**SLUG: COMMENT**

**Can doctors advise beyond the purely professional?**

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A 25-year- old woman, six-months pregnant, came to me in great distress. She told me she had married a mechanical engineer in 2014 and been very happy with her husband and family, until four days earlier. Her husband had an accidental fall from his scooter and became semiconscious. He was admitted to a tertiary care hospital and had undergone perfusion MRI, suspecting a big haematoma. His regular doctor being on leave, he was seen by another available neurologist. During history taking by a resident doctor, her husband asked her to stay outside the room, but she could hear the history. The patient informed the resident doctor that he had been detected with grade IV Glioblastoma multiformy in the year 2012. He had undergone a craniotomy for removal of the tumour, followed by chemotherapy and radiation. He had undergone perfusion MRI every year, at the same hospital, under the care of a senior neurosurgeon. In 2018, his MRI showed a metastatic brain tumour with big cystic changes, deviation of midline and brain oedema, and he was operated on to remove part of the tumour.

The patient’s wife and her family were deliberately not informed about his condition by the husband and his relatives. His wife was shocked and heartbroken at not being informed about such a life-threatening disease. Her husband refused my invitation to meet him and discuss the situation.

After the operation, the wife and her relatives asked the surgeon why he had not advised the patient against marriage after the initial diagnosis, saying her life would have been very different had he counselled the patient and his parents regarding marriage, as the social responsibility of an ethical doctor. He retorted that he knew his social responsibility. The matter concerned only the patient and his parents, not himself. He said he had performed more than 20,000 brain surgeries with no scientific publications found in Medline, and it was impossible to counsel every patient. He asked how she did not notice a big scar on the husband’s cranium and inquire about it. She said she had asked, but her husband said he had sustained an injury to the scalp in a road accident. The husband and his family were unrepentant. His highly educated sister asked why a patient with malignant cancer should not marry and have a little happiness. When I asked the surgeon to discuss this ethical issue with me, he had no reply.

Out of professional curiosity, I asked another neurosurgeon from the same institution whether he believed in counselling young patients with life-threatening conditions on the issue of marriage.  He replied that he always counsels the young regarding marriage. To my astonishment, when I confronted the patient’s neurosurgeon with this, he confided that though they both belonged to the same institute, they never discuss their cases with each other due to professional rivalry!

My appeal to *IJME* readers is this: Is it not the duty of a treating doctor towards a patient with a malignant tumour and his parents to counsel them regarding marriage? This patient had been under this neurosurgeon’s care for several years and he was regarded by the family as an esteemed adviser. Had he not had such a mechanical, commercial approach, they would surely have respected his advice not to marry, or not to marry without disclosing his condition to a possible partner.

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COMMENTARY:

Dr. Bawaskar’s sensitivity deserves applause.

The principle of confidentiality dictates that what is discussed by doctor and patient remains between them and not be divulged to anyone else without the patient’s express consent.

A major exception to this diktat is harm to another if confidentiality is maintained. In the case that is now referred to world-wide when this issue is being discussed, *Vladimir Tarasoff et al. Plaintiffs- petitioners vs Regents of the University of California et al* the judge’s decision on 1 July 1976 was clear.

Prosenjit Poddar, a student from Bengal, had confided to Dr. Moore, his psychologist, his intent to kill Tatiana Tarasoff for having jilted him. The head of the department of psychology overruled Dr. Moore’s suggestion that Poddar be committed to a psychiatry clinic. Poddar killed Tatiana. In the ensuing trial, the California Supreme Court found that a [medical professional](https://en.wikipedia.org/wiki/Mental_health_professional) has a duty not only to a patient, but also to individuals who are in danger consequent to the acts of the patient.

In the case of Dr. Bawaskar’s patient, there was a manifest, malignant brain tumour, known to carry a very high risk of mortality.

It is the duty of the treating neurosurgeon to convey this sad news to the patient and his family. Since the patient was of a marriageable age, it is obvious that with such a tumour, the union would lead to incalculable harm to the prospective bride. The woman and her parents should have been provided details of the illness and prognosis by the patient and his family. An instruction to this effect from the doctor to his patient would have been correct and salutary.

As matters stand, the doctor failed in his duty as physician, friend, philosopher and guide to his patient, his family and to the hapless, now pregnant wife.

Sunil Pandya