

Can Law, Health Policy and Ethics reign in the Harms of Overdiagnosis?

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Abstract

Overdiagnosis is recognized as an important global source of harm to the public and patients as well as being an important source of low-value healthcare. The complex drivers of overdiagnosis make it a particularly difficult problem to address and attempts to do so can often be perceived as threatening to (over-diagnosed) patients and the medical establishment. Medicolegal perspectives often highlight missed diagnosis and diagnostic error with relatively little attention to the harms of over-testing, labeling and unnecessary medicalization. Health policy efforts to address overdiagnosis often face powerful opposing lobbies from disease-specific advocacy groups, medical specialty societies and those who benefit financially from overdiagnosis. The ethical underpinnings of these considerations require further exploration and development if a societal shift addressing the root causes of overdiagnosis can ever be attained. The mandating of informed consent prior to routine cancer screening could be one promising avenue achieving progress through shared decision-making and has relevance to all three domains. This session will explore the medicolegal, policy and ethical dimensions of overdiagnosis with a focus on promising directions and sustainable solutions.

Objectives:

Participants attending this session:

1. Appreciate the potential medicolegal ramifications of overdiagnosis be it through class action suits or other approaches.
2. Can consider how governments and other decision-makers in health can impact overdiagnosis and overuse and drawing from the international experience.
3. Will gain an understanding of the ethical aspects of the overdiagnosis problem and how it is a particularly complex and vexing one.

Potential speakers

[Alexandra Barratt](#): University of Sydney, Australia

[Heidi Malm](#): Loyola University Chicago, USA

[Stacey Carter](#): University of Wollongong, Australia

[Lorian Hardcastle](#): University of Calgary, Canada

[Tim Caulfield](#): University of Alberta, Canada