

Supplementary Appendix

The authors have provided this appendix containing additional information about their work.

Supplement to: Mangino DR, Danis M. Sharing ethics consultation notes with patients through online portals. *AMA J Ethics*. 2020;22(9):E784-791. doi:10.1001/amajethics.2020.784.

Table. Ethics Consultation Documentation Options With Narrative Examples

Option	Narrative Examples ¹	Comment
Identical note is documented in the EMR and patient portal	<ul style="list-style-type: none"> <li data-bbox="444 569 1063 961">• <i>The patient or surrogate² is involved in the consultation.</i> An oncologist believes there are no additional treatments for a patient who is near the end of life. She believes the patient and family are having difficulty accepting the prognosis and thinks it would be good for the ethics consultation team to join in a meeting to discuss goals of care. During the meeting, the ethics consultant tells the family that a note detailing their meeting will be placed in the medical record and will be available in the patient portal. <li data-bbox="444 982 1063 1375">• <i>The patient or surrogate is involved in the consultation.</i> An oncologist believes there are no additional treatments for a patient who is near the end of life. She believes the patient and family are having difficulty accepting the prognosis and thinks it would be good for the ethics consultation team to join in a meeting to discuss goals of care. During the meeting, the ethics consultant tells the family that a note detailing their meeting will be placed in the medical record and will be available in the patient portal. 	Documenting identical ethics consultation notes in the EMR and patient portal allows for the greatest amount of transparency and consistency between information available to patients, families, and medical professionals.
The note documented in the EMR differs from the note documented in patient portal ³	<ul style="list-style-type: none"> <li data-bbox="444 1396 1063 1942">• <i>A consultation note is designated as “hidden” from the portal.</i> A physician requests an interdisciplinary care meeting to discuss management of a patient’s inappropriate behaviors. According to the physician, the patient is verbally abusive, often makes verbal threats of harm, sexually harasses female nurses, and has been physically aggressive towards staff. Drawing from the meeting, the ethics consultant drafts a report with a detailed analysis and recommendations for care staff. Because some report details would offend the patient and potentially exacerbate existing tensions, the consultant utilizes the EMR’s option to withhold a note, which prevents it from being readily accessible in the patient portal. 	Documenting in the EMR while “hiding” or including abbreviated summary notes in the patient portal preserves communication among clinicians about essential but sensitive information. It might also mitigate negative effects that patients can experience reading their notes. But the possibility of withholding or abbreviating notes is dependent on specific functionalities of the EMR and patient portal.

- *The creation of 2 separate notes in the EMR and portal.* In cases like the above case, a consultant might create an additional “ethics consultation summary” note, which could be viewed by the patient in the portal. For instance, it might simply report that an interdisciplinary meeting took place to facilitate safe and effective care of the patient.

No ethics consultation note is documented in the EMR or patient portal

- *A note is excluded to avoid potential harm or undermining recommendations.* A clinical geneticist discovers during clinically indicated genetic testing on a 20-year-old that the putative father is not the patient’s biological father. The clinician discusses with the ethics consultant whether to disclose this to the patient. They decide not to disclose the misattributed paternity to the patient and do not place a note in the EMR or patient portal because they deem that the existence of such a note might undermine the decision not to disclose.
- *A note is excluded because it does not relate to the patient in the relevant way.* Following a patient’s discharge, one of the patient’s clinicians raises concerns about the hospital’s discharge policies. She reaches out to the ethics consultation service and uses the patient’s case to illustrate her concerns. After discussing the case, the ethics consultant generates a consultation report and delivers it to the requestor.

Excluding notes from the EMR and patient portal mitigates risk of accidental, unintended disclosure of sensitive information. However, this option decreases communication between clinicians, perhaps increasing risk of future disclosures. It also risks excluding clinically relevant information from the patient’s medical record.

Abbreviations: EMR, electronic medical record.

¹ Consultation services might categorize cases differently due to differences in (1) assessments of the risks and benefits of each case, (2) portal functionalities, and (3) institutional policies.

² We refer to both patients and surrogates because patients frequently grant informational access to close caregivers.

³ Some might argue that this category should be an empty set of cases. For instance, one might maintain that every ethics consultation note documented in the EMR should also be in the patient portal without exception.