

# ETHICAL DECISION-MAKING

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# Introduction

- So far, we studied many principles that guide truths on which to base an ethical decisions
- It seems appropriate to use these theories and principles, to consider a system for moving beyond a specific ethical dilemma toward a morally mature & reasoned ethical action

# Introduction

- More and more nurses are finding themselves facing ethical dilemmas as members of hospital administration teams or policymaking bodies within professional organizations or governmental bodies.
- Nurses contribute a highly relevant perspective to discussions and decisions about safe & effective care in these times of change.

# Introduction

- There are many ethical decision-making models that may guide you to move through an ethical dilemma toward an informed decision
- We make ethical decisions by critical thinking

# Critical thinking vs. problem solving

- Multiple possible solutions
- Expected model for bioethics
- One solution
- Naive view of science, trying to find the right answer

# Application of critical thinking in bioethics

- Often (usually) there is no single 'right' answer to a question
- Reaching a particular answer may depend on an individual's values and the premises that he/she builds on those values.

# So.....what is involved?

- can I make a logical step by step argument based on valid premises(arising from my values) and relevant information?

# Are my actions legal?

1. some actions that are illegal may not be unethical. (wearing seat belts)
2. some actions that are unethical may not be illegal. (secret)
3. laws can be unethical or immoral. (Israeli's)
4. we use different kinds of mechanisms to express, teach, and enforce laws and ethics.



# Are my actions legal?

- A man is walking down the street & sees someone fall and injure himself, on the other side of the street.
- He immediately crosses the street outside of the crosswalk to attend to the injured person.
- Are his actions legal? are they moral?
- What if by stepping into the street he causes a car to swerve & to hit another car?

# Are my decisions ethical?

- Shared health care decisions
- Values & principles underlying a reasonable decision making process:
  - 1.the principle of self determination (autonomy)
  2. the principle of well-being (beneficence, non-maleficence)
  3. the principle of Equity (Justice)

# Principles of Ethical Decision Making



# Patients capacity to make rational decisions

- Infants, small children, comatose patients, severely retarded patients and seriously disturbed persons are identified as clearly lacking decision –making capacities
- What about those with border on incapacity?
- Best interests vs. substitute judgment

# Are my actions fair?

- The concept of fairness is highly subjective
- Fair: deserved, equitable, and unbiased
- Requires the decision maker to have a complete understanding of benefits, & liabilities to all parties affected by the decision
- The goal of every decision should be an outcome of relative equity that reflects insightful thought & soundness of intent

# SITUATION ASSESSMENT PROCEDURE

1. Identify the ethical issues and problems
2. Identify and analyze available alternatives for action
3. Select one alternative
4. Justify the selection

# **Situation Assessment Procedure**

# Step 1: Identify the ethical issues and problems

- **First step of assessment & its important ! Why?**
- **BECAUSE** the issues and problems to be addressed are often complex.
- What are the technical & scientific facts & the human dimension of the situation—the feelings, emotions, attitudes, & opinions?
- Understand what values are inherent in the situation.
- Finally, state the nature of the ethical dilemma
- Trying to understand the full picture of a situation is time-consuming & requires examination from many different perspectives, but it is worth the time & effort to understand an issue fully before moving forward in the assessment procedure



## Wright (1987) poses some important questions that must be addressed in this first step:

- What is the issue here?
- What are the hidden issues?
- What exactly are the complexities of this situation?
- Is anything being overlooked?

## Step 2: Identify and Analyze Available Alternatives for Action

- A set of alternatives for action is established
- Important step: Why?
- ✓ Because actions are based most commonly on a nurse's personal value system, so, it is important to list all possible actions for a given situation, even actions that seem highly unlikely
- Without listing possible alternatives, we will not be sure that the full consideration of all possible actions will take place

## Wright's (1987) questions for the second step are as follows:

- What are the **reasonable possibilities** for action, & how do the different affected parties (patient, family, physician, nurse) want to resolve the problem?
- What **ethical principles** are required for each alternative?
- What **assumptions** are required for each alternative, and what are their **implications for future action**?
- What, if any, are the **additional ethical problems** that the alternatives raise?

## Step 3: Select One Alternative (make a decision)

- Now, its time for the skillful decision maker to step back and think again! Reconsider the followings:
- May be to reflect on **ethical theory** & connect that thinking with an **ethical principles** for each alternative
- **Your value system**
- The **profession's values** for the care of others
- **A reasoned & purposeful decision results from the blending of each of these factors.**

# Justify the Selection (act & reflect)

- The **rationale (explanation, reasoning)** on which the decision is based must be shared in an effort to justify the decision.
- Is an **argument** wherein relevant & sufficient reasons for the correctness of that resolution are presented.
- Defending an argument is not an easy task, but it is a necessary step to communicate the reasons or premises on which the decision is based.
- A systematic & logical argument will show why the particular resolution chosen is the correct one.

# Wright's formula for the justification process is as follows:

1. Specify reasons for the action
2. Clearly present the ethical basis for these reasons
3. Understand the shortcomings of the justification
4. Anticipate objections to the justification

# Critical thinking mapping (adapted from Gunn et al)

1. the **issue** presented here is...
2. the **stakeholders** identified are....
3. the **values** that need to be considered are...
4. I feel that these values are **important** because...
5. **my position** on this issue is .....
6. I believe in this position for the following reasons...

# Critical thinking mapping (adapted from Gunn et al)

7. I feel these reasons are good reasons because...

8. Others might feel they are not good reasons because.....

9. I might disagree with them because....

10. Given the above discussion, my final position on the issue would



**Example**

# Case study

- Len has been unwell for many months & finally decides to see his doctor. He has travelled abroad a lot, mostly to Africa. He has been putting off tests because he suspects he has AIDS. After counseling he is tested and diagnosed as HIV-positive. Len starts a course of treatment. Dr. Ghita counsels Len to inform his wife Mary. But Len refuses to let his wife Mary be told even though he knows she may become infected. He is afraid she will leave him if she finds out.
- The doctor , Ghita, is unable to persuade Len to change his mind.
- What should Dr. Ghita do?
- Can / should he inform Mary ?

# SITUATION ASSESSMENT PROCEDURE

1. Identify the ethical issues and problems
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# 1. Identify the ethical issues

- What is the ethical issue here? Or dilemma?
- What are the hidden issues?
- What exactly are the complexities of this situation?
- Is anything being overlooked?

# Issues to consider

- Respect for autonomy, not to disclose without consent (Len's)
- Autonomy of another person is an issue (Mary)..not disclosing the information may cause harm to her and limit her ability to make decision as seeking testing, treatment & lifestyle.
- We need to balance btw benefits & harms of disclosure / non-disclosure leads to consideration of consequences of each action
- The stakeholders are....

## 2. Identify & analyze available alternatives for action

- Sort the issue!
- What are the **reasonable possibilities** for action, & how do the different affected parties (patient, family, physician, nurse) want to resolve the problem?
- What **ethical principles** are required for each alternative?
- What **assumptions** are required for each alternative, and what are their **implications for future action**?
- What, if any, are the **additional ethical problems** that the alternatives raise?

# Analysis/alternatives for actions/ assumptions

Harms for non-disclosure are...

Consequences for not informing Mary ....

- If Mary is HIV + and is aware of the risks and consequences, she'll take steps to get treated...etc
- If Mary was not informed, and find out later, she may lose trust in the doctor or healthcare system

Harms & consequences for disclosure are...

- Len may lost trust in his doctor / stop treatment / be stigmatized/lose his job/ harm others...etc

# May organize your analysis in this matrix

Stakeholder	Wellbeing	Autonomy	Fairness
Len			
Mary			



# 3. Select one alternative

- Take action!
- While making decision, you need to:
  - ✓ balance btw ethics & law
  - ✓ Balancing competing interests & own values
  - ✓ Know the policies at your institution
  - ✓ May consult colleagues
  - ✓ Values involved here are....
  - ✓ These values are to me because....
  - ✓ My position from this issue is....

## 4. Justify your selection

**Justification for privacy** comes from respect for autonomy.

Privacy enhances trust in the physicians (Dr-pt relationship on providing private information)

**Justification for disclosure** comes from preventing harm, right to know & take action to be treated...etc

# Videos

- <https://www.youtube.com/watch?v=5Z3pliTis7w>

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- <https://www.youtube.com/watch?v=dGvX70wbb8>