

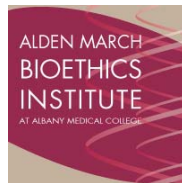


Ethics in Public Health: A Closer Look at Current Issues

June 20, 2013

Featured Speaker

- Bruce D. White, DO, JD
- Director, Alden March Bioethics Institute, Albany Medical Center
- Former Public Health Officer, Tennessee



Disclosure Statements

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Objectives

- Describe the difference between professional ethics, research ethics, clinical ethics, and public health ethics
- Evaluate and apply decision-making frameworks to analyze ethical challenges in public health

What is Ethics?

- *Ethics* comes from the Greek *ethos*, “character.”
- *Morals* comes from the Latin *moralis*, “custom”
- *Ethics* is the study of trying to make life better
 - Ingram & Parks, 2002, pp. 5-6.
- Ethicists ask questions in an effort to help improve the decision-making process as measured against some standard
 - Ashcroft, Lucassen, Parker, Verkerk, & Widdershoven, 2005, pp. 1-6.

Roberts, *The Problem of Choice: An Introduction to Ethics*

“To live is to act;
To act is choose;
To choose is to evaluate.”

- MacIver, 1941

Differences in Goals, Priorities

	Professional	Research	Clinical	Public Health
Key features	Professional codes of ethics	Statutes and regulations	Physician-patient relationship	Safety, public welfare (public policy)
Principal stakeholders	Professionals	Research subjects, researchers	Practitioners, patients, surrogates	Community, special interest groups
Guiding principle(s)	Beneficence	Autonomy, Nonmaleficence, Justice	Autonomy, Beneficence, Nonmaleficence	Justice
Decision-making framework	Public but directed by professionals	Public (legal, primarily criminal)	Private (legal, primarily civil)	Public but directed by representatives

Public Health Ethics: Defined

“Public health ethics involves a systematic process to clarify, prioritize and justify possible courses of public health action based on ethical principles, values and beliefs of stakeholders, and scientific and other information.”

- Powers and Faden, 2006

Public Health Ethics: Defined

- **Field of study (theory):** Understand and clarify principles and values guiding public health action
- **Field of practice (applied):** Apply the relevant principles and values to public health decision making
 - Identify and clarify ethical dilemmas (conflict between principles)
 - Analyze for alternative courses of action and consequences
 - Resolve dilemma

- Powers and Faden, 2006

Ethics: Different Viewpoints

- Moral foundation of public health: maximize welfare and health as a component of welfare, hopefully through consensus
- Moral challenge: Balance individual liberties with advancement of good health outcomes

- Powers and Faden, 2006

APHA Code of Ethics

- Highlights ethical principles for public health professionals
- Not an exhaustive system of health ethics
- Interdependence of people = essence of community
- Intended for those with explicit public health mission

- Powers and Faden, 2006

12 Ethical Public Health Guidelines

1. Public health should:
 - Address causes of disease
 - Address requirements for health
 - Aim to prevent adverse health outcomes
2. Achieve community health while respecting rights of individuals

12 Ethical Public Health Guidelines

3. Policies, programs, priorities developed and evaluated with input from community members
4. Advocate and work for empowerment of disenfranchised, ensure accessibility of health



12 Ethical Public Health Guidelines

5. Seek information to implement policies and programs that promote and protect health
6. Provide communities with information, and obtain community consent for implementation

12 Ethical Public Health Guidelines

7. Act in a timely manner within resources and mandate given by public
8. Incorporate a variety of approaches



12 Ethical Public Health Guidelines

9. Implement programs and policies in a manner that enhances the environment

10. Protect confidential info that could harm an individual or community

12 Ethical Public Health Guidelines

11. Ensure professional competence of employees

12. Engage in collaborations and affiliations that build trust and effectiveness



Ethics: Public Health vs. Clinical

- Concern is populations, not individuals
 - Who is public health good for?
 - Whose health are we concerned with?
 - What individual sacrifices are acceptable?



Representative Public Health Issues

- Preventing the spread of infectious diseases: mandatory immunizations for healthcare workers (recall Barry's *The Great Influenza*)
- OTC availability of emergency contraceptives (PLAN-B) to minors
- Medical marijuana (California)
- Physician-assisted suicide (Oregon, Vermont)

Flu Vaccine: A Historical Perspective

- H1N1 kills: recall the 1917-18 Spanish flu pandemic (John M. Barry, *The Great Influenza*)
- Flu vaccine is safe
- Flu vaccine is effective; it works
- Voluntary immunization rates: 30-40%

Mandatory Flu Vaccine

- "Hospitals crack down on staff refusing flu shots" – CBS News: 1/12/13
- Hospital of the U. of Pennsylvania - 2012
- 8/13/09: emergency regulation – New York State Review and Planning Council



Autonomy vs. Justice

- Should we force persons to be immunized (autonomy) in order to protect the more vulnerable in our community (justice)?



Other Legal Issues

- Legally, does the right to privacy (a fundamental right) trump public safety and public welfare?



OTC Emergency Contraception: What the Research Shows

- EC is safe and effective
- Most countries permit OTC availability of EC to everyone
- The OTC availability of EC reduces teen pregnancies and abortions

OTC Emergency Contraception (EC)

- 4/5/13: U.S. Federal District Court Judge Edward R. Korman (S.D.N.Y.) – strikes down ban on OTC availability for persons under age 16 years old
- 4/30/13: FDA approves OTC availability of PLAN-B® for persons 15 years and old with proof of age



A Historical Perspective

- EC has been available in the U.S. since the 1970's but as RX birth control pills (Yuzpah Method)
- Health departments and Planned Parenthood have been family planning resources
- Teens may seek family planning services without parental authorization



Autonomy vs. Justice

- Should the community prohibit the availability of some medicines for public policy reasons (justice, nonmaleficence) to risk injury to a small group of at-risk individuals (autonomy, beneficence)?

Medical Marijuana

- 5/1/13: New York Medical Marijuana Bill passes legislative committee
- Marijuana may be used medicinally in 20 states and the District of Columbia
- Nine states utilize dispensaries for distribution

A Historical Perspective

- Marijuana has medicinal uses.
- Is a Schedule I controlled substance
- California adopted Proposition 215 (Compassionate Use Act) in 1996
- The U.S. Supreme Court ruled in *Gonzales v. Raich* in 2004



What the Research Shows

- Marijuana was formerly listed in official American drug compendia
- Marijuana dosing is very difficult to standardize
- Marijuana use does not increase drug abuse potential
- Marijuana is very difficult to regulate

What Ethical Issues are Considered

- Should the community prohibit the availability of some medicines for public policy reasons (justice, nonmaleficence) to risk injury to a small group of at-risk individuals (autonomy, beneficence)?

Physician-Assisted Suicide

- 5/20/13: Vermont Governor Peter Shumlin signed the state's Death With Dignity Act
- Modeled after Oregon's Death With Dignity Act

A Historical Perspective

- Murder v. mercy-killing (euthanasia) v. suicide v. physician-mediated death
- Technology and death: "Death has lost its medical and moral simplicity. It is no longer a moment, but a process. A process that can be lengthened or shortened."

A Historical Perspective

- “It’s Over Debbie” (1988)
- Janet Adkins and Dr. Kevorkian (1990)
- Diane and Dr. Quill (1991)
- Oregon Ballot Measure 16 (1994)

What the Research Shows

- The Oregon DOH maintains records of physician-mediated deaths of the state’s Death With Dignity Act
- OR, WA, MT, and VT accept the notion of physician-mediated death

What Ethical Issues are Considered

- Should the community prohibit the availability of some medicines for public policy reasons (justice, nonmaleficence) to risk injury to a small group of at-risk individuals (autonomy, beneficence)?

Additional Resources

White BD. *Drugs, Ethics, and Quality of Life: Cases and Materials on Ethical, Legal, and Public Policy Dilemmas in Medicine and Pharmacy Practice*. New York: The Haworth Press, 2007.

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