

MUHC Code of Ethics

Preamble

In pursuing the mission of the MUHC, staff work to combine patient care, education and research, while creating an atmosphere of inquiry, innovation and self-evaluation. We also aim to share our expertise in the treatment of disease, in the prevention of illness or injury, and in the promotion of health with other institutions and professionals in a collective effort to address our society's health care problems. The MUHC community strives to continually strengthen relationships with all the different groups we serve, based on open communication, mutual understanding, support, and respect for cultural and linguistic diversity.

In keeping with its charter and tradition, the MUHC emphasizes:

- Its primary concern for respecting the autonomy of patients and their loved ones
- The highest ethical and legal standards of professional practice
- Its commitment to excellence in clinical care, research and teaching
- Loyalty to its community
- Its commitment to basic principles of justice and the fair allocation of health care resources

Every member of the MUHC community shares the responsibility for treating with respect those who turn to us for help. We should try to have them feel comforted and secure. This code of ethics reflects this responsibility, and our commitment to having our practices and daily conduct reflect the values and beliefs of our institution.

We consider the following guiding principles to be very important in the task of creating a healing environment:

- Mutual respect
- Privacy
- Promoting open communication
- Preservation of confidentiality
- Informed care and treatment decisions
- Providing care in a compassionate, responsible manner
- Access to health information

Mutual Respect

Every person should be treated with respect. This should be reflected in the attitude, communications and actions of staff, patients and family.

Respect requires sensitivity to:

- every person's right to make decisions about himself or herself (the right to self-determination)
- the right to human dignity and privacy
- people's attempts to communicate, in their own manner, their experience of their illness, ailments or symptoms

Staff will treat patients and their families with courtesy, fairness and understanding. The MUHC does not discriminate on the basis of race, religion, ethnic origin, culture, social status, gender, sexual orientation or health status.

The MUHC recognizes that children and adolescents have particular needs. Staff will respect and attempt to meet those needs in accordance with the hospital's mission, available resources and the needs of other children and their families.

Everyone has a collective responsibility to ensure that the MUHC provides a safe, civil environment. Staff members, patients and visitors should not have to experience harassment or abuse. They must be made to feel they can discuss incidents of abuse without fear of reprisal. Clear directives must be available so people will know with whom they could discuss such incidents.

Confidentiality

Confidentiality is the right to have information kept private. The notion of confidentiality is understood as covering the written medical record as well as any information disclosed by patients, their families or third parties. Confidentiality should be assumed unless specific release of information is authorised by the patient, the parents or guardian (in the case of a minor less than 14 years old) or the law.

The patient's permission is required to discuss their case with anyone outside of the medical team. If the patient is unable to communicate, health-related information may be discussed with:

- the person who has been chosen to speak on the patient's behalf
- the closest family member, or
- the patient's legal representative (if there is one).

Medical records will be treated with a similar respect for confidentiality. Staff will have access to the medical file only for the purposes related to the provision of comprehensive health care, or when engaged in facility-approved education or research. In the case of chart use in education or research, every effort will be made to ensure appropriate privacy or anonymity.

Information about patients, their health status or their care will be considered confidential within the treating team. Staff may discuss information about their patients' health condition with either members of the multidisciplinary treating team or other staff as necessary for diagnosis or treatment. The same obligation to respect confidentiality is expected of all staff who have contact with the patient. Information should be released to an outside institution or physician as needed to ensure continuity of care, but again only upon signed consent. Information may also be released without specific consent in exceptional circumstances as is allowed by law or court order.

Access to Medical Files

Patients may have access to their medical file upon request unless, by exception, the treating physician believes it is temporarily not in the patient's best interest. A professional staff member will be present when patients review their file. Access by any other party to a patient's medical record will be allowed only with appropriate authorisation or by court order. Access for research purposes may, under some circumstances, be granted by a Research Ethics Board. Appropriate safeguards for privacy and confidentiality must then be respected.

Privacy

Privacy is understood to be the right to be free from inappropriate intrusion. Staff recognize that every patient has the right to have his or her dignity and modesty respected. Treatments, examinations and personal care will be conducted in a manner that respects the dignity and privacy of the patient.

In turn, it is expected that both children and adults, be they patient, family or visitor, show consideration for the dignity and privacy of all those with whom they come into contact during the time they spend in our hospital.

Open Communication

Open communication is understood as including many dimensions, from something as simple as "whom am I speaking to" through something as potentially complex as being able to really understand the pros and cons of a particular medical intervention. Staff will endeavour to foster open communication through:

- wearing ID's and introducing themselves
- primary care staff explaining their roles
- providing care in English, French, and other languages when necessary
- allowing time for decisions, in keeping with the demands of the clinical situation
- providing information about care and services in our institution, and how to access ongoing care when patients leave
- addressing the questions and concerns of patients and family members
- facilitating informed decision making by patients
- the availability of an ombudsman and a patient complaints procedure
- implementing the hospital policy of disclosure of "untoward events": if an error is made in the care of a patient, they will be informed of the error, its probable consequences, and what corrective action will be taken
- promoting effective communication amongst different MUHC departments, branches, teams and professionals

Informed Care and Treatment Decisions

Central to informed consent is the principle that a competent person's informed decision should be respected. Patients should be assisted to make the best decisions they can about their health care. In order to do this they should:

- be given the information they need about:
 - their illness
 - the range of tests, treatments or research studies available
 - the purpose, benefits, risks, possible side effects and consequences of any tests, treatments or research studies
 - the identity and role of those taking care of them
 - the right to refuse a test or treatment
 - the likely consequences of refusing offered treatments
 - the right to refuse to participate in research
 - the right to withdraw consent at any time
- be given this information in clear, understandable language in an environment where open discussion is possible. If necessary, patients can request and receive assistance in order to understand and make decisions.
- be given time to think about this information before making a decision
- be involved in ongoing discussions as the case evolves
- be asked about the role they would like their family to play in matters of health-care decisions, particularly if there are concerns about them becoming incapacitated or unable to speak for themselves. They should be offered assistance in bringing these issues to the family's attention, if appropriate.

It is recognized that patients have the right to choose someone else to speak for them and make decisions should they become unable or need assistance. Similarly, a patient's right to change

his or her mind about a decision, or to request a second opinion shall be respected.

There are special circumstances surrounding informed decision making, including:

- incompetent persons
- children and adolescents
- emergency situations
- delegated consent
- informing third parties
- advance directives

When dealing with these situations, the hospital staff will endeavour to respect the basic principles outlined above, while taking into account relevant legislation.

In the case of children and adolescents, both the family and the child's involvement are important in successfully caring for and treating our patients, and they both play an important role when it comes to ensuring optimal care. This involvement includes participation in any decision affecting the state of health or welfare of the patient.

Clinical and Research Safeguards

MUHC staff will take all necessary precautions to assure the safety of each person in our hospital and make every effort to protect children and their families from harm.

As per hospital policy, patients will be informed of untoward events which developed or occurred during their care.

All clinical research will be conducted within accepted ethical standards, and only after review and approval by the appropriate Research Ethics Board. Patients may refuse to engage in a research project, or withdraw from participation in a project at any time without fear that this will influence their care or that of their family members in any way.

Responsibilities of patients

Patients should treat other patients and staff with respect. Patients should understand that the hospital's excellence in clinical care is closely tied to its commitment to teaching and research.

Patients should be as involved in their own health care as much as possible. This includes:

- asking about things that concern them or that they do not understand
- making the best decisions they can about their care,
- discussing their wishes, preferences and decisions with the staff,
- taking part in their care plan,
- being conscientious consumers of health care.