



Public hospital, private practice

The story

Trudy is a consultant physiotherapist who provides services to the local public hospital. During a very busy period at the hospital she instructs Angela, who is the nurse manager on the surgical ward, to schedule consultations for a number of her public patients at her own private practice. These appointments would usually be scheduled as outpatient appointments at the hospital.

Angela initially queries why the appointments are not going to be at the hospital. Trudy says that her practice has better facilities than the hospital and wants to provide the best care for the patients within a reasonable timeframe. Trudy charges at a commercial rate and has a two week waiting period for new patients, whereas the hospital waiting period will be six months, but the service is fully covered by Medicare.

Questions

- ▼ What are the ethical issues in this situation?
- ▼ What should the physiotherapist have taken into consideration?
- ▼ What should the nurse manager do?
- ▼ What should patients be told?
- ▼ Does this situation constitute misconduct?

The information used in this scenario is not factual – we created it for education and discussion. Any likeness to actual persons or events is coincidental.

Questions – Facilitator copy

1. What are the ethical issues in this situation?
 - ▽ Conflict of interest
 - ▽ Misuse of power and authority.
2. What should the physiotherapist have taken into consideration?
 - ▽ Are there hospital, state and/or national policies that apply in this situation and, if so, what are her obligations?
 - ▽ Does she have the authority to make such a request of the nurse manager?
 - ▽ Does her contract with the hospital allow her to treat public patients in her private practice?
3. What should the nurse manager do?

She should consider whether:

 - ▽ it is a lawful instruction;
 - ▽ whether the action will contravene the code of conduct; and
 - ▽ whether it complies with hospital policy.
4. What should patients be told?
 - ▽ Patients should be able to make informed decisions about the services they use, including information about the costs, the waiting periods for appointments and the alternatives open to them.
5. Does this situation constitute misconduct?
 - ▽ It could be characterised as an act, on the part of the physiotherapist, to receive a financial benefit for herself.
 - ▽ Alternatively, it could be seen as the physiotherapist trying to do the best for the patients during a busy time.
 - ▽ The policies and procedures relevant to the hospital and any written agreements between the hospital and the physiotherapist would need to be considered before deciding whether this was a case of misconduct or otherwise.



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: prevention@integrity.tas.gov.au or 1300 720 289.

For more Misconduct Prevention resources go to www.integrity.tas.gov.au/resources