

# PRIMARY PALLIATIVE ONCOLOGY NURSING

DOMAIN 8: ETHICAL AND LEGAL ASPECTS OF CARE

KEYWORDS: BIOETHICS; ETHICALLY BASED CARE; ADVANCE CARE PLANNING; LIFE-SUSTAINING TREATMENT; LEGAL OBLIGATIONS

### DESCRIPTION

Per the NCP (2018), ethical principles apply to the care of all patients, as well as the legalities related to decisions by healthcare proxies and surrogate decision-makers. Familiarity with laws regarding nursing scope of practice, advance care planning, decisions about life-sustaining treatments, and treatments with legal considerations, such as medical cannabis, is necessary.

#### **COVID-19 CONCERNS**

- COVID-19 has complicated decision-making in the clinical context, particularly for individuals who are clinically vulnerable, including those with a diagnosis of cancer
- Palliative care philosophy does not endorse the valuation of life nor the avoidable rationing of resources; the goal of all palliative care is to optimize quality of life and minimize serious healthrelated suffering in accordance with individual and family values and preferences
- Moral suffering of clinicians is a significant concern particularly for nurses due to the prevalence of daily complex ethical decision-making in clinical practice at the bedside

#### ASSESSMENT CONSIDERATIONS

- Family and support system structures have changed during COVID-19; if there is advance care planning documentation, ensure it is up-to-date and reflects the patient's current preferences
- Maintain current familiarity with your health organization's legal and ethical implications of policies in response to COVID-19 management
- Ensure communication pathways to vital leadership in challenging clinical scenarios COVID-19 has illuminated ethical nuances and priorities; ethical dilemmas cannot always be settled with a discussion of the basic bioethical preferences (e.g., autonomy, beneficence, nonmaleficence, justice) but rather requires an in-depth assessment of ethical values and perspectives from the patient/family perspective

#### **QUESTIONS FOR PATIENT/FAMILY**

- Do you have a person you have assigned to make decisions for you if you are unable to do so?
- If not, who would you want to make decisions for you in the event that you were unable to make decisions for yourself? Do they know you want them to do this? How can I help you document your health care wishes?
- We routinely ask all patients this question as part of their health care. In the event that your lungs were to stop working normally, would it be acceptable to place you on a breathing machine while we continue to try and fix the problem?

# ADDITIONAL SUGGESTIONS FOR CLINICAL PRACTICE

- Ensure ready access to or initiate a communication pathway to ensure continued involvement of a clinical ethics committee to assist in challenging clinical scenarios
- Develop transparent nurse and interdisciplinary communication mechanisms to convey moral distress in a timely manner
- Identify opportunities to advance nursing presence on clinical ethics teams or initiate a nurse-led ethics team to address practice challenges during COVID-19 in the oncology setting



# **RELATED RESOURCES**

Ciruzzi S et al. (2020). Bio-Ethical Principles, Practices, and Recommendations Relevant to the COVID-19 Pandemic – Briefing Note. Global Palliative Care and Covid-19 Series. Available at: http://globalpalliativecare.org/covid-19/uploads/briefing-note-bio-ethical-principles-practices-and-recommendations-relevant-to-the-covid-19-pandemic.pdf Mazanec P. COVID-19 Resource: Ethical dilemmas facing nurses during the Coronavirus Crisis: Addressing moral distress. Available at: https://sigma.nursingrepository.org/handle/10755/20413

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