Ethical Guidelines of the Alzheimer Society of Canada

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ABSTRACT: Alzheimer's disease raises numerous ethical issues which vary and evolve over the course of the illness. In recognition of the need for ongoing discussion of these issues, the Alzheimer Society of Canada established a Task Force on Ethics in 1995. Through a process of "discourse ethics" and consultation on a national scale, the Task Force produced a series of guidelines dealing with the issues of: communicating the diagnosis, driving, respecting individual choice, quality of life, participation in research, genetic testing, the use of restraints, and end-of-life care. This manuscript presents a summary of these guidelines as well as a summary of the ideas on which they were based. It was the hope of the Society that the publication of these guidelines will serve to facilitate discussion of the ethics of care of those with Alzheimer's disease.

RÉSUMÉ: Lignes directrices éthiques de la Société Alzheimer du Canada. La maladie d’Alzheimer soulève de nombreuses questions éthiques qui varient et évoluent au cours de la maladie. Reconnaissant la nécessité d’une discussion ininterrompue sur ces questions, la Société Alzheimer du Canada a établi un groupe de travail sur l’éthique en 1995. Par un processus de dissertation éthique et de consultation à l’échelle nationale, le groupe de travail a produit une série de lignes directrices concernant la communication du diagnostic, la conduite automobile, le respect de la volonté de l’individu, la qualité de vie, la participation à la recherche, les tests génétiques, l’utilisation de la contention et les soins en fin de vie. Ce manuscrit présente un sommaire de ces lignes directrices ainsi qu’un sommaire des idées sur lesquelles elles s’appuient. La Société espère que la publication de ces lignes directrices facilitera la discussion de l’éthique des soins aux patients atteints de la maladie d’Alzheimer.


The progressive decline in cognitive abilities and physical functioning that characterize Alzheimer’s disease raises numerous ethical issues which vary and evolve throughout the course of the illness. These issues are faced by the affected individuals, their families, care providers, those who conduct research on Alzheimer’s disease and society in general. In recognition of the need to facilitate open discussion of these issues, the Alzheimer Society of Canada established a Task Force on Ethics in 1995. In part, the establishment of this Task Force was a response to the call for feedback on early drafts of the “Code of Ethical Conduct for Research Involving Humans” circulated by the Tri-Council Working Group,1 which were intended to supplant the existing Canadian guidelines for research involving human subjects. In preparing a response to these drafts, the Research Policy Committee of the Alzheimer Society identified the urgent need to address many other ethical issues. The Research Policy Committee made a recommendation to the Board of Directors to establish a Task Force on Ethics which was approved in April, 1995. During the process of establishing this Task Force, the Alzheimer Society became aware of the work of Dr. Stephen Post and Dr. Peter Whitehouse which had lead to the publication of the “Fairhill Guidelines”.2 These guidelines had been developed through a process of “discourse ethics”3 which involved focus group discussions with family caregivers, individuals with “mild” AD, and professionals such as physicians, nurses, lawyers, ethicists and administrators. Following discussions with Drs. Post and Whitehouse and observations of this consultative process, staff of the Alzheimer Society agreed to build on the achievements of the Fairhill Guidelines by including a broader consultative process on a national scale. The first workshop of the Task Force took place in March, 1996 and the resultant draft guidelines were presented at the April, 1996 Annual Conference of the Alzheimer Society of Canada. This was the beginning of an extensive nationwide consultation process. An initial draft of the proposed guidelines was distributed across Canada via Alzheimer Society provincial organizations and chapters and other relevant organizations along with suggestions as to how to provide feedback. Two hundred and eleven responses were received. The issues which received the greatest attention and which resulted in the greatest divergence of...
Communicating the Diagnosis

Affected individuals and their families should be informed about the diagnosis and directed to appropriate support services in a sensitive manner.

For many physicians, communicating the diagnosis of Alzheimer’s disease or other neurodegenerative dementias can be one of their most difficult tasks. Even in the context of specialized dementia clinics, this task can be exceedingly difficult. Relations between family members can play a significant role as some may not want to have the diagnosis communicated to the affected individual while others do. As a result, physicians may find themselves in situations of conflict. The issue of communication of the diagnosis was raised in the Fairhill Guidelines because of concerns that affected individuals are not always informed of their diagnosis despite having a “moral and legal right ... to receive a specific diagnosis unless he or she waives it” (p.1423).

The arguments that have been put forth against diagnostic disclosure are based on: the lack of absolute diagnostic certainty from clinical data, the absence of effective treatments of progressive dementias, the potential for adverse psychological responses to diagnostic disclosure, and the questionable ability of persons with more advanced disease to understand the implications of the diagnosis. Diagnostic uncertainty in Alzheimer’s disease continues to exist despite significant improvements in diagnostic accuracy, and some uncertainty will likely continue to exist. Although numerous factors can contribute to the variable estimates of diagnostic sensitivity and specificity for the most commonly used diagnostic criteria, the consistency of a diagnosis of a progressive dementia over time is generally accepted as being high when based on a thorough examination. As in all neurodegenerative disorders, acquiring sufficient clinical information to establish a diagnosis of clinically probable Alzheimer’s disease may require reassessment and the passage of time in order to establish a clear history of progression. Regardless of the absence of absolute diagnostic certainty, one cannot avoid the responsibility of providing individuals with “an open, honest presentation of information as it is perceived and known” (p.949) at all stages of the assessment process.

While the absence of effective treatments has been raised as an argument for failure to disclose the diagnosis in Alzheimer’s disease, this situation is unlikely to exist within the very near future. Regardless of the availability of symptomatic treatments for Alzheimer’s disease itself, the comprehensive management of the numerous medical, psychological and social issues that arise in the care of the person with dementia requires an open discussion of the diagnosis. One cannot justify failure to disclose a diagnosis of Alzheimer’s disease on the grounds of the lack of appropriate interventions.

Driving

Throughout the course of the disease, the person’s driving ability needs to be monitored collaboratively by family members, physicians and/or other health care professionals. It is vital that all those involved in this process of monitoring communicate with one another. When the person’s driving is recognized as dangerous, automobile access must be removed immediately.

Driving an automobile is a complex activity which requires adequate eyesight, hearing, motor ability, judgment, the ability to respond quickly and an understanding and recall of the rules of the road. Although eventually a person with Alzheimer’s disease must stop driving, the diagnosis does not automatically mean that the individual is incapable of driving safely. Furthermore, the rate of declining abilities can vary between individuals and there is no precise test that indicates when a person is no longer capable of driving safely. Thus, driving privileges become a particularly difficult ethical issue for individuals diagnosed in the early stages of the disease. Laboratory measures of cognitive abilities relevant to driving, such as shifting attention, typically reveal deficits in even mildly affected individuals. However, the risk of automobile accidents for persons with
Alzheimer’s disease has been found to be no different than that for age-matched controls and is lower than that for young adult males. Thus, after considerable discussion of this issue and the widely divergent opinions expressed in the comments to initial drafts of the guidelines, the Task Force was unable to derive specific practice guidelines. In acknowledging the complexities of this issue and the unique manner in which they present, the Task Force recommended a coordinated and individualized assessment process which involves the individual and his/her family in an open dialogue of this issue with physicians and other relevant health care providers. Similar recommendations have also been put forth recently by an expert panel convened by the Swedish National Road Administration. This process may often suffice for decision-making regarding driving safety. Specialized “road-tests” may make a significant contribution to understanding driving competence in drivers with mild dementia but, as with mandatory reporting to licensing authorities, road-testing is controversial. Acceptance of restricted driving privileges is often difficult and requires a thoughtful approach on the part of physicians and other health care providers. Acceptance may be facilitated by using a gradual, negotiated approach to the implementation of driving restrictions whenever possible. The loss of independence that accompanies a loss of driving privileges must be minimized by the provision of alternatives to driving and assurances that family members and either formal or informal support services will continue to provide access to meaningful activities. As with diagnostic disclosure, the potential negative emotional reactions to the loss of driving privileges makes this issue difficult to address and can produce threats to the therapeutic alliance between the individual and his/her health care providers. Nevertheless, in some provinces, physicians have a legal responsibility to report to a licensing authority if they are of the opinion that an individual is not fit to drive, and in all cases where driving is considered dangerous, the need to protect public safety requires the removal of driving privileges. The issue of driving privileges is one that must typically be dealt with in the early stage of Alzheimer’s disease. More recent studies have shown that the majority of individuals with Alzheimer’s disease cease driving within a few years of diagnosis. As Trobe and colleagues noted, persons with Alzheimer’s disease rarely decide to cease driving because of intervention by licencing bodies. The overwhelming majority of these decisions are made on the advice of family and/or physicians. Such findings serve to reinforce the approach to this issue advocated by the Task Force.

**Decisions: Respecting Individual Choice**

While still capable, the individual should be given choices and the opportunity to make decisions. Ideally, the individual has planned for the time when he/she can no longer make decisions and has identified another individual(s) who will take his/her prior wishes into consideration.

In societies which value personal autonomy, the ability to make decisions affecting one’s life are extremely important to one’s sense of self-worth and self-esteem. Although the progressive deterioration of cognitive functioning that characterizes Alzheimer’s disease means that affected individuals eventually are unable to make appropriate decisions, the diagnosis of Alzheimer’s disease alone does not preclude appropriate decision-making. Across the country, the assessment of competency and/or an individual’s decision-making capacity is governed by differing provincial laws and it is important to distinguish between legal status and clinical opinion. Even when standardized assessment approaches are used, clinical opinion regarding competency to consent to treatment can vary between physicians. Laws regarding designation of a substitute decision-maker also vary across/between provinces. Throughout most of the disease process, some capacity for decision-making remains. This capacity varies with the nature of the decisions which fall on a continuum from simple expressions of immediate desire (e.g., rice or potatoes for dinner) to complex issues requiring comprehension of detailed information, specific experience and/or personal judgment (e.g., yes or no to the initiation of tube feeding). Those who provide care and assistance to individuals with Alzheimer’s disease need to respect the decision-making capacity that remains and provide opportunities for the individual to make as many decisions as possible. Techniques to facilitate this process include reducing the number of options presented and reducing more complex decisions into a series of simple decisions (with step-by-step guidance through the stages).

Early diagnosis provides the individual with Alzheimer’s disease the opportunity to discuss his/her opinions and wishes about complex issues with those who may ultimately be called upon to make these decisions (i.e., family members, substitute decision-makers, health care professionals). Ideally, these opinions and wishes will have been documented as advance directives and a person(s) will have been named who will make decisions that are not discussed explicitly in the advance directive. The presence of cognitive impairment may still allow an individual to complete an advance directive and it has been recommended that neurologists encourage individuals in the early stages of dementia to complete advance directives. One outcome of the deliberations of the second Ethics Task Force workshop was the identification of the importance of promoting the development of an advance directive “package” for persons with Alzheimer’s disease and their families and work on this issue has begun.

**Quality of Life**

Individuals with Alzheimer’s disease are able to find pleasure and to experience satisfaction. The disease does not remove the ability to appreciate and respond, nor the ability to experience feelings such as anger, fear, joy, love or sadness.

Although the term “quality of life” receives considerable popular use, it is not a term which is easily defined. Quality of life is a concept that incorporates external observations and an individual’s subjective opinions. It may focus on specific health-related issues or may include almost every aspect of one’s life. Alzheimer’s disease results in the eventual erosion of most aspects of one’s quality of life. Understanding the affected individual’s quality of life is difficult because cognitive impairments limit the ability of others to obtain accurate impressions of the individual’s subjective experience. Knowledge of the person’s past experiences, their current abilities, and the people, objects and occupations which provided meaning and satisfaction in the past, should all be used to guide decisions affecting their quality of life. Since health is central to a good quality of life it is essential that the overall health of the individual with Alzheimer’s...
disease is monitored and treated effectively. This can be a particularly difficult clinical issue since atypical disease presentations are common among the elderly.25

Provision of supportive social and physical environments is also essential for preserving quality of life. Living spaces should be safe and secure and allow the individual to make use of his/her remaining abilities. Creative methods of drawing on the remaining abilities of the individual can enhance quality of life. The need for companionship and physical intimacy must be acknowledged and respected also, and relationships with family and friends should be fostered. The quality of life of the person with Alzheimer’s disease will be affected by that of the caregiver(s). This may be most obvious in the relationship between caregiver “burden” and decisions to place a cognitively impaired family member in a long term care institution.26 However, it can also be inferred from the reduced social networks of caregivers,27 which must ultimately result in reduced opportunities for the person with Alzheimer’s disease to engage in meaningful activities.

Participation in Research

Individuals with Alzheimer’s disease at any stage, should have the opportunity to participate in research and their desires should be primary when considering participation in research. When the individual is no longer able to provide informed consent and the decision regarding participation is made by a substitute decision-maker, the research team has an obligation to ensure that the decision has been guided by the individual’s wishes and/or that it has been made with the individual’s best interests in mind. The research team must maintain an ongoing dialogue with the individual (e.g., re-affirmation of consent/assent), his/her family, and care providers. Participation of individuals with Alzheimer’s disease in research often places demands on their family and care providers. All such individuals should be involved in the consent process and in the assessment of the consequences of participation.

The concept of free and fully informed consent, while a central principle of research ethics, poses problems when one considers the conduct of research on Alzheimer’s disease. Recently, the majority of research conducted in Canada on Alzheimer’s disease has been in accordance with the “Guidelines on Research Involving Human Subjects” published by the Medical Research Council of Canada.28 However, the ethical problems associated with research on Alzheimer’s disease have received considerably more attention in the “Code of Ethical Conduct for Research Involving Humans”29 which will soon supplant the 1987 MRC guidelines and which draws attention to the importance of the principle of justice and the need to ensure that the potential to benefit from the participation in research is not denied to particular groups of individuals. As stated by High and colleagues:29 “To deny persons access to research participation out of fear of exploitation of specific groups of persons is to avoid rather than accept and practice ethical responsibility.” (p. 68). The “code of ethical conduct” clarifies the issue of free and informed consent thus: “Competence in choosing to participate does not require that prospective participants be competent for every kind of choice but, rather, that they be competent for making an informed choice regarding participation in a research project.”30 (p.1-2). In recognition of this position, the Task Force felt that research protocols should include a method of determining the ability of the research subject to understand the nature of the research, the consequences of participation, and alternative choices. The need for standardized methods to determine capacity to provide informed consent has been pointed out by Marson and colleagues.30 Attempts to address the issue of standardized assessment of competency have been made in the context of advance directives30 but this remains controversial.31

In Canada, legislation regarding substitute decision-making for the participation of incompetent individuals in research varies among provinces and is often unclear. Most often, however, it is the family member(s) of the person with Alzheimer’s disease who provide “third party authorization” as is the case for many decisions about clinical care. Nevertheless, it is incumbent upon the research team to ensure that decisions about participation in research that are made by a third party are in accord with the individual’s wishes and are in his/her best interest.32 The use of advance directives for research participation have been promoted by some,31 while others have expressed concerns about their use.32 However, most would agree that advance directives can make an important contribution to the proxy consent process.32 Regardless of authorization of consent from a third party, the assent of the individual subject is almost invariably required for research to take place.1

The other major issue regarding the conduct of research in Alzheimer’s disease with incompetent individuals is the assessment of risks versus benefits. As stated by High and colleagues:29 “No clear consensus exists either in the literature or in regulatory guidelines as to what constitutes an acceptable degree of risk when cognitively impaired persons are involved in research.” (p.72). Careful consideration of the risks and benefits of research is essential in evaluating the ethical acceptability of any study which relies on proxy consent. Although there seems to be consensus that “risks beyond the threshold for normally acceptable risk” or “risk of harm beyond a minor increment over minimal”31 are not acceptable, such definitions are vague and remain open to the interpretation of local ethics review boards. Even for competent individuals with Alzheimer’s disease, the process of informed consent should most often include the family member(s) since many study protocols assume that families will participate in important aspects of the protocol such as: providing transportation for the subject, providing observations of the subject’s behaviour, monitoring medications, and implementing behavioural management strategies.

Genetic Testing and Alzheimer’s Disease

The field of genetics is growing at an unprecedented pace. Nevertheless, at this time, for the vast majority of individuals, there is no test (genetic or non-genetic) to determine if a specific unaffected individual will develop Alzheimer’s disease. Even for the very rare individual for whom it is possible to predict the future development of Alzheimer’s disease based on genetic status, the decision to know or not know is a personal one which must be made in a setting that allows for informed consent, genetic and psychological counselling, and confidentiality. Genetic advances are happening at an unimaginable pace,33 making it extremely difficult for health care professionals to stay informed of the most recent developments. Thus, it is understandable that there is much confusion about whether or
not genetic tests can determine with certainty if an individual will develop Alzheimer’s disease in the future. In discussing the genetics of Alzheimer’s disease it is important to distinguish between predictive genetic testing and genetic risk assessment. Predictive genetic testing refers to identification of inherited (genetic) material in an unaffected individual which can identify with a high degree of certainty (nothing is 100%) whether or not the person will develop Alzheimer’s disease in the future. At present, predictive testing can only be offered to individuals from a small number of families which are characterized by Alzheimer’s disease with very early onset (usually well under the age of 60) and by a family history in which affected individuals pass the disease to approximately 50% of their male and female offspring. In these very rare families, a specific genetic change (mutation) travels through the family with the disease.34-36 These genetic changes can be shared by more than one family or can be specific to one family.

In contrast, genetic risk assessment is the identification of a genetic risk factor(s) which could potentially increase an unaffected individual’s chance of developing Alzheimer’s disease. The presence or absence of a genetic risk factor does not positively identify who will get Alzheimer’s disease and who will not since Alzheimer’s disease can exist in the absence of a genetic risk factor or fail to develop in the presence of a genetic risk factor.37,38

Among individuals unaffected by Alzheimer’s disease, some may wish to know whether they will develop the disease in the future while others may not want to know. It is thus critical that a person concerned about developing Alzheimer’s disease in the future receive accurate information specific to his/her family. A strong family history of dementia does not necessarily imply that genetic testing is appropriate. Eligibility and appropriateness of genetic testing can best be determined by health care professionals at clinical genetics and/or dementia clinics located throughout Canada.

In the rare cases where genetic testing (either predictive testing or risk assessment) is appropriate, it must only be done with the individual’s informed consent, with his/her agreement to have counselling, and with the understanding that confidentiality will be maintained in accordance with current legal guidelines. Results of genetic tests, regardless of whether the risk is increased or decreased for the future development of the disease, can have major ethical, social, psychological and legal implications for the individual being tested as well as his/her family. The Task Force expressed concern about the potential for financial ramifications for the individual being tested as well as his/her family. The Task Force expressed concern about the potential for financial ramifications for the individual being tested as well as his/her family. The Task Force expressed concern about the potential for financial ramifications for the individual being tested as well as his/her family.

The Use of Restraints

It is recommended that no restraints be used. The inappropriate use of restraints results in the individual with Alzheimer’s disease losing those skills and abilities needed for daily activity, and the short term use of a medication to control hallucinations which are disturbing to the individual (as opposed to being disturbing to the care provider). The growing concern about the use of medications as chemical restraints, and the increased knowledge of appropriate pharmacologic management of behavioural disturbances in Alzheimer’s disease, have prompted recent reviews of this topic.47 Because of their worrisome side effects and indiscriminate use in the past, guidelines for the use of psychotropic medications in nursing homes have been legislated in some jurisdictions such as the United States. Since the introduction of such legislation, psychotropic medication use has been slowly reduced. In recent years, there has been an attempt to systematically study the efficacy of medications for specific symptoms such as paranoia and hallucinations but our knowledge of the most appropriate pharmacologic treatment of behavioural disturbances in Alzheimer’s disease remains limited.48 Current studies...
are looking at the potential benefits of discontinuing psychotropic medications in individuals who have been on them for extended periods of time. Increasingly, environmental and care giver interventions for behavioural problems are being studied and it is these approaches, combined with the judicious use of medications, which will probably be the most effective approach to caring for individuals with Alzheimer’s disease who have behavioural problems. 49

Since Alzheimer’s disease is a progressive neurodegenerative disorder, ongoing changes in the abilities and behaviours of the affected individual will continually pose new challenges to care providers. A key to providing care which does not require the use of restraints is proper education about Alzheimer’s disease and knowledge about the underlying basis of the behavioural disorder. Understanding more about the disease process and its effects on behaviour can help care providers understand why certain behaviours occur, how potential problems may be solved or avoided without resorting to restraints, and what behavioural changes can be anticipated in the future. The interactive exchange of information among health care professionals, the Alzheimer Society and families of affected individuals is perhaps the best source of such knowledge.

End-of-Life Care

Respect for the individual’s expressed wishes and interests should guide all end-of-life care decisions. In the transition from life to death, the ultimate goal of care should be to provide comfort and dignity to the person towards achieving what the individual considers to be a “good death”. What defines a good death differs from individual to individual. In planning a good death, individuals should take into consideration their cultural, religious, spiritual, and family values.

Although death is a natural part of life, the progressive degenerative nature of Alzheimer’s disease raises unique ethical issues related to care at the end of life, particularly in regard to the use of life-prolonging treatments in individuals with end-stage dementia. 50 Many individuals with Alzheimer’s disease die from complications of the disease, such as pneumonia, and treatment choices regarding the use of measures such as antibiotics, tube feeding, mechanical respirators, cardiopulmonary resuscitation, and surgery, are most often made by substitute decision-makers. 51, 52 Since these decisions may have to be made in the context of conflicting opinions from health care professionals and/or family members, the role of the substitute decision-maker can be exceedingly difficult. Some caregivers may feel anguish over the subjects of euthanasia and assisted suicide even though both of these are illegal in Canada. In the United States, the move toward managed health care has raised other issues and has led to a call for the measurement of the quality of end-of-life care, such that consumers can make informed decisions regarding their choice of health plans. 53

The Task Force recommends that resolution of the ethical issues regarding end-of-life care should be accomplished through open discussion between the individual with Alzheimer’s disease, while still able to make decisions regarding future care choices, and those who will ultimately serve as the substitute decision-maker(s). Once such discussions have taken place, the individual’s wishes should be recorded in an advance directive. The progressive decline in capacity to complete such advance directives in Alzheimer’s disease, makes this a pressing issue. Where the directions of an advance directive are clear, the care decisions should be guided by the individual’s expressed wishes. Where there is still doubt, every effort should be made to reach a consensus between the wishes expressed in the advance directive, the wishes of the family, and the opinion of the attending physician by weighing the risks and benefits of the decision to the individual. In hopes of lessening the burden of these decisions, the Alzheimer Society of Canada is preparing a specific advance directive for different stages of Alzheimer’s disease and related dementias which will address both the naming of proxy decision makers and the question of participation in research after capacity has been lost. Conflicts and disagreement are best avoided through early and continuing communication but, should they arise, clinical ethics consultants and ethics committees of health care institutions may be of some assistance in facilitating consensus.

Comment

The goal of the Alzheimer Society of Canada Task Force on Ethics was to raise awareness of those ethical issues that were identified as being of primary importance to persons with Alzheimer’s disease, their families, and their care providers. Publication of these guidelines is seen as an opportunity to begin the discussion of these issues among all interested parties. As our knowledge about Alzheimer’s disease increases and effective treatments become available, the issues discussed above will continue to evolve and new issues will arise. It is our hope that the current guidelines will serve as a starting point and will lead to ongoing discussions of the ethics of the provision of care to those with Alzheimer’s disease and their families.

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