



**SCHOOL OF PUBLIC HEALTH**  
UNIVERSITY AT ALBANY State University of New York

University at Albany  
Center for Public Health Preparedness

## Grand Rounds Series

## Ethical Hazards in Pandemic Flu Planning and Response

**Thursday, May 11, 2006**

10–11 a.m. & 4-5 p.m. (ET)

### Speaker

Harvey Kayman, MD, MPH  
Center for Public Health Preparedness  
Arnold School of Public Health  
University of South Carolina  
and Public Health Representative to the  
South Carolina Medical Association Ethics Committee

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### Call-In

**Phone: 800-452-0662**

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### Evaluation

**[UAlbanyCPHP.org/evals](http://UAlbanyCPHP.org/evals)**

## Background of the Problem

- Professionals ordinarily have training in and understanding of problems they confront
- But we depend on moral norms or professional code that we may be unaware of

## Problem

- Catastrophes may force internal conflicts and actions that conflict with usual norms.
- Cognitive dissonance: Mental conflict or disharmony caused when information contradicts beliefs or assumptions



## Result of Conflict of Norms

- Serious internal doubt
- Conflict with professional partners, family, authority figures
- Inaction when rapid definitive action is absolutely necessary by all involved



## Planning to Address Ethical Dilemmas

- Must acknowledge that we have no current tailored approach for these sorts of moral and ethical problems

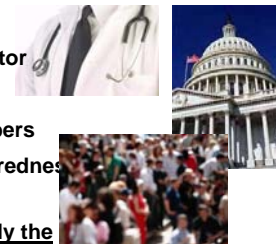


## Planning and Action

- Acknowledge problem
- Understand root causes
- Find political will to commit resources and effort to attend to problems
- Take definitive action
- Assess success and challenges
- Redesign in preparation for the next crisis

## “WE” are Responsible

- Business
- Private health sector
- Government
- Community members
- Emergency preparedness officials
- Media --- Especially the media



## Everyday Ethics

- Ethical decision-making done by most everyone
- Usually unconscious reference to moral norms
- Take most norms for granted, assuming to be “true” guideposts for action

## Problems of Pandemic Influenza

- Limited resources (regardless of the Strategic National Stockpile)
- Actions not proved or not noted to be of value in past pandemics (such as social distancing)
- Resources not available when needed (specific vaccines, anti-viral medications)



## Ethical Framework

- Should be in place when crisis comes
- Should have a vocabulary for discourse, supported by ethical principals

## Three Phases to Deal with Ethical Crises

- I Pre-crisis: Planning sessions
- II Crisis: “Crisis Huddles”
- III Post-crisis

## Three Phases to Deal with Ethical Crises

- I Pre-crisis: Planning sessions  
Inclusive forums in all communities. Hold CPR-like drills. Collect pertinent data.

## Three Phases to Deal with Ethical Crises

- II Crisis: “Crisis Huddles”  
In the midst of a crisis, 10-15 minute well planned, simple directed discussions of staff to either find coherence or at least articulate different points of view. Collect data.

### Three Phases to Deal with Ethical Crises

- **III Post-crisis**  
Review and analyze data, re-engineer processes to prepare for the next crisis.

### Phase I: Pre-crisis Planning Sessions

- Panel formulation
- Inclusive discussions
- Construct plans
- Drills
- Data collection
- Process improvement



### Ethical Framework for Emergency

- Inclusive of all stakeholders
- Consistent with legal requirements and authority
- Clear and simple
- Helpful and usable
- Comprehensive
- Coherent

### Moral Norms

- Truth telling
- Relationships
- Respect for property
- Obligation
- Responsibility
- Practitioner-patient relationship
- Death

### Norms vs. Articulated Consensus

- Unarticulated moral norms seem absolute, within the context of one's belief system.
- Other people, that you have worked/lived with for years, might have different assumptions about what they regard as true.

### Norms vs. Articulated Consensus in a Pandemic

- Drastic collective action may be required
- Must examine beliefs in systematic way to find common ground or coherence
- May involve major risks or sacrifices
- Little time for reflection

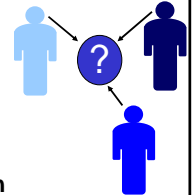
### A Framework for Approaching Ethical Decision Making

- Recognize you have a moral issue
- Gather the family, multidisciplinary work team, or the community to begin some form of articulated ethical deliberation
- Articulate the problem



### A Framework for Approaching Ethical Decision Making

- Evaluate alternatives from various perspectives, using moral norms of the discussants and articulate ethical principles
- Decide how the team might/should proceed
- Reflect on the actions taken in the exercise and alter course if necessary



### Foundational Principles: Toolbox for Medical Ethics Discourse

- **Autonomy: Self Governance**
- **Beneficence: One ought to do or promote good**
  - Mercy, kindness, charity
  - Altruism, love, humanity

Beauchamp and Childress Principles of Biomedical Ethics

### Foundational Principles: Toolbox for Medical Ethics Discourse

- **Non-Maleficence: One ought not inflict evil or harm**
- **Justice: Treat people fairly**
  - To each person an equal share
  - To each person according to need, effort, contribution, merit, or free-market exchange

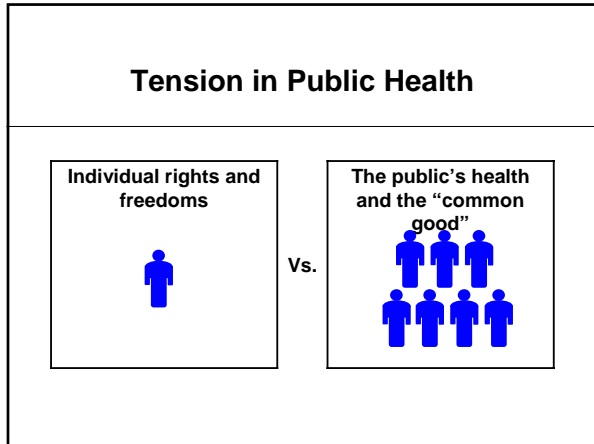
Beauchamp and Childress Principles of Biomedical Ethics

### Ethical Decision-making From Different Perspectives

- Rights (Locke)
- Consequences (Mills)
- Universal ideals/Intentions (Kant-Categorical Imperatives)
- Distributive Justice (Rawls)

### Ethical Decision-making From Different Perspectives

- Virtue, based on high moral character (Aristotle)
- Caring relationships (Gilligan)
- Community (Hume)
- Blended, the best of all the approaches, mixed to achieve coherence (Beauchamp, Childress)



### Simplistic Consequence Decision Framework

	Good for you	Neutral for you	Bad for you
Good for me/us	Mutual benefit	Enlightened self-interest	Self-interest
Neutral for me/us	Generosity	Politeness	Unaware Insensitive
Bad for me/us	Altruism; Heroism	Self-destructive	Spite

- ### The Precautionary Principle
- “Where an activity raises threats of harm to the environment or human health, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically.”
    - Wingspread Statement on the Precautionary Principle
  - Precautionary measures must maintain:
    - Transparency
    - Inclusion in the decision-making process
    - Accountability

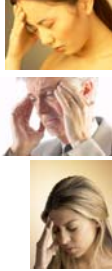
- ### Coercive Public Health Action Must Be Shown To Be:
- Effective
  - Necessary
  - The least restrictive means
  - Proportional
  - Impartial
- 

- ### Public Health Ethical Concerns
- Liberty, freedom of movement/association
  - Right to privacy
  - Right to control one's own body, property and destiny

- ### Public Health Ethical Concerns
- Conflicting obligation and/or responsibility
  - Justice, fair distribution of benefits and burdens
  - Procedural justice, due process

### Phase II – Crisis: Triggering Event

- Before, during or after the crisis, staff become uneasy with aspects of the emergency operations
- Manifestations: troubled, disturbed, uncooperative, crying, angry, despondent, inefficient, ineffective, etc.



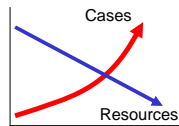
### Phase II – Crisis: Triggering Event

- Change in situation that requires a change in direction, use of resources, personnel
- Confusion about proper course of action, need for prioritization process
- Jurisdictional conflicts with decision-makers, administration, public health, law enforcement, political leaders, etc.



### Phase II – Crisis: Disturbing Issues

- Imminent surge leading to anxiety and unclear direction, need criteria for decision-making
- Perceived injustice with tiered prioritization for distribution of limited resources (vaccines, medications, etc.)
- Rationing; Triage of patients, including one's family and community; equipment.



### Phase II – Crisis: Issues

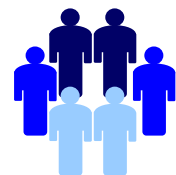
- Enforced social distancing (quarantine) with potential closure of business, schools, churches, recreation, social events, and travel restrictions that affect the person or their families at home
- Need for action despite incomplete information

### Phase II – Crisis: Issues

- Rioting or panic in the community, just outside ones workplace
- Perceived needs of certain stakeholders ignored
- Need to set “brown out” in motion, reduce quality or quantity of operations
- Need to stand down

### Phase II – Crisis: Action steps

- “Ethics Huddles” to last 10-15 minutes
  - Call together stakeholders
    - be inclusive
  - Open discussion to present issues, driven by drills and agreed upon protocols
  - Record on protocol forms



### **Phase II – Crisis: Action steps**

**“Ethics Huddle” Steps:**

- Quickly review pertinent norms and principles
- Use agreed upon decision-making process
- Decide on course of action
- TAKE ACTION
- Create post-event record of results of decisions
- Submit to central data collection resource

### **Phase III – Post-Crisis: Data Collection**

- Central repository receives and compiles data from multiple sources
- Need for, use and usefulness of “Ethics Huddles”, or lack of use
- Track nature of participants, actions taken based on “Ethics Huddles”
- Inclusive panels analyze data and results

### **Phase III – Post-crisis: Data Utilization for Quality Improvement**

- Track outcomes
  - For various populations by age, ethnicity, geography
  - Track specific death rates, immunization rates, “deprivation” rates, etc.
  - Track financial commitment of various participants
- Report findings and suggest improvement
- Local organizations respond with new plans

### **Recommendations**

- Be inclusive: people have the right and they bring rich diversity of view
- Practice dealing with ethical problems to regularize or institutionalize by presenting relevant scenarios

### **Additional Viewing**

- Programs available via webstream and VHS at:
  - [UAlbanyCPHP.org](http://UAlbanyCPHP.org)
  - [T2B2.org](http://T2B2.org)

### **Evaluation**

**[www.UAlbanyCPHP.org/evals](http://www.UAlbanyCPHP.org/evals)**

## Free Online Course

### Preparedness & Community Response to Pandemics



[www.UAlbanyCPHP.org](http://www.UAlbanyCPHP.org)

## Past Broadcast

### Avian Influenza: State, National and Worldwide Response



[www.UAlbanyCPHP.org](http://www.UAlbanyCPHP.org)

## Group Exercise & Educational Tools

### Avian Influenza: Preparation and Response Regional Workshop



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