Ethical Considerations in Pandemic Influenza

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Alison Thompson, PhD
Assistant Professor
Leslie Dan Faculty of Pharmacy,
Dalla Lana School of Public Health &
Joint Centre for Bioethics
University of Toronto
Outline

• Share work from the University of Toronto Joint Centre for Bioethics on Ethics and Pandemic Planning:
  – CIHR funded research projects: Engaging Voices & CanPREP (2006-present)

• Began as research into ethical planning, but changed to “response mode” when H1N1 occurred
Acknowledgements

CIHR for funding SARS, Engaging Voices and CanPREP

Our town hall participants and survey respondents

Our stakeholder forum partners and collaborators
Research Team

**Principal Investigator:** Ross Upshur

**Study Team:**
- Karen Faith
- Barbara Gibson
- Jennifer Gibson
- Rory Fisher
- Alex Jadad
- Lydia Kapiriri
- Jennifer Keelan
- Doug Martin
- Sioban Nelson
- Paul Ritvo
- Ann Robertson
- Alison Thompson
- Kumanan Wilson
- Randi Zlotnik Shaul
- Cecile Bensimon
- Laena Maunula
- Christopher McDougall
- Jason Nie
- Daniel Perez
- Kate Rossiter
- Sachin Sahni
- Diego Silva
- Max Smith
- Shawn Tracy
STAND ON GUARD FOR THEE

Ethical considerations in preparedness planning for pandemic influenza

November 2005

A report of the
University of Toronto Joint Centre for Bioethics
Pandemic Influenza Working Group
Why ethics?

• Need for a moral compass to guide difficult decisions that will have to be made in the context of a pandemic

• Moral analysis is part of good, accountable policy formation or decision-making

• Ethical issues are one set of considerations among many: risk analysis, economics, law etc.,

• BUT often other sets of considerations involve moral evaluation, e.g. risk/benefit analysis
Rationale

• Leaders will need to make decisions based on values

• Values based leadership may be the glue that holds society together in an intense crisis

• History will judge today’s leaders on how well they prepared for and acted during the crisis and whether they treated people in an ethical manner
Lessons from SARS

• Underscored the need for a clearly understood and widely accepted ethics approach to dealing with serious communicable disease outbreaks

• Health care systems had generally not prepared themselves to deal with the hard ethical choices that rapidly arose

• Lesson learned is to establish the ethical framework in advance and to do so in an open and transparent manner
An Ethical Guide for Pandemic Planning

• The JCB Pandemic Influenza Working Group has developed a 15-point ethical guide for pandemic planning

• Based in part on experiences and study of the 2003 SARS outbreak

• The guide is explicitly founded on both procedural and substantive values
Two Ways for Ethics to Contribute

Decision-making for and during a pandemic influenza outbreak ought to be:

1) *guided* by ethical decision-making *processes* &.

2) *informed* by ethical *values*.
An Ethical Guide for Pandemic Planning

Five *procedural* values to guide ethical decision-making for a pandemic influenza outbreak:

- Reasonable
- Open and transparent
- Inclusive
- Responsive
- Accountable
An Ethical Guide for Pandemic Planning

Ten substantive values to guide ethical decision-making for a pandemic influenza outbreak:

- Individual liberty
- Protection of the public from harm
- Proportionality
- Privacy
- Equity
- Duty to provide care
- Reciprocity
- Trust
- Solidarity
- Stewardship
EVIDENCE AND EFFECTIVENESS IN DECISIONMAKING FOR QUARANTINE

Cécile M. Benson, MD, PhD, and Ross E.G. Upshur, MD, MA, MSc, FRCPC

When public health decision-makers turned to quarantine during the recent severe acute respiratory syndrome (SARS) epidemic, difficult questions were raised about the legitimacy and acceptability of measures necessitated to contain the spread of a deadly disease. How can one balance the concern for the public’s health with the need to respect the privacy and rights of an individual suspected of having SARS? How can we ensure that quarantine is applied fairly and consistently to everyone who may have been exposed to the disease? These are examples of some of the ethical issues raised by the SARS epidemic.

In the following sections, we will give a brief overview of the SARS outbreak and the responses that led to the implementation of quarantine. In the "Ethical Frameworks" section, we will look at how public health ethics frameworks inform on ethical considerations in pandemics and how these frameworks can be applied to the specific situation of SARS.

The Role of Faith-Based Organizations in the Ethical Aspects of Pandemic Flu Planning—Lessons Learned from the Toronto SARS Experience

Halley S. Faust, University of New Mexico and University of Toronto
Cécile M. Benson, Sunnybrook Health Sciences Centre, Toronto and University of Toronto
Ross E.G. Upshur*, Sunnybrook Health Sciences Centre, Joint Centre for Bioethics, University of Toronto

Aurora Centre for Bioethics, University of Toronto

As restrictive measures and duties to care ethically are more common in faith-based organizations, this study provides an opportunity to examine how such organizations responded to the SARS epidemic.

Public Engagement on Social Distancing in a Pandemic: A Canadian Perspective

Joint Centre for Bioethics Pandemic Ethics Working Group, University of Toronto

We centre our discussion around the challenges that arose during the SARS outbreak in Toronto and the lessons learned.

A qualitative study of the duty to care in communicable disease outbreaks

Cécile M. Benson1,2, C. Shawn Tracz3,4, Mark Bernstein3,5, Randi Zlotnik Shadb8,5, Ross E.G. Upshur1,2

1Aurora Centre for Bioethics, University of Toronto, Toronto, Canada
2Division of Nephrology, Toronto Western Hospital, Canada
3Bioethics Department, The Hospital for Sick Children, Toronto, Canada
4Primary Care Research Unit, Sunnybrook Health Sciences Centre, Toronto, Canada

A qualitative study of the duty to care in communicable disease outbreaks
WE'VE GOT TO STOP WATCHING THE NEWS.
Why engage the public?

• Public’s health and public’s resources

• Citizens need to trust the actions and decisions of government and agencies

• Response to pandemic influenza (e.g. novel H1N1) requires communication between government and general public
Study objective

To engage Canadians on key ethical issues related to pandemic preparedness and response
Study methods

• **Key questions:**
  What do Canadians identify as the primary goal of pandemic planning & preparedness?
  What do Canadians think about the 4 ethical challenges?

• **National telephone survey (n=500)**

• **Public Town Hall meetings**
  (Vancouver, Winnipeg, Saint John)
Purpose of pandemic planning

• *What should be the primary purpose of pandemic flu planning in Canada?*

  [50%] Savings as many lives as possible globally
  [41%] Saving as many lives as possible in Canada
  [4%] Maintaining the social order
  [3%] Protecting human rights
  [1%] Preventing economic decline
Key Ethical Issues

1. Duty to Care
2. Priority Setting
3. Restrictive Measures
4. [Global Governance]
Duty to Care: what is at stake?

• Do HCWs have an obligation to treat patients despite risk of infection?

• What limits, if any, are there to health care workers’ duty to care?

• What institutional supports are owed to health care workers in a pandemic?
Duty to care - Survey

• Canadians were split (47%-43%) about whether gov’t should be allowed to conscript HCWs.

• Canadians expect HCWs to work except if they have a serious health condition (89%) or must care for young children or elderly dependants (57%).

• 48% of Canadians agreed that HCWs who do not work without a legitimate cause should face loss of employment or professional license.
Duty to care – Town Halls

Ethical considerations

A ‘social contract’ to serve during pandemics

• “That is your job and you’re always exposed to something and you have precautions anyways.”

Vulnerability of HCWs

• “She’s not going to be any good at work if she’s dealing with a crisis at home.”

Reciprocal support for HCWs by employers

Solidarity b/w HCWs and the general public
Priority Setting: What is at stake?

• Should priority be given to the sickest patients or those most likely to survive?

• Should resources be allocated to save the most lives or to give everyone a fair chance at survival?

• Who should make these allocation decisions?
Katrina & the varying perceptions for priority setting in evacuation

• Hospital ? most critically ill patients first

• Firefighters ? least ill patients first & most ill later

• Helicopter Pilots ? pregnant women & babies
Priority setting - Survey

• The majority of Canadians (91%) held that saving lives should be the most important goal of pandemic influenza preparations.

• Canadians felt that the groups that should have the highest access to hospital services were children (35%) and infected HCWs (30%).

• Canadians felt that the groups that should have the lowest access to hospital services were public officials (17%) and the elderly or chronically ill (37%).
Priority setting – Town Halls

Ethical considerations

Skepticism about scarcity
- “We only need to rethink how we use our resources and use them in more creative ways.”

Concern about current healthcare system

Balancing need, utility, and social value considerations

Who and how of priority setting
- “It’s all got to be taken care of and be right out there, right from the beginning, so everyone knows that that’s the only way it can be fair.”
Restrictive Measures: what is at stake?

• How should individual liberties and the public good be balanced?

• On what basis should decisions about the use of restrictive measures be made?

• What obligations, if any, does society have to those whose liberties have been restricted?
Restrictive Measures—Survey

- Governments should have the power to suspend some individual rights during outbreaks: 85% agreed
  - increasing to 95% when assurance provided basic needs would be met
- 79% agreed that support services should be provided in the aftermath of the pandemic
- International authorities ought to be able to advise against travel to outbreak areas: 97% agreed
Restrictive Measures– Town Hall

Quotation from study participant:

• “This raises a question of interactive societal responsibility; if it is deemed necessary for [a person] to stay home to protect society from the spread of infection, then society must be responsible to [that person] to ensure he is well provided for and will not suffer the results of his patriotic duty”
Convergent findings

Individual rights vs. community interests vs. the greater good

Role of decision-making: context and process

Role of public engagement and deliberation

Role of planning and policy

Recognition of uncertainty
Other Important Findings

• Town Halls provided citizens with the opportunity for meaningful, complex, and nuanced moral deliberation

• Public trust built on clear communication and dialogue b/w citizens and government is vital for a successful response to pandemic influenza

• Questions surfaced about the meaning of ‘vulnerability’, who is vulnerable, and what are the conditions of vulnerability
Join us!

Welcome to CanPREP.ca!

Welcome to the CanPREP website! This website was created to serve two principal functions:

1) To host an internet for communication and sharing of research tools and data within the research team; and

2) To serve as a means for communication to the broader public and provide access to online information resources, such as articles from journals, media reports, policy documents, etc., in addition to providing updated events and activities of the CanPREP team.

IN THE NEWS

pandemic influenza bioethics ethics

US pledges extra $300 million for bird flu fight

guardian.co.uk

The United States is pledging an additional $300 million in international assistance for avian and

www.canprep.ca    info@canprep.ca