



# ETHICAL DECISION MAKING FRAMEWORK

## The YODA Model\*

### A PRINCIPLE BASED FRAMEWORK/ PROCESS FOR ETHICAL DECISION MAKING

The following principle based framework/process for ethical decision making is grounded in the Mission, Vision and Values of St. Joseph's Health System.

Steps for Resolving Ethical Dilemmas (YODA):

#### Y - YOU

As a rational person with the capacity for moral agency, Ethics is everyone's responsibility.

#### O - OBSERVE

##### 1. Identify the Problem

Name the problem clearly.

- Where is the conflict?

##### 2. Acknowledge Feelings

- What are the "gut" reactions? biases? loyalties?

##### 3. Gather the Facts

- What are the ethically relevant facts?



- Have all the relevant perspectives been obtained?
- What do the institution's policies or guidelines say?
- What does the relevant law say? \*

\* Legal information is not the same as legal advice, where legal advice is the application of law to an individual's specific circumstances. We recommend that you consult a lawyer if you want professional legal advice in a subject area that is appropriate to your particular situation.

A. Facts in Biomedical Ethics Issues include:

- Diagnosis/Prognosis
- Quality of Life
- Patient /SDM Wishes
- Contextual Features – e.g. o Religion
  - Culture
  - Psycho-social issues
  - Relationships

B. Facts in Business/Organizational Ethics Issues include:

- Governance, Partnerships
- Allocation/Rationing of Scarce Resources
- Conscientious Objection
- Employer/Employee Relationships
- Conflict of Interest
- Alternative Sources of Revenue
- Abuse of Care Providers
- Whistle blowing

#### D - DELIBERATE

##### 4. Consider Alternatives

- What are the other courses of action?
- What are the likely consequences?



## 5. Examine Values

- What are the preferences of the person receiving care?
- Are other values relevant?
- Which of the values conflict?

## 6. Evaluate Alternatives

- Identify appropriate decision makers.
- Rank all relevant values, i.e. values of St. Joseph's Health System: Dignity, Respect, Service, Justice, Responsibility and Enquiry. These values come from and relate to the values set out in the Catholic Health Association of Canada Health Ethics Guide (CHAC HEG): dignity of every human being and the interconnectedness of every human being. They also ground the ethical values of:
  - Respect for Autonomy (the person's right to self-determine),
  - Beneficence (the duty to do good),
  - Non-Maleficence (to not cause harm) and
  - Justice (being fair without prejudice)
- Justify ranking by appealing to the following principles as set out in the CHAC HEG:
  - o Totality (seeing the whole person, or the whole situation),
    - Double Effect (cannot intentionally desire to cause harm in order to do good, principle where the benefits must be equal to or greater than burden/harm),
    - Legitimate Cooperation (cannot intend to cooperate with immoral acts),
    - Subsidiarity (decisions should be taken as close to the grass roots as possible),
    - Informed Choice
    - Confidentiality
- Evaluate the short and long term consequences in terms of principles. What alternatives are excluded?

## A - ACT

### 7. Articulate the Decision

Which choice best reflects the ranking of values? Which choice best balances more of the values? Have any other choices come to light?

### 8. Implement the Plan

How should the decision be communicated? Who needs to know it? How best to document the process? Who needs to act?

### 9. Concluding Review

What are the feelings of those involved? Did we resolve the ethical dilemma? Were other ethical problems accidentally created in the process? Do we need to debrief with care providers? Would it be helpful to modify and/or create new policies or guidance in light of this dilemma?

To speak to St. Joseph's Health System's Bioethicist, please call 905-522-1155 ext. 33866. If it is after business hours or on weekends, please speak to your healthcare team to have the Bioethicist on-call paged.

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St. Joseph's Health System is a member of the Centre for Clinical Ethics at St. Michael's Hospital in Toronto.



\*This guide provides general information about the current law in this subject area. However, legal information is not the same as legal advice, where legal advice is the application of law to an individual's specific circumstances. Although we have tried to make sure that the information in this guide is accurate and useful, we recommend that you consult a lawyer if you want professional legal advice in this subject area that is appropriate to your particular situation.