

Program on Ethics in Clinical Practice

Stepwise Approach for Addressing Ethics Issues

1. What is your concern? Why does this case bother you?

2. Is this ethics: does this concern arise from conflict between moral obligations or other important values?

- What are the moral obligations?
- Are there competing moral obligations?

3. What are the facts of the case? (4 topic approach: see reverse side of card.) Do we need additional information?

- Who are the moral agents or stakeholders?
- Who gets to participate in identifying and defining the relevant values, principles, duties and moral facts?
- What do you, as the provider, bring to the table?

4. Are there other sources of information that can provide guidance or help to resolve the issue?

- Paradigm cases
- Case law or professional guidelines
- Helpful literature on this ethics issue
- Other ethics frameworks besides the four principles (e.g. virtue theory)

5. What action will be taken?

- What choices are *possible*?
 - What are the advantages and/or disadvantages of each?
- What *should* be done?
 - Is there a choice that is preferable and is that what should be done?
- What *can* we do?
 - Take into account impediments to choices in “should”
- What *will* we do?

The “4-Topic” Method to Approaching and Analyzing Ethics Cases

What personal and professional values or experiences might be affecting your approach to this case?

<p style="text-align: center;">Medical Indications (Principles: Promote welfare, avoid harm)</p> <p style="text-align: center;"><i>Consider.....</i></p> <ol style="list-style-type: none"> 1. What is the patient’s medical problem? history? diagnosis? prognosis? 2. Is the problem acute? chronic? critical? emergent? reversible? 3. What are the goals of treatment? 4. What are the probabilities of success? 5. What are the plans in case of therapeutic failure? 6. In sum, how can this patient be benefited by medical and nursing care, and how can harm be avoided? 	<p style="text-align: center;">Patient Preferences (Principle: Respect for autonomy)</p> <p style="text-align: center;"><i>Consider.....</i></p> <ol style="list-style-type: none"> 1. Does the patient have decision making capacity? If so, identify preferences. 2. If without capacity, who is the appropriate surrogate? Is the surrogate using appropriate standards for decision making? 3. Has the patient/surrogate been informed of benefits and risks, indicated understanding and given consent? 4. Has the patient made advance care plans or named a health care agent? 5. In sum, is the patient's right to choose being respected to the extent possible in ethics and law?
<p style="text-align: center;">Quality of Life* (Principles: Beneficence, Non-maleficence, Respect for Autonomy)</p> <p style="text-align: center;"><i>Consider.....</i></p> <ol style="list-style-type: none"> 1. What are the prospects, with or without treatment, for a return to normal life? 2. What physical, mental, and social deficits is the patient likely to experience if treatment succeeds? 3. Is the patient’s present or future condition such that his or her continued life might be judged undesirable? 4. Is there any plan and rationale to forgo treatment? 5. Are there plans for comfort and palliative care? <p style="color: blue;">*Remember that Quality of Life is from the patient’s perspective</p>	<p style="text-align: center;">Contextual Features (Principle: Justice; Values: Loyalty & Fairness)</p> <p style="text-align: center;"><i>Consider.....</i></p> <ol style="list-style-type: none"> 1. Are there issues that might influence treatment decisions? <ul style="list-style-type: none"> - Family - Cultural/Religious - Provider - Financial 2. Are there limits on confidentiality? 3. Are there problems of resource allocation? 4. How does the law affect treatment decisions? 5. Is clinical research or teaching involved? 6. Is there any conflict of interest on the part of the providers or the institution?

Adapted from: Jonsen AR, Siegler M, Winslade WJ. *Clinical Ethics: A Practical Approach to Ethical Decisions in Medicine*. 6th ed. New York, NY: McGraw-Hill; 2006