

# **Dimensions of Military Medical Ethics**

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## **Disclaimer**

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## Congressional Mandates

- 1992 Medical treatment facility commanders must be able to demonstrate appropriate administrative skills.
- 1996 The Deputy Secretary of Defense (Health Affairs) must implement a professional educational program to provide the necessary training.

## JMExS Curriculum

- 40 competencies grouped under 8 major areas:
  - Military Medical Readiness
  - General Management
  - Health Law / Policy
  - Health Resources Allocation and Management
  - **Ethics in the Health Care Environment**
  - Individual and Organizational Behavior
  - Clinical Understanding
  - Performance Measurement

## Ethics in the Health Care Environment

- Ethical Decision-Making
- Personal and Professional Ethics
- Bioethics
- Organizational Ethics

### Ethical Decision-Making - -

Commanders of healthcare management organizations (HCMOs) must demonstrate the following Ethical Decision-Making behaviors:

1. Articulate an understanding of the origin and bases of rights and duties.
2. Act consistently with an understanding of the discipline of ethics (know and use an appropriate decision-making model).

## Personal and Professional Ethics - -

HCMO commanders must demonstrate the following Personal and Professional Ethics behaviors:

1. Articulate the importance of a personal and of a professional code of ethics, including standards relating to academic integrity and research.
2. Compare and contrast personal and professional ethics.
3. Identify ethical dilemmas arising from military unique situations.

continued

HCMO commanders must demonstrate the following Personal and Professional Ethics behaviors (cont.):

4. Identify and effectively address ethical conflicts between personal values and professional ethical standards or codes.
5. Articulate the importance of, assure education relating to, and, in appropriate cases, seek judicial enforcement of violations of the Joint Ethics Regulation, the Procurement Integrity Act, and other such laws and regulations.

### **Bioethics (Clinical Ethics) - -**

**HCMO commanders must demonstrate the following Bioethics behaviors:**

1. Recognize and constructively address, by application of an accepted ethical decision-making model, moral conflicts in the area of health care. Such dilemmas may occur in various settings to include the delivery of patient care, the pursuit of biomedical research, and the management and allocation of scarce resources.
2. Establish a climate, through counsel and sound policy, for the resolution of conflicts in classic areas of bioethics - -

### **Organizational Ethics - -**

**HCMO commanders must demonstrate the following Organizational Ethics behaviors:**

1. Develop an organizational code of behavior - -
2. Promote a culture and climate that supports the organizational code of ethics - -
3. Require that broad, continuing education be provided to staff on ethical issues and concerns.
4. Establish a consultative process for ethical problem-solving within the institution, providing professional staff and administrative support using a committee and / or a team or consultant(s) to assist in decision-making in certain areas - -

## Ethical Decision-Making

Subject matter experts believed that mere reliance upon principlism did not provide sufficient guidance. They felt strongly that decision-making methods must be taught for ethics. The methods developed in the Army-Baylor Graduate Program in Health Care Administration were adopted, but individuals are encouraged to learn and use other methods as well.

### Baylor HCA 7-Step Method

- Frame the question
- Set out the medical situation
- Note contextual situation, including:
  - Stakeholders
  - Social factors
  - Economic factors
  - Familial factors
  - Religious factors
  - Legal factors & precedents
  - Ethical factors & precedents
- Revisit / re-frame the question
- Apply principles / identify conflict(s)
- Identify and weigh alternatives
- Decide

### 7-Step Method Modified for Organizational Decision-Making

1. Frame the question
2. Set out the organizational situation
3. Note the contextual factors
4. Revisit / reframe the question
5. Ask and answer appropriate questions
6. Identify and weigh alternatives
7. Decide

### 12 Questions for Examining Business Decisions

1. Have you defined the problem accurately?
2. How would the other side define it?
3. How did this situation occur?
4. To whom / what do you give your loyalty?
5. What is your intention?
6. How does your intent compare with probable results?
7. Whom could your decision injure?

8. Can you discuss the problem with the affected parties?
9. Are you confident that your position will be valid over the long haul?
10. Does your decision pass the *grandmother* test?
11. What is the symbolic potential of your decision?
12. Under what conditions would you allow exceptions?

Adapted from: L. L. Nash, "Ethics Without the Surgeon" in The Business of Ethics and Business, Harvard Business Review, 1986

### Weber's Method Modified

1. Individual rights – Community good / interests
2. Organizational good / interests
3. Individual good / interests

From: Leonard J. Weber, *Business Ethics in Healthcare: Beyond Compliance*, Indiana University Press, 2001.

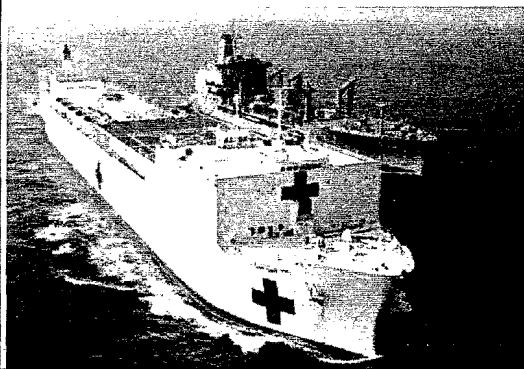


## Professional Ethics

When you are talking about military, medical personnel, the term *professional ethics* takes on a unique meaning – or a unique set of meanings.



- There is *medical* professionalism, but there is also *military* professionalism.
- The other dimensions of ethics (clinical ethics and organizational ethics) have this dual aspect also.



Medicine as practiced on a battlefield, or even a hospital ship, is clearly different from medicine as practiced in a stateside hospital.

Looking at the organization (Army, Navy, or Air Force) as a whole, the purpose is military.

Viewing the subset, e.g., Army Medical Department, the purpose is medical.

This brings problems of *dual agency* not typically seen in the civilian sector.

## Operational Medicine

The planning and execution of medical care in a mission-functional military unit in order to maintain combat effectiveness and troop morale.



## Current, Pressing Issues

- Care of Our Soldiers and Allies
- Care of Other Combatants
- Participation in Interrogation of Prisoners
- Care of Civilians
- Awareness of Possible Abuses

## All Soldiers' Responsibilities

- Question any orders that seem illegal or immoral.
- Disobey any illegal or immoral order.
- Report all illegal or immoral orders or acts.
- "I was only following orders" has never been a valid excuse.



## How Is a War Crime Reported?

As soon as possible, the event believed to be a war crime should be reported to the commander, a chaplain, an inspector general, a judge advocate, or the next immediate commander, depending upon who is involved.

