

REPORT OF THE COUNCIL ON ETHICAL AND JUDICIAL AFFAIRS*

CEJA Report 4-I-09

Subject: Update: Modernizing the AMA *Code of Medical Ethics*

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1 As noted in CEJA Report 5-I-08, “Modernizing the AMA *Code of Medical Ethics*,” the Council on
2 Ethical and Judicial Affairs (CEJA) has embarked on a project to critically review and update the
3 *Code*. The goal is to ensure that the *Code* continues to provide timely, relevant, cogent guidance for
4 the profession of medicine and its individual physician and medical student members.
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6 Staff and consultants completed a preliminary review of all Opinions in the *Code* as re-organized
7 under the new, more intuitive taxonomy identified in CEJA’s previous report. Each Opinion was
8 scored with respect to the continued importance of the topic the Opinion addresses; the quality of
9 ethical analysis; and the quality, timeliness, and usefulness of the specific ethical guidance the
10 Opinion offers. This first round of review also sought to identify topic gaps that should be
11 addressed in new CEJA reports and recommendations; opportunities to combine two or more
12 existing Opinions on related issues into an overarching report and recommendations; and opinions
13 that are outdated and should be replaced (or, where appropriate, sunsetted).
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15 The Council is currently reviewing initial proposals from staff and consultants for refining how the
16 Opinions of the *Code* are organized within each topical chapter. The first round of review
17 suggested that bringing together “clusters” of Opinions on closely related concerns within a general
18 topic area would enhance the value of the *Code* not only for the practicing physicians who are its
19 primary audience, but also for medical educators and others. For example, bringing together
20 Opinions in clusters on confidentiality, privacy, and medical records within an overall chapter on
21 privacy and confidentiality would help make it easy to find guidance about physicians’
22 responsibilities with respect to particular questions while also indicating the broader range of
23 relevant ethical issues.
24

25 The Council is also considering the potential value for users of presenting the content of the *Code*
26 in a uniform format across all Opinions. As the *Code* has evolved to meet new challenges in
27 medical science and the delivery of health care, Opinions have been presented in a variety of
28 formats. This can present a challenge for interpreting the ethical guidance provided in different
29 Opinions. One proposal under discussion is to present the substantive content of all Opinions in a
30 three-part form: a “preamble” that identifies the fundamental ethical and professional values and

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1 obligations at issue; a brief description of the context of the ethical concern(s) the Opinion
2 addresses; and finally, concrete, practical guidelines for physicians' professional ethical conduct.
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4 Building on these foundations, in the coming months the Council will work with staff and
5 consultants to begin developing specific proposals for revision of each chapter in a systematic,
6 iterative process. As this process goes forward, CEJA will solicit additional review and feedback
7 from stakeholders, including representatives from AMA Councils, Sections, Special Groups,
8 members, and the Federation.