

# HIV DISCLOSURE

## WHO AND WHEN TO TELL

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## HIV DISCLOSURE

- ETHICS
- DECISION MAKING SKILLS
- ASSESSMENT
- PLAN

# ETHICS

## ○ Principle of Beneficence

- Traditionally understood as the "first principle" of morality, the dictum "do good and avoid evil" lends some moral content to this principle. The principle of beneficence is a "middle principle" insofar as it is partially dependent for its content on how one defines the concepts of the good and goodness. As a middle principle, beneficence is not a specific moral rule and cannot by itself tell us what concrete actions constitute doing good and avoiding evil.
- The Principle of Nonmaleficence, *Primum non nocere*, commonly translated as "first, do no harm," is often considered to be a corollary to the principle of beneficence.
- Although **Nonmaleficence** refers to doing no harm, nonmalevolence refers to not intending or willing harm.

# ETHICS

- Principle of the Common Good
- In general, the common good consists of all the conditions of society and the goods secured by those conditions, which allow individuals to achieve human and spiritual flourishing.
- The principle of the common good has three essential elements: 1) respect for persons; 2) social welfare; and 3) peace and security. All three of these elements entail the provision of health care in some way as an essential element of the common good

# ETHICS

- Principle of Informed Consent
- It is the right and responsibility of every competent individual to advance his or her own welfare. This right and responsibility is exercised by freely and voluntarily consenting or refusing consent to recommended medical procedures, based on a sufficient knowledge of the benefits, burdens, and risks involved.
- The ability to give informed consent depends on: 1) adequate **disclosure** of information; 2) patient **freedom** of choice; 3) patient **comprehension** of information; and 4) patient capacity for decision-making.
- By meeting these four requirements, three necessary conditions are satisfied: 1) that the individual's decision is voluntary; 2) that this decision is made with an *appropriate* understanding of the circumstances; and 3) that the patient's choice is deliberate insofar as the patient has carefully considered all of the expected benefits, burdens, risks and reasonable alternatives.
- *Legally*, adequate disclosure includes information concerning the following: 1) diagnosis; 2) nature and purpose of treatment; 3) risks of treatment; and 4) treatment alternatives.

# ETHICS

## ○ Principle of Respect for Autonomy

- As commonly understood today, autonomy is the capacity for self-determination.
- Respect involves not only refraining from interfering with others' choices, but sometimes entails providing them with the necessary conditions and opportunities for exercising autonomy.
- The principle of respect for autonomy implies that one should be free from coercion in deciding to act, and that others are obligated to protect confidentiality, respect privacy, and tell the truth.
- In the practice of health care, a person's autonomy is exercised through the process of obtaining informed consent.
- The principle of respect for autonomy, however, *does not* imply that one must cooperate with another's actions in order to respect that individual's autonomy.

# ETHICS

- However, the principle of *respect* for autonomy implies that autonomy has only a *prima facie* standing, that is, it can be overridden by competing moral considerations.
- For example, if an individual's choices endanger public health, potentially harm others, or require a scarce resource, that individual's autonomy may justifiably be restricted.

YAWN.....



# WHY TALK ABOUT ETHICS

- ETHICS ARE A SET OF CONSTRUCTS - IDEAS WHICH HAVE BEEN FORMULATED BY THE GREAT THINKERS OF TIME, FROM EARLY RELIGIOUS LEADERS, PHILOSOPHERS AND EVEN US MODERN THINKERS, THAT GOVERN HOW DECISIONS GET MADE AND THE WHY BEHIND THEM.
- TO UNDERSTAND OUR RESPONSIBILITY WITH A CLIENT WHO IS MAKING THE DECISION TO DISCLOSE THEIR STATUS WE HAVE A RESPONSIBILITY TO UNDERSTAND THE ETHICS WHICH DRIVE US AND THE LEGAL SYSTEM.

# EXAMPLE



# DECISION MAKING

- DIFFICULT DECISIONS INVOLVE
- **Uncertainty** - Many facts may not be known.
- **Complexity** - You have to consider many interrelated factors.
- **High-risk consequences** - The impact of the decision may be significant.
- **Alternatives** - Each has its own set of uncertainties and consequences.
- **Interpersonal issues** - It can be difficult to predict how other people will react.

# DECISION MAKING

## ○ STEP ONE

### • CREATE A CONSTRUCTIVE ENVIRONMENT

Establish the objective

What is it that you want to achieve?

In this case questions to ask the client would include,

Under what circumstances do you want someone to know you are HIV+?

# DECISION MAKING

## ○ INVOLVE THE RIGHT PEOPLE

- Who can provide non judgmental objective help in making decisions related to disclosure?
- Encourage the client to have a discussion, a debate without fear of rejection for any idea or belief.
- Recognize that the objective is to make the best decision under the circumstances.
- It's not a head game in which you and the client are competing to have their own preferred decision adopted.
- Allow Opinions to be Heard
- Use creativity Tools



# DECISION MAKING

- Creativity starts with Generating new ideas!
- This is the business we are in right?
- Breaking Through Patterns
  - Challenge Assumptions
  - Reword the problem
  - Express through different media
- Some of the best ideas or answers to complex ideas happen not when we are actively trying to solve it but randomly
- Connect the unconnected

# DECISION MAKING

- Shift Perspective
  - Play the What If Game
  - Employ Enablers
    - Believe in yourself
    - Creative Loafing Time – Nap, Go for a Walk, Listen to Music, Take a Bath
    - Change the environment
    - Shut out Distractions

# DECISION MAKING

- Generate Alternatives
  - Look at problem from different angles
  
  - Explore the Alternatives
    - Risk –Evaluate to manage risk
    - Implications –Consider the possible consequences
    - Validation – are resources available
  
  - Choose Best Alternative
  - Check your decision

## DECISION MAKING

- Four Surefire Ways to Make a Bad Decision
  - Make it too soon
  - Ignore Uncertainty
  - Don't Itemize Important Factors
  - Be Blind to Available Information





