

DSHS Grand Rounds

Oct. 9

Ethical Issues in Giving Bad News



Presenter: Joy Hinson Penticuff, PhD, RN
Concordia University (retired)

Logistics

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Logistics (cont.)

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This educational activity received no commercial support.

Disclosure of Financial Conflict of Interest

The speakers and planning committee have no relevant financial relationships to disclose.

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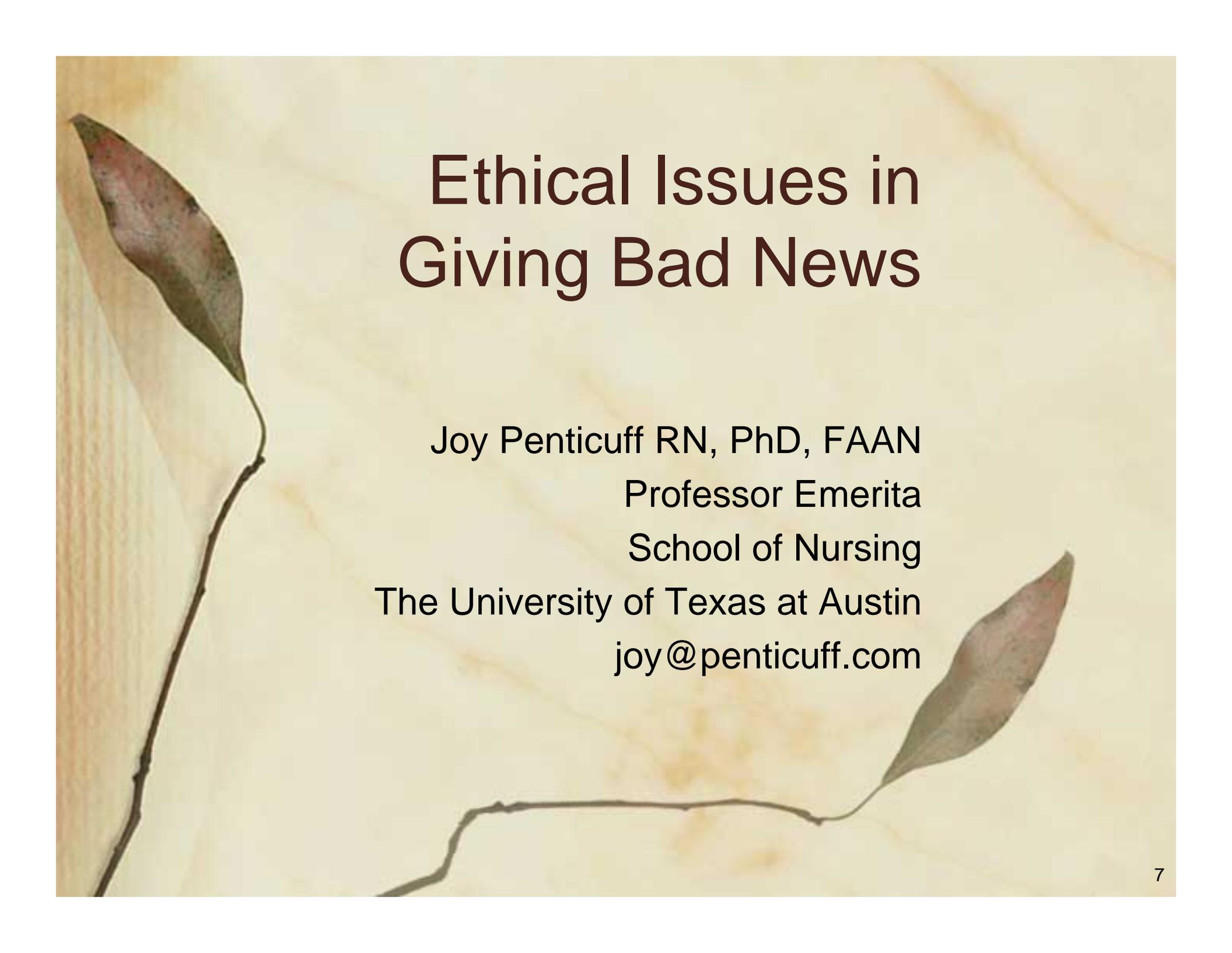


David Lakey, MD
DSHS Commissioner
is pleased to introduce today's
DSHS Grand Rounds speakers

Ethical Issues in Giving Bad News

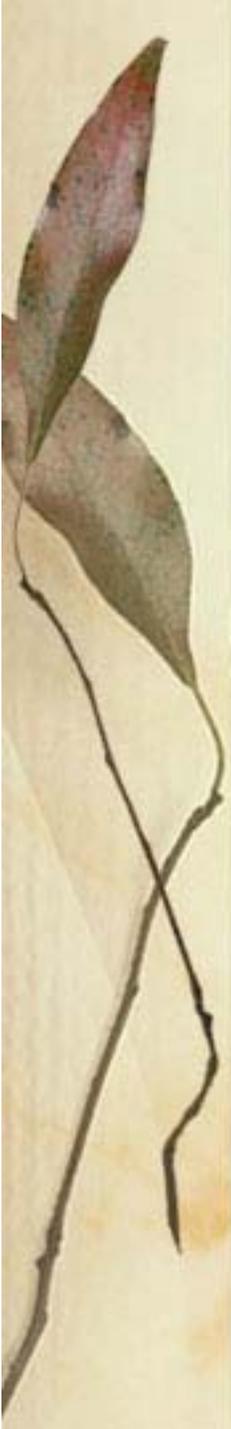


Joy Hinson Penticuff, PhD, RN
Concordia University (retired)



Ethical Issues in Giving Bad News

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Learning Objectives

- Describe ethical issues in giving bad news in public health
- List the 6 steps in giving bad news
- Adapt the bad news protocol to your work setting
- Explain how the manner in which bad news is given can affect outcomes

Mega Bad News



Measles cases put Texas megachurch under scrutiny



NEWARK, Texas (AP) -- The teachings of televangelist Kenneth Copeland and his family focusing on the virtues of trusting God to keep healthy are under scrutiny after a cluster of measles cases linked to his family's North Texas megachurch revealed many congregants hadn't been vaccinated against the highly contagious disease.
(AP 08/31/2013 4:47 PM)



How is *giving bad news* an ethical issue in Public Health?

“Public health is what we, as a society, do collectively to assure the conditions for people to be healthy.”

The Future of Public Health
Institute of Medicine (1988)



Values are inherent in Public Health Practice

Essential Public Health Services

- Monitor health status to identify community health problems
- Diagnose and investigate health problems and health hazards

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- Inform, educate, and empower people about health issues
 - Mobilize community partnerships to identify and solve health problems
 - Develop policies and plans that support individual and community health efforts to protect and promote health and address fundamental causes of health risks

- 
- Enforce laws and regulations that protect health and ensure safety with respect for individual rights
 - Obtain feedback from the community in regard to this enforcement
 - Link people to needed personal health services and assure the provision of health care when otherwise unavailable

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- Assure a competent public healthcare workforce
 - Evaluate effectiveness, accessibility, and quality of population-based health services
 - Research for new insights and innovative solutions to health problems



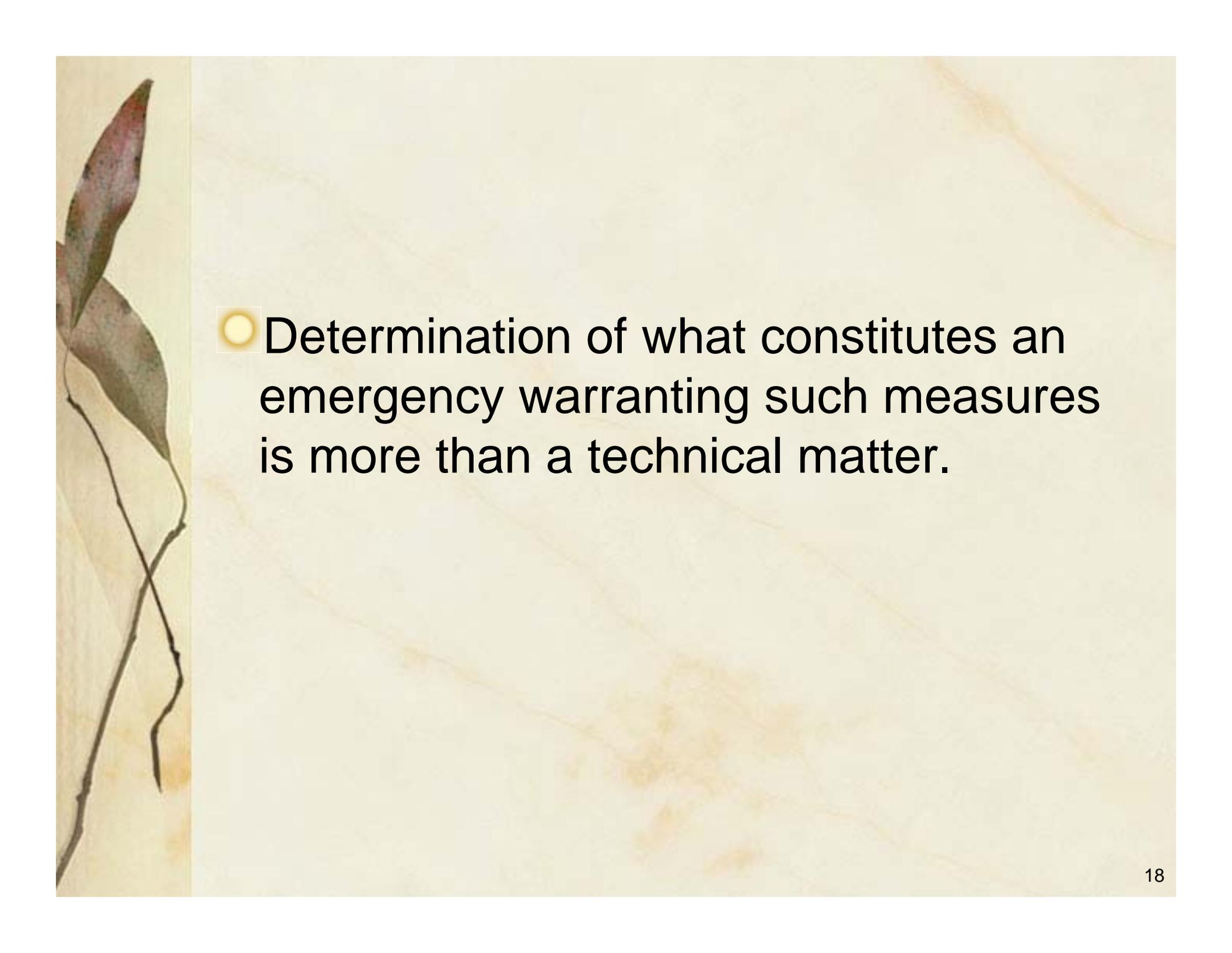
Ethical Issues in Formulating Public Health Policy:

- It is inevitable that decision makers must confront the question of how the interests and rights of the individual are to be balanced against the public good.



For example. . .

- the current debate over the extent to which the threat of bioterrorism can justify the exercise of public health measures like name reporting, mandatory vaccination and quarantine in situations defined as a public health emergency.

- 
- Determination of what constitutes an emergency warranting such measures is more than a technical matter.



Public Health Policymaking

- Includes value questions regarding the balance of risks and benefits, tolerable uncertainties, and our conceptions of rights.



In meeting their ethical obligations,
Public Health professionals must,
from time to time, communicate
bad news.



Ethical Issues

- Veracity
- Nonmaleficence
- Paternalism



An ethical analysis will ask:

- Will the truth do good or harm?
- Should the whole truth be told?
- Should the truth be withheld for the common good?



Questions

- What do people want to know?
- How do people experience bad news?
- How should someone give bad news?
- Does how bad news is given make a difference?
- Do cultural differences matter?



Bad news usually triggers an emotional response in recipients:

○ Anxiety

○ Anger

○ Incredulity

○ Sadness

○ Disappointment

○ Disillusionment



Bad News

Grave excavation begins at Fla. reform
school site

By **BRENDAN FARRINGTON**

Associated Press August 31, 2013

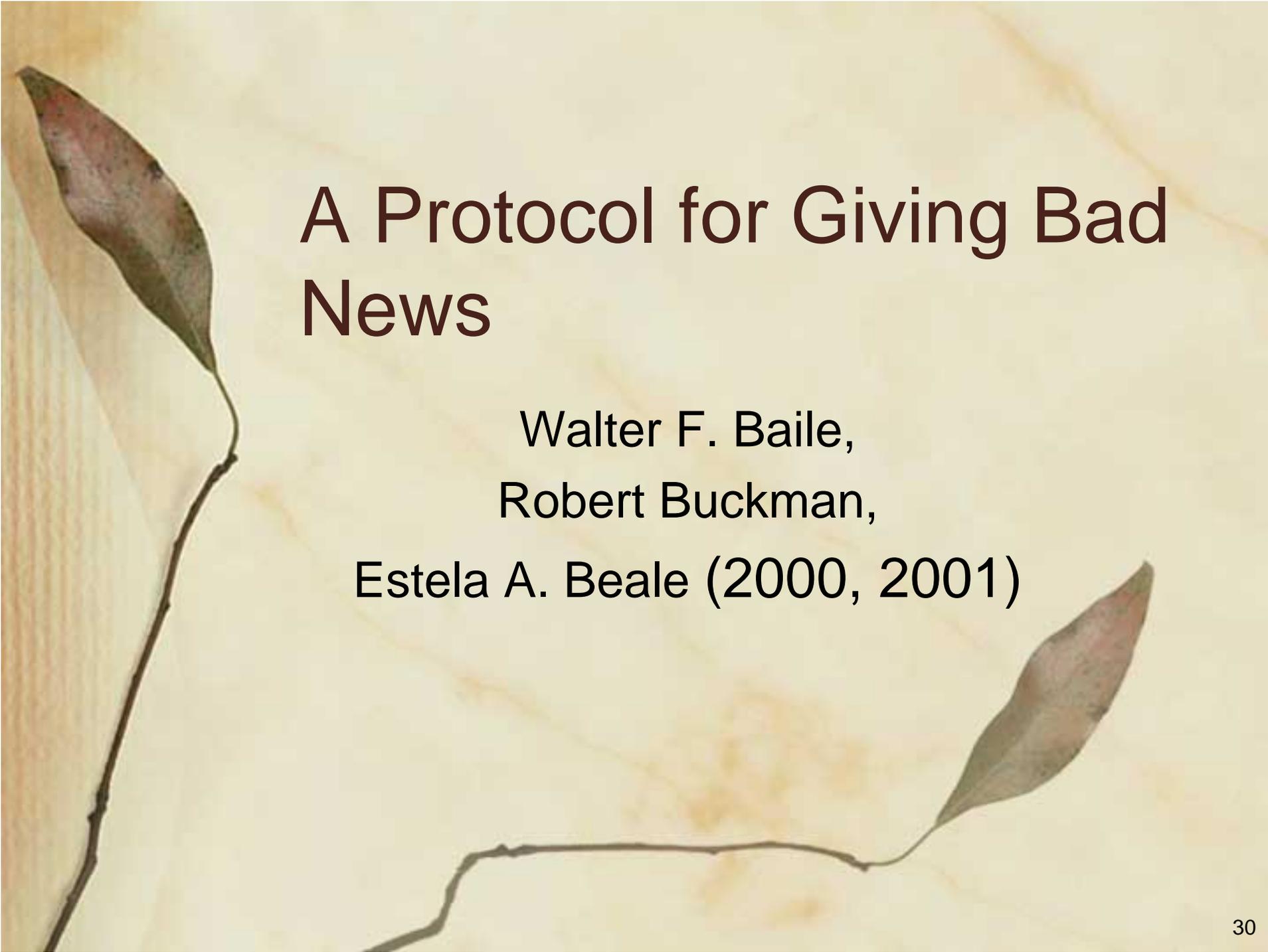


MARIANNA, Fla. (AP) — University of South Florida researchers began exhuming dozens of graves Saturday at a former Panhandle reform school where horrific beatings have been reported in hopes of identifying the boys and learning how they died.

- 
- Former inmates at the reform school from the 1950s and 1960s have detailed horrific beatings in a small, white concrete block building at the facility.
 - A group of survivors call themselves the “White House Boys” and five years ago called for an investigation into the graves.

- 
- In 2010, the Florida Department of Law Enforcement ended an investigation and said it could not substantiate or refute claims that boys died at the hands of staff.

- 
- USF later began its own research and discovered even more graves than the state department had identified.
 - USF has worked for months to secure a permit to exhume the remains, finally receiving permission from Gov. Rick Scott and the state Cabinet **after being rejected by Secretary of State Ken Detzner, who reports to Scott.**



A Protocol for Giving Bad News

Walter F. Baile,
Robert Buckman,
Estela A. Beale (2000, 2001)



Protocol for Giving Bad News

1. Prepare information, location, setting
2. Find out what they already know
3. Ask how much they want to know
4. Share the information
5. Respond to their emotion
6. Negotiate a concrete follow-up step



Protocol Details

1. Prepare

- Know the facts
- Find time
- Locate a quiet space
- Include the right people
- Nonverbal cues: distance, posture, eye level



2. Find out what the person already knows:

“I want to make sure we’re on the same page; what have other people told you?”

“When you first had (experience), what did you think it might be?”



3. Ask how much the person wants to know:

- “Would you like me to tell you the full details of your condition or is there someone else you would like me to talk to?”



4. Share the information:

Warning shot

- ☉ “I have some bad news about the results of your (blood test, performance review, etc).”



4. Continued

Use language at the same level as the person's:

- ☉ “Did you get that?”
- ☉ “Did that make sense to you?”



5. Respond to the patient's emotions:

- Acknowledge, name, empathize

“I can see that this wasn't something you expected to hear.”

- You don't have to agree with the emotion or share it.



6. Negotiate a concrete follow-up step:

“Let’s talk next week after you see the GI specialist.”



Dealing with the fallout

- Walk through the bad news encounter
- Use case-specific knowledge
- Know usual clinician pitfalls:
 - Failure to assess understanding
 - Failure to acknowledge emotion



Exploring cultural beliefs

- What do you think might be going on?
- If we needed to discuss a serious medical issue, how would you and your family want to handle it?



Exploring cultural beliefs

- Would you want to handle the information and decision-making, or should that be done by someone else in the family?

-Kagawa-Singer, JAMA 2001; 286:2993



Summary

- Giving bad news is a fundamental communication skill
- How bad news is delivered can affect how people adjust to their situation
- Exploring cultural beliefs is important in adapting the bad news communication to each person



How Great Leaders Give Bad News

Erika Andersen

Forbes Magazine

Examples:

- performance conversations
- explaining a screw-up to the press

- 
- Navigating these situations well is a defining characteristic of truly followable and inspiring leaders.
 - When a leader is straightforward in saying the toughest stuff, people assume (rightly) that he or she will be courageous in all kinds of essential ways: making difficult decisions; taking responsibility for them; apologizing for mistakes.



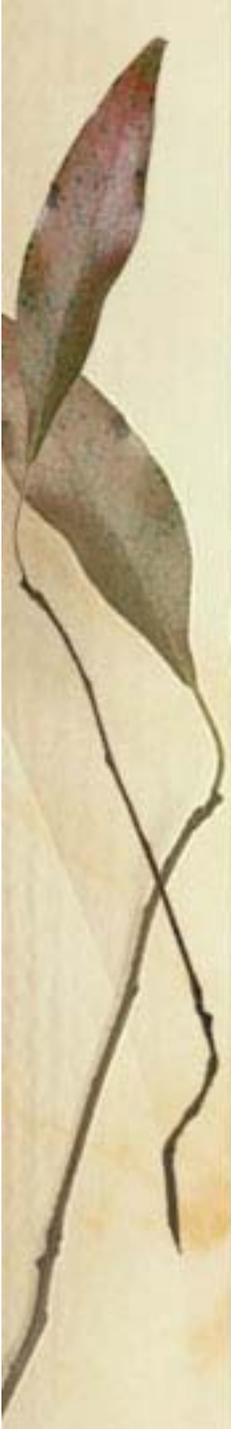
In other words, delivering bad news well demonstrates personal courage:

It shows that *you will do things that are personally uncomfortable or difficult for the good of the enterprise.*



Speak up. Don't push it under the carpet.

- When something has gone awry, immediately come up with a plan for communicating it, even though it will be uncomfortable, embarrassing, awkward, even painful.
- And communicate it using the steps outlined below.



Take responsibility.

- When a leader doesn't try to squirm out from under, and instead takes full responsibility for whatever he or she has done, or -- and this is important-- *for whatever the company has done*, it sends a powerful signal of confidence, honor and courage.



Listen.

- When people were understandably upset, and wanted both to vent and to ask questions, he cut them off by saying, “It’s no use to bitch and moan, let’s just make it happen.”



Fortunately, I was able to convince him later that inviting and working through people's response would make it much more likely that they *could* and *would* make it happen.

- 
- If you share bad news and then aren't willing to take in the response, it feels as though you're throwing something nasty on their desks and walking away.



The natural corollary of taking responsibility for the bad news is to say how you're going to turn it around.

People expect and want that from their leaders.



Do what you say, and repeat as needed.

- ☉ If you go through all the steps above, and then don't take the actions needed to address the situation, you'll probably be seen in an even worse light than if you did nothing. So make sure you deliver on your promises.

- 
- And realize that difficult situations with their attendant bad news are seldom “one and done”; you’ll probably have to cycle through these steps more than once, and to multiple audiences.



The good news

When you handle bad news in this way, it increases your confidence that you can handle similar difficulties in the future, and it increases your people's confidence in you as well. It might make the difference between failure and success for your company.



Resources used:

Walter F. Baile, Robert Buckman, Renato Lenzia, Gary Globera, Estela A. Beale and Andrzej P. Kudelka (2000). SPIKES—A Six-Step Protocol for Delivering Bad News: Application to the Patient with Cancer, *The Oncologist*.

Erika Andersen, *Forbes* contributor, Founding partner of Proteus International, author of *Growing Great Employees*, *Being Strategic*, and *Leading So People Will Follow*. erikaandersen.com

The Project to Educate Physicians on End-of-life Care (EPIC) AMA Institute for Ethics, 1999



Resources

The Future of Public Health
Institute of Medicine (1988)

Principles of the Ethical Practice of Public Health,
Version 2.2 American Public Health Association

University of Washington Center for Palliative Care
Education uwpallcare.org

Kagawa-Singer, JAMA 2001; 286:2993



Public Health Leadership Society
www.phls.org

Boston.com

Measles cases put Texas megachurch under scrutiny By JAMIE STENGLE Associated Press August 31, 2013

Boston.com

Grave excavation begins at Fla. reform school site By BRENDAN FARRINGTON Associated Press August 31, 2013

Questions and Answers



**James Baker, MD
Medical Director of
Behavioral Health
Services, DSHS**

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Our Next Grand Rounds

Oct. 16

**Health Data and
Transforming our
Approachs to
Improving Population
Health**



Presenter: Chesley Richards, MD, MPH
Deputy Director for Public Health Scientific Services,
Centers for Disease Control and Prevention