The emergency department is a place of challenging ethical dilemmas and little time and resources to solve them. Ethical Dilemmas in Emergency Medicine provides invaluable information, perspectives, and solutions to common ethical dilemmas in emergency medicine. It addresses important topics seen in the emergency department, including triage, medicolegal issues, privacy and confidentiality, social media, difficult patients, minors, research, patient safety, disasters, suicide, and end-of-life issues.

The accompanying educational modules provide a unique educational opportunity for resident and staff education on ethical issues in emergency medicine. Featuring twenty-three layers of ethical dilemmas in emergency medicine, along with corresponding multimedia resources, including media presentations, case-based discussions, and multiple-choice questions, this book is an invaluable resource for residents in training as well as practicing physicians.

Catherine Marco, MD, FACEP, is a professor at Wright State University in the Department of Emergency Medicine. She has been active in the education, research, and writing arenas. She has written numerous research manuscripts and book chapters on medical ethics, resuscitation, and pain management.

Raquel M. Schears, MD, MPH, FACEP, is a full-time clinician and scholar at the Mayo Clinic. Currently, she is an associate professor in the Department of Emergency Medicine. Dr. Schears has written peer-reviewed articles, taught in several residency programs, and has conducted clinical research. Her publications reveal career interests in the ethical dilemmas of life-sustaining interventions, including advance directives, organ donation and informed consent.
Ethical Dilemmas in Emergency Medicine

Catherine Marco
Wright State University Department of Emergency Medicine

Raquel Schears
Mayo Clinic Department of Emergency Medicine
## CONTENTS

<table>
<thead>
<tr>
<th>List of contributors</th>
<th>page ix</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preface</td>
<td>xxvii</td>
</tr>
<tr>
<td>Acknowledgments</td>
<td>xxix</td>
</tr>
</tbody>
</table>

1 Principles of Medical Ethics  
*Kenneth V. Iserson*  
1

2 Law and Ethics  
*Arthur R. Derse*  
18

3 Triage in Emergency Medicine  
*Joel Martin Geiderman, Sam S. Torbati, and Raquel M. Schears*  
36

4 Privacy, Confidentiality, and Public Health Reporting  
*Joy Hardison*  
53

5 Social Media and Electronic Communications  
*Jillian McGrath, Diane Gorgas, and Lydia Sahlani*  
74

6 Multiculturalism and “Cultural Competency”  
*Kelly Bookman*  
91

7 Informed Consent  
*Leslie R. Vojta, and James E. Brown*  
102

8 Against Medical Advice, Refusal of Care, and Informed Consent  
*Jeremy R. Simon*  
113
9 Care of Minors
Sarah C. Cavallaro, and Jill M. Baren 127

10 The Difficult Patient
Jay M. Brenner, and Javad T. Hashmi 136

11 Law Enforcement in the Emergency Department
Eileen F. Baker 150

12 Research Ethics
Lauren M. Sauer, Richard E. Rothman, and Gabor D. Kelen 162

13 Conflicts of Interest
Erika Newton, and Adam J. Singer 179

14 Medical Errors and Patient Safety
John C. Moskop 199

15 Expert Witness Testimony
Robert C. Solomon 217

16 Values and Responsibilities in Professional Practice
Gregory L. Henry, and Kartik Rao 233

17 The Ethics of Disasters
Paul P. Rega 249

18 Stewardship of Health Care Resources
Shellie Asher 266

19 Education in Emergency Medicine
Walter Limehouse, and Catherine A. Marco 278

20 Suicide Attempts
Jennifer Nelson, and Arvind Venkat 285

21 Geriatric Emergency Medicine
V. Ramana Feeser 300

22 Palliative Medicine
Tammie E. Quest 315
Contents

23 End-of-Life Care  
    Monica Williams-Murphy  
    329

Appendix 1: ACEP Code of Ethics for Emergency Physicians  
    347

Appendix 2: The Emergency Medicine Milestone Project  
    367

Index  
    395
CONTRIBUTORS

SHELLIE ASHER, MD
Albany Medical College
Albany, New York
AsherSh@mail.amc.edu

EILEEN F. BAKER, MD, FACEP
Assistant Professor
University of Toledo College of Medicine and Life Sciences
Riverwood Emergency Services, Inc.
Perrysburg, Ohio
uhemsdoc@earthlink.net
List of contributors

JILL M. BAREN, MD, MBE, FACEP, FAAP
Professor and Chairman
Department of Emergency Medicine
Perelman School of Medicine
Chief, Emergency Services University of Pennsylvania Health System
Philadelphia, Pennsylvania
barenj@uphs.upenn.edu

KELLY BOOKMAN, MD, FACEP
Associate Professor
School of Medicine
University of Colorado
Aurora, Colorado
Kelly.Bookman@ucdenver.edu
List of contributors

JAY M. BRENNER, MD, FACEP
Associate Professor
Department of Emergency Medicine
Center for Bioethics and Humanities
SUNY-Upstate Medical University
Syracuse, New York
brennerj@upstate.edu

JAMES E. BROWN, MD, MMM
Professor and Chair
Department of Emergency Medicine
Wright State University Boonshoft School of Medicine
Dayton, Ohio
james.e.brown@wright.edu
List of contributors

Sarah C. Cavallaro, MD
Perelman School of Medicine
University of Pennsylvania
Philadelphia, Pennsylvania
Sarah.Cavallaro@uphs.upenn.edu

Arthur R. Derse, MD, JD, FACEP
Director, Center for Bioethics and Medical Humanities
Professor of Bioethics and Medical Humanities, and
Professor of Emergency Medicine
Medical College of Wisconsin
Milwaukee, Wisconsin
aderse@mcw.edu
List of contributors

V. Ramana Feeser, MD
Virginia Commonwealth University
Richmond, Virginia
vrfeeser@aol.com

Joel Martin Geiderman, MD
Co-Chairman and Professor of Emergency Medicine
Ruth and Harry Roman Emergency Department, Department of Emergency Medicine
Center for Healthcare Ethics, Burns and Allen Research Institute
Cedars-Sinai Medical Center
Los Angeles, California
geiderman@cshs.org
List of contributors

DIANE L. GORGAS, MD
Associate Professor
Department of Emergency Medicine
Executive Director
Office of Global Health
The Ohio State University’s Wexner Medical Center
Columbus, Ohio
diane.gorgas@osumc.edu

JOY HARDISON, MD, MPH
Vivace Health Solutions
Cardiff by the Sea, California
joy.hardison@vivacehealthsolutions.com
List of contributors

Javad T. Hashmi, MD
Center for Bioethics
Harvard Medical School
Boston, Massachusetts
javad.hashmi@gmail.com

Gregory L. Henry, MD, FACEP
Clinical Professor
Department of Emergency Medicine
The University of Michigan
Ann Arbor, Michigan
Past President
The American College of Emergency Physicians
Risk Advisor, The Emergency Physicians Medical Group
Ann Arbor, Michigan
ghenry@epmg.com
List of contributors

KENNETH V. ISERSON, MD, MBA
Professor Emeritus, Emergency Medicine
The University of Arizona
Tucson, Arizona
kvi@u.arizona.edu

GABOR KELEN, MD
Johns Hopkins University
School of Medicine
Department of Emergency Medicine
Baltimore, Maryland
gkelen@jhmi.edu
List of contributors

WALTER E. LIMEHOUSE, JR, MD, MA, FACEP
Medical University of South Carolina
Charleston, South Carolina
wlimehouse@comcast.net

CATHERINE A. MARCO
Professor
Department of Emergency Medicine
Wright State University
Dayton, Ohio
Catherine.Marco@wright.edu
List of contributors

JILLIAN MCGRATH, MD
Department of Emergency Medicine
The Ohio State University’s Wexner Medical Center
Columbus, Ohio
Jillian.mcgrath@osumc.edu

JOHN C. MOSKOP, PHD
Wake Forest School of Medicine
Winston-Salem, North Carolina
jmoskop@wakehealth.edu
List of contributors

Jennifer Nelson, MD
Department of Emergency Medicine
Allegheny Health Network
Pittsburgh, Pennsylvania
jnelson7@wpahs.org

Erika Newton, MD, MPH
Department of Emergency Medicine
Stony Brook University
Stony Brook, New York
Erika.Newton@stonybrookmedicine.edu
List of contributors

Tammie E. Quest, MD
Director, Emory Palliative Care Center
Roxann Arnold Professor in Palliative Care
Associate Professor
Department of Emergency Medicine
Emory University School of Medicine
Atlanta, Georgia
tquest@emory.edu

Kartik Rao, DO
Department of Emergency Medicine
Wright State University
Dayton, Ohio
kraodo@gmail.com
List of contributors

PAUL P. REGA, MD, FACEP
Assistant Professor
Department of Public Health and Preventive Medicine
Department of Emergency Medicine
University of Toledo
College of Medicine
Toledo, Ohio
ndmsmd@aol.com

RICHARD ROTHMAN, MD, PHD
Johns Hopkins University
School of Medicine
Department of Emergency Medicine
Baltimore, Maryland
rrothmai@jhmi.edu
List of contributors

LYDIA MARIE SAHLANI, MD
Assistant Professor
Department of Emergency Medicine
The Ohio State University’s Wexner Medical Center
Columbus, Ohio
lydia.sahlani@osumc.edu

LAUREN SAUER, MSC
Johns Hopkins University
School of Medicine
Department of Emergency Medicine
Baltimore, Maryland
lsauer2@jhmi.edu
List of contributors

Raquel M. Schears, MD, MPH, FACEP
Associate Professor
Department of Emergency Medicine
Mayo Clinic Health System
Rochester, Minnesota

Jeremy R. Simon, MD, PhD, FACEP
Columbia University
New York City, New York
jrs3@nyu.edu

Adam J. Singer, MD
Professor and Vice Chairman for Research
Department of Emergency Medicine
Stony Brook University
Stony Brook, New York
Adam.singer@stonybrook.edu
List of contributors

ROBERT C. SOLOMON, MD
Allegheny General Hospital
Pittsburgh, Pennsylvania
rcsmd82@comcast.net

SAM S. TORBATI, MD, FAAEM, FACEP
Co-Chairman and Associate Professor of Emergency Medicine
Department of Emergency Medicine
Cedars-Sinai Medical Center
Los Angeles, California
Sam.Torbati@cshs.org
List of contributors

Arvind Venkat, MD, FACEP
Department of Emergency Medicine
Allegheny Health Network
Pittsburgh, Pennsylvania
arvindvenkat@hotmail.com

Leslie R. Vojta, MD
Assistant Professor
Department of Emergency Medicine
Wright State University Boonshoft School of Medicine
Dayton, Ohio
leslievojta@gmail.com
List of contributors

MONICA WILLIAMS-MURPHY, MD
Huntsville Hospital Emergency Physician
Medical Director for Advanced Care Planning and End of Life Education Programs
Clinical Assistant Professor
Internal Medicine
UAB School of Medicine
Huntsville Campus
Birmingham, Alabama
mwmuro07@aol.com
PREFACE

The practice of emergency medicine is a complex mission. Successful practice includes emergency stabilization, patient assessment, diagnostic tests, and medical interventions. The Accreditation Council for Graduate Medical Education and the American Board of Emergency Medicine have established the Emergency Medicine Milestone Project, a framework for assessment of residents in training in twenty-three milestones, from Emergency Stabilization to Teamwork.

In this complicated environment, ethical dilemmas frequently arise. The complex, time-pressured environment makes the assessment and management of ethical dilemmas challenging. Thus, a study of ethical issues and principles guiding their application in the clinical environment is essential.

This book includes twenty-three chapters, analogous to the twenty-three Emergency Milestones, and in respect to the specialty of Emergency Medicine, the twenty-third recognized medical specialty by the American Board of Medical Specialties. Each chapter addresses an important ethical topic in emergency medicine, including issues, controversies, and a summary of Ethics Takeout Tips. Available online are educational modules for use in teaching ethical principles at any level. It is our hope that this book will serve as a valuable resource to emergency providers and educators.
ACKNOWLEDGMENTS

The editors wish to thank the authors, who have dedicated their time and expertise to the education and application of principles of medical ethics to the practice of emergency medicine.