

***Psychiatric “diagnosing”
the President –
a Precedent ?***

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1. What happened
2. Goldwater Rule
3. Tarasoff Case
4. Psychiatry and Politics
5. Special relationship
6. Seeing the patient
7. Is there a solution ?

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I. What happened ?

- Donald Trump
elected President 2017
- Controversial figure

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- Book
- Mid 2017
- The Dangerous case of Donald Trump
- Bandy Lee (Yale Psychiatrist)
- 26 other experts

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- Never personally examined Trump
- All based on public information
- Dangerous

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- Fire and Fury
- Early 2018
- M. Wolff (journalist)
- Private information
- Bannon

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- Body check
Jan 2018
- Dr. Jackson
Emergency Physician

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- Average
- Slightly obese
- MoCA 30/30 (cognition)
- No psychiatric examination

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- Memory
- Language
- Attention and Concentration
- Orientation
- Executive Function
- Visual-spatial function

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- Can detect milder cognition impairment
- Broader than MMSE

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II. Goldwater Rule

- 1964 President Election
Goldwater vs Johnson

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- Fact Magazine
- Postal Questionnaire
- 12,000 Psychiatrists

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“Do you believe Goldwater is psychologically fit to serve as the President of the United States”

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- 2,400 returned
- 1,200 negative
- 650 fit
- 550 no comment

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“ I believe Goldwater to be suffering from a chronic psychosis”

“ A megalomaniac, grandiose”

“I believe Goldwater has the same pathological make up as Hitler and Stalin”

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- 1968
- Goldwater sued for defamation
- \$7,5000 damage
- Publisher imprisoned 5 years

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1973 APA Goldwater Rule

“If a psychiatrist is asked for an opinion of a public figure, he may share his expertise in general, but it is unethical to offer a specific professional opinion unless

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1. He has conducted a personal examination
- and
2. He was granted proper consent to it”

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1. a) Proper diagnosis
b) doctor-patient relationship
2. Informed consent and confidentiality

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III. Tarasoff

1969 University of California
 Student P (young man) seek help
 Psychologist M
 See him 7 times in 2 months
 Aug 1969, P told M he planned to kill a female student Tarasoff

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“Acute and Severe Schizophrenic reaction”

- M and 2 psychiatrists tried to compulsory admit P
- Called police

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- P was detained briefly
- Released on promise to stay away from Tarasoff
- Defaulted follow up

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- P killed Tarasoff 2 months later
- Shot her at her home
- Stab her with a knife 17 times

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- Plead not guilty by reason of insanity
 - 1) second degree murder
 - 2) manslaughter
 - 3) not convicted
- Returned home

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Tarasoff parents sued police and psychiatrists

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“A therapist has a duty to protect the potential victim of the patient under his care, if the patient presents a severe danger to the victim”

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- Special relationship (psychiatrist-patient)
- foreseeability of harm
- Serious danger (consequence)
- Duty to warn
- Other person (can avoid danger)

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Clash of two Professional Duties

Confidentiality vs Duty to Warn

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AMA Section 7

- Duty to do good (to the community)
- Good citizen
(use of expertise in a general way)

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IV. Psychiatry and Politics

- Hitler Germany
- USSR

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V. Special Relationship

- In order to diagnose and treat
- Need to get very sensitive information
- Patient must feel safe and be able to trust psychiatrist

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- Psychiatrist must always put patient first
- Honest
- Trustworthy
- Keep professional standard

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- Confidentiality
- Do not release any information unless patient agreed (informed consent)
- Some exception

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- Informed consent
- Doctor informed (and advise on best option)
- Patient consent

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Exception to Confidentiality

- Legally required
e.g. some infection disease
- Required by court
- Very rarely, requested by police (on very dangerous case)

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VI. Seeing the patient

- No objective test
- All based on clinical examination

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- Person to person interview
- Not only on patient's outward behaviour (BAD)
- Positive diagnosis (MAD)

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- What is "abnormal"
Avoid using social / statistical norm

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- Avoid psychiatrist's bias (yard stick)
- Form vs content

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Definition of Delusion
"fixed false belief contrary to patient's subculture"

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VII. Is there a solution ?

? Modification to confidentiality
(to carer,
on important public figures)

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END

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