes for Indigenous populations

Learning objectives:

- Build knowledge and understanding of how biases, discrimination, and systemic racism have had devastating impacts on patient/family care experiences. Explore culturally safe methodologies that have been used to bring focus to these experiences, including patient journey mapping.
- Reflect on personal biases and assumptions that can influence interactions and clinical judgements with patients and families; develop strategies to enhance cultural humility, cultural safety, empathy, and equity in health care and decolonize healthcare practice.
- Confront widespread racism throughout the health care system, including differential treatment and prejudice, and negative care outcomes like treatment delays, misdiagnosis, and inadequate management. Understand the need for Indigenous Cultural Safety throughout health care. Identify actionable steps and practices to promote inclusivity and culturally competent care that prioritizes dignity, respect, and well-being for all patients regardless of their background or identity.





Speaker: Fancy C. Poitras, MPP, PBD

Director of Indigenous Cultural Safety Development, Providence Health Care

1405 – 1435h **Navigating conflicts between duty to protect and duty to disclose information: When is it ethically justifiable to breach confidentiality?**

Themes: Confidentiality, justifications to breach, duty to disclose vs. duty to protect

Learning objectives:

- Gain a comprehensive understanding of confidentiality within clinical practice, exploring its ethical underpinnings and practical implications.
- Learn about the duty to protect and the duty to disclose information and how they apply in clinical settings.
- Investigate the threshold for breaching confidentiality and the ethical frameworks guiding such decisions, illuminating the complexities inherent in maintaining trust while ensuring safety.
- Critically analyze scenarios where breaching confidentiality may be ethically justifiable. Cultivate strategies to navigate the ethical dilemmas that arise where there is a duty to disclose information.

Speaker: Mark Miller, C.Ss. R, PhD, MDiv

Visiting Scholar in Ethics, Providence Health Care & St. Mark's College

Afternoon refreshment break (25 min)





1505 – 1600h **Empowering compassionate care: Impacts of biases on emergent decision making and seeking equity for marginalized groups including people who use substances.**

Themes: Fluctuating capacity, biases and prejudice on care decisions, emergent/urgent decision making, best interests in the context of mental health and substance use, involuntary treatment in the emergency department, cultivating compassion and empathy, fostering trust and relationships

Learning objectives:

- Using case examples from practice, identify biases and feelings that surface in cases involving people with complex clinical histories involving substance use. Appreciate how biases and assumptions can bring about negative care experiences and work towards cultivating empathy, compassion, trauma-informed practices.
- Deepen understanding of the impact on historical and personal trauma on an individual's experience with substance use and accessing care. Strive towards person-centred, compassionate care practices.
- Draw connections between diverse perspectives on addictions and substance use through ethical frameworks and principles, exploring the moral dimensions inherent to patient care within this context.
- Consider the ethical complexities that arise when providing support to patients and residents navigating substance use disorders, fostering reflection and dialogue to navigate these tensions effectively.

Speaker: Quentin Genuis, MD, CCFP-EM, MLitt

Physician Ethicist, Providence Health Care

