Transcript for Ethics in Health Services Lecture

1. This lecture reviews ethics in health services.

2. The session objectives are to: describe the basis for ethics, contrast ethical codes among major health professions, and detail the promulgation of ethics by health care organizations.

3. Health care laws are important to assure quality and access and to contain costs. Laws are also needed to protect the personhood of patients and their preferences. These laws create rights for people to make personal decisions about alternatives.

4. In contrast, ethics is more than abiding by laws. Ethics pertains to positive duties, a higher calling, doing more than just obeying the law. Law and ethics are not one and the same. For example, abortion is legal in the U.S., but many regard it unethical. In contrast, euthanasia among the terminally ill is illegal, but some consider it ethical. Consequently, based on one’s values, all laws are not ethical and all beliefs held about ethical conduct are not legal.

5. The basis of the healthcare ethics is defined as: Respect for persons, Beneficence, Nonmaleficence, and Justice.

6. Respect for persons has four elements. Autonomy is allowing others to govern themselves. One means of exercising this is informed consent. Second, truth telling is being honest and not lying. Ages ago, this was problematic in that doctors may diagnose a serious illness and then not tell the patient. Confidentiality requires clinicians to respect a patient’s privacy and not reveal information except with the patient’s consent. Fidelity is keeping one’s word.

7. Beneficence is a positive duty - acting with charity and kindness. Nonmaleficence is “doing no harm,” refraining from anything that would aggravate a situation or cause harm.

8. Justice has different definitions, and some define it as fairness. It is very important in resource allocation decisions. A good example of resource allocation pertains to organ donations. Many people are waiting to be organ recipients and organ donations are insufficient to provide for all potential recipients. As a consequence, decisions need to be made about which eligible patients should receive an organ, such as a liver, when one is available. Laws are often enacted to direct such decision making to protect the interests of society. For example, laws prohibit the selling of organs so a liver or heart cannot go to the highest bidder.

9. In medicine, ethics focuses on meeting expectations of the profession and society and acting in specified ways toward patients. While health management executives also recognize responsibility to patients, the community and society, and the profession, they also recognize a responsibility to the organization and employees. While protecting patient and community interests, health care
executives must also protect the organization’s interests. They have fiduciary responsibilities.

10. Health care executives are expected to avoid financial conflicts of interest, such as hiring the consulting firm of one’s spouse or friend. They should not exploit professional relationships, such as offering deals on office space to entice physicians to admit patients to their hospital. They must consider the good of the whole versus that of individuals, which can create limits on the amount of unfunded care that is provided.

11. Ethical dilemmas occur for many reasons. As noted, we do not all share a moral philosophy. Our beliefs and values differ. We come to different conclusions about what is ethical and unethical. Second, there are conflicting bases for ethical decisions. What might be ethical from one basis may not be from another. Different professions have different duties and definitions regarding ethics. Health care executives must consider ethics in the context of the impact on the organization, which can create conflicts with health care providers.

12. One trend in assuring ethics in organizations is a patient bill of rights, which guides the relationship between the patient and the organization along with employees. This establishes ethical expectations for relationships between patients and the organization. However, it is not legally binding. If an organization does not fulfill what is laid out in the bill of rights, as long as the actions are legal, there is no means to enforce a bill of rights.

13. This is an example of a Bill of Rights developed by the Joint Commission, which accredits hospitals. The elements from the Respect for Persons basis of ethics are evident in this statement.

14. This provides elements from the American Nurses Association’s Code of Ethics. Many reflect the principles embraced by the Joint Commission.

15. Health care professions develop a code of ethics to guide behavior in the discipline regarding ethical issues and decision making. In some cases, a violation of the code of ethics can result in sanctions. If a violation is alleged with the American College of Healthcare Executives, a member risks being excluded from membership. In contrast, The American College of Healthcare Administrators which is the association of Nursing Home Administrators does not enforce its code of ethics.

16. Each professional discipline’s codes of ethics reflect the types of decisions that are important and the arenas in which a member could engage in unethical behavior.

17. Another means by which organizations promote ethical behavior is through institutional ethics committees. These committees serve as an educational resource in making clinical and administrative decisions. Some examples are provided regarding issues that need to be addressed regarding ethical behavior by organizations and clinical decision makers.
18. Institutional ethics committees have a diverse membership. Primary and specialty physicians are the most common types of members. In addition, hospital institutional ethics committees include clergy and usually an attorney who can advise on any legal issues. It may include lay people and social workers. Administrators and nurses are often included.

19. This provides a framework for solving ethical problems. First, the problem or issue must be defined along with the related assumptions and knowledge about the issue. Then, potential solutions are identified and developed. These must be considered in the context of the organization’s values, professional codes, and other inputs. There must be decision criteria and these would reflect what is considered ethical and unethical within an organization. The best alternative is then selected and then after it’s implemented the target outcome should be measured to provide for better decision making in the future.