

Ethics – Learn, Understand then Practice: For Physical Therapists and Physical Therapist Assistants

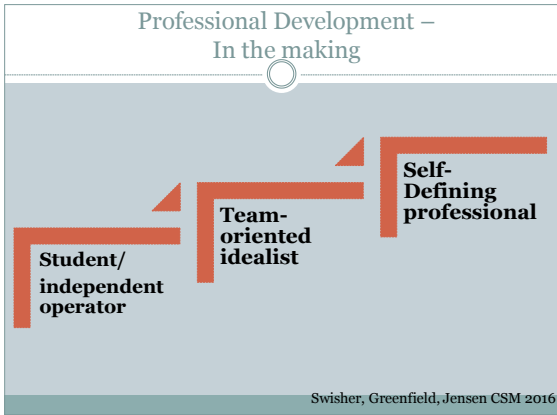
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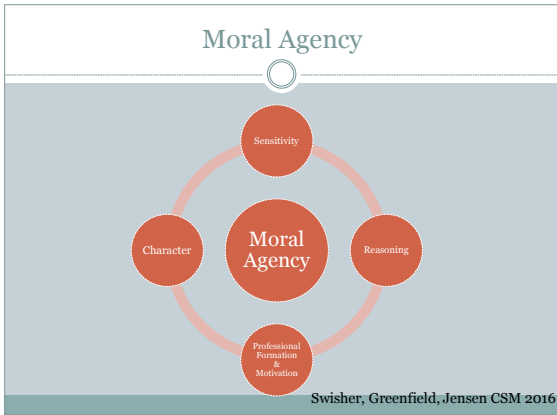
Program Objectives

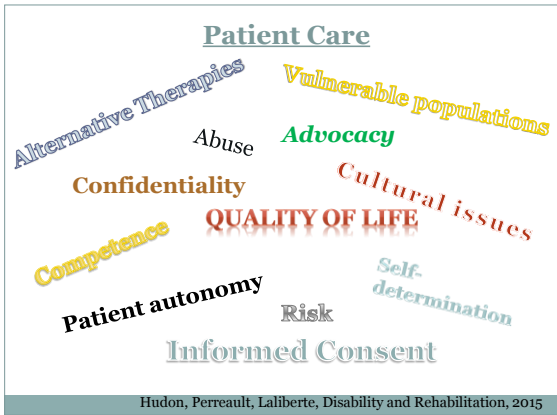
- Discuss the stages of professional maturity in judgement and moral agency
- Discuss topics of relevant content to review for moral & ethical development
- Learn about ethical concepts, principles and standards and apply to ethical cases
- Learn how to recognize an ethical situation
- Utilize the *APTA Code of Ethics and Standards of Ethical Conduct for the PTA* in resolving ethical decisions
- Evaluate the effect of unethical practice on the patient
- Articulate the importance of ethical practice on the profession
- Learn how to refer to the NJ State Rules and Regulations to guide in making medical-legal decisions

Agenda

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|--------|--|
| 60 min | Lecture “There is a lot to think about...” |
| 15 min | Break |
| 75 min | Interactive Case Studies |
| 15 min | Summary – “What did I learn?” |







Professionalism

Professional values
Scope of ethical responsibility
Conflict management
Dual loyalties
Global health ethics
Inter-professional care and teamwork

PROFESSIONAL BOUNDARIES

Professional humility
PURPOSE OF REHAB/END GOAL
Whistle blowing
Scope of practice, concurrent interventions

Hudon, Perreault, Laliberte, Disability and Rehabilitation, 2015

Management

Conflicts of interest
Fraud
GAMING THE SYSTEM
Third party payor issues
JUSTICE
BUSINESS ETHICS

Hudon, Perreault, Laliberte, Disability and Rehabilitation, 2015

Fundamental Ethical Concepts

- Autonomy – patient choice
- Beneficence – do good
- Nonmaleficence – prevent harm
- Distributive Justice – make decisions based on greater good. Fairness

Moral Character

- Decision making
- Virtue-based ethics
- Matter of learning principles

Ethical Concepts

- **Ethics**; a systematic *rational* reflection
- **Values**; subjective standards of right or wrong; good or bad
- **Laws**; constitutes a legislated consensus about the minimum standard to which everyone in society will be held

The Difference...

Is it an ethical issue or a legal issue?

- Ethical issue is based on principles and standards
- Legal issue is based on rules and regulations

An Ethics Gap...

The difference between what is ethical and what is desirable for business

Is health care and business ethics the same?

- Bottom-line pressures
- Competitive pressures
- Social goals

Medical environment

- Always looking to contain costs and increase volume
 - Can mean looking for cheaper way to do business
- Fee setting
- Fraudulent diagnoses

Ethical Compass

- A set of internalized ideas, concepts, values and duties that keep us heading in the right direction as professionals
- Provides guidance when there are alternative pathways or behaviors
- Provides direction and a means to analyze ethical situations

Questions to consider...

- **Autonomy**
 - Does my action impinge on the patient's personal autonomy?
 - Do all relevant parties consent to my action?
 - Do I acknowledge and respect that others may choose differently?
- **Beneficence**
 - Who benefits from my action and in what way?

- **Non-maleficence**
 - Which parties may be harmed by my action?
 - What steps can I take to minimize the harm?
 - Have I communicated risks involved in a truthful and open manner?
- **Justice**
 - Have I identified all vulnerable groups that may be affected by my action?
 - Is my proposed action equitable? Can I make it more so?

The Moral Potency Construct

- **Moral Ownership:** knowing that it is the person's responsibility to act
- **Moral Courage:** seeing actions through to their resolution and overcoming the fear that leads to inaction
- **Moral Efficacy:** the ability to act and be successful in the action

Roadblock to Moral Ownership...

Is Self Deception:

- Not taking ethical action
- Surrounding yourself with less consequential unethical acts
- Attribute unethical acts to external sources
- Tolerated when you are one of many doing it

Defining Situations

- **Ethical Problems**
- **Ethical Dilemma**

Ethical Problems

- A situation that allows for clear cut answers
- There is an obvious error in judgment with a simple resolution to the problem
- Right vs. wrong

Ethical Dilemma

- Occurs when adhering to one moral norm breaks another norm
- The most difficult situation to resolve
 - Requires extensive evaluation of the specifics
- Right vs. right

Reporting Obligations

- When appropriate - not all allegedly illegal or unethical acts should be reported immediately to an agency/authority
 - Communicate with the individuals involved and see if the action is corrected
- Ethical or not? - subject to interpretation
 - Must know all the facts
- An agency/authority will engage in fact finding to facilitate their interpretation
 - Agency/authority can reach a different conclusion after completion of a fact finding investigation

Let's put it all to work...

Individual Process:
4 Components of Moral Behavior

- **Moral Sensitivity**
 - Recognize, interpret, frame ethical situations
- **Moral Judgment**
 - Right vs. wrong
- **Moral Motivation**
 - Ethical values / Professionalism
- **Moral Courage**
 - Implementing chosen ethical action

4 steps

- Recognize / define the ethical issues
- Reflect / interpret information gathered
- Decide the right thing to do
- Implement, Evaluate, Reassess

Step 1:
Recognize / Define Situation

What is the situation?

- Issue / problem – value challenged
- Dilemma – right vs. right
- Distress – know what’s right, but no authority to act
- Temptation – right vs. wrong, conflict of interest
- Silence – no one speaks up

Step 2 - Reflect

Interpret information gathered in Step 1

- What facts are relevant?
- Who are the stakeholders?
- What are possible consequences?
- What are relevant laws, duties, obligations, ethical principles?
- Professional resources?
- Right vs. wrong?

“Right vs. Wrong” Tests

- **Legal test**
 - Statutes, rules, regulations
- **Stench test**
 - Gut reaction, does it feel wrong?
- **Front-page test**
 - Would you like it if this was front-page news?
- **Mom test**
 - Would my mother do this?
- **Professional Ethics test**
 - What do the documents say?

RIPS Framework		
Realm	Individual Process	Situation
Individual	Moral Sensitivity	Issue/Problem
Organizational	Moral Judgment	Dilemma
Societal	Moral Courage	Distress
	Moral Motivation	Temptation
		Silence

Cases

Applying what you have learned...
