Crisis Standard of Care

Doing the Right Thing
When You Must Do Something and You Can’t Do Everything

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Case Study

- A patient is in cardiopulmonary arrest
  - Do you do CPR?
  - What is the “Standard of Care?”
Standard of Care

Legal Definition

- What would the prudent person do under similar circumstances?
Standard of Care

Healthcare Personnel

- “Diagnostic and treatment process that a clinician should follow for a certain type of patient, illness, or clinical circumstance”
  - *New England Journal of Medicine, 2004*
- Concerns about medical malpractice
Catastrophic Disaster

- Scarce resource environment
- Difficult to conceptualize in the United States
Lack of Resources?

- 29 disasters in the United States
  - 6% supply shortages
  - 2% personnel shortages
- Lack of a *management system* to organize available resources
- Hurricane Katrina
  - An exception?
Catastrophic Event

- When needs exceed resources
  at a given point in time
- Allocation of scarce resources
Goal in Scarce Resource Environments

- **Standard of Care**
  - Goal to optimize *population* medical and health outcomes rather than *individual* outcomes
  - You must do something and can’t do everything
Standard of Care
Catastrophic Disaster

Do not alter the “standard” of care

Change the goal

- *Triggers* to shift to population management
- *Triggers* to shift back to individual management
- May move back and forth several times during a single event
Case Study

- A patient is in cardiopulmonary arrest
  - Do you do CPR?
  - What is the “Standard of Care?”

Answer

- It depends on the situation!
Crisis Standard of Care

- Not an “altered standard” of care
- Not “graceful degradation” of care
- Not a “diminished” or “lower” standard of care

- How would this play out in the media?
- How would the public perceive it?
Current Initiatives
Future Directions

State of California
- Surge Standards and Guidelines Project
- Crisis Care Committee
  - Develop specific protocols for clinicians and emergency managers

Develop benchmarks to determine when to activate and deactivate Crisis Care
Current Initiatives
Future Directions

- Designate a "Crisis Triage Officer" and include provisions for palliative care in triage models
- Respect ethical principals of beneficence, stewardship, equity, and trust
- Regulatory relief to provide liability protections in a scarce resource environment
- Prioritize population health over individual outcomes
Selected Resources

- **Standards of Care During a Mass Casualty Event-A Series of Regional Workshops, Institute of Medicine Regional Forum**
  Irvine, CA March 12, 2009

  [http://www.iom.edu/CMS/3740/42532.aspx](http://www.iom.edu/CMS/3740/42532.aspx)

- **American Health Lawyers Association (AHLA) Community pan-flu preparedness: a checklist of key legal issues for healthcare providers 2008**

Selected References


http://repositories.cdlib.org/uciem/westjem/vol9/iss3/art18