

Bioethics Research: Contemporary Debates

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Use of Physical restraints in German Intensive Care Units: Ethical and Legal Issues

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Abstract

Background: Physical restraints are frequently used in medical care. Its usage varies depending on the specific legal settings of each country. The use of physical restraints has been widely debated in psychiatry and nursing homes. However, its use for patients in intensive care units (ICUs) is rarely discussed, even though there are various circumstances in which physical restraint may be required. While the use of physical restraints is relatively common in Germany, the legal framework is remarkably unclear. This situation can result in violations of patient autonomy.

Materials and methods: The civil law legislation in Germany, medical reasons for employing physical restraints in intensive care units and related ethical issues are analysed via examining physical restraint cases.

Results: Physical restraints are currently widely used during intensive care work, yet they have an ambivalent character because they are a custodial measure. Physical restraints should be performed only after a thorough assessment of the patient and their wishes. In circumstances when a patient's autonomy decreases, the requirement of due diligence on clinical staff increases.

Conclusion: Intensive care patients are a vulnerable group and are particularly reliant on clinical staff to respect their autonomy and rights. This is particularly the case with regards to the use of physical restraints. The interdisciplinary collaboration of judges, clinicians and nurses must be improved to increase the flow of information and an exchange of experiences in relation to this issue.

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