

THE CODE SAYS

The AMA *Code of Medical Ethics*' Opinions on Ethics Committees and Consultations

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The *Code of Medical Ethics* has two opinions specifically devoted to ethics committees and consultations. These are both important, as numerous opinions in the *Code* address processes of requesting ethics consultations for ethically complex clinical cases.

Opinions 9.115, "Ethics Consultations" [1], and 9.11, "Ethics Committees in Health Care Institutions" [2], both focus on guidelines for the functioning of these resources. Opinion 9.115 states first that "all hospitals and other health care institutions should provide access to ethics consultation services." It explains that explicit structural and procedural standards should be developed and consistently followed, examines issues of consent in the context of consultations, and recommends that a consultation service have a workload that allows it to be functional. Opinion 9.11 outlines similar guidelines for ethics committees, explaining that their function is advisory in nature and confined exclusively to ethical matters, and that the size and availability of the committee should be consistent with the needs of the institution. Procedures followed by the ethics committee should comply with institutional and ethical policies on confidentiality, and any denominational health care institutions should publicize the fact that particular religious beliefs are to be taken into consideration in a committee's recommendations.

What Are They?

Opinion 9.115, "Ethics Consultations," explains that a consultation

may be called to clarify ethical issues without reference to a particular case, facilitate discussion of an ethical dilemma in a particular case, or resolve an ethical dispute. The consultation mechanism may be through an ethics committee, a subset of the committee, individual consultants, or consultation teams.

The 1992 Joint Commission on Accreditation of Healthcare Organizations (JCAHO) manual requires that health care organizations "have in place a mechanism for the consideration of ethical issues arising in the care of patients, and...provide education to caregivers and patients on ethical issues in health care" [3].

Why Are They Important?

Principle VIII of the *Code of Medical Ethics* states that "a physician shall, while caring for a patient, regard responsibility to the patient as paramount" [4]. Ethics consultations

might be requested, for example, when it's unclear or controversial which action would best execute this responsibility. Ethics consultations, even at their most informal, can be essential for upholding the best interests of the patient because they give a physician a "reflective space" [5] in which to discuss the ethical complexities of a clinical situation with other professionals who are either formally trained in ethics or who have significant clinical ethics experience. Such consultations should include appropriate stakeholders (patients and their families or decision makers, for example, are often invited to participate) and the viewpoints of those who can help clarify the nature and scope of relevant ethical and empirical questions and identify possible solutions.

References

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