Ethics: Application To Serving Persons In Homelessness.

Lora Warkentin
Cornerstone Manor Manor
Buffalo, NY 14203
Ethics
Lora Warkentin, RN., DNS
Buffalo, NY 14302
716-852-0761
lwarkentin@cornerstonemanor.org

Course outline:
Topic: Ethics, Caring For the Persons Who Are Homeless.
The persons attending the course will:
• Define Ethics
• Examine the principles of ethics
• Learn to apply ethical principles to decision making in case management
• Examine the Principles and their application.
  Examine the analysis of ethical cases.
What are Ethics?

Ethics:
- the study of standards of conduct and moral judgment;
- implies conformity with a code of moral principles
- morals pertain to the difference between right and wrong.

Webster
Principles of Bioethics
practice-based ethic

- Respect for Autonomy
- Nonmaleficence
- Beneficence
- Justice
- Fidelity

Will refer to the persons we serve in the shelters as “Clients”
Respect for Autonomy

- Self rule
- Right to privacy
- Right to informed consent
- Right being treated with dignity & respect.
- Client’s unique set of: values, goals, desires
Autonomy

- Implies competence
- Legal age of decision making
- The ability to understand information and to relate this to one’s life plan and priorities
- Logical consistency with one’s goals
Problems related to incompetence

- Incompetence: legal definition
- Incapacity: a clinical definition
  - patient’s capacity may wax and wane
  - capacity for decision at this time?
- Creates a need for a surrogate (proxy)
  - payee
  - power of attorney
Nonmaleficence

- Do no harm
- Avoid harm
- Prevent harm

Case managers have a duty to intervene and report when:

- the safety or well-being of the client or another person is at risk i.e. reporting to child protection when child abuse is detected or suspected.
Beneficence
Doing good

- Act in such a way as to provide a benefit for the Client i.e. advocating for the client with physician or other authorities.
- According to the ethical goals of caring.
- In terms of the Client’s value system.
Justice

- “Give to each that which is due.”
- According to:
  - merit
  - need
  - equally
  - potential for contribution
Fidelity

- **Fidelity**: ethics of keeping one's promise.

- Confidentiality is a special form of trust within the principle of Fidelity.
  - information sharing
  - record keeping

- Consent for treatment and referrals
- Consent for information release
Privacy of Information

- Is it ever right to break confidentiality?
  - when the client’s life is at risk/ suicidal
  - when another person’s life is at risk/ homicidal
  - teaching purposes, in such case the identity of the client is concealed.
  - reporting purpose, in such case it is wise to discuss with the client what would be OK to report, the client has the right to privacy and case managers are obligated to respect it.
Ethical Principles

- Serve as practical moral guidelines for assessing one’s duty in a particular case.
- Provide continuity and uniformity in assessing policies in care giving.
- Helps to identify one’s moral duty in a particular situation.
- Guides us to do the right thing.
GENERAL ETHICAL PRINCIPLES: for serving homeless Clients

- Their goal is individual empowerment through the creation of more positive choices.

A. Interactions will always be with:
   - dignity, mutual respect, courtesy, and fairness.

B. Guests/clients are not to be blamed for their situation.
C. Clients are to be regarded as self-determined and their choices will be respected by Case manager.

Case manager will do his/her best to inform Clients of outcomes of those choices.

D. Case manager & Client will strive to create additional alternatives when the given choices do not meet Clients' needs.
General ethical principles con’t

E. Individuals have the inherent right to privacy and confidentiality.

F. Individuals have the inherent right to decent housing, adequate food, clothing, and safe sanitary conditions.

G. Buildings will be accessible to persons with disabilities.

H. Individuals have the right to pursue an education.

I. Individuals with special dietary needs should have those needs met.
Ethics

Can we...?

Should we...?

functional question

Ethics question
To treat or not to treat?

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Client:

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A PARADIGM FOR THE ANALYSIS OF ETHICAL CASES:

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<th>Indications for Intervention</th>
<th>Preference of the Client</th>
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<td>Quality of life</td>
<td>Contextual issues</td>
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*From: Jonsen, A., Siegles, M., Winslade, W. *Clinical Ethics*, 4TH edition*
Indications for Intervention

- What are the problems? Prognosis?
- Is it acute, chronic, reversible?
- What are the goals of treatment and probabilities of success?
- In case of failure, what plans?
- How can benefit be provided – harm avoided?
Preference of the Client

- What preference for treatment has the Client expressed? Or refused?
- Does the Client understand the risks and benefits and has the Client give consent?
- Is the Client competent to make the decision or is there evidence of incapacity?
- Are there Directives (judges orders) surrogates (payees)?
Quality of life

- What are the prospects, with or without intervention, for a return to normal life?
- Any biases that might prejudice the care giver’s evaluation of the Client's quality of life?
- What mental, physical, social, and relational deficits may remain, regardless of intervention?
Contextual issues

- Family issues influencing treatment choice?
- Financial, economic, scarcity issues?
- Religious, cultural factors?
- Legal issues?
- Liability issues for the care giving agency?
- Any justification to breach confidentiality?
Steps for ethical decision making

1. Recognize that there is an ethical issue.
2. Determine the actor, i.e. whose issue it is.
3. Gather the relevant facts.
4. Test for right vs. wrong - if it is, then this is not an ethical issue, but a moral one.
5. Test for right vs. right paradigms.
6. Apply the three decision-making frameworks.
7. Investigate a creative resolution which satisfies all values at stake.
8. Make the decision.
9. Revisit and reflect on the decision later.
RESOURCES:

- Black, J., PhD. The Importance and Challenges of Setting Boundaries
- Encyclopedia of Bioethics
- Hastings Center Report
- Bioethics Line
- Kane RA, Penrod JD, Kivnick HQ. Case managers discuss ethics: dilemmas of an emerging occupation in long-term care in the United States.
- Orr, Robert D. MD Director of Clinical Ethics