



Institute on
Protective Services

Practical Ethics in Protective Services

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Important Definitions in Ethics

- ***Ethics*** is the general study of issues dealing with right/wrong or good/bad.
- ***Morality*** refers to a particular view about right/wrong.
- ***Laws and Regulations*** establish the minimum codes of conduct.
- ***Professional ethics*** are codes of conduct that govern professions within a particular occupation.

Important Definitions in Ethics

- ***Ethical problems*** refer to any situation involving an ethical issue.
- ***Ethical dilemmas*** are specific types of ethical problems in which there is no clear choice of how to respond to the issue.
- ***Ethical breaches*** are violations of ethical rules.

Source: Barsky, Allan E. (2010). Ethics and Values in Social Work: An Integrated Approach for a Comprehensive Curriculum. Oxford University Press, New York.

Ethical Dilemmas

- ***Ethical dilemmas*** occur when it is necessary “to choose from two or more morally acceptable courses of action, when one choice prevents selecting the other; or, the need to choose between equally unacceptable alternatives.”
- Ethical dilemmas are shaped and moved by advances in technologies, resource management, dominant culture; and prevailing professional paradigms.

Source: Hamric, Ann B., Spross, Judith A., and Hanson, Charlene M. (2000). *Advanced Practice Nursing: An Integrative Approach. Second Edition*. W.B. Saunders Company, Philadelphia, PA.

Ethical Principles – Bio-medical

- **Nonmaleficence**

- Obligation to not cause harm

- **Beneficence**

- Obligation to do good and remove harm

- **Autonomy**

- Obligation to respect an individual's right to decide, act and experience the consequences of their actions

Ethical Principles – Bio-medical

■ **Justice**

- Obligation to provide equal treatment for all individuals, act in a fair, equitable and just manner and avoid discrimination in judgment and actions

■ **Veracity**

- Obligation to be accurate and truthful

■ **Fidelity**

- Obligation to serve the well-being and best interests of an individual without divided loyalties

Ethical Principles – NAPSA

- Adults have the right to be safe.
- Adults retain all their civil and constitutional rights, i.e., the right to live their lives as they wish, manage their own finances, enter into contracts, marry, etc. unless a court adjudicates otherwise.
- Adults have the right to make decisions that do not conform with societal norms as long as these decisions do not harm others.
- Adults have the right to accept or refuse services.

Source: NAPSA Code of Ethics: <http://www.napsa-now.org/about-napsa/code-of-ethics/>

Five Common Ethical Areas in PS

1. **Autonomy (Individual choices) versus beneficence (Risk reduction)**
2. **Informed consent**
3. **Individual safety versus community safety**
4. **Fidelity versus justice**
5. **Disaster planning**

Ethical Situational Analysis

- When confronting an ethical dilemma, principles are ranked in order of importance based on the elements of the situation in order to arrive at the best ethical decision.
- The following components of a situation should be considered when ranking the principles.
 - Risk indications
 - Preferences of the adult
 - Quality of life
 - Contextual factors

Adapted from the SOURCE: Mueller, Paul S., Hook, C. Christopher, and Fleming, Kevin C. (2004). Ethical Issues in Geriatrics: A Guide for Clinicians. Mayo Clinic Proceedings. 79:554-562.

Risk Indications

- What is the issue causing the risk?
- What is the time nature of the issue (i.e. short-term, long-term, emergent)?
- What is the probability that the decision will successfully mitigate risk?
- What is the probability of the adult being at greater risk from the decision?
- What is the risk to others, e.g. neighbors, from the situation?

Preferences of the Adult

- Does the adult have decision-making capacity?
- If not, is the appropriate surrogate being utilized?
- What are the adult's stated preferences?
- Does the adult and/or surrogate have sufficient information to make an informed decision?
- What is the history of the adult's preferences related to the issue?

Quality of Life

- What is the adult's definition of quality of life?
- What is the probability that the adult can meet their definition of quality of life with the decision?
- What is the probability that the adult can meet their definition of quality of life without the decision?
- What physical, mental and social deficits will the adult experience as a result of the decision?
- What bias exists by professionals regarding whether the adult's current and potential future condition are desirable?

Contextual Factors

- What are the family issues weighing on the decision?
- Are there financial and economic factors?
- What are the religious and cultural factors associated with the situation?
- Are there allocation or resource issues?
- How do applicable laws and regulations affect the decision?
- What conflicts of interest exist for the professionals involved in the decision making?

Ethical Decision-Making Pitfalls

- The #1 ethical decision-making pitfall is making an ethical decision alone. ***The most dangerous and deadly ethical decisions are made alone.***
- When addressing an ethical dilemma, agencies should:
 - Give equal consideration to all stake-holders
 - Not rush to judgement
 - Have an accessible ethics committee
 - Not allow authoritarian voices in the process
 - Avoid trying “to fix” problems
 - Be as transparent about the process as possible without violating confidentiality

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