

QUICK EASY QUESTIONS FOR ANALYZING MEDICAL ETHICAL CASES

Margaret P. Battin
Jeff Botkin, MD
Leslie P. Francis
Jay Jacobson, MD

Sometimes, traditional philosophical ways of analyzing medical-ethics cases seem just too cumbersome, particularly to people without training in ethical theory. The issues are important, interesting, often compellingly engaging. But it isn't the time for heavy jargon, or terms like "deontology" or "rule utilitarian" or "distributive justice" or any of the other concepts with which the field of medical ethics works; it's time to just get going at the issues. Here's an easy, effective set of questions to open discussion of cases; you can save the heavy jargon for later.

I. SEEING WHAT THE ISSUE IS:

- 1) From whose perspective are you examining the case? the patient's? the physician's? the family's? the medical institution's? etc.
- 2) Are the interests of two (or more) parties in the case different? How different?
- 3) What do we know/not know about the medical facts of the case? Does everybody think they know the same things? If not, why not?
- 4) Are there any special cultural or religious factors in the case?
- 5) Why did this case come up?

II. ANALYZING THE MORAL CONFLICT:

- 6) Are there any traditional moral rules (e.g., don't lie, don't steal) at stake?
- 7) What does the patient want? What does the patient not want?
- 8) What are the likely outcomes? What will probably happen if the person acts in way A? way B? way C? How many different ways would it be possible for the person to act, and which would have the best outcome?
- 9) Is there a difference between what the patient says s/he wants and what s/he really wants? If so, how do you know there's a difference?
- 10) What does the family want? Is there a difference between what the family wants for the patient and what they want for themselves?
- 11) What does the physician want? Does the physician want this for the sake of the patient, or to satisfy a requirement of the medical institution, or to avoid trouble with the patient's family or with the law, or what?
- 12) If there's a disagreement, is one party talking about rules that shouldn't be broken and the other one about what might happen as a consequence of acting in one way or another?
- 13) How many conflicts and levels of conflict are there in this case, anyway?

III. REACHING A DECISION:

- 14) Who gets to make the decision? Why this party, rather than somebody else?
- 15) How urgent is the decision? How important is it that a decision be made at all?
- 16) If you reach a decision about what to do in this case, would you be willing to say that the same decision should be reached in other similar cases? Or is there something special about this case, and if so, what?
- 17) If you reach a decision about what to do in this case, would there be any special consequences for patients in general? for the medical profession? for specific groups of patients, e.g., the elderly? for specific groups within the population? for society at large?

IV. AFTERTHOUGHTS:

- 18) Is there a way the current (difficult) situation could have been prevented?
- 19) Who's been helped, and who's been harmed, if anybody, by the process of reflecting on this case?