

MEDICAL ETHICS IN PHYSICAL THERAPY

INAPTA

Course Description-Medical Ethics

- Welcome to the ethics component of our Medical Ethics & Indiana Jurisprudence course.
- Our goal is to introduce you to biomedical ethics concepts that will support contemporary practice in Indiana.
- Many states require some form of competency in ethics on a regular basis. Indiana established this program in 2013.
- For: Physical Therapists, Physical Therapist Assistants, Students

Medical Ethics & Indiana Jurisprudence Essentials

Course Objectives

- Define the meaning of ethics and the concepts of nonmaleficence, beneficence, autonomy, fidelity, justice and veracity. (Module 1)
- Explain the various theories that promote ethical behavior. (Module 1)
- Recognize individual and cultural differences in the provision of ethical practice. (Module 1)
- Understand decision-making approaches in medical ethics and reflect upon personal and professional values and their impact on ethical decision-making, including APTA Core Values. (Module 1 & 3)

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Course Objectives

- Introduce the Principles in the APTA Code of Ethics for the Physical Therapist, Standards of Ethical Conduct for the Physical Therapist Assistant, and APTA Guide for Professional Conduct. (Module 2)
- Identify practical steps of two models for ethical case understanding and resolution. (Module 3)
- Apply concepts of ethical practice to clinical scenarios to determine appropriate ethical behavior. (Module 3)

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Module 1: Ethical Definitions & Theories

- Define the meaning of ethics and the concepts of nonmaleficence, beneficence, autonomy, fidelity, justice and veracity.
- Outline some theories that organizes ethical thought.
- Recognize individual and cultural differences in the provision of ethical practice.
- Understand decision-making approaches in medical ethics and reflect upon personal and professional values and their impact on ethical decision-making including APTA core values.

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Ethics: Definitions

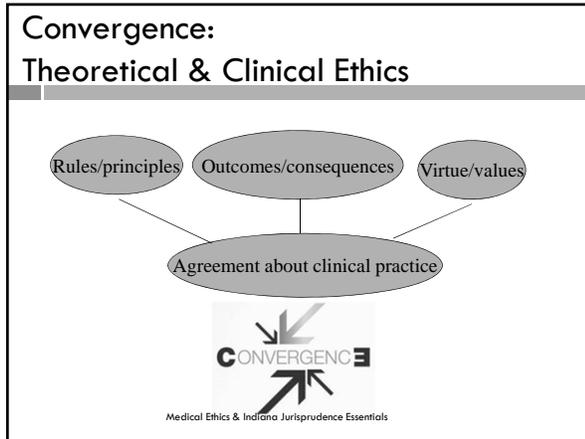
A Theoretical Framework-

- **Morality:** human conduct and values; right vs. wrong. Personal, societal and group morality
- **Ethics:** systematic reflection on morality
- **Ethical conflict:** when duties, values or goals conflict
- **Ethical dilemma:** principles or values suggest two or more courses of action
- **Compliance issue:** what is right is clear; unclear whether or not professional will comply



Purtilo

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- ### Duties, Rights and Obligations
- Deontological approaches
 - From Greek for 'duty,' from a higher order
 - Duties involve actions in response to claims on you (self-imposed or imposed by others); doing the right thing
 - Four principles:
 - Autonomy
 - Beneficence
 - Non-maleficence
 - Justice
- 
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- ### Four Principles Approach
- Autonomy – the capacity to think, decide and act freely and independently (self-determination); includes doctrine of informed consent
 - Beneficence – foster the interests of other persons; bring about positive good
 - Non-maleficence – refrain from harming others
 - Justice – to act fairly, distribute benefits and burdens equitably, resolve disputes by fair procedures
- Beauchamp and Childress*
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Outcomes/Consequences

- **Teleological** approaches
- From Greek word for 'end' – the end justifies the means
- Ex. Utilitarianism – take the action that involves the greatest good for the greatest number



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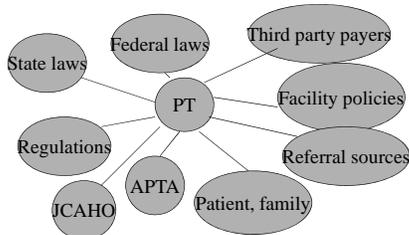
Context, Environment and Situation

- Some ethicists argue that the failure of biomedical ethics is rooted in an inability to understand the clinical context and relationships
- What factors/agencies influence the practice of physical therapy?



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Contextual Aspects of Physical Therapy Practice



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Narrative Ethics

- Focus on developing a shared understanding of the meaning of the illness experience and the patient's story within the patient-health professional-family relationships to enhance the healing potential of the encounter



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Individual/Cultural Differences

- 'Individualistic' (Euro-American) □ 'Collectivistic' (all others)
 - Individualism/privacy
 - Personal control
 - 'Doing'
 - Competition
 - Values youth
 - Equal sexes
 - Human equality
 - Informality
 - Group welfare
 - Fate
 - 'Being'
 - Cooperation
 - Values elders
 - Unequal sexes
 - Hierarchy/rank
 - Formality

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Individual/Cultural Differences

- Culture will impact:
 - Autonomy
 - Health beliefs
 - Communication
 - Touch, dress
 - Current distress
 - Gestures, eye contact, personal space
 - Major language
 - Literacy
 - Symptom management
 - Family relationships

Lipson, Dibble & Minarik

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Values

- Cut across all categories of ethical analysis
- Cognitive, affective and directive dimensions
- Important to reflect upon our values to discover our underlying biases, to recognize conflicting values, to assist patients in affirming their values, to establish consensus about professional values and to ensure that suggested policies, procedures, rules and regulations reflect sound ethical professional values



Personal Values Reflection

- Sample Personal Values:
 - Protect environment
 - Honest
 - Honoring parents, elders
 - Respect for tradition
 - Social order
 - Successful
 - Curious

Nosse, Friberg and Kovacek

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APTA Core Values



- Accountability
- Altruism
- Compassion/Caring
- Excellence
- Integrity
- Professional Duty
- Social Responsibility

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Values Self-Assessment Tool

APTA Core Values:
Self-assessment for the PT (2004)

Values-based Behaviors for the Physical Therapist Assistant:
Self-assessment for the PTA (2010)

(Documents available on APTA website):
<http://www.apta.org/Policies/CoreDocuments/>

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Module 2: Code of Ethics

Interpret and apply the APTA Code of Ethics for the Physical Therapist, Standards of Ethical Conduct for the Physical Therapist Assistant, and APTA Guide for Professional Conduct

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VALUES APPLICATION: APTA CODE OF ETHICS & STANDARDS OF ETHICAL CONDUCT



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Purposes of Professional Codes of Ethics

- Articulate moral vision and self-understanding of the profession
- Educate and provide guidance to members of the profession in ethical decision-making and conduct
- Promote the “social contract,” public accountability and societal expectations

Swisher and Hiller

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APTA Code of Ethics

- Reflects multiple roles of PT:
 - Patient/client management
 - Consultation
 - Education
 - Research
 - Administration

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APTA Code of Ethics

- Provides guidance for expanded responsibilities of PT related to autonomous practice
- Addresses complexities of contemporary health care environment
- Captures contemporary notion of relationship of PT and PTA to other health care providers



APTA Code of Ethics

- Applies to all therapists/assistants – APTA members and non-members
- INAPTA/APTA can only investigate and/or discipline *members* regarding ethical complaints/violations
- In contrast, the Code of Ethics can be introduced into a court of law to establish a Standard of Care

Scott

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Code Structure



- Includes core values of the profession
- Takes into account the realms of ethical action (individual, organizational, societal)
- Articulates obligation to demonstrate evidence-based practice

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Code Preamble

- “Fundamental to the Code of Ethics is the special obligation of physical therapists to empower, educate, and enable those with impairments, activity limitations, participation restrictions, and disabilities to facilitate greater independence, health, wellness and enhanced quality of life”



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Categories of Principles

- Principle 1 – Respect for inherent dignity and rights of all individuals
 - Core Values: Compassion, Integrity
- Principle 2 – Trustworthy and compassionate in addressing needs of patients/clients
 - Core Values: Altruism, Compassion, Professional Duty
- Principle 3 - Accountability for sound professional judgments
 - Core Values: Excellence, Integrity

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Principles - continued

- Principle 4 – Demonstrating integrity in relationships
 - Core Value: Integrity
- Principle 5 – Fulfilling legal and professional obligations
 - Core Values: Professional Duty, Accountability



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Principles - continued

- Principle 6 – Enhance expertise through lifelong acquisition of knowledge, skills and abilities
 - Core Value: Excellence
- Principle 7 – Promotion of organizational behaviors and business practices that benefit patients and society
 - Core Values: Integrity, Accountability

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Principles - continued

- Principle 8 – Participate in efforts to meet health needs locally, nationally, globally
 - Core Value: Social Responsibility



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Standards of Conduct for the Physical Therapist Assistant

- 8 standards which mirror the Code of Ethics principles:
 - Standards 1, 2, 4, 5 and 8 are identical to Code of Ethics language

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Standards of Conduct for the Physical Therapist Assistant

- Standard 3 provides that PTAs shall collaborate with the PT in making sound clinical decisions
- Standard 6 requires PTAs to enhance their competence through lifelong acquisition of knowledge, skills and abilities
- Standard 7 requires that PTAs support organizational behaviors and business practices that benefit patients/clients and society

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Module 3: Ethical Decision-making

- Identify practical steps of two models for ethical case understanding and resolution
- Apply concepts of ethical practice to clinical scenarios to determine appropriate ethical behavior (Live and Online formats)
- Assess current practices to ensure ethical conduct. Differentiate between legal and ethical principles in analyzing ethical dilemmas and/or case scenarios

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So How Do We Reach A Decision In A Particular Case?



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Ethical Decision-making Processes

- 6 step Model: Swisher and Krueger-Brophy
- RIPS Model: Kirsch and Swisher



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Six Steps in Ethical Decision-making

- Gather relevant information
- State the ethical question
- Apply ethical approaches: consider legal, societal and contextual influences; duties, rights and obligations of legitimate stakeholders
- Explore alternatives
- Choose and implement course of action
- Evaluate process and outcome – additional information needed, biases/assumptions, strengths/weaknesses of action selected



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RIPS Model (Realm-Individual Process-Situation)

- 1. Recognize and define issues
- 2. Reflect
- 3. Decide
- 4. Implement, evaluate and reassess

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RIPS Model – Step 1: Recognize and Define Issues

- “Quick screen” to define realm, individual process and type of situation. Directs your further ethical analysis and action.



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Realm

- **Individual:** concerned with good of the patient; focus on rights/duties/relationships
- **Institutional/organizational:** concerned with good of the organization; focus on structures and systems to meet organizational goals
- **Societal:** concerned with the common good

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Individual Process

- Moral **sensitivity:** recognizing, interpreting, framing ethical situations
- Moral **judgment:** deciding between right and wrong actions
- Moral **motivation:** prioritizing ethical values over financial gain or self interest
- Moral **courage:** implementing chosen action despite adversity



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Ethical Situation

- **Problem or issue:** situation in which moral values are being stressed or challenged
- **Temptation:** choice involves relinquishing gain
- **Distress:** structural barrier to implementation
- **Dilemma:** two or more right courses of action
- **Silence:** lack of communication despite challenge to ethical values



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RIPS Model – Step 2: Reflect

- ❑ Facts and contextual information
- ❑ Stakeholders
- ❑ Consequences (intended and unintended)
- ❑ Laws, duties, obligations, principles
- ❑ Professional resources
- ❑ 5 tests for right versus wrong



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5 Tests for Right vs. Wrong

- ❑ Legality: Is it legal?
- ❑ Mom: Is it something my mom would do?
- ❑ Headline: How would I feel if this were in the headlines?
- ❑ Stench: Does it “feel” wrong?
- ❑ Professional Ethics: Does it violate APTA guides for professional conduct or core values?

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RIPS Model – Step 3: Decide

- ❑ Apply ethical approaches:
 - ❑ Rule based: follow the principle you want everyone else to follow
 - ❑ Ends based: greatest good for the greatest number
 - ❑ Care based: apply golden rule: do unto others as you would have them do unto you

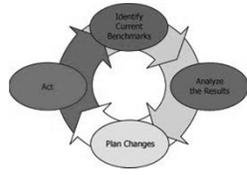


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RIPS Model:

Step 4: Implement, Evaluate, Re-assess

- Implementation plan and barriers
- Policies and procedures in need of revision
- Outcomes and lessons
- New ethical situations to be addressed



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Case Applications

- Sarah is applying for a temporary PT license. She had a few criminal offenses, in her "wild" college days; does she need to declare these on her application?
- You realize you inadvertently treated a patient for 2 additional visits, although his physician discontinued his PT services; what should you do?



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