

Viewpoint: Confidentiality laws bring moral concerns for one doctor

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She came in for an upset stomach. She left with a diagnosis of pregnancy.

And she was only 15 years old.

Anna was usually poised, strong, and confident. But after I told her she was pregnant, a single tear rolling down her cheek unmasked the vulnerable person within.

"Anna, I know this is a shock to you. I'm going to give you the name of an ob/gyn. And I'll always be here for you if you need me."

Anna, still stunned by the news, managed a weak "Thanks."

"Your mom is going to want to help you with this. Do you want to tell her first? Or would you prefer that I tell her?"

Anna looked me right in the eye. "*Don't tell my mother.*"

Anna's mother was in the waiting room. "Anna, even if she'll be angry, she is your mom, and she does love you—"

"Do not tell my mother." There was no ambiguity.

Anna's mother was a good parent, a single mom who spoke highly of our pediatric practice and expressed her confidence in me. She was someone I've known through my practice since Anna was born. She trusted me.

But our professional guidelines and our state confidentiality laws are clear on this issue. Anna was pregnant by a boyfriend a year older than her, so there was no criminal case. So without Anna's consent, I was not to disclose the fact that she was pregnant to anyone—even to her own mother.

I hesitated. "OK," I told Anna. "I'll just tell your mom we'll run some tests."

During the next few weeks, I tried to persuade Anna to talk with her mother—but to no avail. It's not that there were additional tabloid reasons. Anna just did not want her mother to know.

I understood my legal responsibility. But during those weeks, I wondered at night what my *moral* responsibility was. There were no overriding health issues. So from a doctor's

perspective, what was really my most important consideration? Anna's confidentiality and privacy rights? Ensuring the best possible prenatal care?

Or allowing Anna's mother to know about a life-changing situation involving her 15-year-old daughter?

From a rational perspective, I appreciated the law. But emotionally? Any parent can understand the angst here. Anna is so young! I would need to get her mother's consent to pierce Anna's ears! She's her mother—and she's not allowed to know something this important about her own child's health? As doctors, we have our professional roles, but we have family lives too, and that experience also shapes our worldview. My children are now teenagers. If anything momentous happened to them, I would feel a need to parent, guide, and love them.

All these thoughts twirled through my mind. Then Anna's mother called me at work.

"Dr. Rifkin, it's been two weeks. Anna's still very sick. What's wrong? Did the lab tests show anything?"

My back was against the wall.

As doctors, we've learned over the years how to measure our words when we are put on the spot about risks, prognoses, and uncertainties. Those skills came in handy here. I answered Anna's mother as best I could—without revealing the full truth.

But when I got off the phone, I reached for the Tums. I felt awful.

This nerve-racking ambiguity persisted for weeks.

And then, at last, Anna called to let me know she had decided to keep the pregnancy. And, yes, she did tell her mother. Her mother was "shocked" but "OK," and she helped Anna schedule a visit with an obstetrician.

That's not all. Anna also told her mother that I had known all along about the pregnancy—since that first visit, many weeks ago.

I knew what would happen next. It didn't take long. Later that day, our nurse told me it was Anna's mom on the phone, line one.

I took a long, deep breath to slow my heart and reached for the telephone.

"Dr. Rifkin?"

"Yes."

"It's Mrs. Morris, Anna's mom. Anna told me all about what's happened."

I prepared myself for her mother's accusations. For the betrayal of trust. For not valuing her as a parent. For not telling her the full truth. For failing the person who paid my fee.

Then she continued. "And I just want to thank you for being so supportive and wonderful to Anna these last few weeks. I knew I could trust you."