



# Bioethics Mediation Workshop

## Resolving ethical dilemmas in clinical medicine

Moderator: Dr. Carmel Shalev

### What is bioethics mediation?

Bioethics mediation is a novel approach for resolving ethical dilemmas that can arise in the daily clinical setting of health care institutions. It applies skills of dispute resolution, emotional intelligence, interpersonal communication and listening, so as to resolve disagreement between caregivers, patients and families (or close ones). The objective is to reach a resolution of the dispute that is both patient centered and accepted by all the persons involved, and that comports with the law and the principles of medical ethics.

### What is special about bioethics mediation?

Bioethics mediation is aimed at facilitating a consensual resolution of the dilemma, or a shared decision about the best care plan for the patient, considering his or her needs, rights and cultural values. Ethics committees, on the other hand, might reach decisions on a majority vote, exercise hierarchical authority, and exclude patients from the decision making process.

### What is the purpose?

Bioethics mediation is most effective as an intervention when applied with the identification of early signs of discord. Its purpose is to prevent the burgeoning of disagreement into conflict and possible litigation, and to meet the needs of caregivers, administrators, and patients and their families for help in navigating ethically charged and emotionally loaded clinical situations.

### How does bioethics mediation work?

Bioethics mediation is oriented towards a process of facilitated communication that is flexible, self-reflective and participatory. The role of the mediator is to identify the persons involved in the dispute, clarify the medical facts, identify the interests, preferences and priorities of the parties, discuss the ethical considerations, allow for airing of the latent emotions in the patient-family-staff relationship, and generate the various options for resolution.

### What is the benefit?

Bioethics mediation promotes patients' satisfaction, strengthens their trust and confidence in care givers, improves the quality of the clinical work environment, promotes the positive image of the health care institution, prevents legal complications and contributes to risk management.



## **What is the aim of the workshop?**

The workshop is an introduction to the method of bioethics mediation. It is conducted around the discussion and analysis of a concrete case, so that participants experience a demonstration of the process, and acquire basic communicative skills of listening.

## **Who are the participants?**

The workshop is designed for health care professionals, and members of ethics committees in medical institutions. The number of participants is no less than 9 and no more than 15.

## **When and where?**

The workshop will take place on Thursday, 14 October 2010, between 2 and 6 p.m. Location will be announced in September via e-mail.

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## **About the moderator:**

Dr. Carmel Shalev, is a human rights lawyer and ethicist, who specializes in health, biotechnology and research. She has served on numerous public committees in the area of health ethics in Israel, established and directed the Unit for Health Rights and Ethics at the Gertner Institute for Health Policy and Epidemiology Research, Tel Hashomer, Israel, and has taught at academic institutions in Israel and abroad. She now works as a consultant for local and international public interest organizations, teaches as an adjunct professor at the law faculty of Haifa University, and is the founding head of the Department for Reproduction and Society, International Center for Health, Law and Ethics at Haifa University.

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## **Web resources:**

Nancy Neveloff Dubler and Carol B. Liebman. 2004. Bioethics Mediation – A Guide to Shaping Shared Solutions. United Hospital Fund of New York, NY.

[http://www.uhfnyc.org/usr\\_doc/BioethicsMediation.pdf](http://www.uhfnyc.org/usr_doc/BioethicsMediation.pdf)

Autumn Fieste. 2007. The Failure of the Consult Model: Why “Mediation” Should Replace “Consultation”. American Journal of Bioethics 7(2) 31-32.

[http://repository.upenn.edu/cgi/viewcontent.cgi?article=1054&context=bioethics\\_papers](http://repository.upenn.edu/cgi/viewcontent.cgi?article=1054&context=bioethics_papers)

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