

Don't Talk With Her about Her Condition

School of Medicine Case - Transition to Residency – Professionalism, Ethics & Law

Mrs. Soon Chai is a 63-year-old Korean woman who does not speak English. When her husband died six years ago, her son Art took her into his home.

A year ago Mrs. Chai was seen for pelvic pain. Pelvic exam revealed an abnormal-appearing cervix and adjacent abdominal mass. A workup confirmed cervical carcinoma, widespread and inoperable. At that time, Art insisted that she not be told “anything bad” about the diagnosis or prognosis. He told her that she would receive radiation for her condition, and she completed a full course. The patient’s daughter (Erin) was away at graduate school at the time and was concerned about not sharing information with her mother, but was at a distance and decided to not intervene.

Last night Mrs. Chai was admitted to the hospital for pain control and evaluation of lower extremity edema, which have limited herself care. As you enter her room, Art quickly introduces himself and asks to talk with you in the hall. He again requests that his mother not be told her diagnosis and prognosis. He says it is against their family and cultural traditions, and that she would want him, as her eldest (and only) son, to receive information and make decisions about her care. He says he will tell her only positive things, so she won't lose hope and courage. He then asks you for the results of diagnostic tests, as well as your treatment plan and prognosis. Just then, the daughter who has now moved to town also would like information about her mother's condition. However, she disagrees with her brother and feels her mother she be made aware of her condition. If you don't tell the patient about her condition then the daughter will. An argument ensues in the hallway between the son and daughter prompting the patient to call from the room about what is wrong.

In addition, you have just come from a noon conference on privacy, confidentiality, and HIPAA (Health Insurance Portability and Accountability Act of 1996). You have concerns about sharing Mrs. Chai's test results with her children without her permission. You call for a Korean interpreter and step into the room with the two children.

- 1. What do you say to Art and Erin in the hall while you are waiting for the interpreter?**
- 2. What values are in conflict here? How do we demonstrate sensitivity and respect for cultural differences, in the face of conflicting values?**
- 3. What needs to happen here? What would you say to whom, and in what order?**
- 4. How does HIPAA apply here?**