

Healthcare Ethics for Clinicians

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Sources are listed at the end of this presentation.

Objectives

- Be able to apply primary ethical principles (Beneficence, Justice, Autonomy) to clinical cases.
- Be able to cite and discuss clinical applications of ethical principles related to physician obligations.
- Be able to analyze key ethical issues in clinical cases.

Most, if not all, issues in healthcare ethics can be considered in the context of three, perhaps four, principles. The first is

Beneficence

Act in the best interest of the patient, provide treatments that improve health, and balance risks against benefits. I subsume under this principle both nonjudgmentalism and nonmaleficence.

Justice

Healthcare resources must be distributed fairly and equitably. Every patient should share equally in burdens and benefits. This includes access to care as well as protecting vulnerable populations. Where resources are limited, they must be shared equitably. This principle also infers nonjudgmentalism.

Autonomy

A patient's right to self-determination. People with decision-making capacity can make informed, uncoerced choices about healthcare. This includes rejecting any treatment. Capacity is **task- and situation-specific**. Importantly, *capacity* is different than the legal concept of *competence*.

Determining capacity

- Do they **understand** the situation and the treatment?
- Do they **appreciate** the consequences of their choices (e.g., risks and benefits of accepting or refusing care)?
- Can they **reason** through information to make a decision?
- Can they clearly **communicate** their choice?

A healthy male patient with Down Syndrome who lives independently asks you for a referral for facial cosmetic surgery. Can he make this decision on his own?

- a) Yes, if he needs the surgery to improve his quality of life.
- b) Yes, if he understands the procedure and its consequences.
- c) No, because he isn't mentally capable of making medical decisions.
- d) No, you need consent from a surrogate decision-maker.

Patients with mental illness or cognitive impairment have the **right to refuse** medical procedures if they have capacity for that decision (note previous requirements for *capacity*).

If someone, **before developing dementia**, said they don't want aggressive life-saving treatment, but years later they want the treatment, should doctors follow what they previously wrote, or what they appear to want now, **after the dementia has advanced?**

Which ethical principle applies?

You accidentally administered the **wrong medication** to a patient. The patient shows no adverse effects, and you do not expect the patient to be harmed in any way.

Will you **divulge the mistake** to the patient?

Which ethical principle applies here?

Henry wants to donate a kidney or sections of other organs (lungs, liver, pancreas) for **\$25,000 each**.
Should he be paid for this?

Dr. Allen wants to charge her patients a special fee of \$50 for each visit if their choices (smoking, alcoholism, vaccine resistance) **caused their conditions**. She sees this as a way to encourage them to alter harmful behavior. Is the policy a good idea? Would it be effective?

A father presents to the ER with his 5-year-old son after a car wreck. He states that, due to **religious preferences**, they can't accept blood to be transfused. The child is in critical condition and urgently needs treatment. How should you proceed?

- a) Report the father's wishes to not transfuse the child.
- b) Obtain a court order to provide the needed transfusions
- c) Contact the hospital ethicist to declare an order for emergent transfusion
- d) Transfuse the child immediately
- e) Explain to the father why and how a transfusion will be beneficial to the child.

Kathy, a clinician, uses AI to decide what medication to prescribe. She learns later that the AI's advice was wrong and that using the medication made her patient worse. The patient sues. Who should pay the increased cost of malpractice insurance?

The AI developer, Kathy, or the institution?

Alice, 92, is thought by her physicians to be too weak to tolerate the side effects of further chemotherapy. Her disease has become refractory to treatment and her physicians are urging palliative care only. Her son, Aaron, adamantly believes the physicians are merely unwilling to continue arguing with the insurance company about paying for treatment. He demands treatment. Alice has not indicated a preference. **Which principle applies here?**

Dr. Howard's patient, Anthony, reports ongoing pain for which no cause has been found. NSAIDs were ineffective. Dr. Howard believes this might be a good time to try a placebo. Considerable research has found that pain is highly susceptible to placebo treatment by triggering release of endorphins and by decreasing activity in pain-processing regions of the brain, including the thalamus.

Dr. Howard is hesitant only because he is **reluctant to deceive.**

In allocating **scarce resources** (medication, ICU beds, ventilators), which ethical framework should dominate when principles conflict:

--triage,

--prioritizing the worst-off,

--treating people equally (lottery/queue), or

--preserving social trust and legitimacy?

Dr. Florian's oncology patient is Mrs. Peiris, a recent immigrant from Sri Lanka who has generalized anxiety disorder. She was previously treated for epithelial ovarian cancer. Her daughter spoke with Dr. Florian before he examined Mrs. Peiris. She asked him not to immediately tell Mrs. Peiris her cancer has returned because it will cause her mother too much anxiety.

Should Dr. Florian comply with this request?

On exam, your patient shows no eye opening, no verbal response, and no motor response. Family members disagree about how to proceed.

Whose decision takes priority?

A deaf couple is discussing IVF with Dr. Heffernan at his fertility clinic. They explain that deafness is not a disability and that they want their children to share their culture and identity. They ask Dr. Heffernan to implant only deaf embryos.

Would this violate the **ethical duty of beneficence?**

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