

Case-Based Teaching Guide

Truthfulness in the Physician-Patient Relationship

Physician Fallibility, Medical Error and Disclosure

Overview

Mistakes are an inevitable part of medical practice. While many of these errors are trivial, some result in harm to patients. Acknowledging fallibility in the face of a culture that expects infallibility can be difficult. Physicians may be concerned that admission of an error will result in loss of trust by their patients, loss of esteem from colleagues and potential legal liability. Truthfulness and trustworthiness are considered important moral attributes of physicians, and both would require that physicians disclose mistakes to patients. What constitutes an error requiring disclosure? How can one best disclose errors to a family?

These materials explore the ethical issues that arise when a physician makes a mistake in patient care. Participants will discuss the obligation to disclose errors to families, identify what kinds of mistakes must be disclosed to families, recognize barriers to disclosure, and explore strategies for informing families that an error has occurred and what steps have been taken to prevent or minimize harm.

STUDENT'S GUIDE

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Case summary

A 9-month-old boy, Andre, comes to the clinic with his mother for his well-child visit. His mother specifically wants to address his immunization status and make sure he is up-to-date. She hands you his state immunization record. You see that he hasn't received his third Haemophilus influenzae type b (Hib) or inactivated poliovirus (IPV) immunization yet. Since his mother is in a hurry to get to her own doctor's appointment, you help expedite Andre's catch-up shots by asking your medical assistant (MA) to give them as you leave the patient's room. Ten minutes later, as you begin to write a note in Andre's chart, you notice a note written three months earlier, when Andre saw one of your partners. The note states that Andre received Hib#3 and IPV#3 as part of that visit. It occurs to you that the immunization card was probably not completed after Andre's last visit. You run out to see if you can stop the MA from administering the shots, but meet her coming out of Andre's room just having given them.

- Does the accidental administration of an extra dose of a recommended vaccine qualify as a medical error? How would you define medical error?
- Can a physician make a mistake with it being considered negligence?
- Do you feel an obligation to disclose the situation to the mother? In general, do health-care providers have an obligation to disclose errors?
- Would your feeling about disclosing this situation to the mother change if you had just caught the MA before she went in the room to give the shots, i.e., if it had been a near miss?
- If you decide to disclose this situation to the mother, how will you go about it?
- What are your concerns about having this conversation with the patient's mother?

Learning objectives

1. Be able to formulate a definition for medical error, recognize the variability in this process, and understand that the definition is not dependent on harm to the patient.
2. Understand the moral and ethical obligations surrounding disclosure.
3. Understand patient expectations with respect to disclosure of medical errors.
4. Be able to identify important components of an appropriate conversation with a patient or patient's family regarding the disclosure of a medical error.

Suggested reading for students

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