

Case-Based Teaching Guide

Witnessing Incompetent or Inappropriate Behavior

These materials explore the ethical issues related to witnessing a colleague's incompetent or inappropriate behavior.

Responding to other physicians whose behavior or clinical practice appears to be incompetent or unethical presents a difficult challenge. Many physicians feel some duty of loyalty to their peers. Minimally, this duty requires that they not take action that may harm a colleague's career unless there is sufficient evidence to justify that action. Yet physicians also have independent obligations to protect patients who may be receiving substandard care.

What level of evidence is required before a physician should intervene? How do you respond when a colleague denies needing help? What obligation do you have to inform that physician's patients of your concerns?

These materials explore the ethical issues that arise when a physician becomes aware of a colleague who has delivered substandard care or behaved in a way that appears to be unethical. Participants will discuss their obligations to colleagues and how that must be balanced against their duty to patients. Participants will explore two primary issues: how to decide when intervention is necessary and what strategies are available for dealing with colleagues who deliver substandard care or practice unethically.

STUDENT'S GUIDE

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Case summary

A pediatric resident and a surgical resident are seeing a 4-month-old female. Both believe the child needs to have a catheterized urine specimen collected, but they have been unsuccessful at performing the procedure because the child has labial adhesions. The surgical resident grasps the labia and pulls them apart, leaving a raw, bleeding labial surface. When the pediatric resident asks her attending for advice, she is told to make no mention of the event in the chart and to say nothing to the family.

- Has the behavior of the surgical resident resulted in harm to the patient?
- Do you have an obligation to the family to notify them of this harm?
- What is your obligation to make sure the surgical resident understands the implications of his behavior?
- Does this need to be documented on the chart?
- How do you handle the situation if your attending tells you to simply “walk away”?

Learning objectives

1. Recognize that one has obligations to patients when harm has been witnessed.
2. Define the extent of one’s duties to the patient and to the other parties involved when a colleague has acted incompetently or inappropriately.
3. List strategies for dealing with situations in which an authority figure makes a request that may be wrong or inappropriate.
4. Understand the implications of “whistle blowing” and the factors that should be considered before deciding to do so.
5. Develop strategies for informing other physician about concerns you may have regarding their management of a patient.

Suggested reading for students

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