

Responding to Incidents of Bias and Discrimination from Patients and Visitors in the Workplace

Policy Statement

Lahey Hospital & Medical Center (“LHMC” or the “Hospital”) is dedicated to maintaining a safe, respectful and nonthreatening environment for all members of our community. Overt discrimination as well as micro-aggressions (i.e. indirect and/or more subtle comments or remarks) can be jarring and hurtful, have negative effects on the recipients of those actions, and contribute to a negative patient-care environment for all involved. LHMC is committed to empowering our colleagues to handle any such situations and work towards a care environment free of this kind of behavior.

While recognizing our core mission of caring for all patients, disruptive, inappropriate, or discriminatory behaviors by patients, family members, contractors, vendors and/or visitors will not be tolerated and will be addressed in accordance with the procedures outlined in this policy. Requests or demands for a specific type of provider or colleague based on characteristics of the provider/colleague will not be accommodated and should be addressed as outlined in the procedures below.

In rare circumstances, non-discriminatory requests for gender-related accommodation may be considered if the request is due to cultural beliefs regarding modesty or for victims of sexual assault or other trauma. All requests, regardless of gender, should be evaluated through the lens of trauma-informed care (which recognizes the presence of trauma symptoms and acknowledges the role trauma may play in an individual’s life.).

As set forth in LHMC’s Human Resource policies, colleagues who violate these principles will be subject to disciplinary action, up to and including termination of employment. See LHMC’s policies regarding Equal Employment Opportunity (HR E-5) and Harassment.

Scope

This policy applies to all areas of LHMC and applies to conduct by patients, family members, contractors, vendors and/or visitors of the Hospital.

Procedures

Colleagues and their managers/supervisors should follow the procedures set forth below in responding to inappropriate behaviors/comments/requests by patients, family members, contractors, vendors and/or visitors. Colleagues and their managers also should refer to [Appendix A](#) which includes an algorithm outlining how to respond to these behaviors/conduct in the workplace.

1. Stop and acknowledge the inappropriate behavior/comment/request.

In dealing with an instance of possible bias, discrimination, or micro-aggression, a helpful first step is often to immediately acknowledge that it has occurred. This can be an opportunity to question the patient on their concerns, and educate them, thus attempting to avoid escalating the situation into a confrontation.

2. Redirect back to the patient’s medical issues.

Our mission to treat all patients and to provide safe and effective treatment at all times is the core of what we do and is often a helpful means to address instances of possible bias, discrimination, or micro-aggressions.



Redirecting the individual to the importance of the medical care they or their family member are seeking can help to de-escalate situations.

Examples of the above concepts include:

Spoken gently: *"Wait a moment. What you just said is not ok, but we can talk about that later. Right now, let's talk about your blood pressure [or other clinical problem]."*

"I will ask you not to use that kind of language. Right now, you need care from the people with the right expertise. We need to get past this so we can give you the care you need."

"Those are inappropriate comments. If you have a specific question about your care, please let us know. These are your caregivers and every member of your team is highly skilled and invested in your care. Let's focus on your medical issues."

"Everyone on our team is highly qualified and ready to care for you. Do you have a specific concern about your medical care?"

3. For Managers and Colleagues -- Support the caregiver and reiterate and validate the caregiver's concerns.

Where a manager is aware of a colleague experiencing inappropriate behavior by a patient, visitor, or family member, the manager must address the situation immediately. The manager's response should be proportionate to the incident, while at all times keeping in mind providing safe and effective patient care. Managers should involve the colleague in understanding how best to respond to an incident.

- If the colleague wants to continue to provide care to the patient, the care team can discuss how best to support the colleague in providing that care.
- If the colleague is not comfortable continuing to care for the patient, management should make every effort to accommodate the colleague's request if they can do so in a safe and effective manner and without impacting the safety of other colleagues.
 - Statement to the patient: *"XX will no longer be caring for you. I want to be clear that this is not because of your request, which was inappropriate, but by choice of the caregiver."*
- If the colleague is not comfortable continuing care for the patient, every attempt will be made to support the colleague. However, in urgent and exigent situations where another colleague is unavailable to care for the patient, LHMC will provide support and available resources to the colleague until another provider is made available and/or until a safe alternative is identified.
- The manager or Hospital leader should debrief with the care team immediately after any incident falling under this policy and include the supervisor, manager, chief residents, program director, division leadership or department chair as appropriate.

In response to discriminatory requests or comments from patients or family members, managers, supervisors, or other members of the care team are encouraged to use the following supportive language:



"It is not our policy to make staff changes based on the race, ethnicity, religion or sexual orientation (name the protected group cited) of the care provider. All of our staff are well trained and extremely competent to care for any patient"

"Our goal is to provide you with outstanding medical care. Dr. XXX is exactly the right person to do that for you."

"We are proud of the care we provide and only hire the best and brightest people to join our team, regardless of their race / ethnicity / gender / religion."

- 4. Report the incident:** All colleagues and managers are strongly encouraged to report any incidents falling under this policy through SafeSpot on MassNet or Speak Up Hotline, 888-753-6533, BILH.ethicspoint.com. Reports can be made anonymously if preferred. LHMC is committed to responding to all such reports in a proactive and thorough manner.

Responding to patient or family requests for a provider change based on personal attributes

Patient/family requests for a specific type of provider or colleague are best handled by a team approach. Any colleague who receives or witnesses such a request should participate in addressing the patient's/family member's potentially inappropriate or discriminatory behavior. Regardless of whether the request is received by an individual or a team, these procedures should be followed.

1. Any colleague who receives the request should acknowledge and clarify the reason for the request.
2. If the request is based on a protected characteristic of the provider/colleague, the colleague(s) should explain the following:
 - That LHMC is committed to a non-discriminatory environment that supports and affirms difference.
 - That LHMC relies on our talented providers and colleagues to provide the highest quality health care and services.
 - That we can assure the patient/family member that the provider/colleague is well qualified and best positioned to provide the needed care to the patient/family.
3. The colleague should inform management of the inappropriate request.
4. Management should immediately address the inappropriate request by speaking with the patient on the colleague's behalf. Managers should follow the procedures outlined in Paragraph 3 above.

If the situation cannot be resolved by the assigned care team, the situation may be escalated to senior leadership up to and including the Chief Medical Officer and Chief Nursing Officer.

5. When addressing a patient's discriminatory or inappropriate request, management should:
 - Discuss options with the patient/family and health care team.
 - Consider implications of care/service refusal.
 - Provide clinical care and support to the patient/family while next actions are being determined.



- Set behavioral expectations and refer patient to the Patient Rights and Responsibilities Policy, if appropriate.
- Provide support to colleagues.
- Engage unit-based leadership and/or hospital resources such as the Risk Management, Spiritual Care Department, Social Work, Human Resources, Employee Assistance Program (EAP), etc.

6. If a colleague perceives that a patient is engaging in violent or threatening conduct, including but not limited to verbal or physical assault, the colleague should immediately call the Security Department. Colleagues should refer to LHMC's Response to Threats of Violence Policy.

<http://massnet/PDF/Handbook/LHMCResponseThreatsViolencePolicy.pdf>

7. Colleagues must document discussions and actions in the patient's health record and in accordance with customary practices regarding patient documentation. Providers should seek guidance from the Department of Risk Management and/or the Office of General Counsel regarding any questions regarding patient documentation and records.

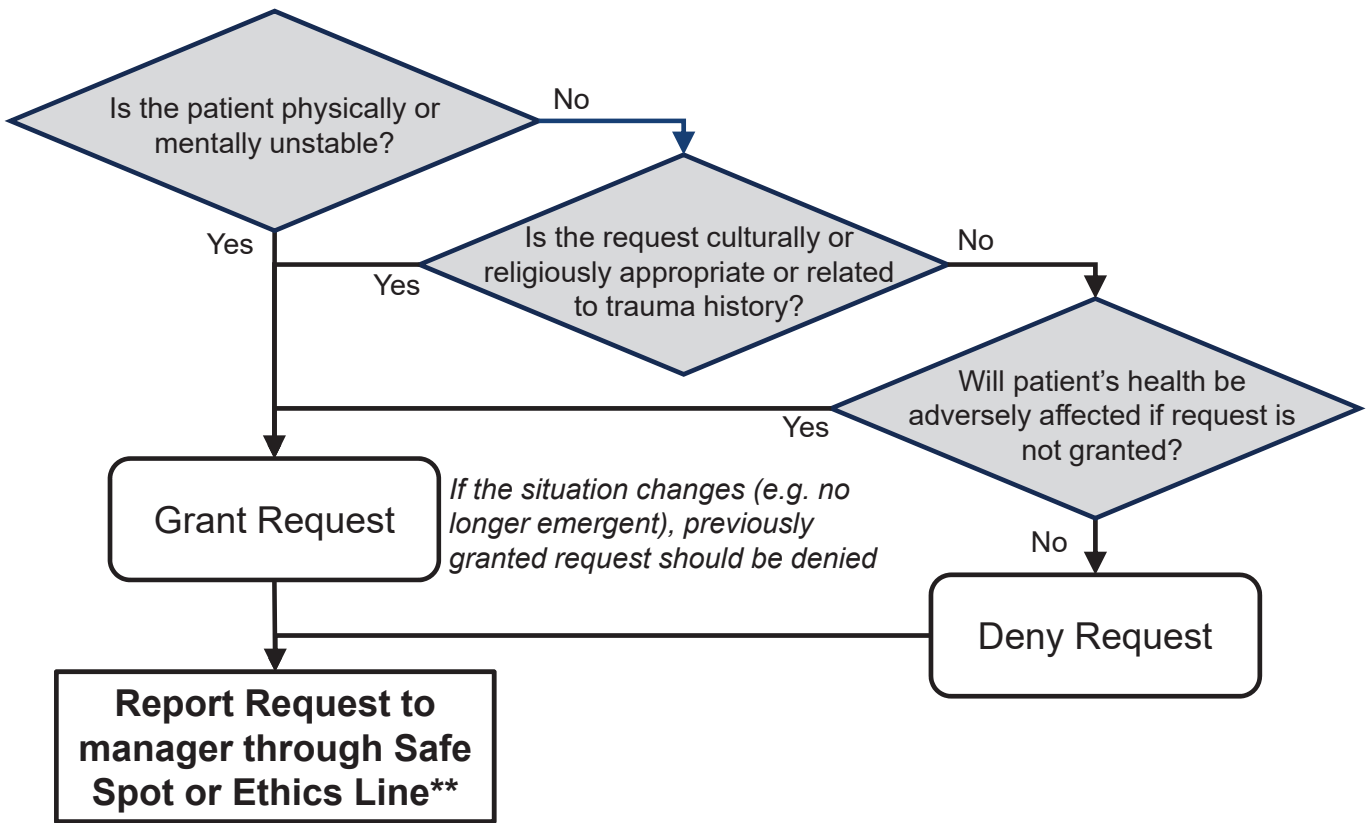
Approved by: Medical Practice Committee 3/4/2021

Medical Executive Committee 3/01/2021

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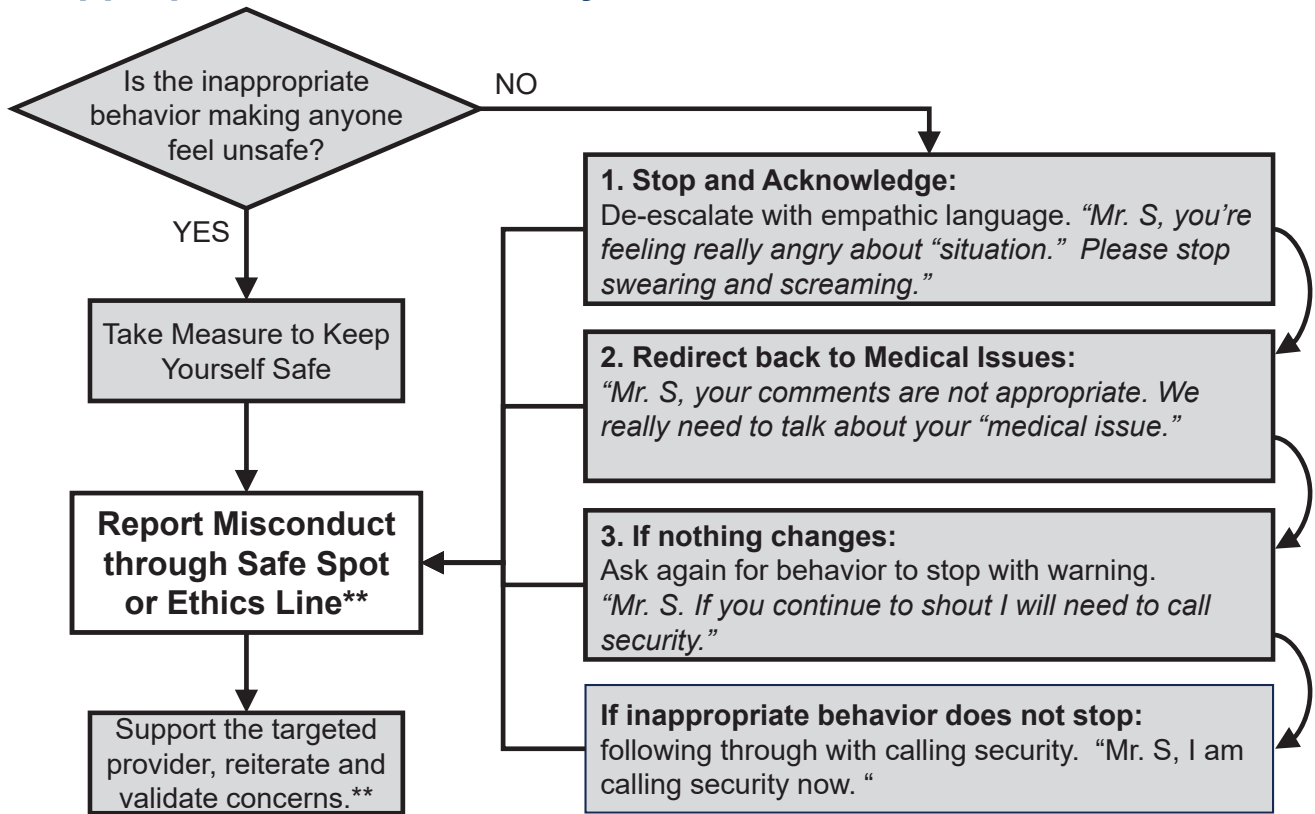
Algorithms: How to Respond to a Discriminatory/Inappropriate Request for a Provider Change
or to Discriminatory/Inappropriate Behaviors/Requests by Patients, Family, or Visitors

Request for Provider Change Based on Team Member Personal Characteristic



****We strongly encourage reporting which can be anonymous or named and always suggest support and validation for the targeted person and the team.**

Patient, Family, Visitor, or Vendor Displays Inappropriate / Discriminatory Behavior Beth Israel Lahey Health
Lahey Hospital & Medical Center



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