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PRECAUTION AND PROFESSIONAL RESPONSIBILITY IN SURGERY

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Responsibility and professionalism

- To execute one's competence and judgement responsibly is a basic idea across most professional ethoses (not only medicine!).
- Includes several things: maintaining public trust, ensuring agreed standards of excellence, upholding rules of conduct, and ...
- Proper balancing of chances of benefit, risk of harm, and uncertainties of projections and underlying information → **precaution.**



Two dimensions of precaution

- Responsible balancing of chances of benefits and risks
 - Failure → irresponsibly reckless behaviour (e.g., taking needless or disproportionate risks)
 - Success → Design of intervention to balance chances and risks responsibly
- Responsible handling of "knowledge gaps": more or less pronounced uncertainty of the information used to estimate chances and risks
 - Failure → irresponsibly negligent behaviour (e.g., taking chances when information could have been improved)
 - Success → Delay decision on intervention while updating information basis for risk analysis.



The role of precaution in surgery

- Surgery *is special*: somatic invasiveness activates undeniable special aspects of human moral psychology. Any professional ethics needs to take this into account.
- Deciding what is at all "on the menu" – professionally acceptable to consider?
- Deciding when a new intervention is "ripe for clinical introduction"
- Choosing interventions depending on diagnosis, complications, etc.
- Acting in acute catastrophe situations to deal with unforeseen hazard



The price of precaution

- Any precautionary measure will have its own downsides

- Immediate cost, harm or risk resulting from the precautionary measure

Risks or costs due to research in order to update information on which risk analysis is based, barrier measures to contain possible hazard, etc.

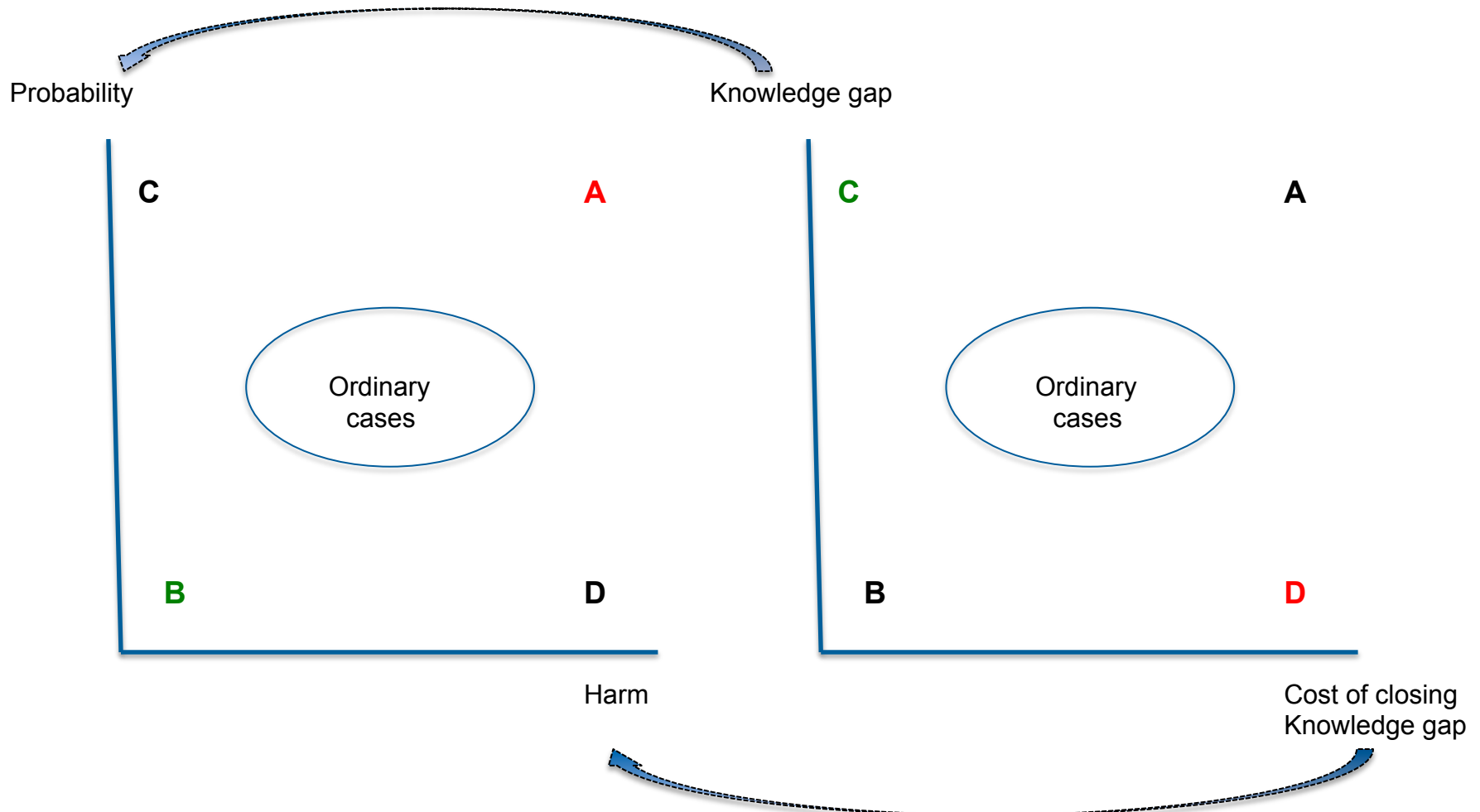
- Delay or cancelling of possible benefits of an intervention

Recurring argument in debates on the introduction of new interventions, drugs, ideas about "fast track", "compassionate use", etc.

Therefore:

- Precaution "cuts both ways": the price of precaution must not be too high, or it turns into reckless or negligent exaggeration.
- Professional responsibility requires to mind about this price whatever we do or *do not* do.
- Applies not only to the introduction of new methods, but also to phasing out old ones, and to ensuring responsibly precautionary handling.

Thinking about risk and uncertainty about doing x or y (remember precaution cuts both ways!)





Critical issues for debate

- What is to count as harm and benefit and how should these "be measured"? (yesterday's debates!)
- Should the proper price or level of precaution always be the same for any triad of probability, harm and uncertainty, no matter the context?
- Or should there be a relativity to what is more broadly at stake in a situation? E.g., worse stakes justifies a lower price and level of precaution.
 - For: this makes sense from a human value standpoint: "the higher we stand, the harder we fall", the worse off you are, the more reason for you to take risks to achieve benefits
 - Against: May mean that the more fragile and vulnerable are exposed to more drastic risks and uncertainties, more likely to be preyed on by "innovation mavericks"
- Patients and proxies may be asked to weigh in, but at the end of the day, professionalism requires of the professional to set limits to what is at all responsible to offer.