Seminar in bioethics

Week 1

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Values

- Beliefs, attitudes and preferences
- We place a value on certain ideals
- There is an emotional attachment to these constructs

Values implicit in the AOA Code of Ethics

- Privacy
- Honesty
- Trust
- Fidelity to duty (non-abandonment)
- Integrity (in representing self, fees)
- Competence
- Consultation with others
- Respect of colleagues
- Self-regulation
- Community service

Ethics

- A set of established principles an individual or group maintains for making right decisions
- Can be professional or personal
- Can be generated from societal institutions such as churches and schools
- Micro – individual
- Mezzo – institutional/ professional
- Macro – Societal and cultural

Morals

- A personal code of conduct that guides behavior
- In our culture, morals typically reference sexual behavior

Law

- A course of action that is specified by statute, regulation (licensure) or case law
- Example: Tarasoff vs. The California Board of Regents establishes a duty to warn

Break out

- Turn to a partner and talk about a difficult case with ethical dimensions.
  - What were the legal, medical and for you, personal issues in the case?
  - What decision had to be made?
  - What was the decision and why?
  - Who made the decision?
  - What do you think was the right thing to do? Why?
  - What did you do that you feel good about? What did you do that you might have done differently?
  - How did you feel about it?

Ethical dilemma

- Occurs when a professional must make a choice between two mutually exclusive courses of action
- May involve the choice of two goods or two harms
- Does not occur when choice between a good and a harm
- May involve commission (doing something) or omission (not doing something)

For us….

- Although some theorists suggest that an ethical dilemma occurs only when two conflicting ethical principles are involved
- We will consider ethical/moral/value/legal conflicts as ethical dilemmas

Question

- A pharmacist refuses to fill a prescription for RU – 486. Should we think of this as a decision based in ethics, values or morals?
- Is this an ethical dilemma?

Donaldson, , Dunn (2009)

- Qualitative study in UK
- Pediatric residents – thematic analysis of 71 submitted case studies of ethical dilemmas
  - Most frequently cited problem was tension/conflict with pt/family or treatment team
  - Termination of pregnancy
  - Protective services
  - Withdrawing or withholding treatment

Emanuel- Typology of issues

- Medical ethical issues
  - Pt/DO relationship
  - Selection of medical interventions
  - Allocation of resources
  - Transforming technologies
- Examples
  - Truth telling
  - Confidentiality
  - Informed consent
  - Terminating care
  - Baby Doe
  - Euthanasia
  - Health care costs
  - Rationing
  - Genetic testing
  - Transplants

Decision making (Donaldson)

- Very inconsistent
- Seemed to be three strategies:
  - Ethical/philosophical: applying ethical principles and theories, including distributive justice
  - Legal/regulatory: primarily concerned with legal role of physician and risk management
  - Practical/operational: Process of reaching the best decision possible, use of communication skills to resolve conflict

Putting it together

- Values – feelings attached to ideals
- Ethics – cognitive principles and schemas
- Morals – our own personal behavior
- Ethical dilemma – two mutually exclusive courses of action whether they be based on ethics, morals, values or legal principles

Case study

- An 85 year old, frail, late stage Alzheimer Disease patient is being cared for by her 89 year old husband at home. The physician managing the case, is part of a home care physicians group and visits her in the home. She is emaciated and now has severe, stage IV decubitus ulcers that have tunneled to the bones on her hips. The physician, at the patient's home, has debrided the ulcers, packed them, and sutured a flap. He has ordered a visiting nurse for further wound care.
- The nurse sees the patient for the first time, and contacts the medical director of the home care agency for consultation. The wounds are clearly infected and the patient is running a fever. The physician instructs the nurse to order an ambulance to transport the patient to the ER, where she subsequently expires.
- This case is brought to the home care ethics committee. The nurse is shaken up about this case, and appears to be outraged and somewhat traumatized. She feels that the physician who performed the surgery has acted unethically. She feels, rightly so, that something should be done.