



Ask the Ethicist – A Racially Motivated Patient Demand

Question: “I have a patient who repeatedly refuses to be worked up by Black technicians. These refusals are becoming more disruptive. What is the best way to handle this patient’s refusal and the turmoil within the office?”

Answer: Refusing to accede to this patient’s discriminatory demands shows your staff that you support them and stand with them, and it sends the message to the patient that you will not tolerate racial discrimination. You have an obligation to protect your employees from such behavior. Your practice policies should include a nondiscrimination policy and a clear statement that the practice will not tolerate discrimination in the workplace.

Provided you have a nondiscrimination policy in place, discuss with the patient how this behavior is affecting the practice and may affect his or her continuing ophthalmic care. If the patient refuses to comply with your policy, it is acceptable and reasonable to terminate the physician-patient relationship for nonadherence to your policies. The Ophthalmic Mutual Insurance Company (OMIC) offers sample form letters for terminating the physician-patient relationship at <https://www.omic.com/terminating-the-physician-patient-relationship>.

In addition, complying with discriminatory staffing demands may expose your practice to liability. Consult with your malpractice carrier and legal counsel to fully understand the risk.

For sample policies, the AAOE Practice Forms Library contains sample nondiscrimination policies at aao.org/practice-management/practice-forms-library/human-resources.

To read the Code of Ethics, visit aao.org/ethics-detail/code-of-ethics.

To submit a question, email ethics@aao.org.