Ethics for Public Health Practitioners

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Lecture facilitated by

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Public Health Law Defined

The study of the legal authority of the government to assure the conditions for people to be healthy and limitations on the government’s power to constrain autonomy, privacy, liberty or other legally protected interests of individuals for protection or promotion of public health.
Figure 2.1: A ladder of interventions

1. **Eliminate choice**: regulate to eliminate choice entirely.
2. **Restrict choice**: regulate to restrict the options available to people.
3. **Guide choice through disincentives**: use financial or other disincentives to influence people to not pursue certain activities.
4. **Guide choice through incentives**: use financial and other incentives to guide people to pursue certain activities.
5. **Guide choice through changing the default**: make ‘healthier’ choices the default option for people.
6. **Enable choice**: enable people to change their behaviours.
7. **Provide information**: inform and educate people.
8. **Do nothing or simply monitor the current situation**.
Ethics Begins Where the Law Ends

Law in Public Health
- Sources include constitutions, statutes, regulations and judicial decisions
- Enforceable
- Decisions appealable until Supreme Court level

Ethics in Public Health
- Sources include moral norms, professional codes, and ethical frameworks
- Not enforceable
- Decisions always subject to challenge
What is Ethics?

- A structured approach to identifying ethical principles to guide action (*prospective*)
- A method for analyzing and evaluating the rightness and wrongness of particular actions (*retrospective*)

*Public health ethics* is a process of identifying, analyzing, and resolving conflicts or tensions in public health (CDC, 2012)
Clinical Ethics (Bioethics) vs. Public Health Ethics

<table>
<thead>
<tr>
<th>Clinical Ethics</th>
<th>Public Health Ethics</th>
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<tbody>
<tr>
<td>Focus on individual patient-provider interactions</td>
<td>Focus on populations, institutions, communities</td>
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<td>Individual liberty, autonomy</td>
<td>Interdependence of people</td>
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<td>Authority vested in prestige of physicians and medical profession</td>
<td>Authority vested in the police powers of states</td>
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<td>Patient consent</td>
<td>Societal consent through the political process; public engagement</td>
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<td>Beneficence and non-maleficence</td>
<td>Social good and avoiding social harm</td>
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<td>Justice</td>
<td>Social justice and equity</td>
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CDC, “Good Decision Making in Real Time”, 2012
Values of Public Health

- Producing benefits
- Avoiding harm
- Maximizing benefits over harms
- Distributive justice
- Ensuring public participation
- Respecting individual choices
- Protecting privacy and confidentiality
- Keeping promises
- Disclosing information
- Building trust

“Moral considerations” of public health; Childress et al. 2001
Principles of the Ethical Practice of Public Health

1. Address the fundamental causes of disease and requirements for health
2. Respect the rights of individuals in the community
3. Get input from community members
4. Advocate for the empowerment of disenfranchised community members
5. Gather necessary information to implement effective policies and programs
6. Be transparent and obtain consent
7. Act in a timely manner
8. Incorporate various approaches that anticipate and respect diversity
9. Implement programs/policies to enhance physical/social environments
10. Protect confidentiality
11. Ensure professional competence of public health employees
12. Engage in collaborations in a way that builds community trust and effectiveness
Thank you for listening!

PowerPoint slides can be found on the Network’s website at

http://www.networkforphl.org/network_resources/workshops/