

Ethics Committees in Health Care Institutions

Code of Medical Ethics Opinion 10.7

In making decisions about health care, patients, families, and physicians and other health care professionals often face difficult, potentially life-changing situations. Such situations can raise ethically challenging questions about what would be the most appropriate or preferred course of action. Ethics committees, or similar institutional mechanisms, offer assistance in addressing ethical issues that arise in patient care and facilitate sound decision making that respects participants' values, concerns, and interests.

In addition to facilitating decision making in individual cases (as a committee or through the activities of individual members functioning as ethics consultants), many ethics committees assist ethics-related educational programming and policy development within their institutions.

To be effective in providing the intended support and guidance in any of these capacities, ethics committees should:

- (a) Serve as advisors and educators rather than decision makers. Patients, physicians and other health care professionals, health care administrators, and other stakeholders should not be required to accept committee recommendations. Physicians and other institutional stakeholders should explain their reasoning when they choose not to follow the committee's recommendations in an individual case.
- (b) Respect the rights and privacy of all participants and the privacy of committee deliberations and take appropriate steps to protect the confidentiality of information disclosed during the discussions.
- (c) Ensure that all stakeholders have timely access to the committee's services for facilitating decision making in nonemergent situations and as feasible for urgent consultations.
- (d) Be structured, staffed, and supported appropriately to meet the needs of the institution and its patient population. Committee membership should represent diverse perspectives, expertise, and experience, including one or more community representatives.

(e) Adopt and adhere to policies and procedures governing the committee and, where appropriate, the activities of individual members as ethics consultants, in keeping with medical staff by-laws. This includes standards for resolving competing responsibilities and for documenting committee recommendations in the patient's medical record when facilitating decision making in individual cases.

(f) Draw on the resources of appropriate professional organizations, including guidance from national specialty societies, to inform committee recommendations.

Ethics committees that serve faith-based or other mission-driven health care institutions have a dual responsibility to:

(g) Uphold the principles to which the institution is committed.

(h) Make clear to patients, physicians, and other stakeholders that the institution's defining principles will inform the committee's recommendations.

AMA Principles of Medical Ethics: II, IV, VII

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