ETHICAL ISSUES OF PATIENT DATA OWNERSHIP

ABSTRACT

The ethical issues that patients have been subjected to over the years as a result of breach in confidentiality of their data by healthcare sector and technology companies yet technology is still indispensable. In as much as technology is important, majority of patients are unaware or lack trust in the health care system as a result of their health information that are been sold directly or indirectly to third parties. For healthcare system to achieve some milestones, technology needs to be accepted more in the sector. Certain solution needs to be put in place in order to solve this issue that has been a problem between the healthcare sector and their patients.

THE ETHICAL DILEMMA AND SOLUTIONS

It all started years back when computers were introduced to hospital settings and used for administrative and financial purposes. Patients' health record was documented in papers and mostly misplaced along the line or patients subjected to running a particular laboratory test more than once as a result of misplaced document. However, technology was introduced to avoid this clinical error and to have a long-time record of every patient, which has been successful over the years.

Data collection in healthcare is an important tool in order to help provide adequate and appropriate care while improving on the healthcare system but stringent rules have to be put in place to avoid breach in data privacy.

This data collection has been of help to the healthcare system with research and development, over the years which has given the society a trust in the healthcare sector ever since its introduction.

The issue started with technology companies diverting into healthcare with the notion of helping the sector improve how quality healthcare can be given to patients.

However, has these tech companies continue to pivot towards health sector, they haven't been so careful in protecting patient privacy but yet they are still indispensable by the health care sector. Thus, using most of these data for marketing and commercial purpose

which is beyond the patient. There are a number of negative repercussions when hospitals and hospital networks sell patient data to for-profit organizations. First, unauthorized third parties may use patient data for their own gain. Second, when data gathering firms are acquired by other businesses, people could lose control over their data. In these circumstances, the acquiring business obtains access to the patient data and is able to use it without the subject's consent. Third, it's possible that the data that these businesses anonymized and deidentified may be reidentified. Data breaches including patient information may potentially lead to prejudice and targeting of vulnerable groups.

In this situation, patients' data sets may have been compromised, potentially exposing them as individuals. This is where the data breach in patients' data sets in as individuals might be subjected to various issues.

For big tech companies diverting into the health care field is a big advantage for the medical system. Data collected can be worked upon and used to provide new drugs, devices and algorithms to help diagnose disease and also help future patients. It's also an advantage for patients as they can track their health status from the comfort of their homes. To envision the evolution of healthcare without embracing technology seems impossible as the success of healthcare in this era depend mostly on technology.

Considering the advantages that these sectors will have in the healthcare system, it's a good option for healthcare system to collaborate with the big tech and also tech startup's that are interested in health care.
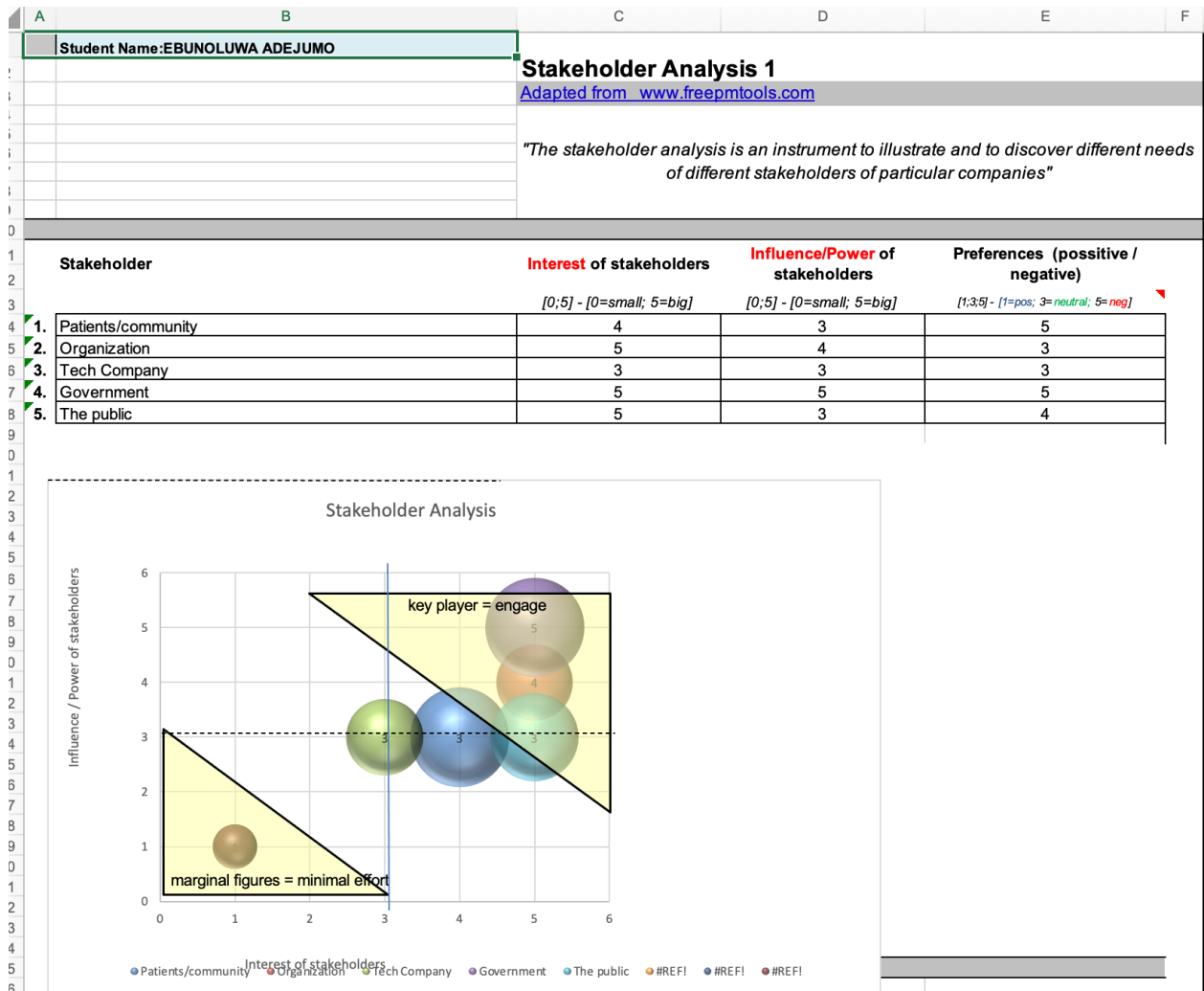
However, for the issue of breach in patent privacy to be resolved introducing strict government regulations and extending the regulation such as the HIPAA laws towards the tech companies should be considered. According to (Richards, 2022)," Healthcare privacy regulations in place from HIPAA do not even begin to cover tech companies. HIPAA only protects patient health data when it comes from organizations that provide healthcare services, such as insurance companies and hospitals".

Participating actively in the creation of data sharing rules would be beneficial for patients. Along with providing information about who receives their records, it would be acceptable to increase patient understanding of the kinds of data and information that are contained

in their records. When requesting consent for data extraction, researchers should make sure that patients are well informed about how their information will be used. It's critical to maintain open communication between patients, healthcare professionals, and research organizations. Patients must to be told not just when their data are used in research but also of the findings and potential repercussions of that study.

Patients should be given the full opportunity to sue hospitals that give out their data directly or indirectly without their consent. Strict regulations should be given to tech companies to streamline the way Artificial intelligence monitor the browsing history of individuals most especially when it comes to health as information is also gotten through this means.

Stakeholders	Interests/Expectations	Importance
Patients/community	+	High
Organization	+	High
Tech Companies	-	High
Government	+	High
The public	+	High

Stakeholder Analysis 1

Adapted from www.freepmtools.com

"The stakeholder analysis is an instrument to illustrate and to discover different needs of different stakeholders of particular companies"

Stakeholder	Interest of stakeholders	Influence/Power of stakeholders	Preferences (possitive / negative)
	[0;5] - [0=small; 5=big]	[0;5] - [0=small; 5=big]	[1;3;5] - [1=pos; 3=neutral; 5=neg]
1. Patients/community	4	3	5
2. Organization	5	4	3
3. Tech Company	3	3	3
4. Government	5	5	5
5. The public	5	3	4

Stakeholder Analysis

key player = engage

marginal figures = minimal effort

Influence / Power of stakeholders

Interest of stakeholders

Patients/community Organization Tech Company Government The public #REF! #REF! #REF!

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