

Spring 2009

- 1 **FEATURED — ETHICS CONSULTATION GOES “BEYOND THE BASICS”**
- 2 **CHIEF OFFICER’S NOTE**
- 2 **STAFF NOTES**
- 4 **CONSULTATION NOTES - ECWEB**
- 4 **LOOKING AHEAD**
- 5 **PERSPECTIVE — PTSD WORK GROUP**

The National Center for Ethics in Health Care is VHA’s primary office for addressing the complex ethical issues that arise in patient care, health care management, and research.

Our mission is to clarify and promote ethical health care practices throughout VHA and nationwide. The Center supports clinical, organizational, and research ethics by:

- clarifying standards for ethical health care practice
- developing and interpreting programs for improving ethical health care practice
- serving as a resource for information, advice, and support related to ethics in health care
- supporting the development and use of electronic tools to support patient decision making and enhance ethical practice
- conducting and facilitating continuous, systematic evaluation of ethics programs and practice across VHA
- publishing ethics-related news, events, best practices, cases, and feature articles

FEATURED —
IntegratedEthics
Ethics Consultation Goes
“Beyond the Basics”

[This article is adapted from “Beyond the Basics Workshop,” published in IE in Action, Issue # 4, March 2009]

The National Center for Ethics in Health Care has completed the first series of workshops to provide follow-up, in-depth training in elements of IntegratedEthics (IE). The one-and-a-half-day workshop, *Ethics Consultation: Beyond the Basics (BtB) Workshop*, was designed to meet a need for more concentrated training than that provided by IE’s ethics consultation primer and videos.

Few consultants in VHA have completed formal training programs or certification in ethics. One of the long-term goals of the Ethics Center is to develop a cadre of professionals in VHA who have the requisite skills and knowledge to achieve excellence in ethics quality in the health care setting. A key step in this process has been IE’s establishment of national standards and basic training materials for ethics consultation.

The Ethics Center has embarked on a five-year program to go beyond this foundation, building on the strengths of current IE team members in the field toward the goal of achieving full mastery. As a part of this program, the BtB workshop is intended to create ethics consultation experts at each VHA medical center; these experts, in turn, use their knowledge to guide the development of other ethics consultants at their respective facilities.

So far, six BtB workshops have been held throughout the country, attended by 172 ethics consultants from 128 VHA facilities representing all 21VISNs. The workshop was designed to provide active and experienced ethics consultants with an opportunity to expand their skills and knowledge in a hands-on setting. Other objectives included helping participants become more familiar with IE concepts and tools, and building a community of ethics consultants and champions – all to improve ethics quality in VHA health care.

Each workshop was divided into six modules. Each module concentrated on the knowledge, skills, and practices that help ethics consultants address common challenges. (See the sidebar for the contents of each module.)

Overall, participants reported that the workshop

Continued on p. 3

STAFF NEWS

The Ethics Center has recently welcomed several new staff members. We will introduce them over the next few issues.

Douglas P. Olsen, PhD, RN, comes to the Center from the Yale University School of Nursing where he taught for 13 years. His prior clinical career includes being the first person licensed as an advanced practice mental health nurse in Alaska where he worked for the Indian Health Service and then the Southeast Alaska Regional Health Corporation, an Alaska Native health corporation.

His PhD in Nursing is from Boston College; he also has a Master's in psychiatric nursing from the University of Washington, and Bachelor's degrees from Hunter College and the Pennsylvania State University. He is the Assistant Editor of Nursing Ethics and Contributing Editor for Ethics at The American Journal of Nursing. His publications have appeared in a variety of professional journals including Psychiatric Services, Nursing Research, Journal of Clinical Ethics and Advances in Nursing Science. His areas of expertise include research ethics, ethics in psychiatric nursing, and the ethics of health care relationships.

He is a founding member of the International Centre for Nursing Ethics, Guildford, UK. In the fall of 2004 Dr. Olsen was awarded a Fulbright Fellowship and spent a semester in Russia lecturing on health care ethics to advanced nursing students at the Sechenov Moscow Medical Academy.

At the Ethics Center, Dr. Olsen directs the activities of the National Ethics Committee and

Continued on p. 3

FROM THE CHIEF ETHICS IN HEALTH CARE OFFICER

Throughout our health care system, VA patients and staff face vexing and potentially life-altering decisions every day. When such decisions are associated with a significant level of uncertainty or conflict about values, ethical questions may arise about what decisions are right or which actions should be taken. Every VHA facility has in place an ethics consultation service to help providers, patients, families, and other relevant parties resolve these questions. As the national program office responsible for clarifying and promoting ethical health care practices throughout VHA, the National Center for Ethics in Health Care is engaged in a number of activities designed to ensure that high quality ethics consultation is available in every VHA facility.



Dr. Ellen Fox

This issue highlights two of our activities: "Beyond the Basics" training and ECWeb. First, as part of the IntegratedEthics initiative, national standards were established for ethics consultation in all VHA facilities, and basic training was provided for ethics consultants. To further enhance the knowledge and skills of these consultants, the Ethics Center administered a series of training workshops that go "beyond the basics" of ethics consultation. Through these workshops, the Ethics Center is helping to build the expertise required to provide high quality ethics consultation in every facility. The expectation is that consultants who complete the Beyond the Basics training will in turn help to train other ethics consultants at their respective facilities.

The second article features ECWeb, an exciting quality improvement tool that is also part of the IntegratedEthics initiative. A Web-based software program, ECWeb is currently used by ethics consultation services in all VA medical centers to document, monitor, evaluate, and improve the quality of ethics consultation. There has been considerable demand for this tool by organizations outside of VA. Accordingly, the Ethics Center will host a 1½ day meeting at Harvard Medical School on July 6-7 to evaluate the feasibility of partnering with non-VHA organizations to share the ECWeb application.

At the National Center for Ethics in Health Care, our mission is to clarify and promote ethical practices throughout VHA and beyond. Through initiatives such as those described in this newsletter, we continuously aim to be Veteran-centered, results-oriented, and forward-looking. 

(cont'd from pg. 2) is a member of the Ethics Consultation Service. He is also the Center's liaison to VHA's research community.

Gordon L. Ohlsson, JD, brings over 30 years of experience as a writer and editor to his duties as the Center's publications manager. He is the author of the Center's three regular publications – *Ethics Rx*, *IN fOCUS*, and *Update* – and is the general editor of the Center's outside publications and other reports.

His experience includes four years as a research attorney and research director at the National Legal Research Group in Charlottesville, Virginia, and ten years as an editor and acquisitions director for professional reference book publishers. Subsequently, as a freelance writer, he was the author of three monthly newsletters on personal injury and health care law, and the revision editor of *Medical Malpractice*, a six-volume treatise published by Lexis Publishing. He has written books on workers' compensation and debtor-creditor law and is the author of dozens of articles on legal topics from agriculture to zoning law.

Mr. Ohlsson received a Bachelor of Arts in political science from Virginia Tech in 1973 and his JD from the University of Virginia School of Law in 1977.



National Center for
ETHICS
in Health Care

Ethics Consultation Goes "Beyond the Basics" – cont'd

(cont'd from pg. 1) expanded their understanding of the ethics consultant's role, and gave them a chance to practice concepts they already knew but had not yet mastered. One breakout exercise allowed participants to practice addressing issues outside of the patient care area, a key concept of IE but one that has not yet been implemented by all consultation teams. Chaplain Jack Klugh (VAMC Fargo, ND) observed that his medical center's consultation service historically had handled only clinical cases, but that, in light of the experience gained at the workshop, "our service can be asked to help with anything that has an ethical piece, including educational and historical issues." At the same time, however, other exercises taught participants how to identify situations that fall outside the purview of the ethics consultation service. "Sometimes we'll get calls to handle something that, for instance, is a legal issue, not an ethical dilemma," said Alicia Weatherbee, M.S.W., L.C.S.W. (VAMC Lexington, KY). "But we still want to be helpful and direct the person to the right place."

Participants found the modules very valuable for advancing their thinking about ethics and the role of the ethics consultation service. For example, by focusing on how to clarify the issues giving rise to the consultation request, Module 2 and its associated exercises taught participants how to better formulate and refine the ethics question that created the need for the consult. Similarly, Module 3 described techniques for finding the relevant available ethics knowledge and included exercises that helped participants practice how to gather information by searching the Internet and partnering with their medical library staffs. Finally, Module 5, on identifying systems issues in ethics consultation, showed attendees that some ethics consultation requests are actually grounded in organizational systems and practices; in an accompanying exercise, participants learned how a request for a consultation on whether to reveal an adverse event to a patient might actually have arisen because practitioners were not adequately trained in the facility's adverse events policy. All of these techniques are crucial in helping the consultation make the best recommendation to patients and their families. The workshop also provided empowering knowledge for conducting the actual consults. Thus, attendees practiced constructing effective ethics claims and counterclaims, running the formal consult meeting, and asking questions to reveal the sources for claims made by other members of the consultation team. This training helped attendees learn the importance of making sure that all views have a chance to be aired and allowed them to practice how to guide that airing in a way that preserves collegiality and is respectful of all members of the consultation team.

Continued on next page

Ethics Consultation Goes "Beyond the Basics" – cont'd

(cont'd from pg. 3)

Participants indicated that the workshops helped them to better understand how the parts of IE fit together. "I can now, for example, more readily identify when something's a preventive ethics issue," said Ms. Weatherbee. "The workshop gave me more grounded knowledge about IE as a whole."

In summary, the BtB workshop not only empowered ethics consultants with the knowledge needed to be more effective, it also gave them an opportunity to share and learn from colleagues — an experience that could not have been replicated in an online forum. The workshop also reinforced that consultants will continue to be supported in their work by Dr. Kenneth Berkowitz and his colleagues at the Ethics Center. "The training was a force-multiplier for me," said Chaplain Klugh. "My confidence came with realizing other people struggle with the same things I do. I can now jump out there and take the lead of the ethics consultation service at my facility, knowing that I have back-up. I returned from the training with a game plan for how I can help our consultants gain further skills and knowledge."

For more information about ethics consultation, go to <http://vaww.ethics.va.gov/integratedethics/ecc.asp>.

For more information about IntegratedEthics, go to <http://vaww.ethics.va.gov/integratedethics/index.asp>.

ETHICS CONSULTATION Beyond the Basics Workshop

MODULE 1 Preempt common misconceptions about the role of an ethics consultant

MODULE 2 Clarify the values uncertainties or conflicts giving rise to the ethics consultation request

MODULE 3 Find the available ethics knowledge relevant to an ethics question

MODULE 4 Construct effective claims and counterclaims

MODULE 5 Identify underlying systems issues in ethics consultation

MODULE 6 Use the beginning of a formal meeting to defuse conflict

LOOKING AHEAD

NATIONAL ETHICS TELECONFERENCES

1-800-757-1750
28410#

June 30, 2009

Tuesday – 12-1pm ET

July 29, 2009

Wednesday – 1-2 pm ET

August 25, 2009

Tuesday – 12-1pm ET

Topics will be announced in advance of each call by email notice and at <http://vaww.ethics.va.gov/activities/net.asp>

NET Summaries of prior calls are available both on the internet <http://www.ethics.va.gov/pubs/netsum.asp> and intranet <http://vaww.ethics.va.gov/pubs/netsum.asp>

CONSULTATION NOTES - ECWeb

The Ethics Consultation Service of the National Center for Ethics in Health Care responds to inquiries from VHA staff. To request a consultation send an email to vhaethics@va.gov.

Already recognized as a leader in providing quality health care, VA has embarked on an ambitious effort to promote and improve ethical practices in the health care provided by VHA. One important component of this effort is ECWeb. Designed and developed as part of the IntegratedEthics initiative, ECWeb is a multifunctional tool that helps improve the quality of ethics consultation in VHA by reinforcing standard consultation practice, aiding in the evaluation of consult responses, managing workload, and acting as a repository of ethics knowledge.

ECWeb Is a Quality Improvement Tool

ECWeb is a quality improvement tool that improves ethics consultation practices by tracking, trending, and documenting critical steps taken throughout the consultation process. Ethics consultants at each VHA facility use ECWeb to document the ethics consultations they perform, using a template to enter data relevant to each consultation. In so do-

Ethics Center Leads PTSD Research Work Group

The National Center for Ethics in Health Care led a work group of federal experts that examined the participation of Veterans with post traumatic stress disorder (PTSD) in research at VHA.

The Work Group on PTSD and Vulnerable Populations in Research (Work Group) was formed to examine the question of whether Veterans with a diagnosis of PTSD should be considered “vulnerable,” such that special protections are required to protect them as human subjects in research – and even whether, given the potential vulnerability of Veterans with PTSD, it is ever ethical to perform research involving this population.

PTSD is a potentially disabling mental disorder that can develop after exposure to traumatic events, including many of those encountered in military service. PTSD in Veterans is associated with significant societal costs, in terms of both health care resources and human suffering. When PTSD results from military combat, it holds special significance in American society: the diagnosis symbolizes to the public what Veterans have sacrificed on behalf of the nation. The nation has a special obligation to Veterans with PTSD – to understand their needs and assist in their recovery. VHA’s internationally recognized research has significantly advanced the treatment of PTSD, and this research continues, with the goal of steadily improving outcomes for these Veterans.

The Work Group was charged to examine the tension between the need to study Veterans with PTSD to help improve their condition and the need to protect Veterans with PTSD from further risk, given their potential vulnerability as research participants. Nine federal employees from six different agencies, met three times over the course of sixty days to receive testimony and comment from national experts inside and outside of VHA, and to deliberate on recommendations for VHA leadership. Specifically, the Secretary charged the Work Group to provide consensus recommendations for three questions; those questions and the Group’s answers were as follows:

QUESTION 1: Is it ever ethically permissible for VHA to support the conduct of

research on Veterans with PTSD?

ANSWER: The Work Group concluded that not only is it ethically permissible for VHA to support the conduct of research involving Veterans with PTSD, but VHA has an ethical obligation to do so.

QUESTION 2: Are Veterans with a diagnosis of PTSD considered “vulnerable” for the purpose of applying guidelines for the protection of human subjects in research?

ANSWER: The Work Group concluded that, as a group, Veterans with PTSD are not categorically vulnerable and, therefore, do not require special protections in the form of new regulations, policy, or guidance. Under current federal regulations and VA policy, Institutional Review Boards (IRB) are directed to scrutinize individual protocols to determine whether potential participants may have impaired decision-making capacity, an increased susceptibility to undue influence or coercion, or an increased susceptibility to the risks associated with a particular research study. None of these factors applies categorically to Veterans with PTSD; however, one or more of these factors might apply to certain Veterans with PTSD who are involved in a particular research study. If an IRB determines that this is the case with respect to a particular research study, the IRB should give special consideration to protecting the welfare of those Veterans with PTSD who are involved, and consider whether special safeguards are needed to protect them, just as would be done for any other study population.

QUESTION 3: Should Veterans with a diagnosis of PTSD be afforded special consideration and/or extra protections under VHA guidance to protect human subjects in research?

a. If yes, what criteria would trigger the application of special consideration and/or extra protections?

b. If yes, what specific consideration and/or extra protections should be afforded, and what mechanism would be used to implement them?

ANSWER: The Work Group concluded that Veterans with a diagnosis of PTSD should be afforded special consideration, con-

Continued on next page

CONSULTATION NOTES – cont'd

(cont'd from pg. 4) -ing, users create a consultation database for the facility. The database serves as a record to guide future consultations by showing how similar issues have been previously addressed and resolved.

ECWeb Is an Evaluation Tool

In addition to documenting outcomes, ECWeb helps evaluate the quality of consultations. The body of information, best practices, and ethics knowledge that each facility accumulates in ECWeb is a valuable resource that facility staff can use in addressing future ethical concerns. For example, the team can generate reports showing how many consults included an interview with the patient or a surrogate, or how frequently common clinical issues arise. By systematically analyzing work and comparing it to clearly defined standards, the consultation service leaders and their team members can identify strengths and weaknesses in their facility's processes, and can formulate strategies for improvement.

ECWeb Helps Manage Workload

ECWeb also helps manage the workload of the consultation team. Leaders can easily check for such information as which team members have open consults, how long consults have been open, and how many hours of work have been spent or are being spent on each consultation.

ECWeb Is a Knowledge Management Tool

Finally, ECWeb is a knowledge management tool as well. The body of information, best practices, and ethics knowledge that each facility accumulates in

ECWeb serves as a valuable resource that facility staff can use in addressing future ethical concerns. ECWeb provides a number of capabilities – including full-text search, data reports, and powerful sorting capabilities – to help users quickly locate the information they need. Applying these features to ECWeb's repository of information, clinicians can find and review previous consultations addressing similar concerns, thus helping to maintain a consistent level of ethics quality across VA.

ECWeb Is Secure

All of the data generated through ECWeb is stored on a secure server within VA, where it can only be accessed by the appropriate individuals. Local (or facility-based) ethics consultants can only see consultation records from their respective facilities. The data entry format reflects sound ethics practices, and it too will help improve the quality of ethics consultations. In addition to users at the facility level, selected Ethics Center staff can access data from all VA facilities from the ECWeb database. ↻

Ethics Center Leads PTSD Research Work Group – cont'd

(cont'd from pg. 5) -sistent with current regulation and policy, if and when an IRB determines that these Veterans have impaired decision-making capacity, an increased susceptibility to undue influence or coercion, or an increased susceptibility to the risks associated with a particular research study. Because Veterans with a diagnosis of PTSD are not categorically vulnerable, no extra protections in the form of regulations or policy are needed for this group beyond those specified in regulation or policy for all participants in research.

As a society, we owe a special obligation to all Veterans for the sacrifices they have made for our country, including Veterans who have developed PTSD and other disorders as a direct result of their military service. VHA, as part of its mission to advance the health and well being of Veterans, must adhere to the highest ethical standards in all of its research practices. Investigators, IRBs, and research teams should apply existing regulations and guidance regarding protecting human subjects with sensitivity to the needs and interests of Veterans with PTSD within the context of each particular study under review.

To read the entire report, please go to http://www.ethics.va.gov/docs/net/PTSD_Work_Group-Vulnerable_Populations-Research_20081001.pdf on the Internet, or http://vaww.ethics.va.gov/docs/net/PTSD_Work_Group-Vulnerable_Populations-Research_20081001.pdf on the Intranet. ↻