



Code of Ethics

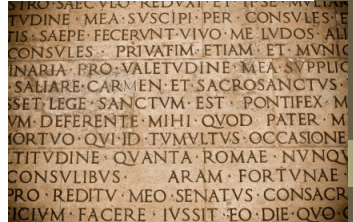
Medical Law & Ethics:

Where to Draw the Lines...
Mjflossie Revised 2019 - 2026

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Ethics Defined


- From Greek term 'ethos' meaning character
- From Latin term 'mores' meaning customs
- Combined = how people choose to interact with one another



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Why Study Ethics

- Required for Social Workers to obtain re-licensure
 - Newly added for LNHA's
- Basis of interpersonal dynamics
- To avoid legal entanglements: employment policy non-compliance & legal charges
- We live in a litigious society
- Respect for integrity and the welfare of others: common good



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Historical Beginnings of Ethics

- Human Social Order: from caveman tactics to organized standards of conduct
- Conscience and moral codes
- Religious belief systems
- Social norms evolved in every societal group - derived from decisions made - acceptable behaviors among members
- Premise was well being of the group/clan
- Established for the common good - safety



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Who Decided Acceptable Behavior?

- Historically: Elders, Sages, Wise Men, those w/ 'Special Gifts' (readers) Birthrights: Kings-Queens
- Warriors – Attila the Hun – led people to TAKE what they need
- Positions of Authority
- With civilization came hierarchy
- Today: Complex legal Systems and sub-systems
 - Originally established Liberty/Freedoms
 - Shifting now away from Justice for all toward
 - Preferential treatment and bias of persons in positions
 - Of authority



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Punishment for Violators

- Early punishment tactics: Ostracism, stoning, hanging...
- Eye for an Eye method of justice
- Then... the Judicial System – innocent until proven guilty, so
- Historically: we have applied due process
- Employers can: reprimand, counsel, demote, suspend, require additional education, rehab, and terminate – revoking license resulting in loss of income
- Accountability for actions/behaviors
- NOW? Criminals unpunished...



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Levels of Punishment: Sub System for Professionals

- Reporting to Licensing Boards: reprimand, fine, impose limitations on licenses, require additional education, rehab, suspend or revoke licenses &
- Reporting to Authorities: file Police reports, press charges
- Both employers and boards may use progressive discipline to STOP offenders
- Purpose: The common Good



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Most Common Healthcare Criminal Charges

- Abuse – selfish undisciplined emotional reactions
- Neglect – disregard for welfare of others
- Misappropriation - embezzlement
- *Theft - greed
- Malpractice – failure to assure safe practice
- Falsification of records – deception
 - Cover up



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Punishment for crossing the line

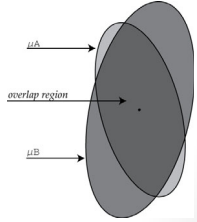
- Integrity is expected in healthcare



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Common between Law/Ethics

- Standards of moral conduct that are good for the health and well being of all members of a social group
- Based on the concept of the difference between right and wrong
- Collective Conscience-Golden Rule
 - Welfare of the people
 - For the common good of all



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More Commonalities of Law/Ethics/Personal Values

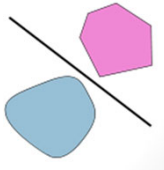


- Laws are formal rules of conduct enforced by authority to protect the public – common good
- Ethics are principles/standards that guide conduct and establish values and ideals – common good
- Moral Values are personal – formed by influence of family, culture and society – ‘what’s right and good’ – This personal element is a culprit against the common good when personal benefit exists

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Differences between Law/Ethics:

- The Law holds legal repercussion for a breach IF found out
 - Action has to be taken against the offender or they get away with it...
- An Ethical Code is a ‘standard of conduct’ expected from members of a group but a breach isn’t usually criminal...unless harm results...
 - Then the victim can press legal charges



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Organizational Behavior

- Seeks compliance with regulatory laws, rules, standards and corporate guidelines in order to PROTECT the organization and its people from potential charges, citations and litigation
- Seeks to maintain integrity in the public eye to SUSTAIN viability & success-reputation is the outcome of compliance
- How does your organization stack up? Theft? Romance? Favoritism? Prejudices?

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Ethics in the News then and now Chicago Tribune/New York Times

August 2013: Headliners

- **Jesse Jackson Jr. wonders how he'll pay \$750,000.00 forfeiture for looting from his own campaign treasury.
- **Does NYC want a mayor devoid of morality? ... 1 of the most powerful positions in the nation -- exposed embarrassing sexual conduct
- * October 2019: New York Times
 - Cybersecurity-2026
 - Cloning-baby genes cause soul-searching
 - Ex-Marine describes violent hazing
 - Race – Ethnicity – expectations-2026
 - Top Goldman Banker told to relax after
 - Whistleblower hotline caused partner to dissent



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Harvard School of Law

- Removed Ethics course from the curriculum because a professor wrote a paper to the leadership showing how "Ethics" were not practiced
- Instead of correcting the unethical elements – they simply removed it from the curriculum.....?
- Disregard of ethical standards leads to ?
 - Deterioration of the respect/reputation of a group
 - Unlawful behavior becoming acceptable/overlooked
 - Lawlessness and chaos

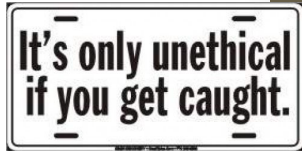


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Healthcare Counsel from Attorneys: May 2015-2025

- * Boards should maintain formal plans for staying updated on compliance and regulatory issues – prohibit legal counsel from serving as compliance officers r/t conflict of interest
- 2024: Examples of Media Ethics – news coverage including issues such are impartiality, objectivity, balance, bias, privacy and the public interest.
- Generally: stereotyping, taste and decency, obscenity, freedom of speech, advertising practices
 - Defamation of character
 - Slander and libel
 - Accuracy
 - Standards for Facts reports

(Google search)



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When does Unethical behavior become Illegal?

- When it crosses the line from honest error to an act that results in harm
- When an act is 'covered up' and found out
- When there is falsification/a lie
- When selfish thinking overrides knowledge of wrong doing
- When it breaks the formal Law



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It's 11:00pm --Do you know where your employees are?

- They're on Facebook
- Twitter
- On-line in the cyber-world
- Playing games with people in China




- **CONTROVERSIAL ETHICAL TOPICS:**
 - Abortion
 - Gun control
 - Capital punishment
 - Climate change
 - AI development
 - Data privacy
 - Genetic engineering
- Are these merely in the news to distract public from inflation, Education crisis, government regulations that limit freedoms

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Information Goes Viral


- Facebook: pictures - comments
- Tweets: You said 'what?'
- Linked-in: posted a job not on the application for current employer-denied employment
- Privacy: company issued devices hold NO privacy – phone, laptop: history can be read –responsibility is holders



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Ethics & Workplace Supplies

- Pens, paper, folders, discs, etc.
- 1 \$0.50 item per month x 100 people = \$50.00 X 12 months - \$600.00
- Companies include 'minor theft' into their annual budgets
- Consider wash clothes thrown away (instead of rinsed out), food from dietary, soap, etc. pocketed by the less conscientious...




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'Conflict of Interest' Ethics Focus

- Cleveland Clinic announced in January 2009: Physicians' inventions, associations with products and manufacturing companies who reimburse (kick-back) for 'sales' of products or pharmaceuticals... has become an issue for 'ethics' discussion...2019-still in discussion...
- Doctors and kick-backs...
- Pharmaceutical and health insurance

Limiting freedoms of choice, forcing testing
Under the guise of preventive medicine (advertised as 'for The common good' that really benefits the Healthcare machine)
Big Pharma banned a book on Natural Health benefits
**prevented publication



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Professionals Have Power in Decision Making...

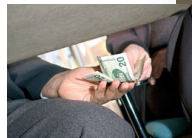
- The public looks to YOU - the doctor/nurse/social worker or administrator as the one who 'knows' what is best and believes in your integrity
- Professionals are human too: and 'personal gain' or personal opinion can skew objectivity
- Where to draw the line/**personal** interest, belief, opinion or gain!



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Living in a Litigious Society

- A Medication error is not illegal until it results in a death or harm
- People seek retribution for: discrimination, harassment, breach of confidentiality, abuse, neglect, misappropriation, malpractice
- On-line lawyers ask: Do you have a case? Ask us! No \$ down, we'll take fee out of settlement...



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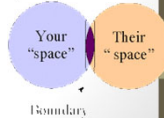
Generally there are 12 Ethical Principles:

- Honesty
- Fairness
- Leadership
- Integrity
- Compassion
- Respect
- Responsibility
- Loyalty
- Law-abiding
- Transparency
- Environmental concerns

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Attorneys On-line Address:

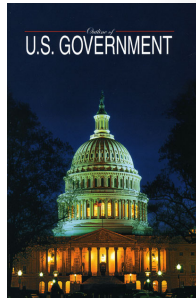
- Civil Investigative Demands / Federal Investigations Targeting Government and Private contractors
- DEA (Drug Enforcement Agency) compliance guide for Pharmacies - Controlled substance laws now over-ride professional / medical treatment
- Failure to diagnose
- Medicare fraud and abuse
- Professional relationships: professionals who cross the boundaries-assume property, have sex w/pts or family
- Informed consent, right to treat, medical records, conflicts of interest...



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Evaluation of the State of Ethical and Legal Standards

- Government?
 - Employers?
 - Licensing Boards?
 - Are there conflicts?
 - What are they?
 - Why do they exist?
- *Most Often, personal interest!



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Do WE EVEN Know all the LAWS and Ethical Standards?


- ODH/CMS
- OSHA
- OBRA
- HIPPA
- OBN
- NASW
- ANA/LPNAO-do you read newsletter
- When was the last time you read up?
- Knowledge is power & protection

LAWS
you need to
KNOW

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What's in the News?


- Bioethics, Neuroethics
- Cloning
- Right to Life
- Ethical breakdown in Medical Research/insurance/pharmaceutical companies – meds/harm
- World News (2019-2025): Leaking information with technology
- Ethics are not limited to a work place
- Cybersecurity ethics: 'should we
 - Abandon privacy on-line?
 - Tech Ethics 2026:
 - we should all be thinking about this!



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Personal Interest and Ethical Conduct: Real Life Scenarios

- Demoted employee: e-mailed a slanderous remark about a co-worker to a friend; hit reply to all instead of reply – loss of income
- Terminated employee: misuse of company equip.; burning CD's for personal use/company time
- Terminated (F) Supervisor: pursuing romance with a married subordinate who complained
- Terminated Administrator: placing political propaganda in subordinate mailboxes – Perceived pressure in office
- Sexual Harassment suit = only has to claim perceived discomfort




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A Look At Professional Ethics

- Refer to Current Standards:
 - Social Workers
 - Nurses – ANA & LPNAO
 - Doctors – AMA

Ohio Ethics Law and Related Statutes: Chapter 102 ORC



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Awareness and Reporting

- As a healthcare professional, what is your responsibility to be aware? To report? To Educate?
- Personal decisions carry far reaching consequences for professionals re: Privilege to Practice – Read Board News – many professionals lose privilege to practice every year in every discipline.
- State Boards require meeting standards or discipline results...



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A Quick Ethical Test

- Is it Legal? Is it fair?
- Is it in ethics/organizational policies?
- Is there potential for harm?
- Is it in sync with organization’s mission and values?
- Does it pass the ‘sniff’ test?
- Would the person I most admire professionally, do it?
- Would it make good front page news?



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Quotable Quotes on Ethics

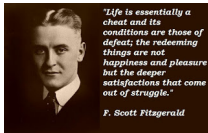
- “It is often easier to fight for principles than to live up to them.” Adlai Stevenson
- “The only thing necessary for the triumph of evil is for good people to do nothing.” Edmund Burke
- “The Welfare of the people is the chief law.” Cicero, 140 B.C.



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Professional Challenge

- “The test of a first rate intelligence is the ability to hold two opposed ideas in the mind at the same time, and still retain the ability to function. One should, be able to see that things are hopeless and yet be determined to make them otherwise.” F. Scott Fitzgerald



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There is Nothing New Under the Sun...

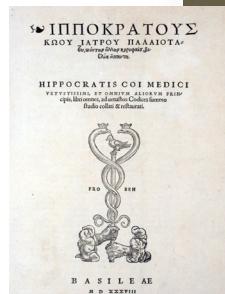
- The Oath of Hippocrates “Father of Medicine” – 5th century B.C.
- “I swear by Apollo” – Religion-belief...”and all the gods and goddesses”
- Esteems the teachers...and teach without a fee to impart knowledge
- Will abstain from whatever is mischievous – uphold moral character (ethical conduct)



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Oath of Hippocrates: Basis for Medical Ethics addressed:

- Euthanasia
- Right to life
- Professional Boundaries
- Sexual Harassment
- Confidentiality – HIPPA
- Declares punishment is deserved if one breaches conduct



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New York Times

Ethical Highlights: many pages long

- “When Pressure to win collides with doctors oath” (sports med)
- Scientists who cheat – Wheaton College: “The retraction of the study on same-sex marriage from the Journal Science raises the question of just how much cheating goes on.”
- “Marc Hauser May have fabricated data at Harvard Lab:
 - 8 counts of scientific misconduct
 - 2024 Research is still in the news



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In the News: January 2025

- House committee seeks testimony from Austin on Hospitalization: House armed services says, “congress must understand what happened and who made decisions to prevent disclosure of whereabouts of cabinet secretary”
- Ancestry tests produce shocking results: Ethicist states there is burden that comes with obtaining genealogical information
- Mayor Eric Adams/New York, set up the fund amid broad federal corruption investigation into his campaign’s fund raising practices
- Republican Candidate in New York’s 3rd district drew scrutiny for financial disclosure missing information
- Does Prenatal Down’s syndrome testing amount to Eugenics?
- And MORE primarily political issues...

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Where to Draw the Lines...

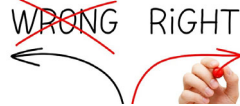


- At personal interest
- When personal biases, opinions, beliefs or ability to benefit factor into the decision
- Stick to the Facts, objectivity and professional standards and approaches in decision making
- Know for over 2,000 years, the dilemmas are the same and have yet to be solved!

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“The Difficulty in Life is the Choice.” George Moore

- Ethical and professional conduct includes our treatment of others. Professional courtesy and respect for others, including subordinates. It's easy to become condescending when you are directing or correcting a subordinate
- BUT; check and treat everyone with the same professional courtesies... You have no idea how many people don't.
- We Feel first and think second; “people may not remember everything you said, but they will never forget how you made them feel.”
- If one makes people feel valued and important, they will be motivated to perform better, to want to learn from that person and to use them as a mentor...
- The Ethical Dilemma IS the CHOICE.



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Case Study

- Group Read/Discuss
- Present



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Open Discussion

- Questions?



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