

Big Ethics in EMS: Decisions at the system level



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Disclaimers

- Financial: None – unfortunately
- Opinions: Strictly those of the presenters (although based on research) and not of any single agency they have worked for or hopes to work for.

- Check here to accept





Law and Ethics

Law:

Written down, codified, and voted on by state and federal legislators

- Based on public safety, economic considerations, consensus about “what’s right”
 - Usually a compromise
 - Legal penalty for non-compliance
 - Can be changed
-



Law and Ethics

Ethics:

Moral principles that govern a person's or group's behavior

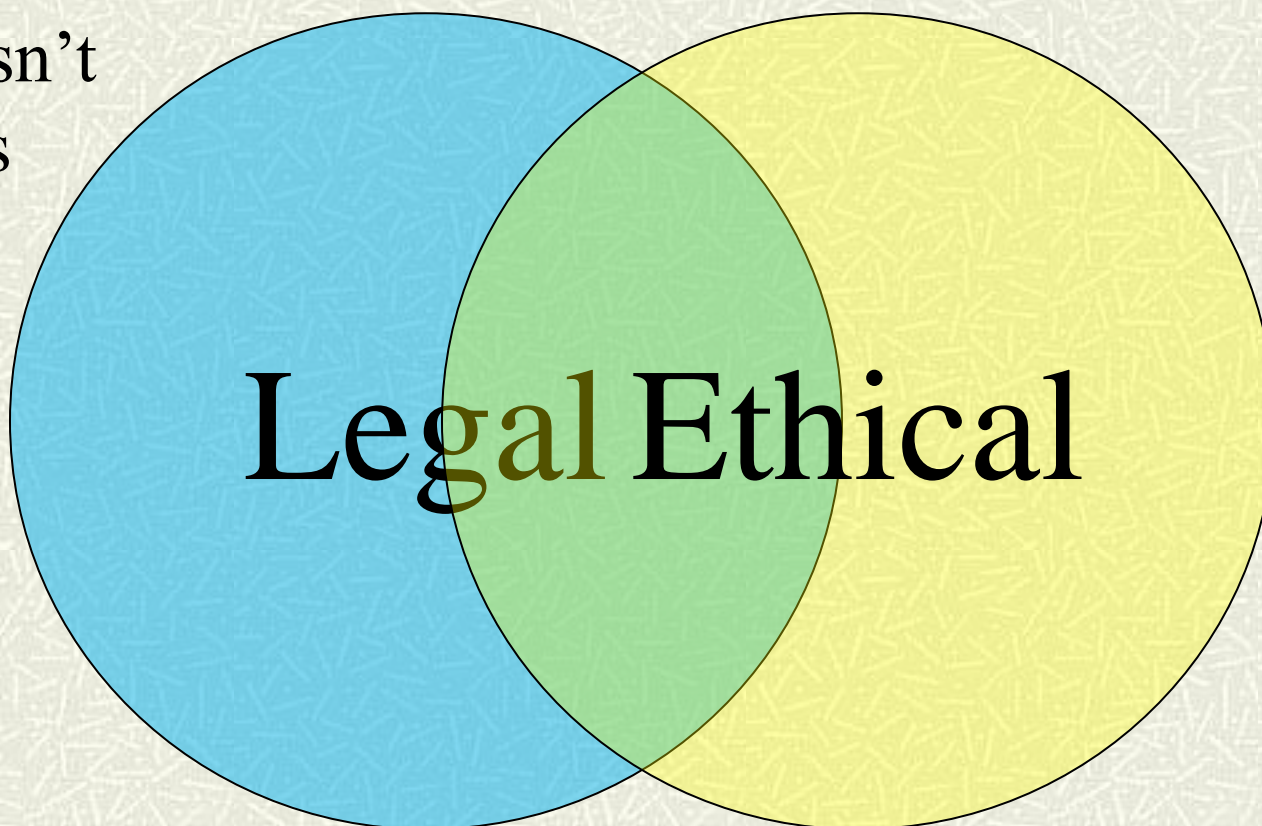
- Professional groups adopt a **code of ethics**
 - May be personal to yourself
 - Its what we bring to the discussions of what our **organizational policies** should be
 - Consensus about “what’s right”
-



The Intersection of Law & Ethics

What's
right isn't
always
right

Just
Culture



Legal Ethical

Safe Zone



A caveat

- # The law doesn't cover every situation
 - # Or, different areas of the law may demand you take conflicting actions.
 - # Planning, documentation, and frank discussion supports your ability to make good decisions in these cases
-



What are the ethical issues facing EMS?





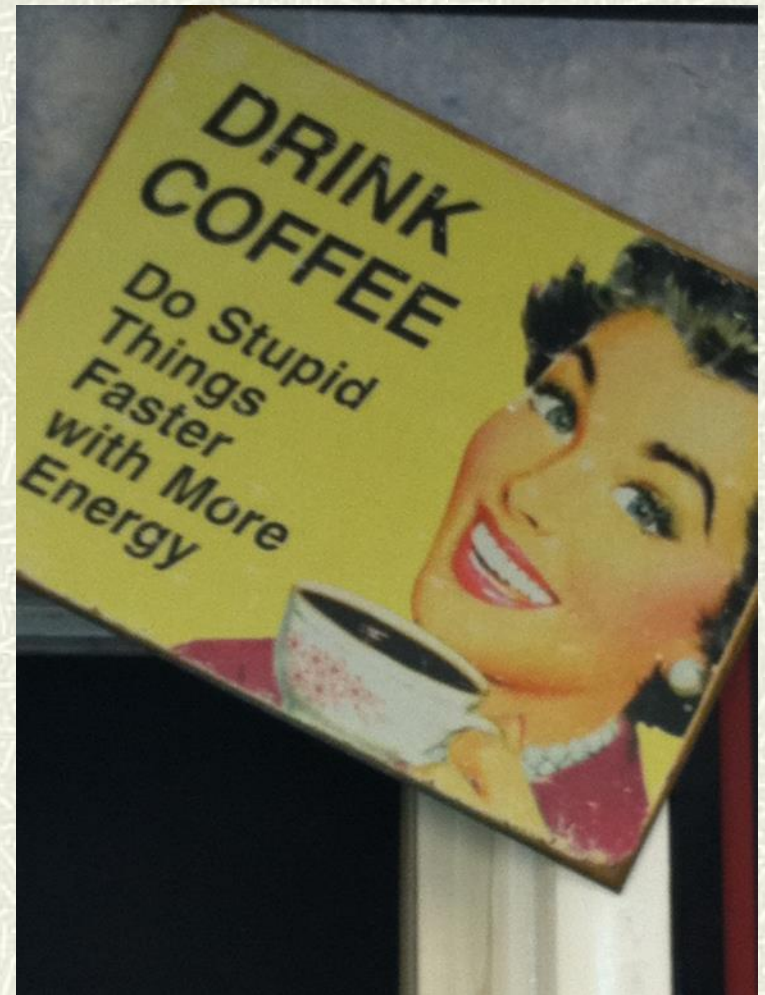
What are the issues?

- 24+ hr shifts
 - Lights and sirens
 - Hybrid Targeted Violence
 - Violence against EMS
 - Transport problems
 - Equipment problems
 - Infectious diseases
 - Drug testing
 - HR issues
 - Just Culture
-



Schedules

- # Rotating shifts
- # 24 + hour shifts
- # Platoon schedule





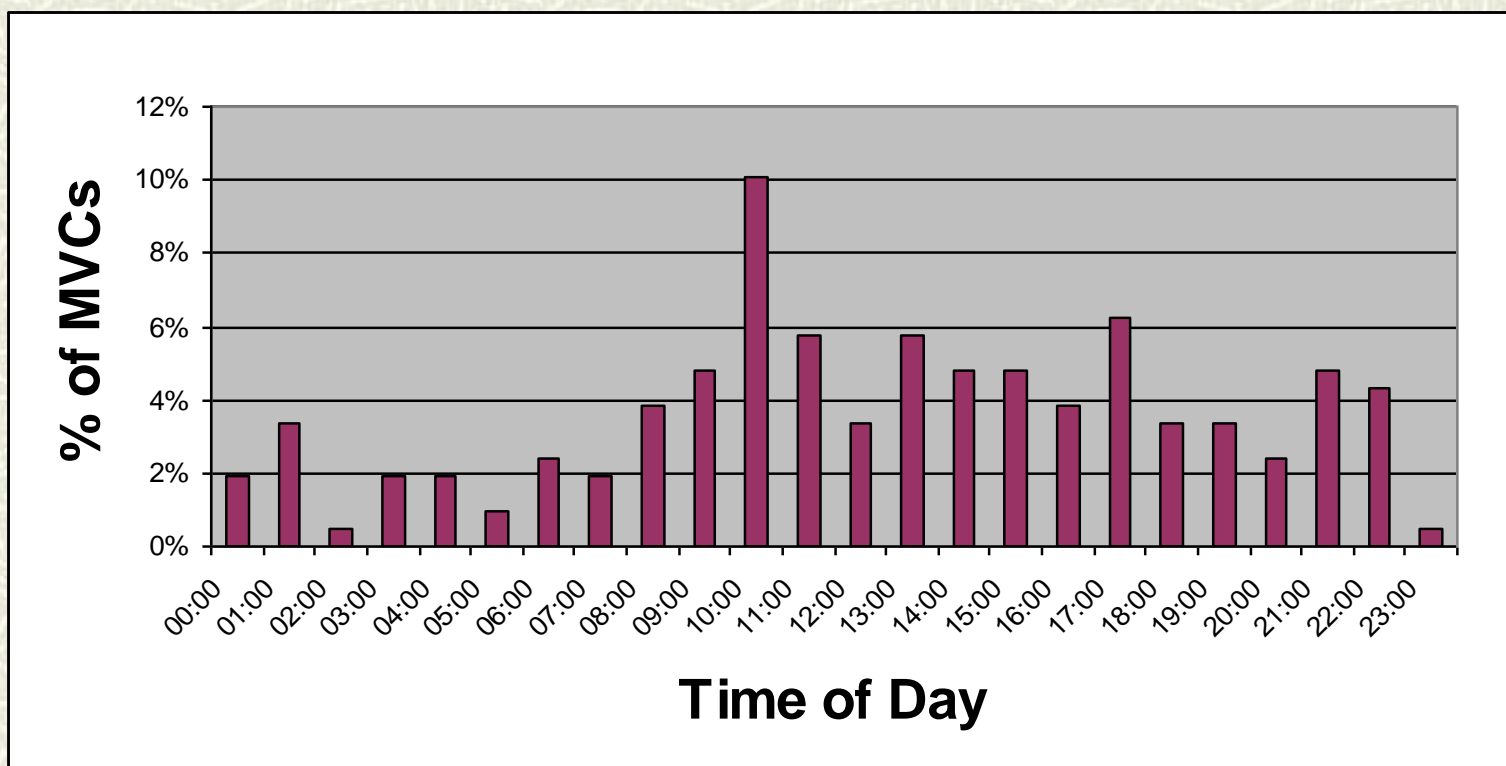
FG -0.1 SG +0.0 Time -10.00
Front View



FG -0.1 SG +0.0 Time -10.00
Rear View



When collisions occur



N= 180



Driving Drowsy Affects Performance

- # 19 hours without sleep is similar to a BAC of **.05%**
- 24 hours without sleep is similar to a BAC of **.10%**

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Ambulance driver charged with driving while intoxicated in Hackettstown

By **Todd Petty / Staff Writer**
on February 21, 2013 at 11:02 AM, updated February 21, 2013 at 11:03 AM [Print](#)

HACKETTSTOWN — A man driving an ambulance for the Hackettstown First Aid & Rescue Squad was charged with driving while intoxicated after driving past the location of a medical call last night, police said.

At about 9 p.m., police responded to Vans Drive for a medical call. While on scene, an officer saw the Hackettstown First Aid & Rescue Squad ambulance allegedly travel past the location of the medical call. The ambulance then arrived on location,



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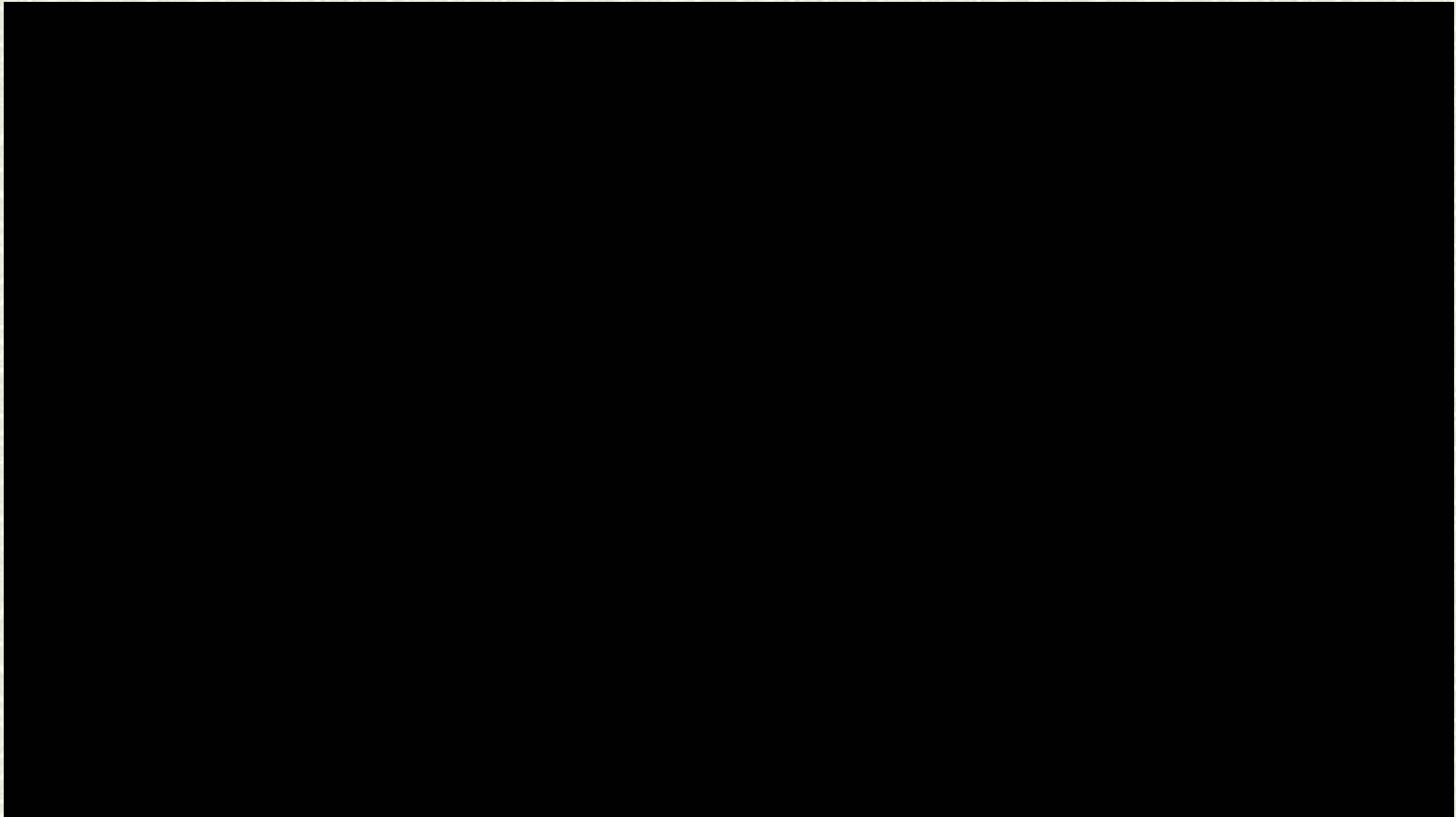
Lights and sirens

Why do we use them

- Justifications
- Myths
- www.monoc.org/PSA2.cfm

What happens if we don't

- Negligence?
 - Public (mis)perception
 - Effect on operations
-





Hybrid Targeted Violence

Active Shooter

- Mumbai
- Virginia Tec
- Aurora CO

Domestic Violence

Training

PPE



Active shooter – Do we go in?



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Situational Awareness Report

Shooting at Renown Regional Medical Center in Reno, Nevada 19 December 2013

(U//FOUO) NJ ROIC Intelligence & Analysis Threat Unit ~ #IAU201312-2594

Overview

(U//FOUO) On Tuesday, December 17, 2013, a gunman fired five rounds with a 12-gauge shotgun in the area of the patient exam rooms inside the Center for Advanced Medicine and Neurology in the Renown Medical Center complex in Reno, Nevada. The gunman killed Dr. Charles Gholdoian and wounded two female victims before dying from self-inflicted gunshot wounds.¹

(U//FOUO) According to witnesses, the shooter entered the waiting room of the Neurology wing with the 12-gauge shotgun and yelled something to the effect of, “Everybody get out of here,” or “You’d all better get out of here.” The shooter then went to the back room where the doctors and the nurses were working, and shots were fired.²



Do we arm our EMS providers?



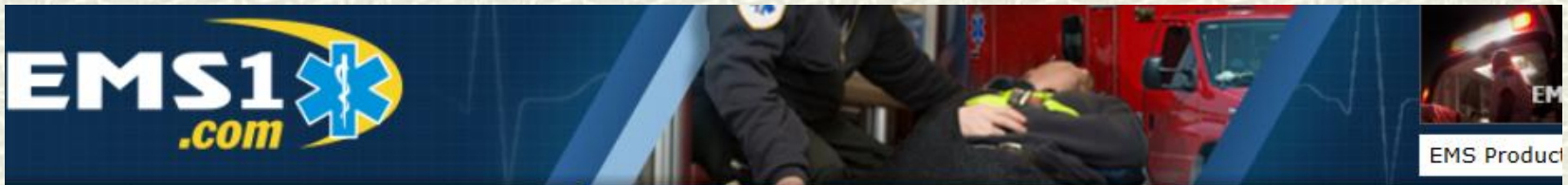


Violence in EMS

- # Much of the statistics we see are flawed because incidents are not reported.
 - “Part of the job”
 - Repercussions
 - Management
 - Coworkers
 - Reporting is made difficult; possibly intentionally
 - Could pose a financial burden on the victim
-



Do we arrest our patients



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How to build a community paramedicine program



5 things to know when buying EMS education products



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Medic beaten with bat by father high on cocaine at christening party

A male medic was hospitalized trying to protect his female colleague; they responded to a report of a woman having a panic attack, but the father thought they were there to take away his child and attacked them

- EMS Assaults & Self Defense**
- We Recommend...**
- [Medic beaten with bat by father high on cocaine at christening party](#)
 - [Pa. man threatens to kill EMT, nurse](#)





Misconceptions

“Duty to Act”

“Patient Abandonment”

- *“Abandonment is generally defined as the termination of the provider-patient relationship by the provider, without the consent of the patient. The patient who attacks or threatens to attack an EMS provider has functionally granted his or her consent to the termination of the provider-patient relationship.”*
-



- # <http://event.clirems.org/ViolenceEvent.aspx>
- # EMS Voluntary Event Notification Tool
- # Anonymous reporting
- # Stats only





Have a violence policy

- # Define prohibited acts of violence
 - # ZERO Tolerance?
 - # Differentiate between patient and attacker
 - # Voluntary drug or alcohol intoxication does not constitute “accidental.”
 - # Outlines mandatory training and refreshers
 - # Dictate mandatory reporting
 - # Post-incident procedures
-



Transport denial

Can we refuse the patient?

- Abusive
- Violent
- No medical need but they want to go
- Take them where they don't want to go

Bill for call



Do we drug test

Federal Motor Carrier Safety Admin, DOT SS 382.303
post accident drug testing criteria

Collision involving loss of life or
Bodily injury with immediate medical treatment away
from the scene or
Disabling damage to any motor vehicle requiring tow



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Court: NYC EMS Workers Allowed to Be Fired Immediately for Refusing or Failing Drug Test

BY BARBARA ROSS
SOURCE: NEW YORK DAILY NEWS
CREATED: NOVEMBER 27, 2013

The Appellate Division in Manhattan ruled the city charter allows the Fire Department to enforce a 'zero tolerance' rule against illegal drug use by paramedics and EMTs.

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Former Texas Paramedic Gets 8 Years for Intoxication Manslaughter

PATRICK BEACH
 SOURCE: AUSTIN AMERICAN-STATESMAN
 CREATED: FEBRUARY 11, 2014

Elmore was convicted Monday of two counts of intoxication manslaughter in a 2011 crash that killed two when Elmore drove into oncoming traffic.

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EMT Indicted On Murder Charges

Tammy Brewer Driving Ambulance Involved In Fatal 2008 Crash

By Andy Alcock/WLKY

POSTED: 11:38 am EDT August 13, 2009

UPDATED: 6:17 pm EDT August 13, 2009



LOUISVILLE, Ky. -- A Louisville EMT who was driving an ambulance involved in a fatal crash has been indicted on seven criminal charges, including murder and operating a motor vehicle under the influence of intoxicants.

Tammy Brewer, 36, was behind the wheel when that crash took place in April 2008. The patient inside the ambulance, Vickie Whobrey, 54, died of her injuries from the wreck.



Equipment Shortages

Operating without required equipment

- Compare with stationary health care
- Legal requirements v. ethical duty to patients

Using “expired” drugs

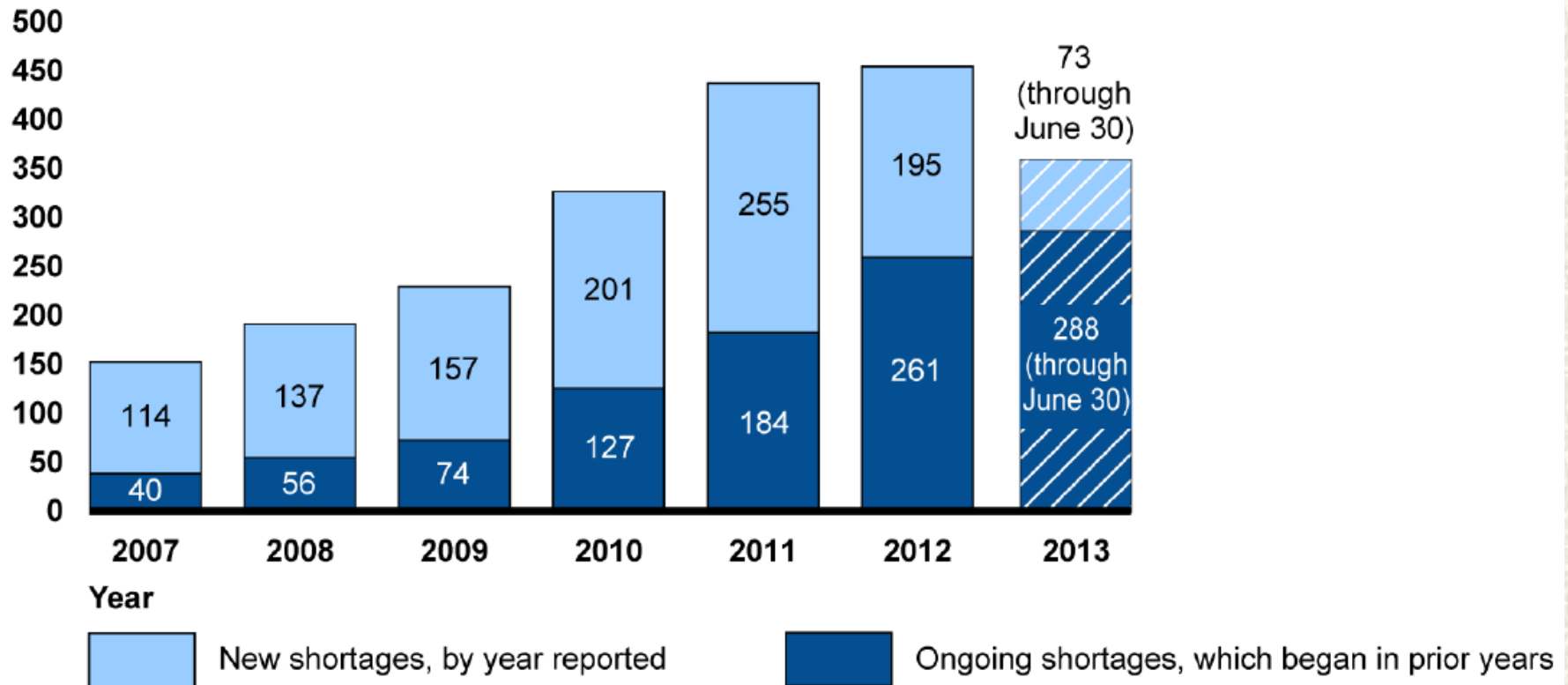
- The science behind such labels
 - Contraindications
-



Shortages may force providers to ration care or rely on less effective drugs

Number of Active Drug Shortages from January 2007 through June 2013

Number of active drug shortages



Source: GAO analysis of University of Utah Drug Information Service data.



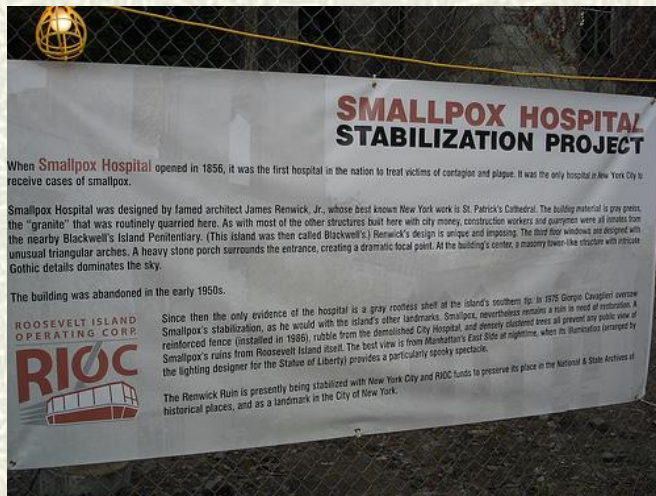
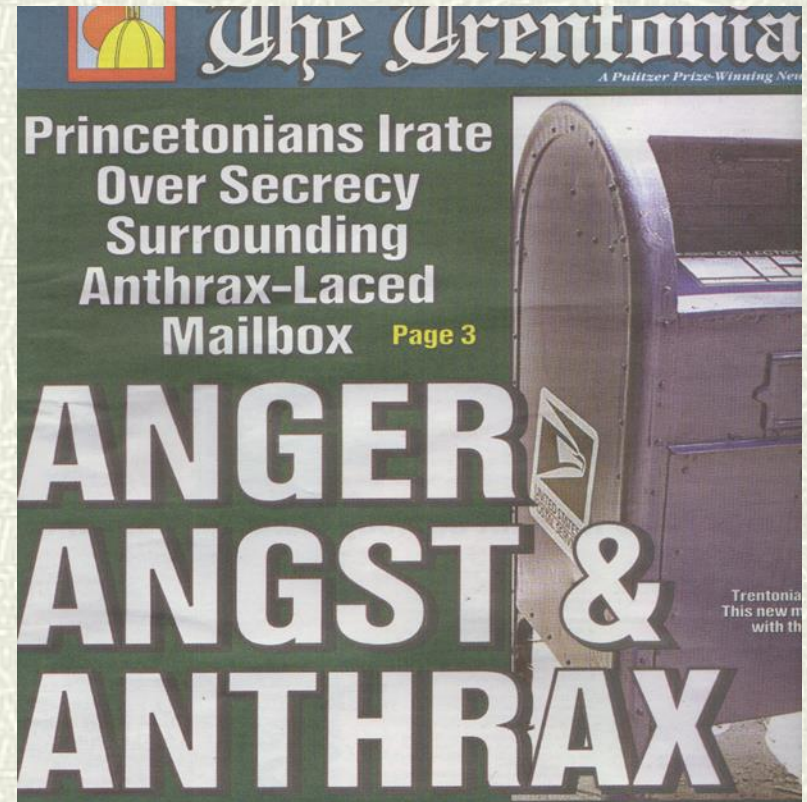
Drug Shortages

Whose decision is it?

- Staff
 - Clinical
 - Case by case basis
 - Appropriate choice at that level
 - Management
 - Have a policy in advance
 - Give clear direction to staff
 - What if staff has ethical reservations?
-



Diseases in the news





THERE IS NO PPE THAT
PROTECTS YOU FROM
EVERYTHING





Termination

- # Reportable
- # Drug abuse
- # Theft
- # Forced resignation





Just Culture

A way to look at employee discipline

- # Don't focus on outcome, look at the employee's choices and actions
 - # Near miss?
 - # Ethically, this will hold employees accountable for what they can control, and help us learn from mistakes
-



Just Culture

Human Error

- An inadvertent action. A slip, lapse or mistake

Risky Behavior

- Choosing to do something in a way that unintentionally can impose a chance for harm to occur.

Reckless Behavior

- The risk is identified but ignored.
-



Human Error

Product of Our Current System Design and Behavioral Choices

Manage through changes in:

- Choices
- Processes
- Procedures
- Training
- Design
- Environment

Console

At-Risk Behavior

A Choice: Risk Believed Insignificant or Justified

Manage through:

- Removing incentives for at-risk behaviors
- Creating incentives for healthy behaviors
- Increasing situational awareness

Coach

Reckless Behavior

Conscious Disregard of Substantial and Unjustifiable Risk

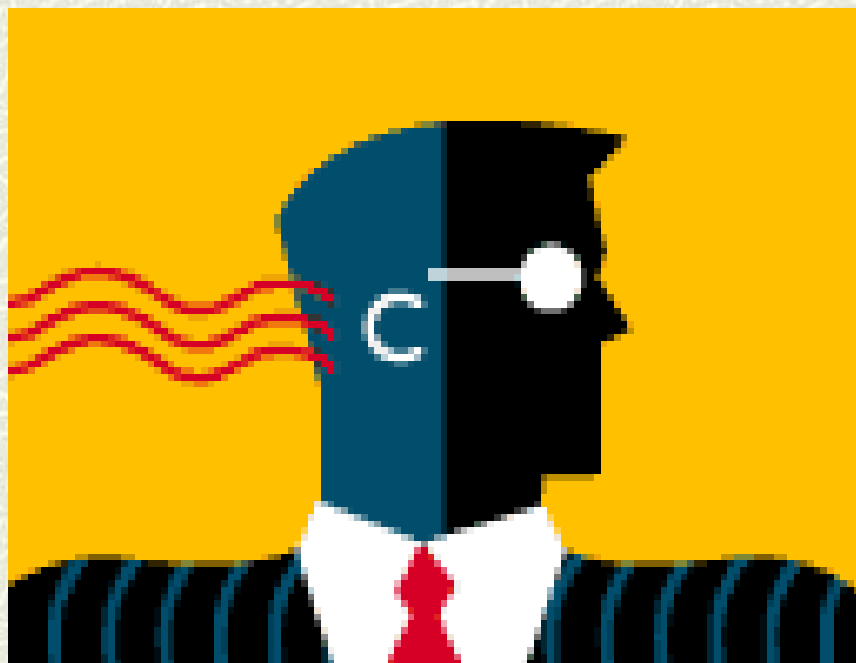
Manage through:

- Remedial action
- Punitive action

Punish



QUESTIONS ?



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