



The Restraint Dilemma:
Facilitating Transitions from
Acute Care to Rehabilitation
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Ethical Considerations Regarding the
Use of Restraints

Karen Faith- Clinical Ethicist Sunnybrook



Autonomy, Capacity & Beneficence

*Rational autonomy is a complex state that is
subject to subtle grades of deterioration...*

*Twilight of patient autonomy "where he both is &
is not a responsible agent"*

Vellman, Ethics 109 (April 1999): 606-628

Bioethics/Clinical Ethics

- Bioethics involves critical reflection on moral/ethical problems faced in health care settings toward:
 - deciding *what* we should do
 - explaining *why* we should do it and
 - describing *how* we should do it
 - (Dr Barb Secker)

Important Ethical Questions: Restraints

- Whose safety is at risk?
- Why now? Why this form of restraint?
- What are/were the wishes of the patient?
- What are the benefits of restraints?
- What are the possible harms?
- What other approaches can be tried?
- When will decision be reviewed?

Framework for Ethical Decision-making

- **Medical Indications**
 - Beneficence/ Non-maleficence
 - Standard of care
- **Quality of Life & Family**
 - Values, beliefs, life style & relationships
 - Collective autonomy
- **Patient Preferences, Values, Beliefs**
 - Autonomy
 - Patient-centered care
- **Contextual Issues**
 - Policies
 - Laws
 - Resources
 - Justice

Contextual Variables & Ethical Principles

- | | |
|--|-------------------------------|
| ■ Adequate/ appropriate & responsive caring | Beneficence & Non-maleficence |
| ■ Access to appropriate rehabilitation resources | Justice |
| ■ Continuity of care/ non-abandonment while maintaining best interests for incapable patient | Beneficence / Non-maleficence |

Weighing the ethical considerations

- Benefit/ harm when using restraints
 - Autonomy/Best Interests
 - Harm: to self/ to others-*relational justice*
 - Policy of least restraint
 - *Proportionality*
 - *Reciprocity*
 - *Freedom from stigmatization*



Autonomy/Best Interests

- Capable wishes ought to guide decisions being made on behalf of the person involved.
 - *What of the current wishes of the now incapable person – ought they have moral weight?*
- Best interests must include evaluation of risks/benefits for the person involved.
 - *Might considering the safety of others, be in the person's best interests as well?*

Relational Justice

- Moral concern given to the well-being of both patient & health care professionals in decision-making regarding use of restraints
 - Justice
 - Duty to care
 - Moral community- moral climate
 - Protection from harm
 - Reciprocity

Primary duty is to the patient & a fundamental moral concern extended to the vulnerable patient- balanced with well-being /safety of caregiver

Proportionality

- Duty to ensure that extent of coercive or restrictive measures are in proportion to the risk posed to self or others.
- Ensure that the least restrictive/coercive measures tried first- if insufficient then increased coercive/restrictive measures may be justifiable

Share rationale & process for decision-making with patient's family- "optics" of restraint use can be misinterpreted

Reciprocity

- Certain staff bear disproportionate burden & thus every effort should be made to reduce suffering, inconvenience or to provide compensation for losses.
- Those who are faced with restrictions/burdens are owed special consideration & support to minimize burden

e.g. provide time off, debriefing, double coverage, acknowledgement & support for care

Freedom from stigmatization

- Ensure that patients (their family) are valued as individuals & are not labeled, or stigmatized due to their illness or challenging behavior

Avoid labeling patient/family, address negativity early with team & identify patient/family needs for support & resources

Challenging patients & families?

- Duty to care/non-abandon
- Avoid “circling the wagons”
- Strive for respectful conflict resolution/communication
- Transparency with family
- Preventative ethics- unit or organizational approach to recurrent ethical challenges



Final Thoughts

- Use of restraints – decisional process over time.
- Regular opportunities to discuss as a team & with family. Revisit decisions regarding use & level of restraints employed.
- Advocate for just access to appropriate resources reducing need to employ restraints.