



Making Tough Choices Ethical Decision Making

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Objectives

- Define ethics
- Differentiate between ethics and morals
- Identify consequences of unethical behavior
- Be aware of the EMS Professional's Code of Ethics
- Describe the role of ethical tests in resolving prehospital ethical dilemmas

My Goal Today

- To facilitate a conversation about ethical standards and decision making *for* EMS professionals *by* EMS professionals

Disclaimer

- Learning through discussion and case study. *Active participation required.*



Who among us would consider
themselves an
EMS Professional?

EMS Professionals

Who is included in the definition of EMS Professionals

- First Responders
- EMTs
- Paramedics
- Flight medics and nurses
- Fire Fighters
- Field Training Officers
- Primary Instructors
- Adjunct Faculty
- Clinical Instructors
- Preceptors
- Administrators
- Support Staff

Ethics

- Rules or standards that govern the conduct of members of a particular group
- Standards for honorable behavior designed by a group; **conformity is expected**

Morals-social, religious or personal standards of right and wrong

The Problem

- EMS and the Fire Service lack a clear, uniform code of ethics *practiced by all* members of the profession
- We *may* borrow from other professions
- We *must* determine our own code if we are to eliminate unethical behavior and hold accountable those who breach the standard

“We all wear the same uniform”

Areas of Potential Problems

- Hiring procedures
- Promotion policies
- Discipline
- Socialization
- Compensation
- Confidentiality
- Dishonesty
- Stealing
- Futile efforts
- Patient advocacy
- Admission procedures
- Grading policies
- Discipline
- Socialization with students
- Student Advocacy
- Compensation
- Confidentiality
- Accommodation
- Academic dishonesty

Potential Consequences

- Bad publicity
- Financial loss
- Physical harm
- Embarrassment to the Department
- Loss of affiliation agreements
- Unemployment
- Lack of respect to the industry

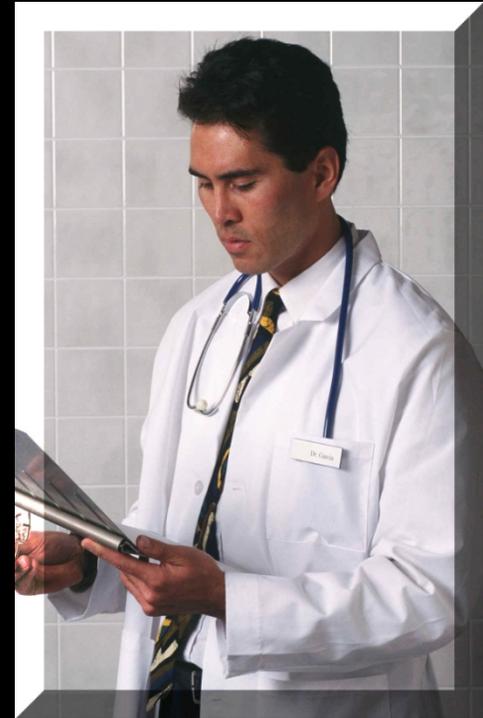
Other Professions

- Psychology
 - A psychologist loses his license for becoming intimate with a patient he is treating, even though a colleague, NOT the patient, complained.



Other Professions

- Medicine
 - A physician is fired for recreational cocaine use, even though no patients were known to be “injured” by his use of drugs.



Other Professions

- Education
 - A school teacher is fired and jailed for having the child of a minor student.



Other Professions



- Business
 - A famous business woman is jailed for lying about having insider information about a stock trade

The Golden Rule

- Can't we just "do unto others"?



The Golden Rule

- When does “do unto others as you would have done unto you” *not* work?
 - “I asked for him to hit me by egging him on”
 - “If I have to sleep my way to the top, so be it”
 - “I do not believe in blood transfusion, regardless of the life threat that exists to my child”

Right v. Wrong

- These are the easy ones because they are *obviously* wrong (and usually illegal)
 - running red lights
 - lying under oath
 - insurance fraud
 - falsifying patient care records
 - stealing from someone's house
 - embezzling monies

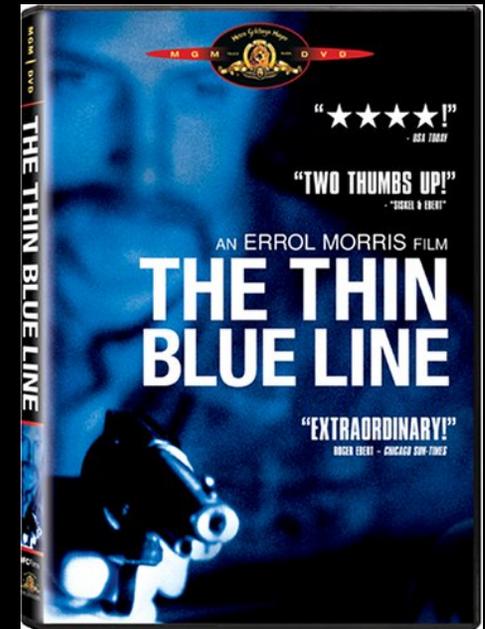


Right v. Right

- These are the *really* tough choices
- Genuine dilemmas
 - truth v. loyalty
 - individual v. community
 - short-term v. long-term
 - justice v. mercy

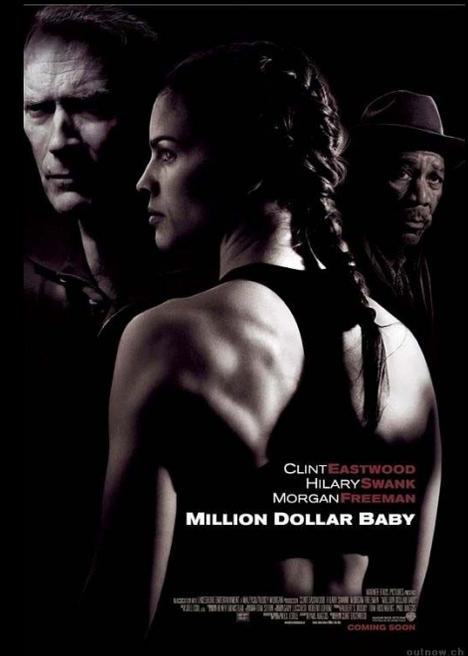
Right versus Right

- These are the *really* tough choices
- Genuine dilemmas
 - **truth v. loyalty**
 - Lying to protect people
 - The thin blue line
 - “I don’t recall”



Right versus Right

- These are the *really* tough choices
- Genuine dilemmas
 - **individual v. community**
 - Euthanasia
 - Letting a patient die
 - Not exposing someone's addiction



Right versus Right

- These are the *really* tough choices
- Genuine dilemmas
 - short-term v. long-term
 - Using A&P as a “weed out”
 - Hardest part of the tower first
 - Firing someone “for their own good”

Right versus Right

- These are the *really* tough choices
- Genuine dilemmas
 - justice v. mercy
 - sparing someone punishment when their *intention* was good
 - “But, Heather, he’s a really good guy”
 - “They gutted her like a pig on the living room floor”

Ethics Vocabulary

- Utilitarianism
 - greatest good for greatest number
 - triage
- Deontological
 - fulfill your duty regardless of outcome
 - Sticking with a patient even when you should retreat
- Justice
 - treat all patients equally
 - No “professional courtesy”



Ethics Vocabulary

- **Beneficence**
 - actually doing good for the patient
 - Adenosine stops the tachycardia
- **Nonmaleficence**
 - not doing harm to the patient
 - Not starting the line because you are close to the hospital
- **Veracity**
 - to tell the truth
 - “I accidentally gave the wrong drug”

Medical Ethics

- How and when do ethical issues arise in EMS?
 - Autonomy v. medical direction
 - Solicitation of personal information
 - Trust in patients' homes
 - Trust with patients' valuables
 - Medical mistakes
 - Drugs/controlled substances

Resolving Ethical Dilemmas

- Does an existing rule apply that governs this issue or behavior?
- Could a similar existing rule be applied to cover this issue or behavior?
- Can you buy time to find an acceptable solution?

When no rule applies, apply these tests

- Impartiality
 - Would *you* be willing to undergo the same procedure or action?
- Universalizability
 - Would you want this action done in all relevantly similar situations?
- Interpersonal justifiability
 - Can you defend your actions to peers?



**Integrity is doing the right
thing even when nobody is
watching.**

Case #1

- Lisa is a 38 year old supervisor on the EMS side of the house. She is married to one of your firefighters and they have three children. Her duties include supervision of explorer scouts during classroom training and ride-alongs. Lisa is accused by a subordinate of having improper conduct with a scout.

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- It is discovered that Lisa and the 17 year old boy have fondled and kissed. The boy was consenting and stated he welcomed the attention, never felt invaded. He truly likes Lisa.
 - No *invasive* physical contact occurred.

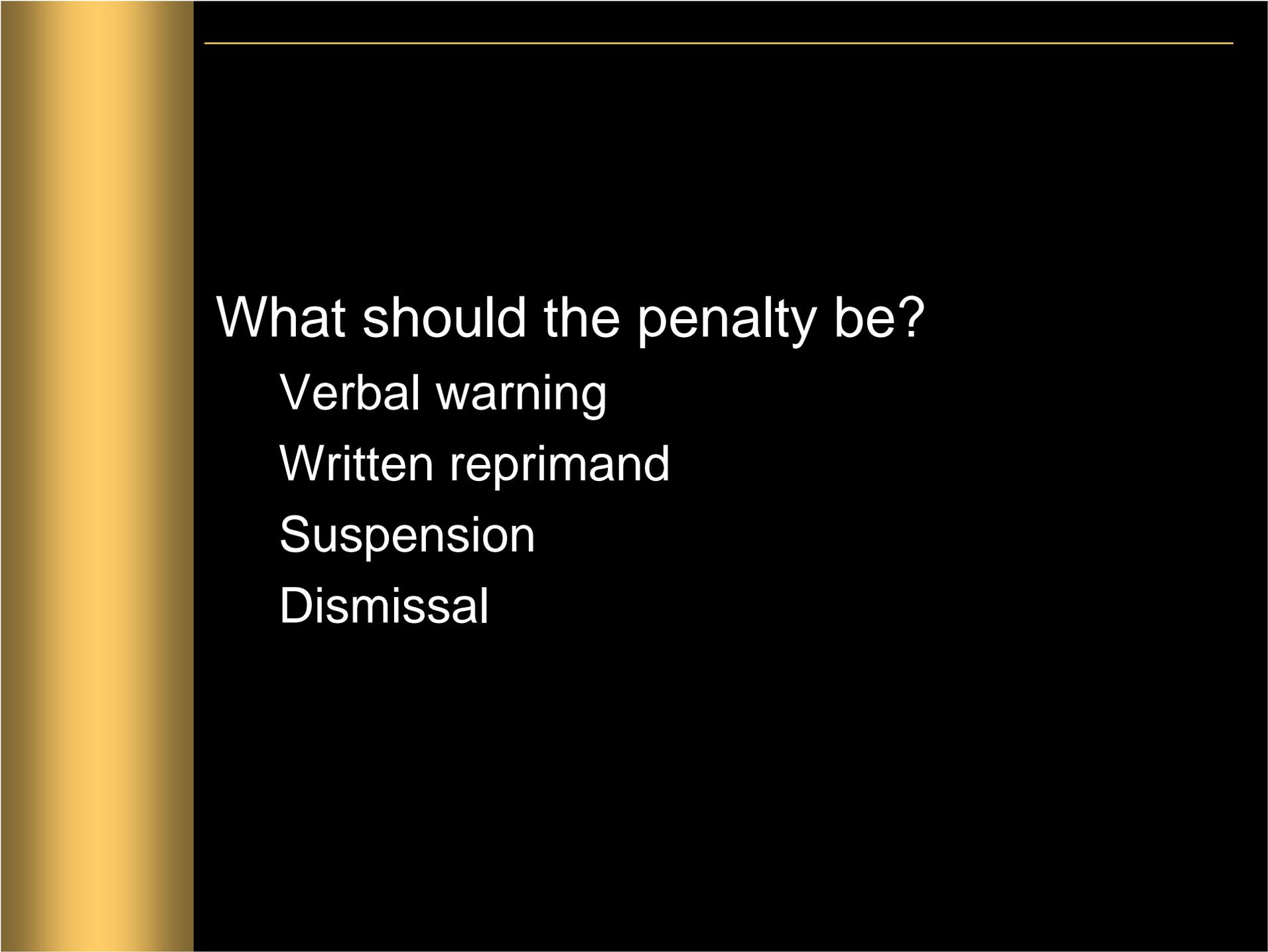
Let's Talk About Sex...

Is it EVER appropriate to have an intimate relationship with a subordinate?

If so, when?

Let's Talk About Sex...

- How far can you go?
- Does age matter?
- Does it matter that Lisa is married?



What should the penalty be?

Verbal warning

Written reprimand

Suspension

Dismissal

How The Case Evolved

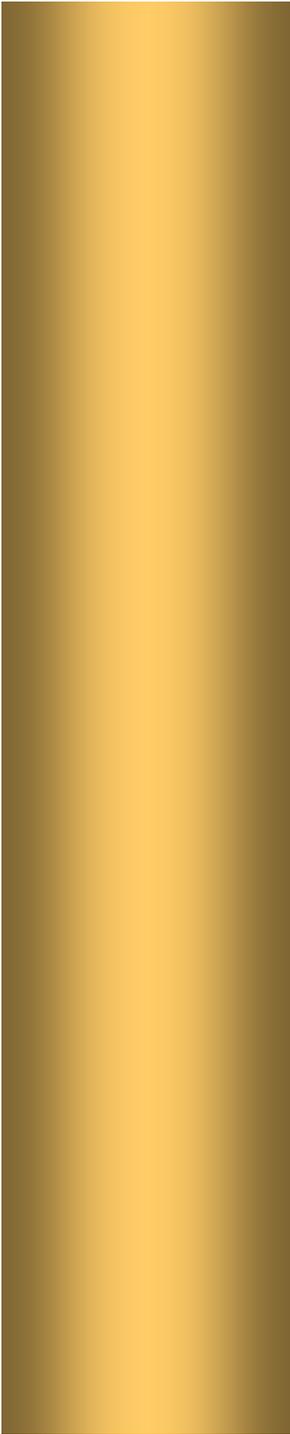
- Lisa received a written reprimand in her file for improper conduct on the job, and was relieved of her duties with the explorer scouts.
- No suspension or demotion was received.
- No wages were lost.
- The scout has since left the explorer post.

What Were the Real Costs?

- Lisa
 - Reprimand
 - AP
 - Reputation
- Scout
 - Left the post
 - Emotional damage
 - Life experiences

Case #2

- Probationary FF Stanley fails a hose lay during probationary testing. He passed all the other skills the first time through.
- He has failed for the third time. No more retakes are allowed.
- Department policies dictate recommendation for termination if a candidate fails the same skill three times.



What do you do?

Let's Talk About Evaluation...

- Do you fail him automatically or ask him what is going on?
- Does it matter how badly he failed?
 - What if he failed for not pulling adequate loop?
 - What if he failed for not putting a hose clamp on?

Let's Talk About Evaluation...

- Does it matter if the evaluator in the station is an firefighter or a chief?
- Does it matter if the evaluator is brand new?

Case History

- Stanley had a 93% average on exams in the tower.
- Stanley has a perfect attendance record at work.
- Stanley is assigned to a busy station that doesn't have much time to drill.
- Stanley's captain had a death in the family last week and didn't have time to practice with him before this test date.

Does any of this matter?

What is the cost?

- To the Department for strictly enforcing policies?
- To other probationary firefighters if you do not enforce the policy?
- To Stanley if you fire him over a single skill?
- To the Department if you believe Stanley will be a good firefighter?
- To the community if he is unsafe?

Modeling

“If we don’t model what we teach then we are teaching something else.”

Case #3

A call goes out to the elementary school for difficulty breathing. Although you are alone in your vehicle, you are the closest unit by five minutes, so you first respond to the call. You have first aid equipment, but no firefighting gear.

The patient is the janitor who has been overcome by fumes from mixing bleach and some other cleaning solvent. He is in the boy's bathroom. When you enter the room you get an overwhelming odor of the chemicals. The janitor's name is Jim, and he is coughing, sputtering, and begging you to help him.

- What do you do first?
 - Do you enter the bathroom and treat him?
 - Do you wait for Hazmat?



But you can see him!

He is *begging* you to come help
and is clearly in a life threatening
situation.

Ask yourself...

- Could you turn your back on a patient who was clearly in danger?
- What if you could *not* see the patient?
- Would you put yourself in danger for a stranger?
- *Should* you put yourself in danger at all?

What are the consequences?

- To the patient if you do not help him immediately?
- To you if you do?
- To your family if you are hurt or killed?
- To your department and community for risking your life?



Is one life necessarily more
valuable than another?

Experience Shows

- Responders enter the scene 100% of the time when you can see the victim's face.
- Responders do **not** enter the scene 100% of the time when the victim is hidden behind a bathroom stall.

Case #4

- Holly is a “good time” when she drinks. At the annual EMS Conference, Holly has a lot of drinks. And a lot of fun...to the embarrassment of some members of her Department.

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- On the next shift day, the chief pulls Holly aside and tells her that the crew is embarrassed and angry about her behavior. He wants an official apology to the entire shift and a promise that she will not attend the conference next year.



Ask yourself...

Should Holly apologize?

Let's Talk About Alcohol...

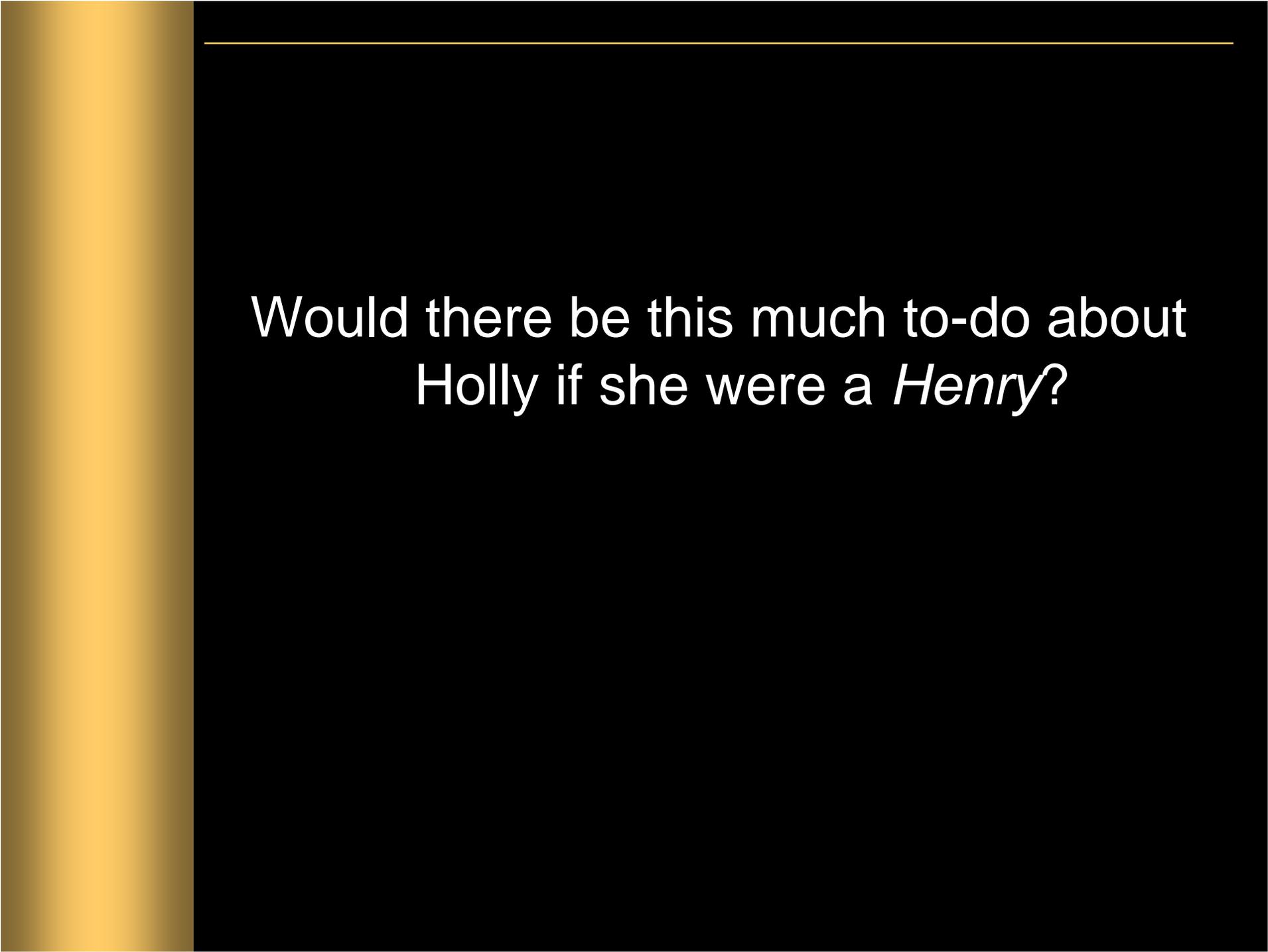
- Is it OK to go out for pizza and beer with colleagues when not on duty?
- What if you skip the pizza?

Let's Talk About Alcohol...

- What behavior can be dismissed “when you have had a few”?
 - Loudness?
 - Foot massages in the bar?
 - Flirting?
 - Body shots?
 - Alternate sleeping accommodations?

Professional Conduct

- Does a Department official have a right to restrict non-Department related activities?
- Does one's behavior reflect upon the Department if he or she is not in uniform?
- Does an individual have a "right" to act however they wish regardless of how coworkers are affected?



Would there be this much to-do about
Holly if she were a *Henry*?

Case #5

You are at the scene with a pt in obvious respiratory distress. Given the patient's history, the positive JVD and pedal edema, and the lung sounds, you suspect CHF.

BP is 188/110, HR 142, RR 32.

PM v. Medical Control

- The base hospital is contacted for orders to treat the patient for CHF. The nurse on the radio is fixated on the tachycardia, and seems to think that the pt is in uncontrolled a-fib and needs diltiazem and oxygen.
- You recognize that the ordered medications, while probably not harmful to the pt, are not optimal either.



What should they do?

- Is the crew bound ethically or legally to those orders?
- What ethical principles are being applied if the crew refuses to give the ordered meds?
- What are the advantages and disadvantages to requesting to speak to the base *physician*?