

Ethics in Hearing Healthcare The Basics

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Objectives

- Defining the Terms
- Principles of Ethics
- Ethical strategies and how they apply to Hearing Instrument Fittings

Defining The Terms

- Ethics
- Morality
- Law
- Bioethics
- Ethical Dilemmas

Ethics and Morality

- Morality is what people believe to be right or wrong, while ethics is a critical reflection about morality.
- Ethics is a system of moral principles
 - Rules of conduct recognized in respect to a particular class of human actions or a particular group, culture, etc.
 - Medical Ethics
 - Christian Ethics

Law

- Laws are brought about by tension, agitation and conflict. They can also be enacted due to dramatic situations.
- Laws are societal rules or regulations that are obligatory to observe.

Law Continued

- Laws protect the welfare and safety of society, resolve conflicts, and are constantly evolving.
 - DUI laws
 - Safety belts
 - Car seats
- Laws have governed the practice of medicine for over one hundred of years.
 - Obtaining and maintaining a license

Let's Play a Game!

- Is it Legal – Moral – Ethical?
- Scenario 1 – The competitive user
- Scenario 2 – The poorly fit user

Scenario 1 – Competitive User

- A woman wearing a set of digital hearing aids comes in complaining that they don't work very well. You discover the following:
 - They are less than 1 year old
 - They are entry level, 3 channel digital hearing instruments with basic noise reduction, anti-feedback, and omni mics
 - Style is ITE
 - Aided discrim is 72%
 - The woman is very disappointed because she reveals that the dispenser said this was top technology and she paid what amounted to her life savings in getting these.
- Was what the other dispenser did legal?
- Was what the other dispenser did moral?
- Was what the other dispenser did ethical?
- What is your next step?

Scenario 2 – Poorly Fit User

- A man and his wife return from their winter extended stay and they come to your office with their new aids that they are having a little difficulty with. You discover the following:
- They have worn them only 1 month
- They are budget CICs
- They paid \$6500 for them
- They were told to come to you for further adjustments
- They were told that you would make any adjustments at no charge
- This dispenser has not contacted you
- They were sold an extended 3 year warranty that they believe is good at any location that sells this brand
- When you call customer service, you discover that they only have a 1 year warranty
- Their loss is normal through 1000 Hz with a mild to severe steeply sloping sensorineural loss
- Their chief complaint is hollow sounds, and whistling
- You sold them advanced level RIE's one year ago
 - Was it legal?
 - Was it moral?
 - Was it ethical?
 - What is your next step?

Bioethics

- Bioethics refers to the moral issues and problems that have arisen as a result of modern medicine and medical research.
- Issues in bioethics are usually *life-and-death issues!*
- Ethical and bioethical principles can be personal, organizational, institutional or worldwide.

Comparing Law and Ethics

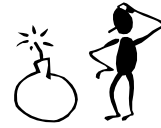
- Law, ethics, and bioethics are different but related concepts.
- Laws are mandatory. All citizens must adhere or risk civil or criminal liability.
- Ethics relate to morals and help us organize complex information and competing values and interests to formulate consistent and coherent decisions.

Ethical Dilemma



Value conflicts, no clear consensus as to the "right" thing to do. A conflict between moral obligations that are difficult to reconcile and require moral reasoning.

Ethical Dilemma



Situations necessitating a choice between two equal (usually undesirable) alternatives.

Ethical Questions

- Should a parent have a right to refuse immunizations for his or her child?
- Does public safety supersede an individual's right?
- Should children with serious birth defects be kept alive?
- Should a patient be prescribed drugs that are addictive if they are terminally ill?

Ethical Questions

- Should terrorists be tortured to gain information possibly saving hundreds of lives?
- Should health care workers be required to receive H1N1 vaccination?
- Who should get the finite number of organs for transplantation?

Ethical Action Strategies

- Deontology (duty)
- Consequentialism (actions)
- Virtue Ethics/Intuition (morals and values)
- *Beliefs*
- Rights Ethics (individuality and the American culture)

Ethical Theories

- Deontology / Nonconsequentialism:
- Derived from the Greek word, Deon, meaning duty. Considers that some acts are right or wrong independent of their consequences. Looks to one's obligation to determine what is ethical and answers the question: What should I do and why should I do it?

An Example

Deontology: A duty

Example: Zelda, a practitioner, believes she has a duty to give cardiac clients detailed information on the pathology involved in their condition even though the client has indicated that they are not ready or may be terrified to hear the information causing the client distress.

Ethical Theories Continued

- Consequentialism:
- Also called Teleological, Greek word, Telos, meaning end or consequence. Actions are determined and justified by the consequence of the act. Consequentialists consider all the consequences of what they are about to do prior to deciding a right action. This also answers the question: What should I do and why should I do it?

An Example

Consequentialism: Action

Example: Had Zelda respected the wishes of her patients, she would have given them only the information which would have been a benefit to them and not caused them undue stress. She would have been motivated by her desire to do good (beneficence), rather than her sense of duty. This is a Deontological betrayal.

Ethical Theories Continued

- Utilitarian Ethics: Considers the greatest good for the largest number of people. Also answers the question: What should I do and why should I do it?
 - Who decides the definition of “greatest” and “good”?
- Intuitionism: Resolves ethical dilemmas by appealing to one’s intuition, a moral faculty of a person which directly knows what is right or wrong. (A gut feeling of knowing what is right).
 - Who decides which moral position is valid?
Example – abortion

Ethical Theories Continued

- Rights: This popular American theory resolves ethical dilemmas by first determining what rights or moral claims are involved and take precedence, (consider the abortion debate– *personal* – mom vs. fetus/child, *societal*– women’s choice vs. murder.

Ethical Theories Continued

- Virtue Ethics: Contrary to other ethical theories, virtue ethics tells us what kind of person one ought to be, rather than what they do. The focus is on the character (goodness) of the person.
- Who decides what kind of person one ought to be? Consider the values of some of the world's leaders – do you agree with their actions or values?

Two questions when faced with a dilemma:

- Behavior: What should I do?
- Motivation: Why should I do it?

The Identity Argument

- Premise 1: What is understood to be morally right depends (at least in part) on one's identity as a moral person.
- Premise 2: One's race ethnicity and culture is central to one's identity as a moral person.
- Conclusion: Thus, what is understood to be morally right by an individual depends (at least in part) on that person's race, ethnicity, and culture.

Race, Ethnicity, Culture

What exactly do we mean by race, ethnicity and culture?

- **Race** -Genetically there is only one race, which is the human race. Society makes judgments about the varieties of biological characteristics. Eventually, biological characteristics are seen as socially constructed which often leads to stereotyping.

Race, Ethnicity, Culture

What exactly do we mean by race, ethnicity and culture?

- ***Ethnicity*** – An individual's identification with a particular cultural group to which they are biologically related.
 - Can be misleading – For example, all Latinos do not necessarily share the same cultural values as they come from different countries. Also, even though one may identify with a certain cultural group, they may not share all its values.

Race, Ethnicity, Culture

What exactly do we mean by race, ethnicity and culture?

- ***Culture*** – A set of beliefs, values and traditions that are socially transmitted from one generation to another. It defines a group's norms or community's identity.

Cultural Differences

MAY INCLUDE:

- Value the family over the individual.
- Engage and expect the family's support in their self-care.
- Value the institution's that are sensitive to their cultural needs.

The Dangers of Stereotypes

- Are oversimplifications to conceptions or images of what a particular group or person should look like, or how they should act by disregarding each person's uniqueness.
- Represent the end-point of one's understanding (all members of a particular group fit the same pattern or mold).
- Do not encourage further exploration of the individual or assimilation into the majority group.

Generalizations

- Generalizations – Statements that represent common trends in a group with the understanding that further information needs to be gathered to verify its application to a particular person.
- Represent a starting point and have been used by anthropologists whenever they see a broad pattern of similarities among groups of people
- May lead to inaccuracies in their application to a specific client

Examples of how we generalize with patients

- The third party is always an advocate for hearing instruments
- Sensori-neural hearing loss means terrible word discrimination
- Our patients with a “fixed income” need to be fit with low-end products
- Not showing our patients wireless accessories because they are technology-challenged

Organizational Ideas and Actions

- AKA - Group Think
- Cultural Relativism: "Everyone does it."
- Cheating
- Stealing Office Supplies
- Conducting Personal Business at Work



Ethical Principles

What Are Ethical Principles, and How Do They Help With Decision Making?



Ethical Principles

Conflict is inevitable. Ethical principles provide the framework/ tools which may facilitate individuals and society to resolve conflict in a fair, just and moral manner.

Ethical Principles

- Autonomy/Freedom
- Veracity
- Privacy/Confidentiality
- Beneficence/Nonmaleficence
- Fidelity
- Justice

Autonomy

- The right to participate in and decide on a course of action without undue influence.
- Self-Determination: which is the freedom to act independently. Individual actions are directed toward goals that are exclusively one's own.

Veracity

- The duty to tell the truth.
Truth-telling, honesty.

Privacy/Confidentiality

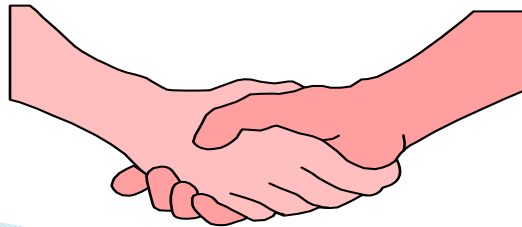
- Respecting privileged knowledge.
- Respecting the “self” of others.

Beneficence/ Nonmaleficence

- The principle and obligation of doing good and avoiding harm.
- This principle counsels a provider to relate to clients in a way that will always be in the best interest of the client, rather than the provider.

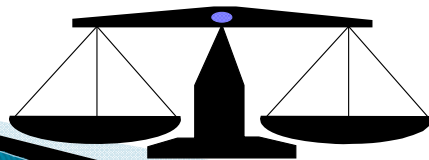
Fidelity

- Strict observance of promises or duties.
- This principle, as well as other principles, should be honored by both provider and client.

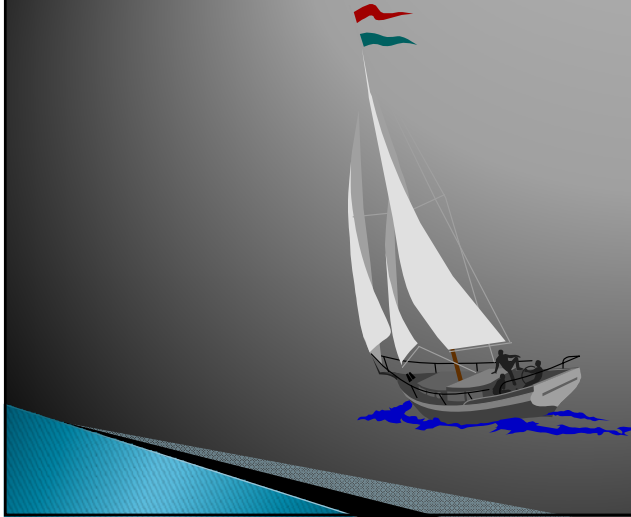


Justice

- The principle that deals with fairness, equity and equality and provides for an individual to claim that to which they are entitled.
 - Comparative Justice: Making a decision based on criteria and outcomes. ie: How to determine who qualifies for one available kidney. 55 year old male with three children versus a 13 old girl.
 - Noncomparative Justice: ie: a method of distributing needed kidneys using a lottery system.



Ethical Dilemma: Deciding People's Fate



Ethical Dilemma

Case 1

A freak accident occurs at a chemical factory with a previously exemplary safety record, and a man dies. An investigation into the causes of the accident recommends measures to prevent similar accidents happening in the future. However these changes would be prohibitively expensive to implement. The CEO faces the choice of closing down the plant with the loss of hundreds of jobs, or allowing the plant to continue with changes in procedure which reduce the risk but do not eliminate it entirely.

Ethical Dilemma

Case 2

An investigative reporter gets whiff of a story about corruption in a blue chip corporation concerning a board member who accepted a free holiday from a company negotiating a multi-million pound land deal. The Chairman has already spoken to the board member concerned, who immediately offered his resignation. Luckily, the deal has not been finalized and no harm has been done. On the telephone the reporter asks the Chairman if there is any truth in the rumor. An admission will send share prices tumbling. The chairman can admit the truth, or give an innocuous explanation designed to throw the reporter off the scent – a “white lie”

Making this Work

- How Do We Make this Work for Our Business?



An Example of A Decision Making Model (ADPIE)

- Assessment Diagnosis Plan Implementation Evaluation
- Assessment
 - Gather the facts/collect information from a variety of sources
- Diagnosis
 - Identify the problem or issue

ADPIE Continued

- Plan
 - Explore alternatives and/options.
 - Identify the consequences of actions/non-actions.
 - Analyze the values and professional issues at stake.
 - Select the course of action/make a decision.
 - Justify the decision.
- Implementation
 - Carry out the plan.
- Evaluation
 - Determine how this ethical problem could possibly have been prevented.
 - Lessons learned.
 - Assessment of outcomes.

Summary

- Define the Terms
- Principles of Ethics
- Ethical strategies and how they apply to Hearing Instrument Fittings

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