Ethical Issues for Practitioners

N.C. Institute of Medicine

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Diminishing Returns

Risks and the Duty to Care in the SARS Epidemic

Duty to care is not based upon particular virtues of the health professions, but arises from social reflection on what response to an epidemic would be consistent with our values and our needs, recognizing our shared vulnerability to disease and death.

Diminishing Returns

Risks and the Duty to Care in the SARS Epidemic

Such reflection underwrites a strong duty of care but one not to be borne solely by the culturism and heroism of individual healthcare workers.

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What Happens if a Physician Chooses Not to Work?

The North Carolina Medical Board recognizes the physician's right to choose patients and to terminate the professional relationship with them when he or she believes it is best to do so.

What Happens if a Physician Chooses Not to Work?

- There are no licensure requirements for healthcare professionals to work during a crisis.
- Hurricane Katrina saw an exodus of 6,000 physicians out of the Gulf Coast Region. There was an influx of voluntary physicians.

Analogous Situations

- HIV
- SARS - 43% of deaths in Canada were healthcare workers

Should firefighters enter a burning building that is about to collapse?

Mount Everest climbers passed by fellow climbers.

Ethical Obligation for Physicians to Work

AMA Statement E-9.067 Physician Obligation in Disaster Preparedness and Response.

National, regional and local responses to epidemics, terrorist attacks, and other disasters require extensive involvement of physicians. Because of their commitment to care for the sick and injured, individual physician's have an obligation to provide urgent medical care during disasters.

Ethical Obligation for Physicians to Work

This ethical obligation holds even in the face of greater than usual risks to their own safety, health or life. The physician workforce, however, is not an unlimited resource; therefore when participating in disaster responses, physicians should balance immediate benefits to individual patients with ability to care for patients in the future.

AMA Ethics Manual

Ethics:
H-140.873 The Use of Quarantine and Isolation as Public Health Interventions

Frontline physicians have an increased ethical obligation to avail themselves of safe and effective protective and preventive measures (for example, influenza vaccine).

ACP Ethics Manual

Medical Risk to Physician and Patient

Traditionally, the ethical imperative for physicians to provide care has overridden the risk to the treating physician, even during epidemics. In recent decades, with better control of such risks, physicians have practiced medicine in the absence of risk as a prominent concern. However, potential occupational exposures such as HIV, multidrug-resistant tuberculosis, severe acute respiratory syndrome and viral hepatitis necessitate reaffirmation of the ethical imperative.

ACP Ethics Manual

Medical Risk to Physician and Patient

Physicians should evaluate their risk for becoming infected with pathogens, both in their personal lives an in the workplace, and implement appropriate precautions.

ACP Ethics Manual

Medical Risk to Physician and Patient

Because the diseases previously mentioned may be transmitted from patient to physician and because they pose significant risks to physician's health, some physicians may be tempted to avoid the care of infected patients. Physicians and healthcare organizations are obligated to provide competent and humane care to all patients, regardless of their illness. Appropriate means should be taken to limit occupational exposure through rigorous application of infection control methods. The denial of appropriate care to a class of patients for any reason, including disease state, is unethical.

Appeal to Professionalism

Professionalism Charter of the ABIM Foundation, ACP-ASIM Foundation, and European Federation of Internal Medicine

Professionalism is the basis of medicine's contact with Society. It

- places the interests of patients above those of the physician
- sets and maintains standards of competence and integrity
- provides expert advice to society on matters of health

Fundamental Principles

- Principle of privacy of patient welfare
- Principle of patient autonomy
- Principle of social justice

Reciprocal Obligation

Society and institutions have a reciprocal obligation to ensure that healthcare workers are protected to the extent possible. E.g.: frontline workers should receive priority to receive vaccinations, antiviral drugs, behavioral health services, other non-medical control measures and other goods and services needed to enable these people to work.

Protection

Laws should be modified to the extent possible, during a public health emergency to offer providers protection from liability in providing needed health services.

The government should provide disability insurance and death benefits to workers and their families adversely affected while performing their duties.

Ethical Decisions by Physicians That Need Protection from Liability

Triage decisions

"I see your Medic-Alert bracelet says you've sued quite a few doctors."

Ethical Decisions by Physicians That Need Protection from Liability

Triage Decisions

When the number of patients and severity of their injuries overpower existing resources, triage decisions must classify patients according to both their need and their likelihood of survival.

Ethical Decisions by Physicians That Need Protection from Liability

Triage Decisions

The overriding principle should be to focus health care resources on those patients most likely to benefit who have a reasonable probability of survival.

Ethical Decisions by Physicians That Need Protection from Liability

Triage Decisions

- Allocation of limited resources
- Admission to hospital
- Use of mechanical ventilator - a finite resource
- Use of vaccinations, antiviral medications

"I'll have the chicken Tamiflu."