

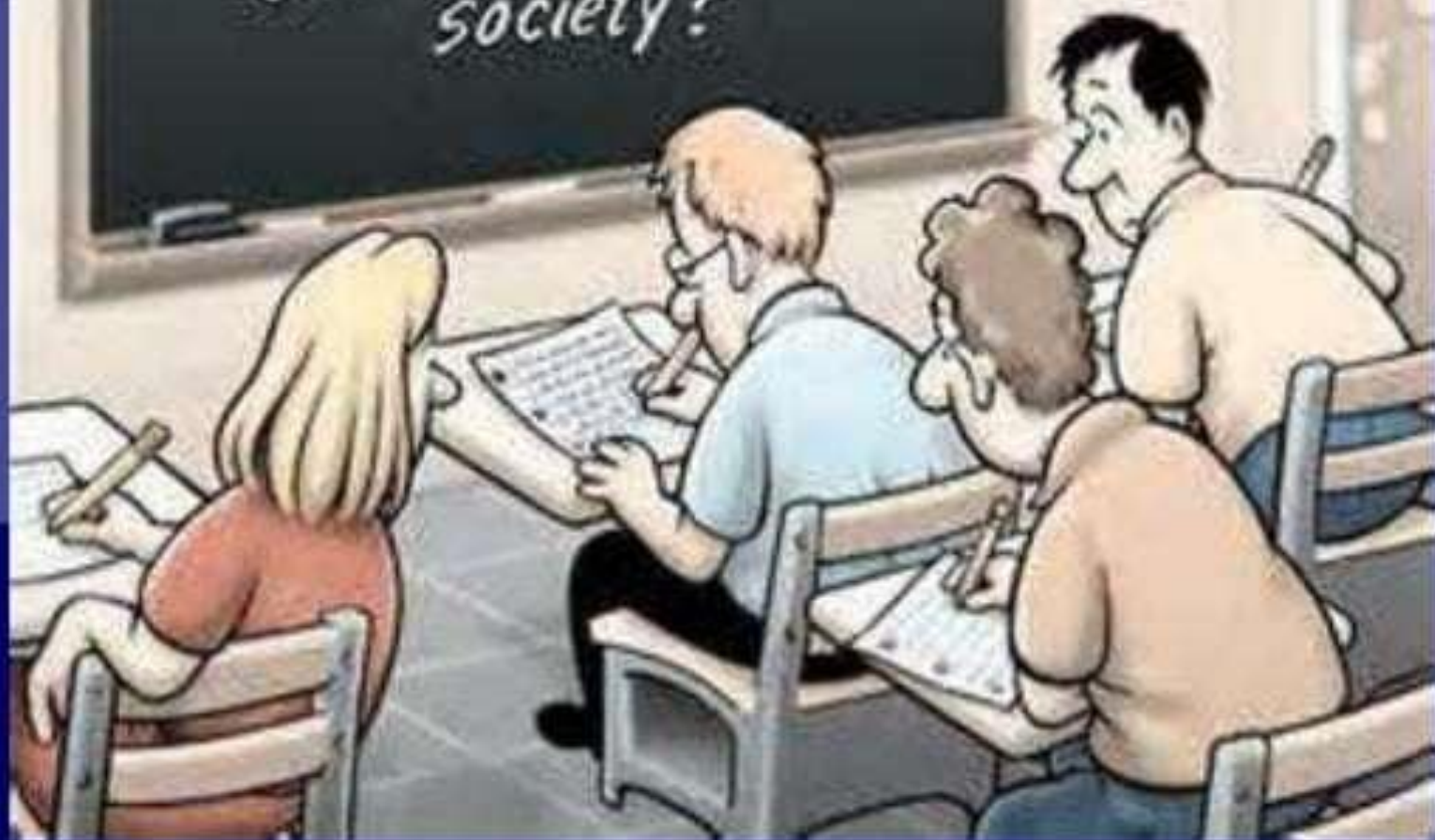


# Medical Ethics

By

Prof. Dr. Ashim Kumar Barua

How important are  
ethics in today's  
society?



ACUPON

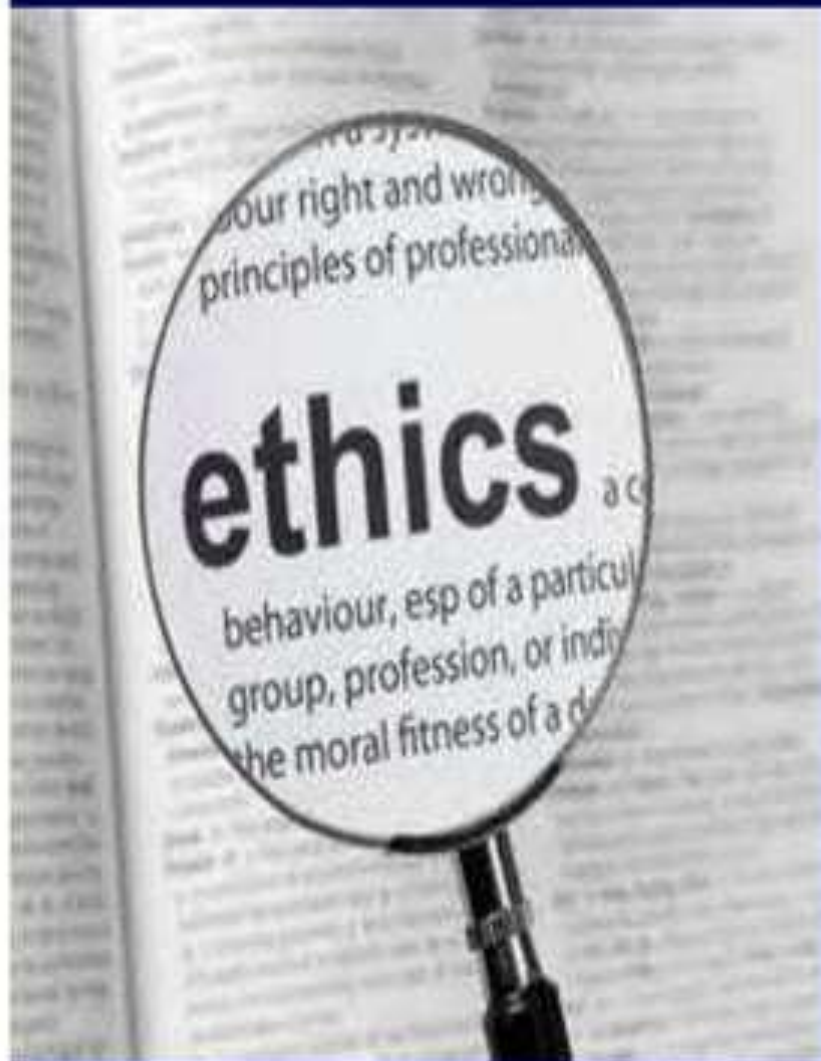
I'm prescribing this special,  
rare herb you can't get  
anywhere else, it's only \$60!



CHADWICK









## Learning Objectives & Intended Outcomes



## Learning Objectives

# Good Concepts of Medical Ethics



Background Concepts and components



National recommended guidelines



Code of Medical Ethics  
Components (essential)





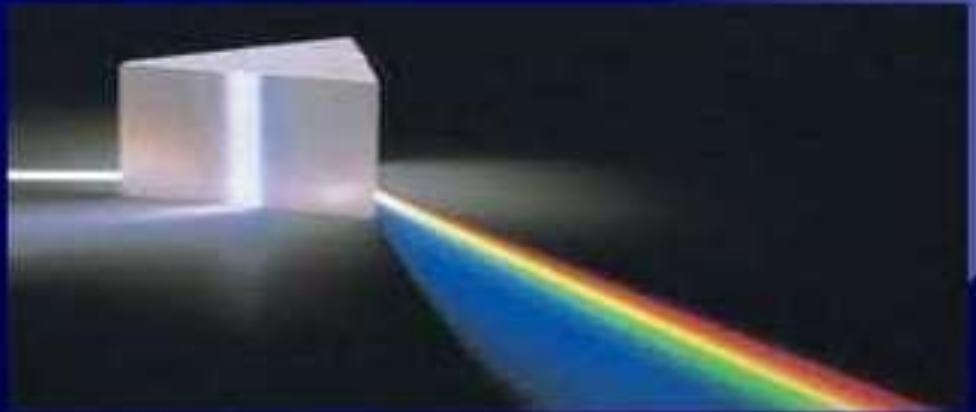
# Intended outcomes



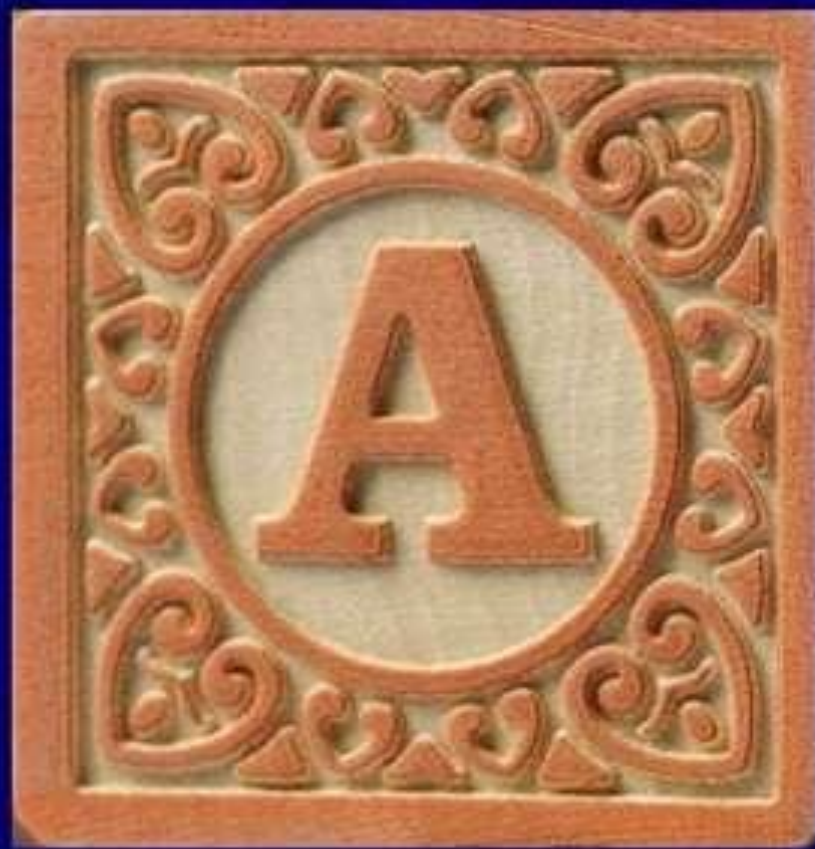
# Learning Outcomes

To have good understanding of:

- ☀ Core concepts of medical ethics terminologies
- ☀ The International code of medical ethics
- ☀ Ethics and law







# Background Concepts & Components

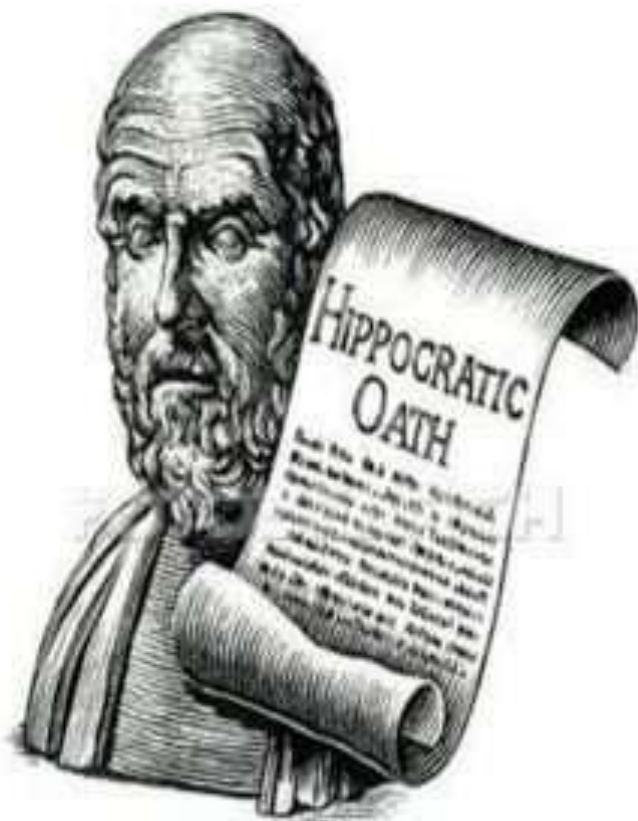




# Background

- Ethics in relation to the practice of medicine had continuity from the time of Hippocrates

460-377 BC → 1970s → 2015



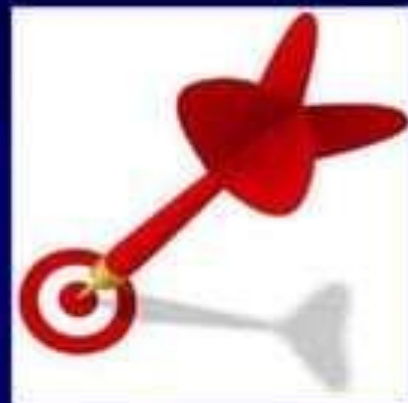
# Background



- ✱ The physician-patient relationship
- ✱ Moral obligations of beneficence and non-maleficence.
- ✱ In the 1970s developments such as in vitro fertilization (IVF) created concerns about the adequacy of these long-established moral obligations.



# Background



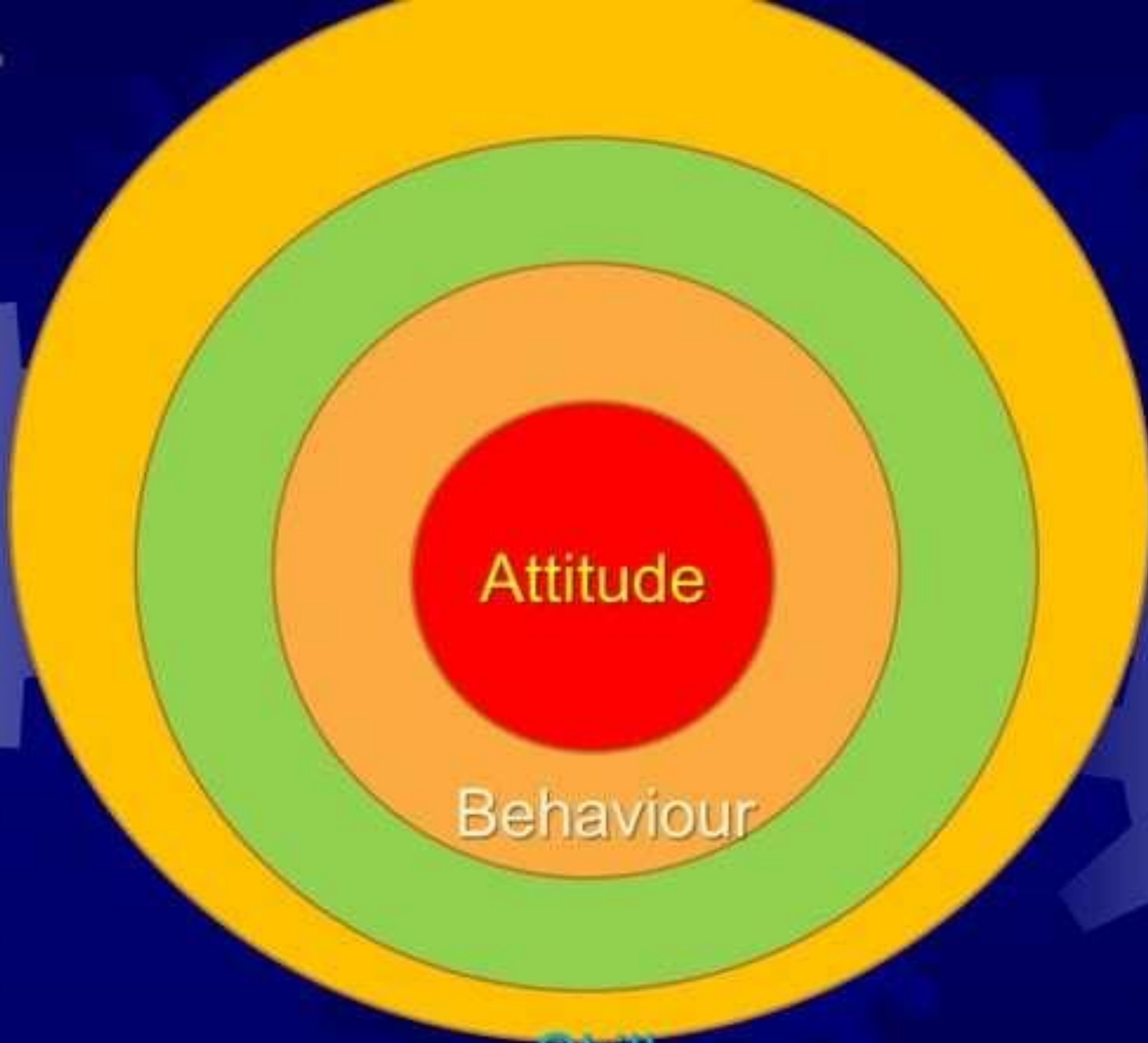
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- ✱ In the 1970s developments such as in vitro fertilization (IVF) created concerns about the adequacy of these long-established moral obligations.

# Background



- Helsinki Declaration (1964) on the protection of human subjects had influence on the establishment of **ethics committees** worldwide
- shift toward focusing on the moral obligation of respecting **informed consent** of research subjects
- GMC → Good medical practice (2013)





Attitude

Behaviour

Skill

Knowledge (cognition)

# Attitude



A hypothetical construct of like or dislike (expression of favor or disfavor) toward a person, place, thing, idea or event.





# Behaviour



**behaviour** is the range of actions and mannerisms made by organisms, systems, or artificial entities in conjunction with their environment







**Ethics** are standards of conduct (or social norms) that prescribe behavior.

The term ethics derived from Greek word 'Ethios' means custom or habit.







## ☀ **Medical Ethics:**

Means the moral principles that should guide the members of the medical profession in course of their practice of medicine and their dealings with their patients, their relatives, the community and with other professional colleagues. Without proper knowledge of medical ethics, a doctor might find himself entangled in litigation, defamation by the public or get involved in medico-legal problems in his professional career.



B



# Medical ethics recommended guide lines

## Essential rules of international **health** organizations

Medical-ethic guidelines regarding different questions:

1. Research examinations on men
2. Euthanasia
3. Transplantation
4. Artificial insemination
5. Sterilization, especially the operative sterilization of mentally handicapped persons
6. Medical-ethical committees.



**WORK  
RULES**







# Code of Medical Ethics

- ★ The **nine Principles of Medical Ethics** are the **primary component of the Code**. *They describe the core ethical principles of the medical profession*
- ★ A single Principle should not be read in isolation from others; the overall intent of the nine Principles, read together, guides physicians' behavior.





# Principles of medical ethics



I  
BELIEVE IN  
HUMAN  
DIGNITY

- I. A physician shall be **dedicated** to providing **competent medical care**, with compassion and **respect for human dignity** and rights.

# Principles of medical ethics



- II. A physician shall uphold the standards of **professionalism**, be **honest** in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.



# Principles of medical ethics



**SORRY  
IT'S THE  
LAW**

III. A physician shall **respect the law** and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.

# Principles of medical ethics

**EVERY  
HUMAN  
HAS  
RIGHTS**

- IV. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.





# Principles of medical ethics

v.



A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.



# Principles of medical ethics



- VI. A physician shall, in the provision of appropriate patient care, except in emergencies, be free to choose whom to serve, with whom to associate, and the environment in which to provide medical care.



# Principles of medical ethics



VII. A physician shall recognize a responsibility to participate in activities contributing to the improvement of the community and the betterment of public health.

# Principles of medical ethics



- VIII. A physician shall, while caring for a patient, regard **responsibility** to the patient as paramount.



# Principles of medical ethics

**ACCESS-4-URGENT**  
MEDICAL CARE

- IX. A physician shall support access to medical care for all people.

# Component of medical ethics







# Autonomy

- ☀ The patient has the right to refuse or choose their treatment.
- ☀ *Autonomy can be defined as the ability of the person to make his or her own decisions.*
- ☀ This faith in autonomy is the central premise of the concept of informed consent and shared decision making.

# Beneficence

A practitioner should act in the best interest of the patient.





# Non-maleficence

"first, do no harm"

- ✓ Many consider that should be the main or primary consideration. Much harm has been done to patients as a result, as in the saying, *"The treatment was a success, but the patient died."*
- ✓ It is not only more important to do no harm than to do good; it is also important to *know* how likely it is that your treatment will harm a patient.

ODYSSEY



TRUE STORY

Meryl Streep

*She went looking  
for help*

*What she found  
was a miracle*

*"No film has  
ever been  
closer to  
my heart."*

Meryl Streep

# First<sup>do</sup><sub>no</sub> Harm

A mother's plea. A doctor's oath.

MERYL STREEP PRESENTS FIRST DO NO HARM. WRITTEN BY DEBRA MANN. DIRECTED BY MICHAEL DAWE. CASTING BY DEBRA MANN. COSTUME DESIGNER LINDA LAMLEY. SONO BUTCHER. MICHAEL MANNING. MUSIC BY PHILIP MILLER. EDITOR TERRY STANLEY. PRODUCTION DESIGNER KAREN BRIDGES. EXECUTIVE PRODUCERS PIERRE LEMAY. PRODUCED BY DEBRA MANN. EXECUTIVE PRODUCERS MICHAEL DAWE. PRODUCED BY DAVIDSON.





# Justice

- ☀ Concerns the distribution of scarce health resources, and the decision of who gets what treatment (fairness and equality).



# Respect for persons

The patient (and the person treating the patient) have the right to be treated with dignity.



AN ETHICAL LIFE  
IS BUILT OF INTEGRITY  
HONESTY KINDNESS  
DECENCY &  
BELIEF IN TRUTH  
JUSTICE HONOR  
LOVE RESPECT  
COMPASSION  
AND WORKING  
TOGETHER  
TO MAKE LIFE BETTER



# Truthfulness and honesty



# Euthanasia



Refers to the practice of intentionally ending a life in order to relieve pain and suffering. → mercy killing

The British House of Lords Select Committee on Medical Ethics defines euthanasia as "a deliberate intervention undertaken with the express intention of ending a life, to relieve intractable suffering."





# Informed consent

A person must be fully informed about and understand the potential benefits and risks of their choice of treatment.



# Confidentiality

- ☀ Conversations between doctors and patients. This concept is commonly known as patient-physician privilege.





# Ethics committees

- ☀ These bodies are composed primarily of health care professionals, but may also include philosophers, lay people, and clergy - indeed, in many parts of the world their presence is considered mandatory in order to provide balance.



# Referral

- Doctors who receive income from referring patients for medical tests have been shown to refer more patients for medical tests.



World Health Organization





# Truth-telling



Some cultures do not place a great emphasis on informing the patient of the diagnosis, especially when cancer is the diagnosis.

# Ethics Over view





## To distinguish between Ethics and Law

- (1) Some actions that are illegal may not be unethical → (kill)
  - (2) Some actions that are unethical may not be illegal → (secret)
  - (3) laws can be unethical or immoral → (Nazi's)
- ✓ We use different kinds of mechanisms to express, teach, inculcate, and enforce laws and ethics.





- 
1. The patient has the right to refuse or choose their treatment → **Autonomy**
  2. A practitioner should act in the best interest of the patient → **Beneficence**
  3. “First, do no harm” → **Non-maleficence**
  4. Concerns the distribution of scarce health resources, and the decision of who gets what treatment (fairness and equality) → **Justice**

# Medical Etiquette:

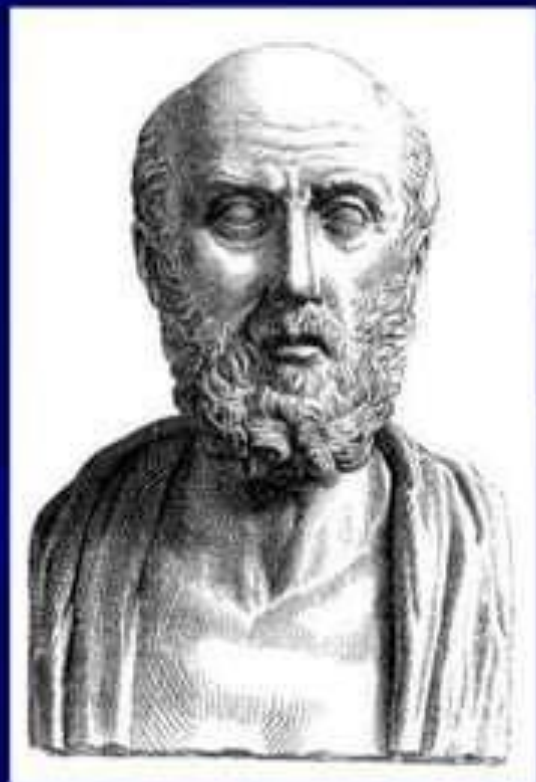
- Means the mutual relationship, sense of courtesy and respect observed between the members of medical profession.
- Accordingly, a doctor should behave with his colleagues, as he would like to have from them. He should treat the colleagues as his brother and therefore, no charge from him or member of his family for professional service.



# Code of Medical Ethics:

- The oldest code of medical ethics is well known to medical and lay person alike, the “**Hippocratic Oath**”,

The Hippocratic oath was pledged by new doctors at graduation ceremonies, though this is now less common.



# Declaration of Geneva

- Following the serious violation of medical ethics by Fascist doctors in Germany and Japan during the Second World War(1939-45),when horrific experiments were carried out in concentration camps, the World Medical Association ( WHO) restated the “**Hippocratic Oath**” in a modern style,This being known as the **Declaration of Geneva**.



# Declaration of Geneva

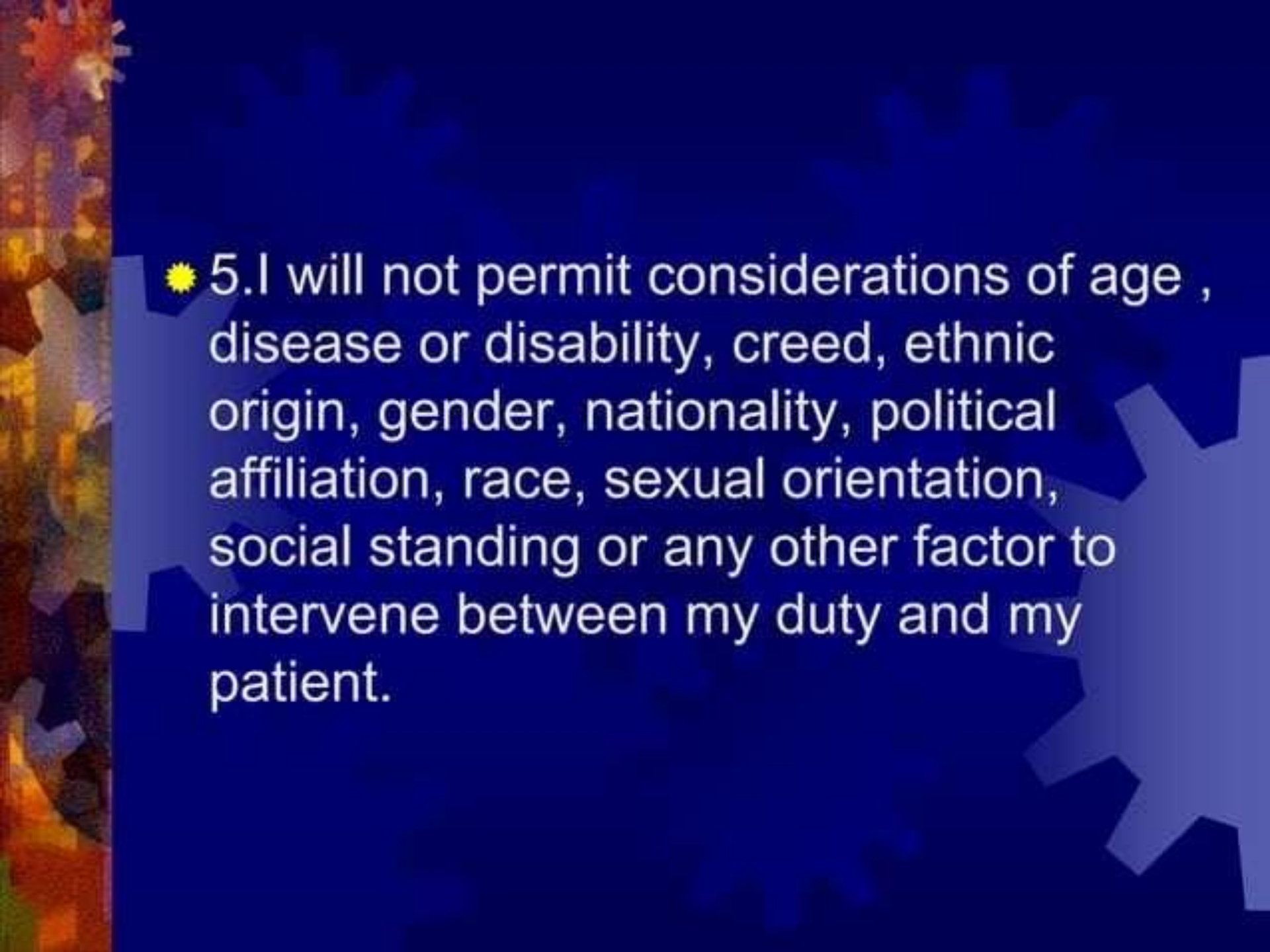
*At the time of being admitted as a member of medical profession;*

1. I solemnly pledged to dedicate my life to the service of humanity.
2. The health and well-being of my patient will be my first consideration.

# Declaration of Geneva

3. I will respect the autonomy dignity of my patient.
4. I will maintain the utmost respect for human life.

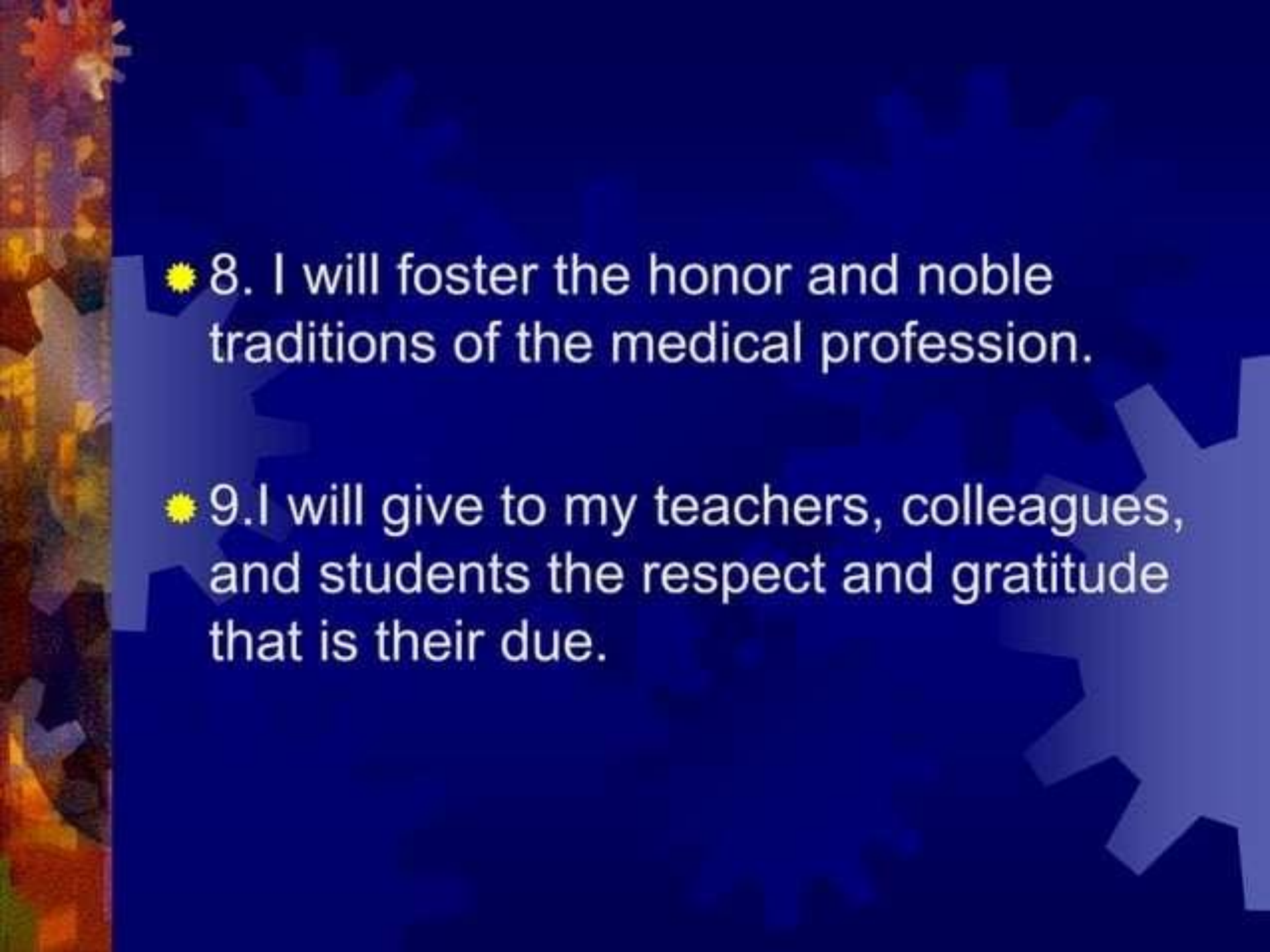


- 
- ☀ 5. I will not permit considerations of age , disease or disability, creed, ethnic origin, gender, nationality, political affiliation, race, sexual orientation, social standing or any other factor to intervene between my duty and my patient.

# Declaration of Geneva

6. I will respect the secrets that are confided in me, even after the patient has died.
7. I will practise my profession with conscience and dignity and in accordance with good medical practice.

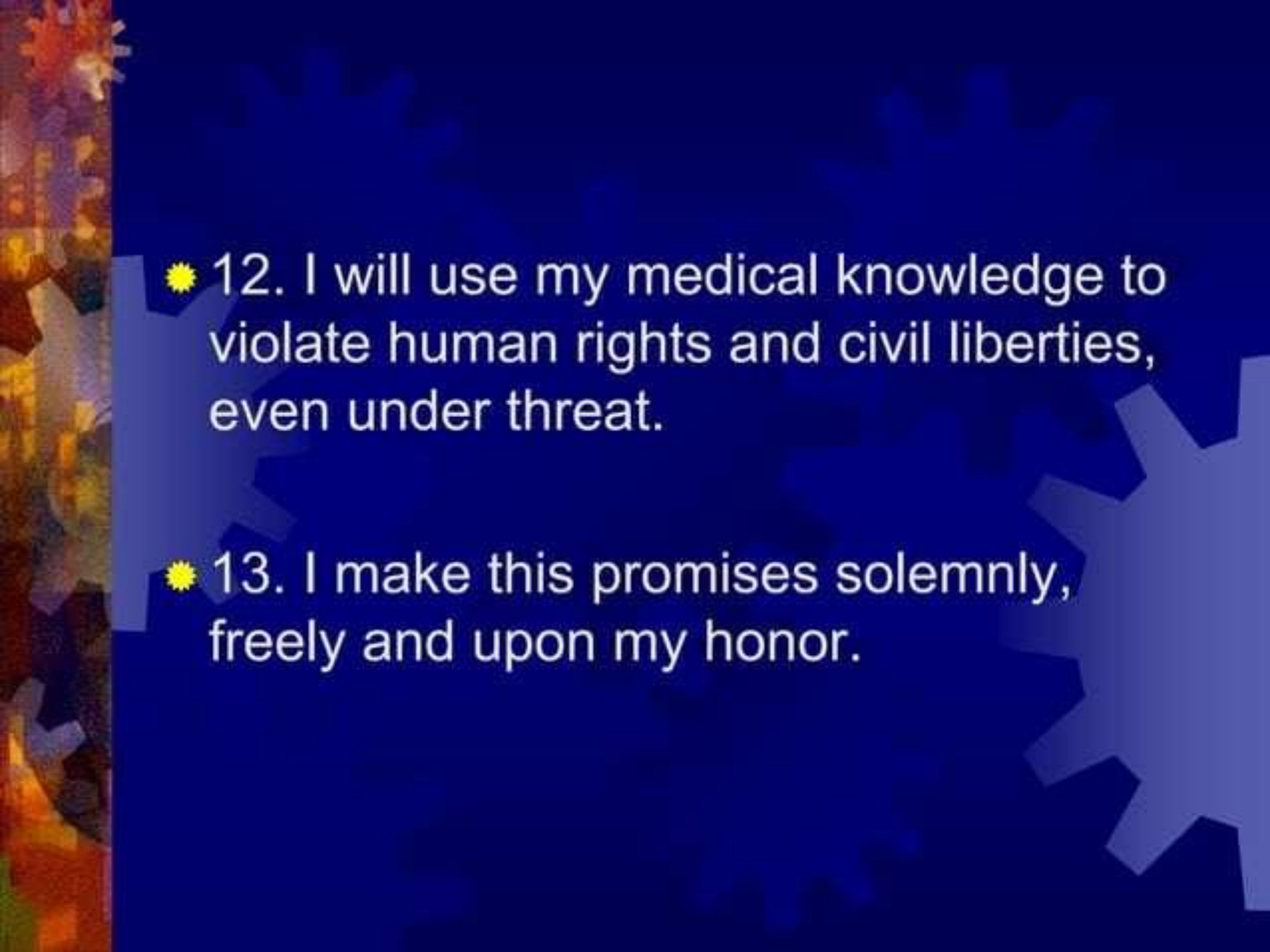


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- 8. I will foster the honor and noble traditions of the medical profession.
  - 9. I will give to my teachers, colleagues, and students the respect and gratitude that is their due.

# Declaration of Geneva

10. I will share my medical knowledge for the benefit of the patient and the advancement of healthcare.
11. I will attend to my own health, well-being and abilities in order to provide care of the highest standard.



- 
- 12. I will use my medical knowledge to violate human rights and civil liberties, even under threat.
  - 13. I make this promises solemnly, freely and upon my honor.

# International Code of medical Ethics

- ✿ From that Geneva Declaration, The International Code of Medical Ethics was derived,
- ✿ The world Medical Association, in its general Assembly in London in October 1949, adapted the following code of ethics, popular as ***International Code of Medical Ethics***. The duties laid down in the International Code of medical Ethics are as follows:



# 1. Doctors duty to the sick

- a. A doctor must always keep in mind the importance of preserving human life from the of conception until death.
- b. A doctor owes to his patient complete loyalty and all the resources of his science. When some examination and treatments beyond his capacity, he should summons another doctor who has the necessary ability.

# Doctors duty to the sick

- c. A doctor owes to his patient absolute secrecy regarding, that which has been confided to him or what he knows by virtue of the patient's confidence on him.
- d. A doctor must give necessary treatment in emergency circumstances, unless he is certain that it can and will be given by others.



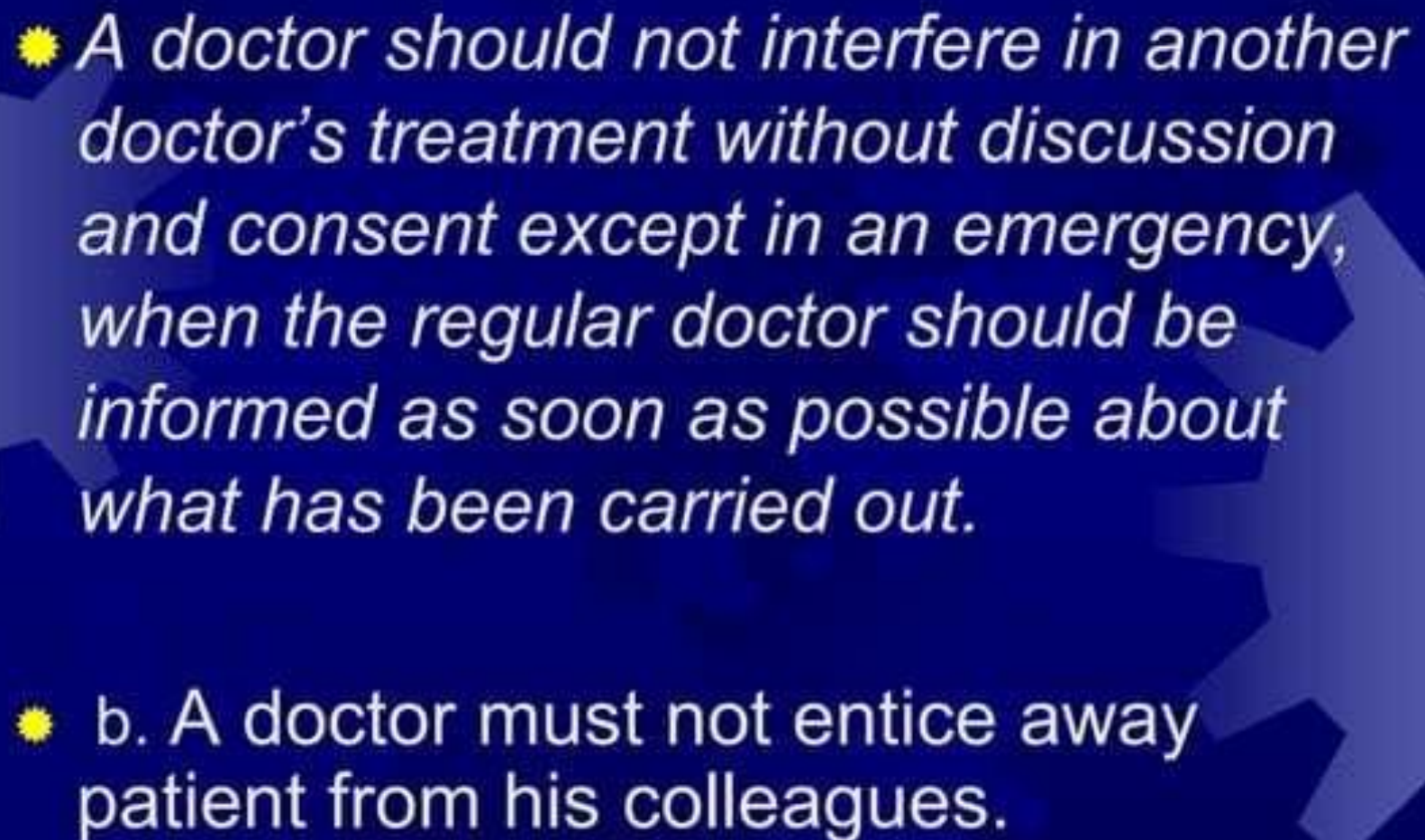
## 2. Doctors duty to another doctor

- ✱ a. A doctor should behave towards his colleagues in a way, which he will like to have from them.



- *Doctor must act reasonably and courteously to each other. Wherever possible, a doctor should not criticize another doctor's judgment or treatment via the patient.*

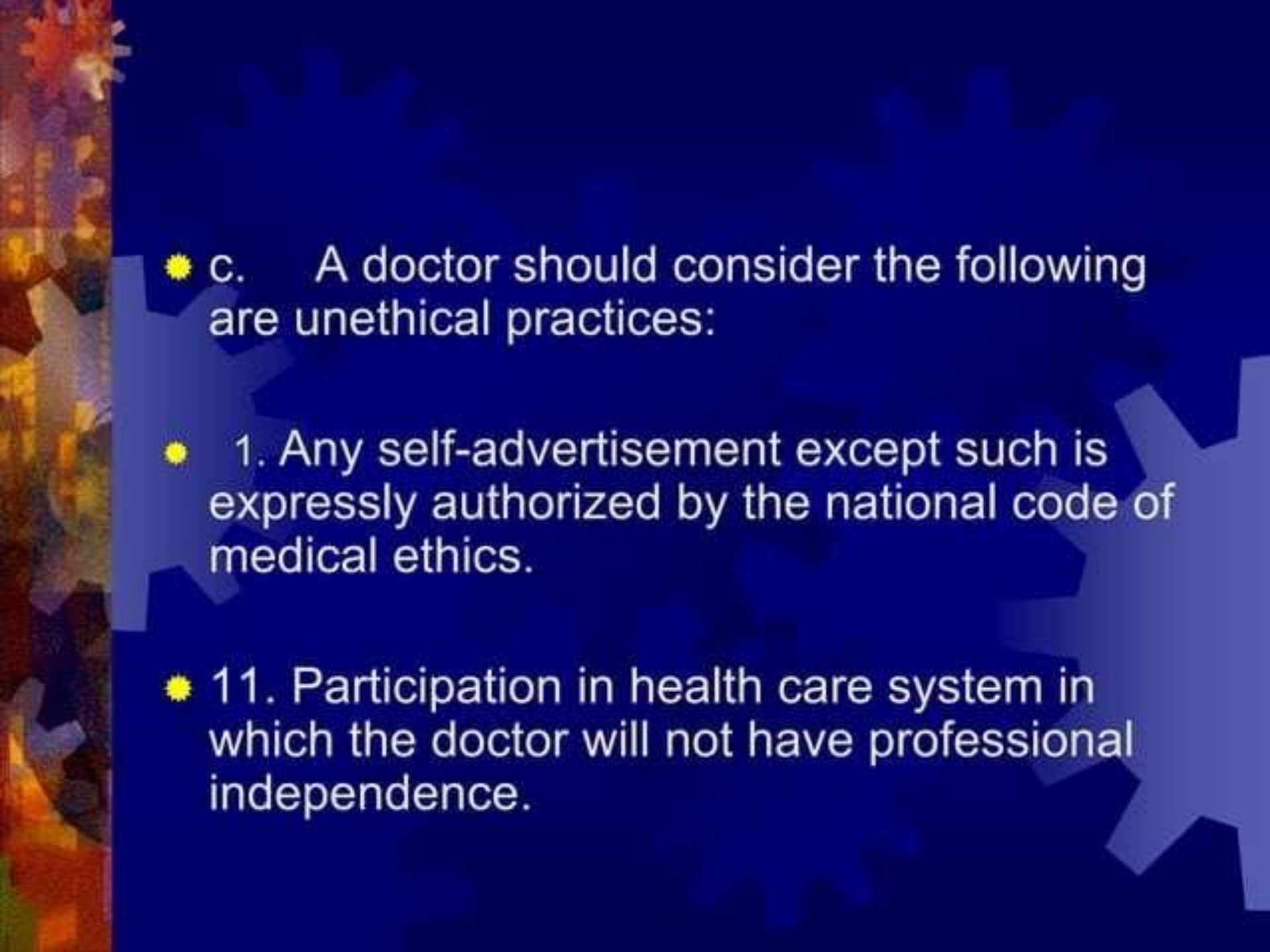


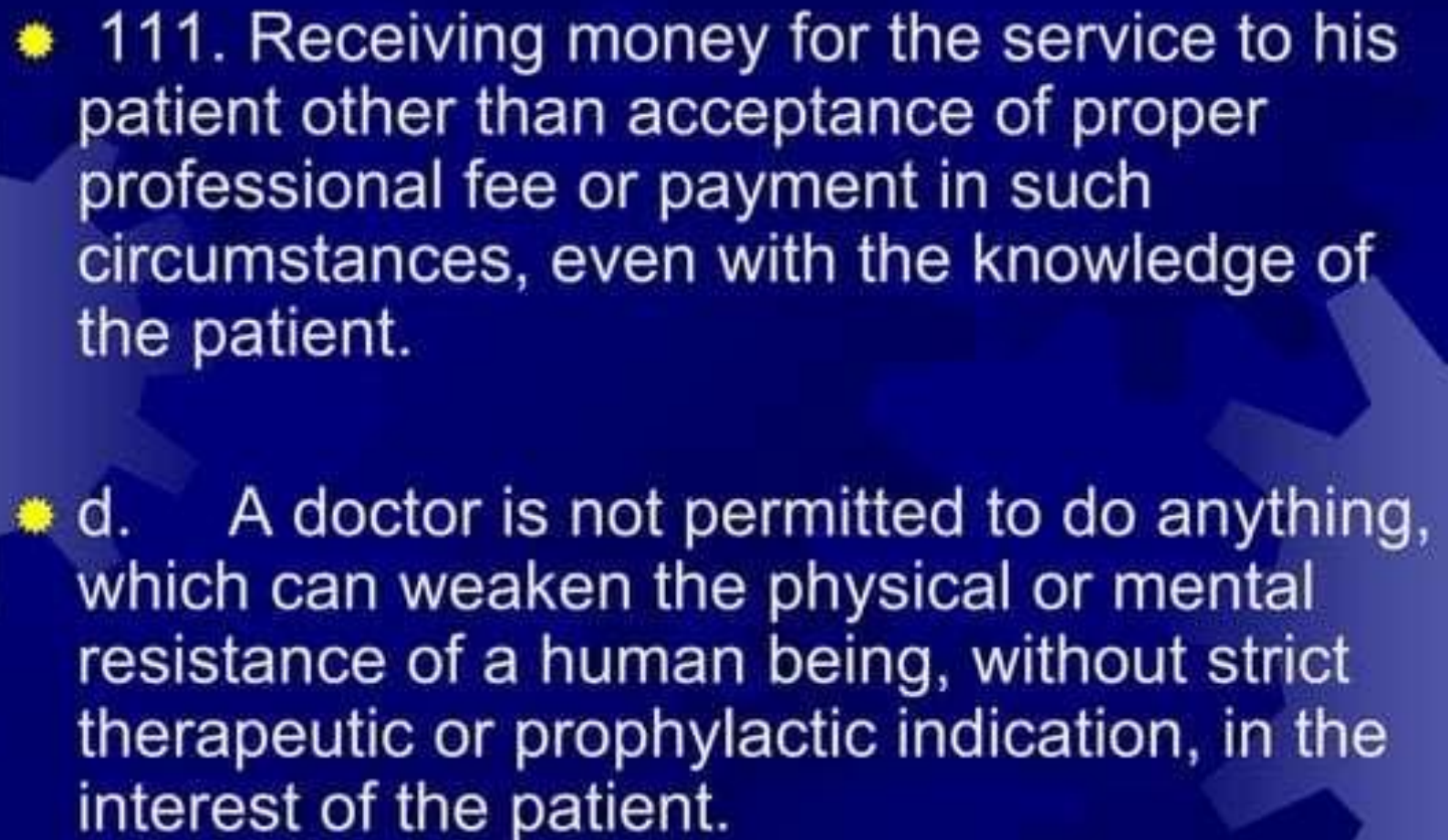
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- *A doctor should not interfere in another doctor's treatment without discussion and consent except in an emergency, when the regular doctor should be informed as soon as possible about what has been carried out.*
  - b. A doctor must not entice away patient from his colleagues.

### 3. Duties of a doctor in general:

- ✱ a. A doctor must always maintain the highest standards of professional conduct.
- ✱ b. A doctor must not allow himself to be influenced merely by motives of profit.



- 
- c. A doctor should consider the following are unethical practices:
    - 1. Any self-advertisement except such is expressly authorized by the national code of medical ethics.
    - 11. Participation in health care system in which the doctor will not have professional independence.

- 
- 111. Receiving money for the service to his patient other than acceptance of proper professional fee or payment in such circumstances, even with the knowledge of the patient.
  - d. A doctor is not permitted to do anything, which can weaken the physical or mental resistance of a human being, without strict therapeutic or prophylactic indication, in the interest of the patient.



## Duties of a doctor in general

- e. A doctor should be careful in publishing his discoveries, particularly in respect of a method of treatment, which not recognized by the professional men.
- f. In case of issuance of a certificate and when required to give evidence he should only mention of what he can verify or prove.


# Penal Erasure or professional Death Sentence

- ✱ Removal or erasure of the name of a doctor from register of BMDC as a disciplinary action is termed *Penal Erasure* or *Professional Death Sentence*.
- ✱ It is a mechanism, which designed primarily to protect the public from unsuitable or even dangerous doctors, as well as having a deterrent and punitive effect upon the medical profession.

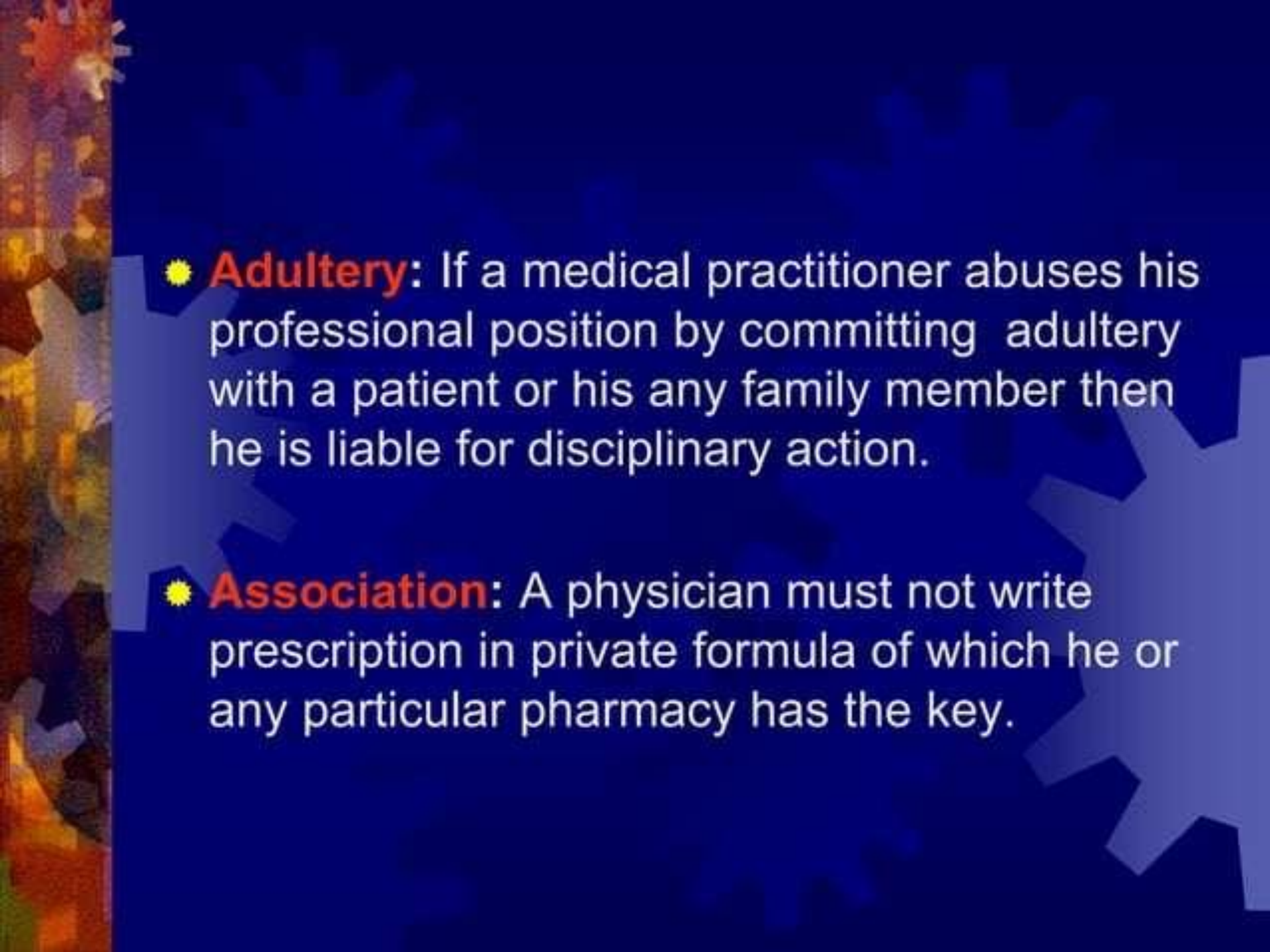


# Professional Misconduct or Infamous Conduct

- ✱ It is an act of a medical man done in the pursuit of his profession, with regard to which it would be reasonably regarded as disgraceful or dishonorable by his professional brethren of good repute and competence, and if that is shown, then it is open to the BMDC that he has been guilty of infamous conduct in professional respect.

- 
- **Abortion:** The illegal termination of pregnancy if notified to the BMDC is almost always an immediate cause for erasure, even on the first occasion.
  - **Alcohol:** Drunken driving or mismanagement of a patient due to drunkenness is the most common cause for erasure.



- 
- **Adultery:** If a medical practitioner abuses his professional position by committing adultery with a patient or his any family member then he is liable for disciplinary action.
  - **Association:** A physician must not write prescription in private formula of which he or any particular pharmacy has the key.

# Advertising

- Solicitation of patent in any form is unethical. He should not associate with any body in any form or manner to advertise or publicize through lay channels for his benefits or benefit of other so as to invite attention to himself, his professional position, skill, qualification, achievements, attainments, specialties, appointments, associations, affiliation or honor.



# Advertising

- A physician can announce in lay or professional press his starting of practice; interruption or restarting it after a long interval, or a change of address, but such an announcement shall not appear more than twice.



# Advertising

- A physician must not exhibit publicly the scale of fees, but the same can be displayed in the physicians consulting room or waiting room.





# Advertising

- ✱ It is improper for a physician to use an unusually large signboard and to write on it anything other than his name, qualification and name or specialty. It is improper to affix a signboard on a chemists shop, or in places where he does not reside or work.

# Advertising

- ✱ Bringing out photograph or case reports of patient in any medical or other journal in a manner by which their identity could be made out, without their permission. If the identity is not disclosed, the consent of the patient is not needed.



# Advertising

- ✱ A registered medical practitioner should not claim to be a specialist unless he has a few years of study and experience or have a special qualification in that branch. Once he claims to be a specialist he should not undertake work outside his specialist even for his friends.

# Advertising

- For any purpose he should not give any approval, recommendation, endorsement, certificate apparatus or appliance or any commercial product or any article with respect of its property, quality of use test, demonstration or trial for use in connection with his name, signature or photograph for advertising through lay channels.





## Fee splitting (Dichotomy):

- ☀ Giving of a commission by one doctor to another for referring, recommending or procuring patient for treatment is known as dichotomy or fee splitting.
- ☀ Fee Sharing:

## False certification:

- ✱ Issuance of untrue, misleading or improper certificates etc, makes the practitioner liable to have his name removed from the Register of the medical council.



## False certification:

- While issuing the certificate, the medical practitioner should keep the signature of the patient and note minimum two his identification marks on the body of the certificate and he should also maintain a register of certificates issued by him and should also keep a copy of the certificate with him.

## Covering

- ☀ Assisting someone who has no medical qualification to attend, treat or perform an operation on some person in respect of matters requiring professional discretion or skill.



# Indecent behavior:



- On the part of a doctor is not a uncommon allegation by female patients, most commonly in general practices, where chaperones are difficult to arrange.



Fig. 4.6: Doctor seducing a female patient

- Doctors may be accused often by more than one female patient of touching breast or genitals, making unnecessary vaginal examinations, or overt sexual advances. As there are rarely any witnesses, corroboration is difficult for the patient and denial is difficult for the doctors.



# LIST OF PROFESSIONAL MISCONDUCTS

(Six As; several Fs, Cs, Ds,)

1. Abortion.
2. Alcohol.
3. Adultery.
4. Addiction.
5. Advertising.
6. Association.
7. False certification

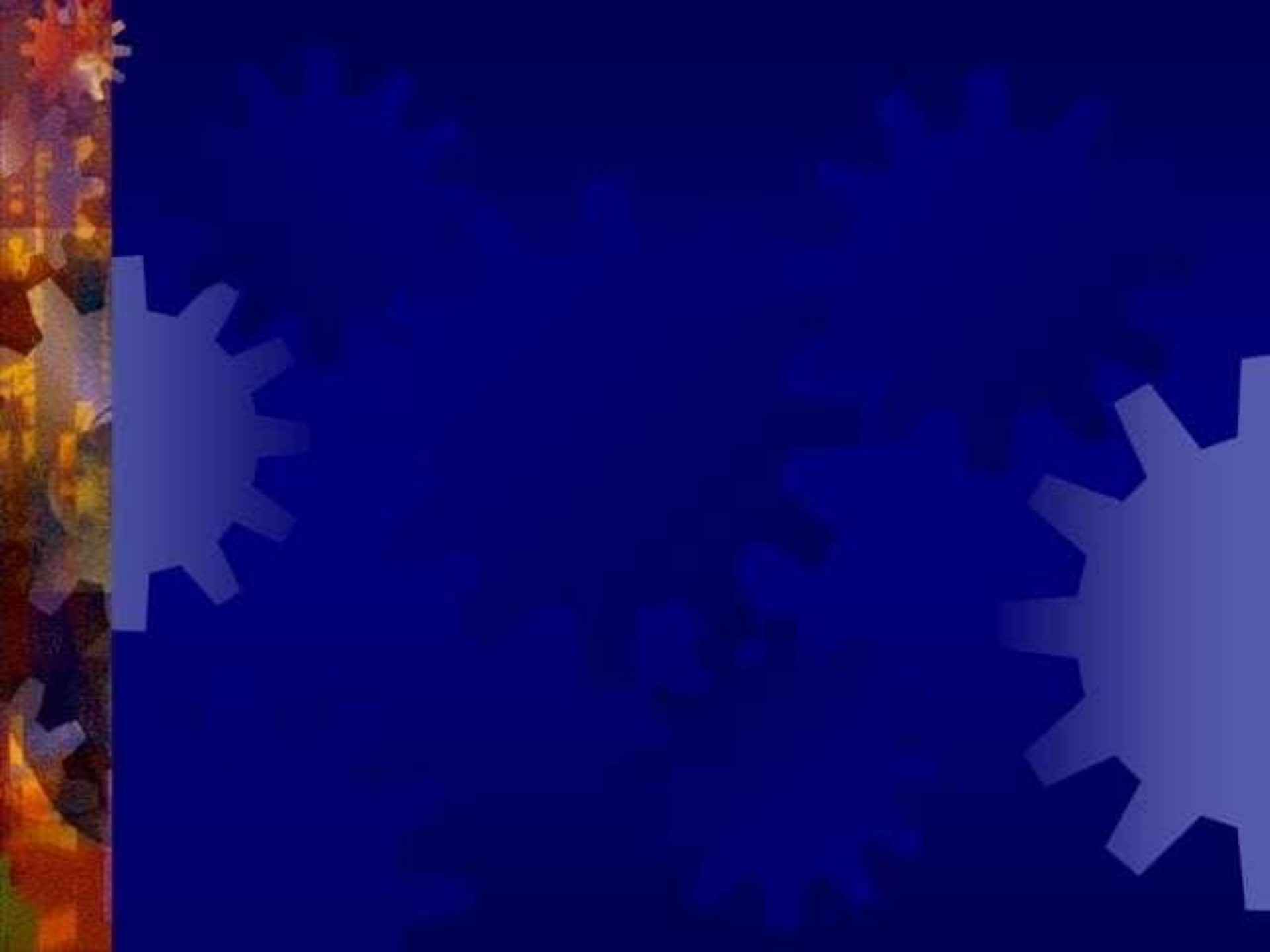
# LIST OF PROFESSIONAL MISCONDUCTS

- 8. Fee splitting. (Dichotomy).
- 9. Failure to attend.
- 10. Fraud and Financial falsification.
- 11. Force.
- 12. Conviction by a court of law.
- 13. Covering.
- 14. Contravention of the Drugs Act.



# LIST OF PROFESSIONAL MISCONDUCTS

- ✱ 15. Disclosing the Secrets of a patient.
- ✱ 16. Withholding from health authorities information of notifiable diseases.
- ✱ 17. Using of touts or agents for procuring patients.
- ✱ 18. Indecent behaviors.





# Thank you

