

(Ethical) Decision Making Model Clinical Setting

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What do you expect from a decision making model?



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1 (Ethical) Decision Making: when is it needed ?

- Disagreement between members of medical team
- Disagreement between members of medical team and patient / proxy etc
- Or uncertainty..



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Example:

Vote 2004
stem cell
research
yes or no?



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Mehr Moral
und keine Lizenz
zum Töten für
Forschung und
Pharmaindustrie!

NEIN
zum Stammzellenforschungsgesetz

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Levels of Ethical Reflection for Decision Making

1. Individual Ethics
 - The reflection on the moral principles that should guide us as individuals
2. Institutional / Organizational Ethics
 - A University, scientific community, hospital
3. Social Ethics
 - The collective, societal responsibility; how to act for the good of the whole, the principles of a fair and just society

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Dimensions of Decision Making

- **Procedural:** how decision should be made
- **Substantive:** what arguments form reasonable basis for decision making?

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Dimensions of Decision Making

- The procedural dimension: what steps, structures, processes, with the involvement of which stakeholders, what rules of communication should be applied
- THIS IS THE FOCUS OF MY INPUTS

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Example:

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stem cell
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yes or no?



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Dimensions of Decision Making

- Substantive normative dimension: What theory/theories should be applied?

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Elements of Decision Making Process

1. Recognize problem as needing (also) ethical reflections. Formulate spontaneously what the problem is
2. Medical history; feasible options from ONLY medical point of view?
3. Who are the stakeholders (those who are affected by and can affect the situation and the decision)
4. Analyze stakeholder's roles; use "perspective" analysis
5. Draw these inputs together; can we answer the question: Who Wants what .. In which role..Why..?
6. Evaluate and reflect using ethical
7. Formulate a judgment and a decision. Justify the decision
8. Make recommendation. Obtain informed consent for the intervention

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1. Recognize the problem as being one that needs (also) ethical reflections. Formulate spontaneously what the problem is; what is the decisions about



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2. Medical background

- history; what decisions have been taken; how, why
- diagnosis; acute; chronic; critical; reversible, irreversible
- prognosis
- current physical suffering of patient (medical opinion)

What are the feasible options from a medical point of view - which treatments indicated (which not)

- EBM
- expected outcomes benefits, risks
- more diagnostics available / sensible?
- palliative options
- cessation of treatment



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3. Who are the stakeholders (those who are affected by and can affect the situation and the decision)



Stakeholders

- Scientists
- Future patients
- pharmaceutical research
- Universities
- Physicians
- 'public'
- Swiss government
- Catholic Church
- Green Party

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4. Think about the esp. individual stakeholder's (possibly various) roles; "perspective" analysis

For example:

- One 'stakeholder' can have roles in different 'perspectives' that can make conflicts i.e. – caring wife of terminally sick husband, mother, and distressed angry human, christian...

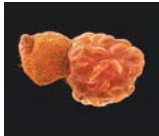
- ❖ Perspective of individuals (their needs, personal values, priorities, fragilities): patient, spouse, physician..
 - A) seen from outside
 - B) according to the person him/ herself
- ❖ Perspective of relationships central to the problem
- ❖ Institutional perspective; codes, culture..
- ❖ Professional perspectives
- ❖ Community perspective i.e. religions, political parties
- ❖ Duties of society to individuals and our duties to society;
- ❖ The Economy as "stakeholder"

PHYSICIAN

- ❖ as individual (needs, personal values, priorities, fragilities)
 - A) seen from outside
 - B) according to him/ herself
- ❖ physician as part of relationships
- ❖ physician as member of an Institution with codes, culture..
- ❖ physician as professional
- ❖ as muslim, christian
- ❖ as citizen
- ❖ as budget responsible: private /business

5. Draw these inputs together; can we answer the question : Who wants what ...in which role ...why..?

5. Positions in vote on stem cell : can we answer the question : Who Wants what .. Which role Why..?



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Abstimmung: Nein zur Embryonalforschung
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Who: Stakeholders

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Want What, Role, Why

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6. Evaluate and reflect on feasible medical options and "who wants what, in which role, and why..?"

- using principles /theories to think what about what is it that we should do?



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Ethical Theories (principles, approaches derived therefrom)

- An ethical theory: a framework for analysis, with the help of which the various options to resolve the open questions, conflict or dilemma can be evaluated
- Theories are instruments that help organize complex information, conflicting values and interests

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Choosing Theories

The Role of Theories; Ethical Pluralism as Best Approach?

- "Different moral theories help develop our moral perceptual capacities in complementary directions. No single theoretical perspective will suffice to capture all of the morally relevant aspects [of a particular issue] ...thus, when approaching complex issue, we should actively seek out moral perspectives that help to identify and explore as many moral dimensions of the problem as possible."

Quote: Sherwin

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1. Rights Approach: how an option affects rights
2. The Common Good Approach; solidarity
3. The Virtue Approach

4. Principlism

- Nonmaleficence: duty not to inflict harm
- Right to have autonomy respected
- Beneficence: duty to positively contribute to the welfare of others
- Justice refers to the fair, equitable, and appropriate treatment in light of what is due or owed to person



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OPTIONS:

No research
Allow all research
Regulating research



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Abmängigen: Wert zur Embryonenforschung
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WHO	WANTS WHAT	ROLE	WHY?
Stakeholder future patient / lobby	Vote yes to support research	As individual qua individual, genetic connectio n	Priority value : being healed valued more than moral status of embryo
Stakeholder with religious beliefs.	Rejection of vote: no to research	Member of church	WHY? Moral status of embryo high value

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1. Rights Approach: how an option affects rights
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WHO	WANTS WHAT	WHY?	ETHICAL BASIS:
Stakeholder future patient / lobby	Vote yes to support research	healing given higher value than status of embryo	BENEFIT, CONSEQUENCE
Stakeholder with religious beliefs.	Rejection of vote: no to research	WHY? Moral status of embryo high value	ETHICAL BASIS: RIGHTS OF EMBRYO

Weigh
up with:

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7. Formulate a judgment and a decision. Justify the decision.

8. Make recommendation. Obtain informed consent for the intervention / action



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