



# Unprofessional Behavior

## Objectives:

- Define unprofessional behavior.
- Identify various elements of human nature that contribute to unprofessionalism.
- Provide examples of such behaviors.
- Know how to avoid (and deal with) unprofessional behaviors.

## Remember!

### What is Professionalism?

- Attributes and behaviors that serve to maintain patient interests above physician self-interest.
- It is the unconditional caring of the patient, putting others before self.
- IT IS NOT WHAT WE DO BUT HOW WE DO IT.

### Professional Attributes Mnemonic: HAIRCAP

Honesty - Altruism

Integrity - Responsibility

Compassion - Autonomy - Punctuality

### What is Unprofessionalism?

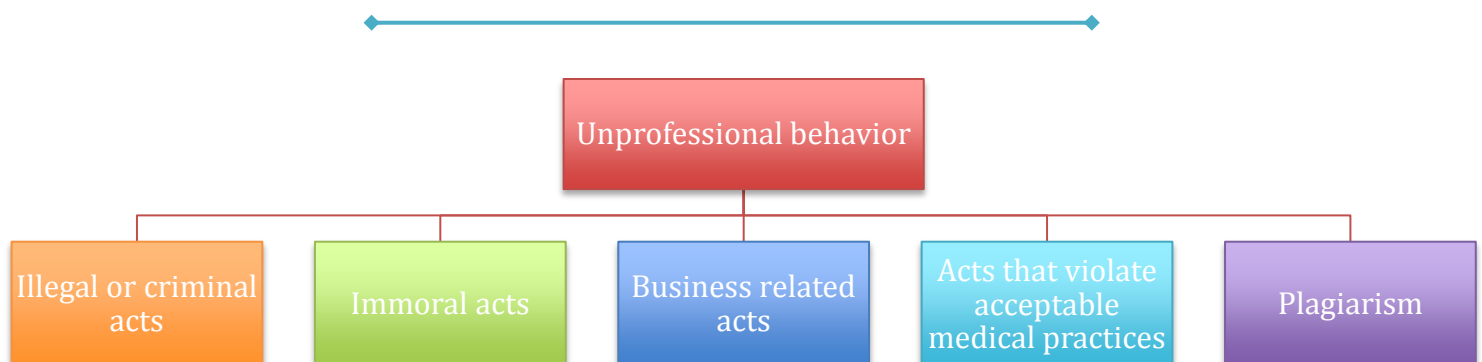
- Not pertaining to the characteristic of a profession.
- At variance with or contrary to professional standards or ethics.

### Medical Unprofessionalism

- Not necessary to show adverse effects on patient care.
- Do not have to wait until patient dies to determine that medical care suffered.

### Results of unprofessional behavior:

- Increased workplace difficulties.
- Decreased morale in other staff.
- Decline in patient care.



## 1. Illegal or Criminal acts:

If a physician that was convicted for a crime or offense, he will face the following consequences:

- 1) The penalties imposed by the legal system for a criminal conviction.
- 2) May be disciplined and lose his medical license.

## 2. Immoral acts:

Generally fall into the limited category of: sexual activity with individuals that may be patients.

E.g. Doctors dating patients online in U.S.

Physicians should not take advantage of the doctor-patient relationship because:

- Some patients are particularly vulnerable.
- Trust in the profession will be undermined.
- The patient's medical care may be compromised.

## 3. Business related acts

These acts are related to the: operation of the business, not the quality of the care.

Examples:

- Obtain, maintain, or renew a license to practice medicine by bribery, fraud or misrepresentation.
- The use of false, misleading, inaccurate or incomplete statements, in an attempt to renew or to obtain a medical license.
- Aiding, assisting, employing or advising, either directly or indirectly, any unlicensed person to engage in the practice of medicine.
- Receive compensation (in the form of fee, commission, or others).
- Charge for visits that did not occur, or services not rendered.
- False, deceptive or misleading MEDICAL advertising.
- Practicing or attempting to practice medicine under another name.
- Referring a patient to a health facility, medical laboratory or commercial establishment in which the doctor has a financial interest.
- Attempting to retain or obtain a patient, or discourage a second opinion, through the use of deception. This influence may be direct or indirect.

## 4. Acts that violate acceptable medical practices

1) Negligent practice.

2) Administrative.

3) Quality of care.

### 4.1) Negligent practices:

- Negligence = Medical malpractice, may range from minor to severe.
- It is an act by a health care provider in which the treatment provided falls below the accepted standard of practice in the medical community and causes injury or death.
- Standards and regulations for medical malpractice vary by country and jurisdiction within countries.

It deals with the way the doctor performs his duties:

- Failure to maintain records of a patient, relating to diagnosis, treatment and care
- Altering medical records
- Failure to make medical records available for inspection

E.g. Surgical mistakes/errors

In order to prove negligence it must prove four elements:

- 1) A duty of care was owed by the physician.
- 2) The physician violated the applicable standard of care.
- 3) The person (patient) suffered a compensable injury.
- 4) The injury was caused by the substandard conduct.

#### 4.2) Administrative errors:

Physician's Failure to report about any person who:

- Is in violation of the law.
- Is in violation of the code of professional conduct.
- Is impaired or disruptive.

#### 5. Plagiarism

Is an **unethical, dishonest** act whereby an individual **uses the work of another, commit literacy theft**, or present work as an original idea **without crediting the source** or stating that it is derived from an existing source.

Examples:

- Using data for example; statistics, graphs, and drawings without acknowledging sources
- Repeating another person's apt phrase without acknowledgement
- Using another person's sentences or arguments as if they were your own.
- Presenting another person's idea, opinion, or theory in the development of an argument as though it is your own.



An unprofessional physician is:

- Impaired.
- Disruptive behavior.
- Dishonest.
- Greedy.
- Abuses power.
- Lacks interpersonal skills.
- Self-serving.

#### 1) Impairment:

- When a physician is unable to exercise prudent medical judgment. **And/or**
- Is unable to practice with reasonable skills and safety without jeopardy to patient care.

Impairment means more than making incorrect diagnosis, for example:

1. Avoidance of patients and their psychological needs
2. Dehumanized care
3. Inappropriate treatment
4. Over involvement in care with sexual exploitation as the most serious form of violation.

#### 2) Disruptive behavior

Include repeated episodes of:

- Sexual harassment.
- Racial or ethnic slurs.
- Abusive language.
- Persistent lateness in responding to calls at work.



### Why are we more sensitive to such behavior?

- Patients are better informed and more assertive.
- Higher expectations of patients and families.
- Complaint mechanisms are more accessible.
- Medico-legal concerns.
- Laws, policies, and guidelines.

### Q: How to deal?

#### Check early warning signs:

- Late or incomplete charting.
- Delayed or no responses to call or pagers.
- Abusive treatment of staff.
- Unkempt appearance and dress.
- Inability to accept criticism.
- Gender or Religious bias.

### Complaints as indicators of unprofessional behavior:

- Physicians that disappoint their patients.
- Physicians that never or very rarely generate patient complaints.

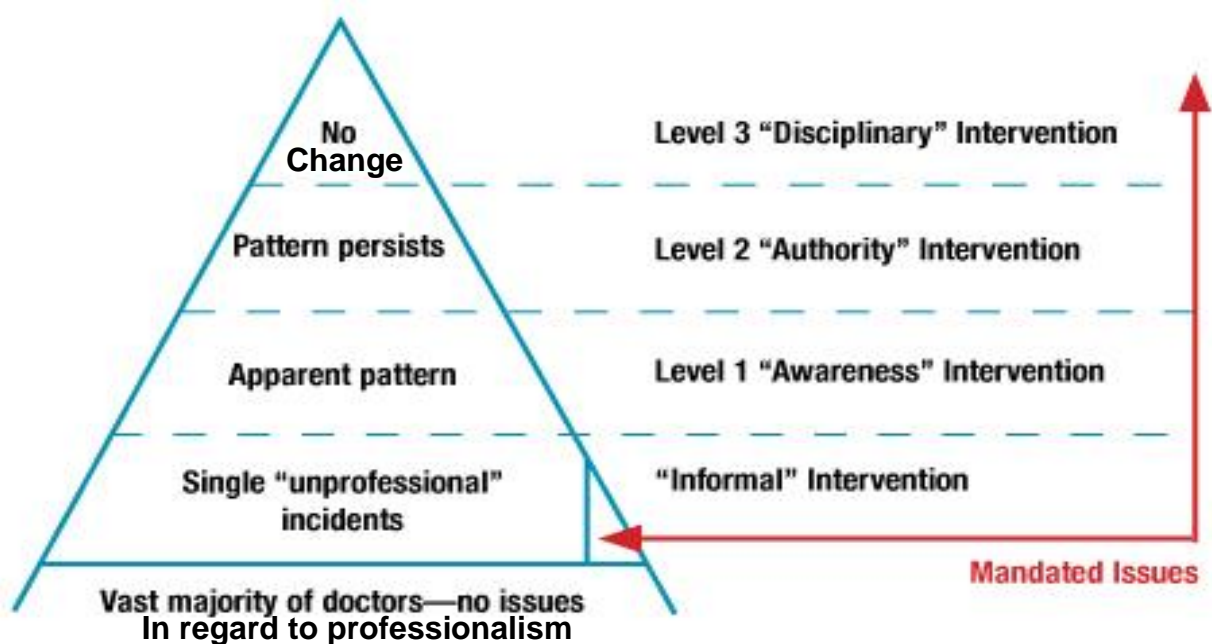
### The most effective surveillance tools for detecting unprofessional behavior:

The eyes and ears of patients, visitors and healthcare team members; who else hears and watches us?

### Dealing with unprofessional behavior:

Surveillance & Registration.

### Disruptive behavior pyramid



## Potential benefits of formalizing a response

1. Cost-saving
2. Builds the trust of public/patient
3. Improves the healthcare services

## What does formalizing a response need?

Cost + Time

### Scenarios

#### 1) A senior doctor

A senior doctor, head of a high profile department, is known to bring in research dollars, to be very hard working and adept at specialized medical procedures. S/he is well known for shouting at nurses, throwing instruments back at them, and humiliating junior medical staff. S/he is often absent from department, Complaints are made to hospital administration from staff members; increased numbers of "critical incidents" and staff resignations are noted.

#### 2) A general practitioner

A general practitioner is consistently late or absent for pre-scheduled sessions. S/he gives no explanation, leaving the partners to fill in and make excuses. When confronted, s/he becomes abusive in front of office staff and patients.

#### 3) A medical student

A final-year medical student has caused disruptions throughout the course by monopolizing time in tutorials, behaving inappropriately with patients and being unwilling to heed advice. Many patients refuse to be interviewed by her/him and have complained to staff. S/he has not failed any exams, but several tutors and nurses have raised concerns about the student's "attitude" and ability to work as an intern.

#### 4) A Nurse

A 54-year-old male patient is admitted for the fourth time in two months for complaints of severe radicular pain (radiculitis) following several attempts at decompressive back surgery. His pain has been sub-optimally controlled with very high-dose narcotics and other adjuvant pain-management medications. The nursing staff takes his vital signs at the start of every shift but otherwise only appear when his medications are due or he rings the call bell. The pain waxes and wanes but is so severe at times that he cries out. The medication orders for breakthrough pain are ineffective. When he tells one nurse this, she responds, sighing: you have had your medication and you'll just have to wait three hours for your next does. I'm going on break, so don't bother to ring the bell"

### Summary

- Not pertaining to the characteristic of a profession.
- Unprofessional behavior fall into five categories:
  - Illegal or criminal acts.
  - Immoral acts.
  - Business related acts.
  - Acts that violate acceptable medical practices.
  - Plagiarism.
- Do not have to wait until patient dies to determine that medical care suffered.