

Framework for Pandemic Influenza Ethics Task Force

Table of Contents

Introduction

 Background

 Assumptions

Purpose and Goals

Ethical Principles

Ethical Issues in Clinical Practice and Patient Care

Ethical Issues in Public Health Practice

Legal Issues

Task Force Process

 Communication

Glossary

Introduction

Background

- ▶ Since November 2005, a concerted national effort has been underway to plan for the possibility of a severe influenza pandemic
- ▶ All 50 states and many Federal government agencies have done extensive planning
- ▶ Many preparedness measures have been taken
- ▶ South Carolina formed a Pandemic Influenza Coordinating Council, assessed preparedness and developed strategies:
 - ▶ Extensive state, regional and local planning
 - ▶ Information sharing meetings to promote awareness and preparedness
 - ▶ Multi-media public awareness campaign
 - ▶ Targeted multi-media campaigns and technical assistance
 - ▶ Stockpiles of antivirals, supplies and equipment
 - ▶ Detailed planning for medical surge
 - ▶ Expansion of disease surveillance and laboratory capabilities
- ▶ Accomplishments include:
- ▶ Progress in preparing emergency plans according to federal guidance
- ▶ Significant efforts in public awareness, printed information and video productions
- ▶ Stockpiling of antiviral medicines and infection control supplies
- ▶ Ventilator study done by the SC Society for Respiratory Care
- ▶ Planning for alternate care sites and use of mobile medical units
- ▶ Strengthening of disease surveillance and laboratory testing

The Task Force document needs to present the current situation regarding pandemic influenza preparedness. Describe present plans and future directions. What will the health care system look like during a severe pandemic, based on planning assumptions and models? Description of the health care system response, including home care recommendations, public information on when to seek physician's care, antiviral medicines, hospital care. What are the decision points for deciding who needs and who receives specific treatments? Questions posed in the discussion included:

- What will the system look like?
- Who decides about the system?
- How do they decide?
- Who gets home care? Physician care? Pre-hospital triage? Care at alternate sites? At hospitals?
- Who decides?
- Will health care system look radically different?
- Who is cared for at home? Who do they call for help? Where do they go for care?
- How do we hear what the public has to say about pandemic influenza plans and incorporate their input?

Assumptions

Purpose and Goals

- ▶ To provide a forum for discussion of ethical issues in pandemic influenza planning and preparedness

Ethical Principles

Discussion of key ethical principles and values in public health and medical care.

Ethical Issues in Clinical Practice

Triage

Examine ethical decision processes, clinical indicators and guidance regarding decisions to treat, withhold treatments, or withdraw care. How can present ethical decision making processes be adapted to the pandemic influenza scenario?

Allocation

Ventilators

Altered Standards and Places of Care

Duty to Care

- ▶ Rights and duties of health care workers

Examine the issues regarding health care workers' duty to care for the ill versus their right to protect self and family. Health care workforce issues may be a limiting factor on availability of care.

Mental and Behavioral Health

Ethical Issues in Public Health Practice

Community Mitigation Measures

Examine measures designed to prevent the spread of the disease in the community by restricting travel, closing schools and work places, and other community interventions.

- Engaging communities in planning and response
- Disparities in access to care
- Needs of at-risk populations
- Appropriate community mitigation strategies
- Respecting cultural and religious practices in the face of mass fatalities

Allocation

Antiviral medicines

Vaccines

Home Care and Outpatient Care

Public Information

The public needs to be informed of pandemic influenza scenarios, potential impacts, and response plans. We need to encourage awareness that treatment resources will be scarce.

Legal Issues

Proposed Legislation and Regulations

Legislation or regulations may be proposed to improve the legal framework for public health and medical response for pandemic influenza. Changes need to build on existing body of laws that govern medical practice, health care facilities, and emergency public health powers. Trigger mechanisms or conditions that activate the implementation of emergency powers and changes in medical practice should be codified to the extent feasible.

A Medical Ethics Act may be useful to provide liability protection for health care providers and facilities during a pandemic which results in changes in the level of care that can be provided or in the use of alternate care sites. Regulations provide formal guidance to institutions and providers that affects decisions in patient care.

Task Force Process

Members

- ▶ Pandemic Influenza Ethics Task Force is under the auspices of the State Pandemic Influenza Coordinating Council
- ▶ Advisory body to the Department of Health and Environmental Control
- ▶ Pandemic Influenza Ethics Task Force to review plans and preparations, discuss ethical issues, produce guidance recommendations on major topics

An expanded list of individuals and organizations will be invited to participate on the full Pandemic Influenza Ethics Task Force. The Steering Committee identified the following groups or individuals to be invited, as well as the full Pandemic Influenza Coordinating Council:

USC Law Professor [Libba Patterson]
SC Bar Association, Health Law Section
SC Trial Lawyers Association
[Dr. Stuart Sprague]
Pharmacy Board
Hospice Association
SC Academy of Family Medicine [Dawn Clancy]
Christian Action Council [Brenda Kneee]
Southern Baptist Convention
SC Primary Health Care Association
SC Rural Health Association
SC Academy of Emergency Physicians [Erik Larson]

Home Health Association
Members of National Medical Associations [Thad Bell]
Lung Association
Respiratory Care Association [Scott Lane]
Funeral Directors Associations
Coroners Associations
American Civil Liberties Union
Media Associations
Palmetto Project
Harvest Hope
Municipal Association
Association of Counties
Chamber of Commerce
CPAC
SC Department of Education

Tasks

Review of State Plans and Literature on Pandemic Influenza and Ethical Issues

Work Groups on specific topics

Products

The Task Force will produce a document that provides guidance on major ethical issues for health care providers and public health.

Communication

Staff will set up a link to a webpage for the Pandemic Influenza Ethics Task Force on the DHEC Pandemic Influenza page. Postings will include presentations, minutes, documents, reference material and public information. Working documents will be developed and posted for the Task Force. Media releases should be prepared during the course of the Task Force's work to encourage public participation in the process.

Glossary

Terms used in discussion and guidance documents should be clearly defined from the outset. The following specific terms should be included in the definitions:

Alternate Care Sites

Alternate Standards of Care [Treatment Guidelines, Clinical Practice Guidelines]

Indemnification

Level of Care

Limited liability

Palliative Care

Triage