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ETHICS FOR PUBLIC HEALTH

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Overview:

- Features of Public Health Ethics
- Some methods of moral reasoning in Public Health Ethics
- Relevant Public Health characteristics
- Public Health goals
- A Public Health Ethics Framework
- Principles of Public Health Ethics
- Public Health & civil liberties
- Globalization & Public Health
- Ethics & Public Health – Other areas of concern
- The work in Ethics - PAHO and CARPHA



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PUBLIC HEALTH ETHICS

- Ethics – has two (2) aims:
 - To tells us what we ought to do
 - To provide strong reasons for doing so
- Features of Public Health Ethics:
 - Cannot be approached as if an extension (or an extrapolation) of clinical or medical ethics (which addresses ‘person to person’ interaction)



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PUBLIC HEALTH ETHICS

- Uses a different framework:
In reality – it is like government in action!
- Populations are not “many patients put together”
 - Populations have a diversity of values and interests
- Framework:
 - Public policy, government action, population level...
 - Public health ethics: incorporated into public health



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PUBLIC HEALTH ETHICS

- Public health research and practice raise a variety of important ethical issues
- These issues have resulted in a significant increase in efforts to examine and clarify the rights and responsibilities of practitioners, investigators, study participants, communities, and governments
- Public health professionals therefore need to be skilled at ethical decision-making



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PUBLIC HEALTH ETHICS

- Consequently, public health professionals should be familiar with some methods of moral reasoning.
- Moral reasoning involves deliberating about ethical questions and problems, and coming to a decision with the help of good judgement and rational analysis.
- In such deliberations, we sometimes seek to justify particular decisions and actions by applying moral rules and principles, which are in turn justified by ethical theory.



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Some Methods of Moral Reasoning



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PUBLIC HEALTH ETHICS

- **Deontological (duty-based) and Utilitarian theories have much relevance to public health ethics**
- Deontological (or Kantian) theories hold that individuals should not be treated simply as means to an end, but as ‘ends’ in themselves, and that some actions are right or wrong regardless of their good (or bad) consequences
- Deontology provides strong support for protecting participants, for example, in research – even if such protections slow the research and the acquisition of knowledge



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PUBLIC HEALTH ETHICS

- **Utilitarian theories, on the other hand, strive to maximize beneficial consequences**
- The principle of utility requires the maximization of collective benefits
- Utilitarian theories provide strong justification for public health programs – such as compulsory vaccinations, the fluoridation of public water supplies, and the collection of vital statistics



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PUBLIC HEALTH ETHICS

- **Principle-based methods of moral reasoning incorporate the four (4) principles of beneficence, non-maleficence, autonomy, and justice.**
- **The ethical principle of beneficence** requires that potential benefits to individuals and society be maximized, and that potential harms be minimized. Beneficence involves both the protection of the welfare of individuals as well as the promotion of the **common good.**



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- **The principle of non-maleficence** requires that harmful acts are not committed. However, it allows for the balancing of potential harms against potential benefits.
- **The principle of justice** requires the equitable distribution of potential benefits and burdens. An egalitarian theory of justice holds that each person in society should receive an equal share of potential benefits. On the other hand, utilitarian theories of justice emphasize a mixture of criteria so that public utility is maximized – this is the way in which public health policy has often been formulated.



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PUBLIC HEALTH ETHICS

- **The principle of autonomy** focuses on the right of self-determination
- This ‘respect for persons’ is a principle rooted in Western tradition, which grants importance to individual freedom in political life and personal development
- Loosely associated with this concept are ideas of privacy, choosing freely, and accepting responsibility for one’s choices



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PUBLIC HEALTH ETHICS

- Decisions about which method or methods of moral reasoning to employ can be made on the basis of practicality and applicability to the particular ethical problem in public health being faced at the time
- The choice of moral reasoning methodology might also be made on the basis of theoretical considerations
- The three (3) approaches may each be of use in the analysis of ethical issues in public health, and public health professionals ought to have some understanding of the concepts and language of ethics, and of the major moral traditions

PUBLIC HEALTH ETHICS

- **Relevant public health characteristics:**
 - Invariably involves government action
 - Concerned with the public/collective good
 - Places great emphasis on ‘prevention’
 - Is not necessarily concerned with ‘present harms’ (a feature of biomedical ethics)
 - More concerned with ‘statistical’ persons – not identified
 - Is intrinsically oriented to ‘results’

(Faden, Stanford Encyclopedia of Philosophy, 2010)



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PUBLIC HEALTH GOALS

- **Aims:**

1. To improve the health of the population
2. Reduce inequities in health

And so 'ethical issues' are always at the 'heart' of public health!



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PUBLIC HEALTH GOALS

- **Practical applications:**

Public Health Goals sometimes dictate conflicting courses of action.

And so we have to determine:

- How to decide?
- How to do an ethical analysis of public health interventions?

We may need to decide how to prioritize:

i.e. Which trade-offs are ethically acceptable?



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A PUBLIC HEALTH ETHICS FRAMEWORK



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PUBLIC HEALTH ETHICS FRAMEWORK

- To evaluate when a public health intervention is ethical
- Proposed by Childress et al. (*J Law Med Ethics*, 2001), further developed by Kass (*Am J Public Health*, 2002); version from PAHO concept paper.



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PUBLIC HEALTH ETHICS FRAMEWORK

An intervention is ethical only if there is evidence that:

- The proposed intervention is effective;
- The benefits of the intervention outweigh any harm and burdens (proportionality);
- The public health objective can't be achieved in a less burdensome way for the population;
- The intervention will result in the least possible burden or adverse effects; and
- Burdens and benefits will be distributed fairly



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PUBLIC HEALTH ETHICS FRAMEWORK

Additional procedural requirement:

- Intervention has to be publicly justified
 - Because of the ethical imperative to treat people with respect
- This might be crucial given the difficulty to achieve consensus
- There should be “Added value” (and greater adherence to recommendations that result from publicly justified policies)



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PUBLIC HEALTH ETHICS FRAMEWORK

This Framework might not help for some decisions about public health policy:

Such as deciding between competing alternatives, or deciding which of the alternatives need to be prioritized.

- How to set priorities ethically?
- Which tradeoffs are ethically justified?
- Which substantive ethical values /principles should guide decisions?
- Which procedures should we follow?



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PUBLIC HEALTH ETHICS FRAMEWORK

It is not easy to make health policy decisions:

For example:

A choice between two (2) Tests:

1. Test A – if done for all the population would save 1000 lives!
2. Test B is a more expensive and better test, but if done for half of the population (because of insufficient budget) randomly selected - would save 1100 lives!

(Ubel et al., *NEJM* 1996)

Which would you choose?



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PUBLIC HEALTH ETHICS FRAMEWORK

Better outcomes, or equality of opportunities?

- Not obvious which should be given priority
 - Both possibilities are based on valuable ethically-grounded principles
- Yet – there could be reasonable ethical disagreement
 - Of importance:
 - A Decision is needed (can't do both)
 - Consensus is not easy
 - Time matters



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PUBLIC HEALTH ETHICS FRAMEWORK

So how do we do it?

- When there is more than one dimension - which dimension should we start with?
- Should we first make coverage more affordable or should we expand the services that are covered?
- Should we first cover more people or expand the services that are covered?
- How do we prioritize within each dimension?
 - Which services do we add first?
 - Which population do we prioritize?



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SOME PRINCIPLES OF PUBLIC HEALTH ETHICS



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Principles of Public Health Ethics:

- **The Harm principle** (John Stuart Mill)
 - The only acceptable reason to coerce people is to prevent harm to others
- **The least restrictive or coercive means** (quarantine, isolation, etc.)
- **The Reciprocity principle** (Public Health Departments have an obligation to assist individuals & communities in the discharge of their duties, and persons should comply with public health requests)
- **The Transparency principle** (Hiding things from people is not a good thing!)



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Public Health & civil liberties:

- **Isolation & quarantine** – justified on the grounds of protecting the health of the public
- **Contact tracing involves invasion of personal privacy** – justified on the grounds of public health
- **Severe illnesses such as Ebola** – need intensive care that takes away resources from other patients – but is justified on the grounds of ‘urgent need!’
- **The justification for reducing civil liberties is to protect the public health**



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Globalization and Public Health



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Globalization affects Public Health:

- International travel
- Global migrant work force
- Humanitarian aid
- Consequence: Rapid spread of infectious diseases

Example – Bringing persons from one part of the world to aid another country – which may bring their diseases to the assisted country (e.g. Cholera introduced into Haiti by UN workers coming from Nepal – to assist after the earthquake there in 2010)



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Globalization affects Public Health:

- Other examples:
 - **The Chikungunya virus** – up to 2013 was only seen in parts of Africa, Asia, Europe and India and countries around the Pacific Ocean. Now seen across the Caribbean that resulted from a quick spread to various parts of the world!
 - **The Ebola virus** – On August 8, 2014 – the WHO declared the Ebola epidemic as a Public Health Emergency. 5 countries currently affected – Liberia, Guinea, Sierra Leone, Nigeria, and Senegal.



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Ethics & Public Health - Other areas of concern:

- Protection of Privacy & Confidentiality
- Informed Consent in Public Health Research
- Ethical issues in Randomized Controlled Trials
- Ethics review of research protocols
- Communication Responsibilities of Public Health Professionals
- Issues surrounding the Publication & Interpretation of Research findings
- Conflicting Interests and the ethics of research sponsorship



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Ethics & Public Health - Other areas of concern:

- Scientific Misconduct in Public Health Research
- Intellectual property and data sharing
- Ethical issues in Public Health practice and regulations
- The ethics of Cross-Cultural Research
- Studies of Vulnerable Populations
- Genetic Research, Testing, and discrimination
- The ethics of HIV/AIDS Prevention and Treatment
- Allocation of Scarce Resources and Health Care Reform



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WORK IN ETHICS



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The work of PAHO in Public Health Ethics

1. PAHO agreed that Public Health Ethics is a priority in its Bioethics Concept Paper and Resolution adopted in 2012
2. It plans to raise awareness about ethics in public health (focus on the ethics of priority-setting)
3. It also plans to building capacity:
 - Public health ethics (casebook coming!)
 - Accountability for reasonableness (A4R) framework:
procedural criteria



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The work of PAHO in Public Health Ethics

4. PAHO also intends to help countries implement the A4R (its planned Accountability for reasonableness framework)
5. With respect to Universal Health Coverage:
 - *Making fair choices* report: PAHO also plans a Substantive and procedural criteria to move towards Universal Health Coverage



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The work of CARPHA in Ethics:

- **CARPHA** is currently building its capacity in **Ethics** to support our CARPHA member states
- Our initial focus is on completing the formation of a Research Ethics Committee whose services will be available to all our member states
- CARPHA is also able to provide advice and technical support in other areas of Bioethics



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CARPHA Thanks You



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