

Case 14 – Joe

Joe has recently retired and he is very excited about going on a cruise with his wife in 10 days time. Examination reveals a mass in his abdomen and tests confirm it is malignant. When do you tell him the results of the tests?

Best Practice Response

Material facts

- The relevant facts are:
 - Joe is unaware of a malignant mass in his abdomen and will shortly be going on a cruise.
 - It is assumed that Joe is competent to make health care and financial decisions and that urgent treatment of the malignancy is not required.

Relevant ethical considerations and medico-legal issues

- The law presumes that an adult has decision-making capacity, unless there is evidence to the contrary.
- It is a fundamental tenant of ethical medical practice, that adult patients have the right to make their own health care decisions.
- The Medical Board's Code of Conduct requires medical practitioners to be honest and to encourage patients to be well informed about their health and to use this information wisely when making decisions.

MDA's recommendations

- The relevant issue in this case study is whether there is a need to impact on Joe's enjoyment of his cruise by informing him of his serious diagnosis.
- There is no basis to delay informing Joe of the diagnosis. This should be undertaken as soon as possible. The medical practitioner should not presume what Joe may decide to do given this information.
- Financial considerations are also relevant. If Joe has purchased travel insurance, the diagnosis could potentially void his cover should he suffer a significant adverse medical event during the cruise, which may expose him to serious financial consequences. In this event, it is possible that Joe would seek to recover his financial losses from the medical practitioner. If travel insurance has been purchased, this may also cover the cost of cancelling the trip if Joe decides he does not wish to proceed.
- On the other hand, Joe may not have purchased travel insurance and may decide that he does not wish to take the risk of proceeding on the cruise, or alternatively, may choose to seek travel insurance and disclose his recent diagnosis. He may wish to seek further medical opinion to assist him with his decisions.
- Seek advice from your MDO as the specific circumstances of each case should be considered on their merits.

Links to resources:

<http://www.medicalboard.gov.au/Codes-Guidelines-Policies/Code-of-conduct.aspx>