

Moving Forward

This year, more than ever before, as I write my annual letter asking for your financial support, I am reminded of the song, "The Holdup" by David Bromberg and George Harrison. The lyrics are a lament for giving alms to the poor in the midst of bad times.

2020 has not been kind, and most of us are looking for the reset button. We end the year on the saddest of notes. Our co-founder, and my good friend and colleague for almost 50 years, Dr. Albert Jonsen, died in October. He leaves a legacy that will inspire each and every member of our program for a lifetime.

There is little time for pause, however. PMHV has been severely impacted by an increased need for the services we uniquely provide. The COVID-19 pandemic has presented new and pressing challenges, ranging from designing protocols on allocating scarce resources to finding ways to comfort those at the end of life when isolated from loved ones. We have met these challenges by providing almost 700 consultations to patients, their families, and their doctors in 2020, an estimated 18% increase over last year. Medical providers continue to call us, not only to help untangle difficult moral conflicts, but also to help them heal their own wounds from the moral distress many of these situations inflict.

In the midst of the crises that engulf us, your contributions have enabled us to not only sustain one of the most vibrant ethics consultation services in the country, but also to grow our services through educational programs and scholarly publications. Before the pandemic, we conducted a robust lecture and conference schedule for medical providers as well as the public. Since the lockdown, we have continued our activities virtually. Webinars for the entire Sutter community are increasingly in demand, our Annual Ethics Workshop was offered online to a national audience, and our annual bioethics meetings in France are becoming virtual.

Scholarly research expands our influence throughout the field. Our bioethicists are making regular contributions to the literature, presenting at professional meetings, and, one of the most prestigious journals, the *Cambridge Quarterly of Healthcare Ethics*, is edited from our program. Dr. Jonsen was assisted by our Program Director, Dr. Ruchika Mishra, in preparation of the 9th edition of his textbook, *Clinical Ethics*. For years, this book has served as the primary text for medical school ethics curricula in the United States.

Most rewarding, there is a growing change in the ethical climate at CPMC and the other Sutter hospitals we serve. Ethics discussions are becoming part of the medical care being delivered. Unlike before, unrepresented patients are being identified upon admission so their special needs can be addressed more efficiently. Our doctors and nurses are developing an increased appreciation for the values of individual patients and how treatments can be consistent with those values. We are helping the team recognize the person behind the disease and better understand our obligations as healthcare providers.

This has been a year of much unrest, leaving many of us unsettled. The desire to retreat into ourselves can affect our philanthropic soul. This year, it takes a noble effort to look beyond oneself and give back. Despite the challenges, vital work continues as it must, and it is your contribution that makes it possible



William S. Andereck, M.D., FACP

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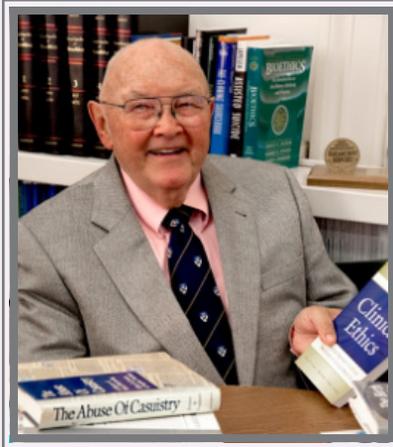
▶ If you would like to receive this newsletter electronically, please email us at ethics@sutterhealth.org.



In Memoriam

Albert R. Jonsen, Ph.D.

1931 – 2020



It is with great sadness that we share the news that Dr. Albert Jonsen passed away on October 21st, 2020 at his home in San Francisco. Dr. Jonsen was one of the founders of the field of bioethics. In 2003, he co-founded Sutter Health's Program in Medicine and Human Values with Dr. William S. Anderock at CPMC. At the time of his death, he had finished finalizing the edits to the 9th edition of his seminal book, *Clinical Ethics: A Practical Approach to Ethical Decisions in Clinical Medicine*. Dr. Jonsen's work was noted for bringing together theory and practice.

Dr. Jonsen received his doctorate in religious studies from Yale University having previously studied at Santa Clara University (MTh) and Gonzaga University (M.A., B.A.). Prior to his time at Sutter Health, he served as President of the University of San Francisco (1969 – 1972), Professor of Ethics in Medicine and Chief, Division of Medical Ethics at the University of California, San Francisco (1972 – 1987), and Chairman of the Department of Medical History and Ethics at the School of Medicine, University of Washington (1987 – 1999). He served on multiple major national commissions that led to the development of guidelines around clinical and research ethics. Other leadership positions included his role as Commissioner on the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research (1974 - 1978) that led to the writing of the Belmont Report, the statement of ethical principles guiding research ethics and informed consent. He also served on The President's Commission for the Study of Ethical Problems in Medicine (1979 - 1982), which produced the influential definition of death that became the foundation of a model legislation in the United States.

Dr. Jonsen's teachings and writings created multiple generations of bioethics leaders and his work continues to influence students, academics, and healthcare professionals throughout the world. He will live on through his work.

Bioethics: Essential During the Pandemic and Beyond

RUCHIKA MISHRA, PH.D.

2020 has been an unprecedented year in multiple ways. As a program, we have applied our expertise in handling clinical situations that are increasingly complicated by family conflict, social factors, uncertainty, or lack of a decision maker. At the same time, the pandemic posed new and unexpected challenges that required full attention and commitment. During the height of the pandemic, our consultation volume increased by 50% with our service recording the highest volume of ethics consultations in our history. The ethical issues were wide-ranging, from clinical to organizational. Pandemic-related issues intensified special needs. PMHV's Bioethics Service helped patients from birth to death during a time when strict visitor regulations applied to all hospitals and it was difficult for families to be with their loved ones. Our team assisted physicians, nurses, social workers, case managers, and administrators through the toughest of situations faced by acute care hospitals. When difficult decisions had to be made, our unique skills and experience were applied to resolve everyday patient care problems, too.

Here are comments from some of the lives we have touched this year across different Sutter Health hospitals in the Bay Area. They highlight our critical role in developing COVID-related policies, bringing families together, helping healthcare workers meet the increased pressures of moral distress, and assisting in responding to the special needs of unidentified patients in the midst of the pandemic.



Ramy Salah, M.D.

*Medical Director, Palliative Care,
Mills-Peninsula Medical Center*

"It's a question whether palliative care would even exist as a medical specialty if it weren't for bioethics. With the patient rights movement in the 20th century and a shift in focus to patient-centered care, bioethicists advocated for what have become core tenets of palliative care — advance care planning, relief of suffering, and goals of care. Time and again, I have relied on our ethicists and their care, knowledge, and perspective to help with the most complex cases in our community."



Melody Brewer, M.D.

*Intensive Care Physician,
Sutter Delta Medical Center*

"Our intensivists would have struggled to provide high-quality bedside care if it hadn't been for the ethicist assisting with communication during the highest COVID surge. The Bioethics service brought peace and comfort to families while promoting appropriate decision making at the end of life. This allowed our terminal patients to experience a peaceful and natural dying process. The COVID surge would have been even more challenging without our ethicist and the Ethics Committee."



Caitlin Croughan

*Ethics Committee Member,
CPMC and Novato Community
Hospital*

"The role of the Hospital Ethics Committee in the case of an unrepresented patient is to advise the patient's health-care team about their obligations to the patient. All patients have the right to consent to or refuse medical treatment. But an unrepresented patient lacks the capacity to do so, and has no surrogate to speak to his or her preferences, religious beliefs, and/or personal values. No matter how carefully the medical team has put together a plan of care, members are likely to experience moral distress. It is particularly difficult if the patient seems to be refusing appropriate medical treatment. Once an Ethics Consultation is requested, the bioethicist and the Hospital Ethics Committee can assist in the reduction of such moral distress by reviewing the evidence for the medically recommended plan of care, identifying any preferences the patient may be capable of expressing, inferring from the patient's record his or her personal values, and ultimately deliberating and advising on a reasonable care plan that is in the patient's best interest."



Elizabeth Mahler, M.D.

*VP, Clinical Integration,
Sutter Health*

“At the earliest signs of the growing COVID-19 pandemic, leadership across Sutter began organizing

clinical teams to efficiently partner with operations to organize a readiness response. Without a doubt, the excellent guidance and efficient support that the Program in Medicine and Human Values provided in thinking about pandemic preparedness was invaluable. The work products, including guidelines for just allocation of resources like ventilators and remdesivir, have proven invaluable – both in having them at the ready and in letting clinicians know that the burden of scarce resource allocation is not to be carried alone.”



Rufina Wu, LCSW

*Executive Director,
Care Coordination, CPMC*

“During this challenging time, we have seen an increase in patients being admitted to the hospital

who are unidentified and have no one to speak for them. Our Social Work and Case Management team has greatly benefited from partnering with the Bioethics Service at CPMC so appropriate care can be provided to these vulnerable patients.”

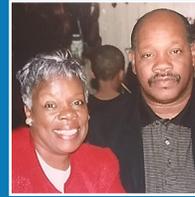


Holly Goetz, MSW and Michelle McCormick, R.N., BSN

*Care Coordination,
Sutter Lakeside Hospital*

“The Bioethics Service has been so beneficial to our Case

Management Team at Sutter Lakeside Hospital. The team is accessible, compassionate, resourceful, and provides great recommendations and guidance. In a time of such uncertainty in healthcare, and in life, it is such a reassurance knowing that the Bioethics Service is always willing and available. Patients, families, and our healthcare colleagues have all experienced moral distress recently and the bioethics team has alleviated much of this distress by their support and involvement. We are so THANKFUL for the Bioethics Service team!”



“Thank you for providing excellent care. The family had not known of our loved one’s whereabouts for many months. Bioethics reaching out brought our family great relief. During this time of COVID, and not being able to come from Houston, it was such relief to know our family member was in great care. We are in constant contact with our loved one’s new facility thanks to you. Blessings to you all!”

— *Katie and Gerald Keene*
Family Members of Alta Bates Summit Patient



Laura Hinerfeld, R.N.

*Intensive Care Nurse,
Sutter Santa Rosa Regional
Hospital*

“The pandemic has brought unprecedented challenges to

care in our ICU. We are caring for patients without ever having family, and their intimate knowledge of their loved one, at the bedside. With COVID-19, questions of non-beneficial treatment, allocation of resources, and patient privacy have taken on new depth and urgency. The bioethicist has been there to help us navigate these questions with our team and families. She has provided invaluable education and compassionate guidance throughout this rapidly evolving healthcare crisis. Our nurses rely on the ethics team regularly and are grateful for how accessible and knowledgeable the team is.”



OVERVIEW OF THE VIRTUAL BIOETHICS WORKSHOP

Refining Your Communication Skills

Due to the COVID-19 pandemic, PMHV had to postpone our 15th annual in-person Summer Bioethics Workshop. The workshop Program Chair was our bioethicist, Dr. Shilpa Shashidhara. In September, we hosted our first-ever interactive **Virtual Bioethics Workshop**, titled “Refining Your Communication Skills.” This workshop took place via Adobe Connect over two, two-hour sessions on successive Fridays, September 18 and 25. Participants represented 50 institutions, from California to Massachusetts, including California health systems, Sutter Health, Dignity Health, and Kaiser Permanente. Workshop attendees were ethics committee members and other healthcare professionals from various disciplines, including bioethicists, physicians, nurses, risk managers, chaplains, social workers, administrators, patient advocates, and others.

The interactive virtual workshop focused on helping participants refine their communication skills in order to better manage challenging patient care situations. Faculty shared tools, strategies, and best practices for improved communication in the clinical setting. Day 1 addressed conflict situations around death and dying. Participants learned communication tips on what to say, what not to say, and how to develop an effective conflict resolution policy. This session was led by Dr. Ruchika Mishra and Mr. Robert Fulbright. The last session of the day, “The Ethicists Are In” led by PMHV faculty, Drs. Andereck, Gipe, Mishra, Shashidhara, and Mr. Fulbright, helped attendees with difficult cases encountered in their professional practice. On Day 2, Drs. Andereck, Gipe, and Shashidhara addressed how to effectively communicate in ethically challenging situations (e.g., when patients refuse treatments or make decisions that seem irrational).

Lighting Up the Literature



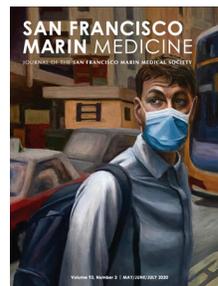
**CALIFORNIA
MEDICAL
ASSOCIATION**

William S. Andereck, M.D., FACP and Ruchika Mishra, Ph.D. served on the CMA Ethics Task Force that authored “Ethical Allocation of Scarce Health Care Resources in the COVID-19 Pandemic” California Medical Association, April 2020.

*THE JOURNAL OF
CLINICAL ETHICS*

Georgina Morley, Ph.D. and Shilpa Shashidhara, Ph.D.
“Debriefing as a Response to Moral Distress”
Journal of Clinical Ethics, Vol. 31, No. 3, 2020.

Shilpa Shashidhara, Ph.D. and Shaylona Kirk, M.D.
“Moral Distress: Framework for Offering Relief Through Debrief” *Journal of Clinical Ethics*, Vol. 31, No. 4, 2020.



William S. Andereck, M.D., FACP

“Rational Rationing: Developing Guidelines for Tough Ethical Choices in the Covid Era”

San Francisco Marin Medicine,
Vol. 93, No. 3, May/June/July, 2020.



Kelsey Gipe, Ph.D.

“Heartbeats, Burdens, and Biofixtures”
Cambridge Quarterly of Healthcare Ethics,
In press.

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Neuroethicist

Shilpa Shashidhara, Ph.D.
Bioethicist



Happy Holidays and Best Wishes for 2021!

Our team at the Program in Medicine & Human Values is sending good wishes to all of you for a healthy and peaceful holiday season. This has been a challenging year for everyone and we look forward to an improved normal in 2021. Our team has missed interacting with you in person since the pandemic restrictions were put in place. When we can safely gather again, hopefully in the new year, we look forward to an elbow bump and, perhaps, a handshake or a hug. Thank you for your continued support. Be well.

If you would like to learn about opportunities to invest in our current initiatives, please contact Suzannah Cowell at 415-600-4400 or CowellS@sutterhealth.org.