

## Ethics in Medical Practice and Research

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### Introduction

Ethics refers to systematic rules or principles governing right conduct. Medical ethics concerns with moral conduct and principles that govern members of the medical profession.<sup>1</sup> As a discipline, medical ethics has roots in philosophical principles forming the basis of societal and moral values along with professional codes of conduct which is integral to the practice of medicine.<sup>2</sup> Medical practice is considered ethical, once commonly accepted principles of autonomy, justice, beneficence, and non-maleficence are fulfilled. Individuals use a code of ethics to justify their actions within the acceptable limit of practice. Considering the potential consequences of actions, medical professionals require a keen understanding of national and international ethical codes.<sup>3</sup> Society expects the medical practice to be based on sound ethical principles, morals, and values. Ethics should be taught in medical schools from the beginning by senior medical faculties sharing their experiences. Decisions usually are made after dealing with problems or difficult situations tactfully within set norms and values without harming the clients. Lessons should be learned from previous mistakes and should not be repeated.<sup>4</sup>

#### Different Ethical Principles in Common Practice

A central objective of the World Medical Association (WMA) has been to establish and promote the highest possible standards of

### Abstract

Ethics is a moral guide that helps the treatment group to be treated with due respect and care following the standard of practice. It also helps the research to be conducted without or minimal harm to the population under study. Besides ethics, clinical practice and research are guided by some nationally and internationally accepted principles or codes of conduct. The human subject under treatment or study should be respected to the utmost level and should be performed by trained personnel. The importance of ethics starts before studies so should be kept in medical curricula starting from basic sciences so that medical practitioners become acquainted from the beginning of the study.

ethical behaviour and care by physicians. In pursuit of this goal, the WMA has adopted global policy statements on a range of ethical issues related to medical professionalism, patient care, research on human subjects, and public health.<sup>5</sup>

The Declaration of Geneva is one of the World Medical Association's oldest policies adopted by the second General Assembly in Geneva in 1947. It builds on the principles of the Hippocratic Oath and is now known as its modern version. It safeguards the ethical principles of the medical profession, relatively uninfluenced by zeitgeist and modernism.<sup>6</sup>

Declaration of Geneva-version 2006 states- "...I solemnly pledge to consecrate my life to the service of humanity; ...I will practice my profession with conscience and dignity; The health of my patient will be my first consideration; I will respect the secrets that are confided in me, even after the patient has died;... I will maintain the utmost respect for human life; I will not use my medical knowledge to violate human rights and civil liberties, even under threat;..."<sup>7</sup>

In addition to the modern Hippocratic oath as stated above WMA International Code of Medical Ethics is also on practice which states, "A physician shall always exercise his/her independent professional judgment and maintain the highest standards of professional conduct...A physician shall be dedicated to providing

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competent medical service in full professional and moral independence, with compassion and respect for human dignity. A physician shall deal honestly with patients and colleagues, and report to the appropriate authorities those physicians who practice unethically or incompetently or who engage in fraud or deception...A physician shall respect the rights and preferences of patients, colleagues, and other health professionals...A physician shall respect the local and national codes of ethics. A physician shall always bear in mind the obligation to respect human life. A physician shall act in the patient's best interest when providing medical care...A physician shall respect a patient's right to confidentiality. It is ethical to disclose confidential information when the patient consents to it or when there is a real and imminent threat of harm to the patient or to others and this threat can be only removed by a breach of confidentiality...<sup>8</sup>

WMA has developed Declaration of Helsinki as a statement of ethical principles for medical research involving human subjects with General Principles stating "The health of my patient will be my first consideration; It is the duty of physician to promote and safeguard the health, well-being and rights of patients, including those who are involved in medical research...;Medical research is subject to ethical standards that promote and ensure respect for all human subjects and protect their health and rights...;it is the duty of physicians who are involved in medical research to protect the life, health, dignity, integrity, right to self-determination, privacy, and confidentiality of personal information of research subjects...;physicians must consider the ethical, legal and regulatory norms and standards for research involving human subjects in their own countries as well as applicable international norms and standards...;medical research involving human subjects must be conducted only by individuals with the appropriate ethics and scientific education, training and qualifications..."<sup>9</sup>

In the Nepalese context, the Nepal Medical Council (NMC) Code of Ethics is on practice to regulate medical practice which states, "...Even under threat and duress I will not use my knowledge contrary to the norms of humanity; I will maintain the utmost respect for human life right from the time of conception as per the laws of the land...; the health of my patient will be my first consideration...The main aim of the medical profession is to render service to the cause of humanity...; NMC does not wish to hinder the ethical dissemination of relevant factual information about the services available at an institution or being provided by a physician...The Council recognizes the duty the medical profession has in disseminating information about advances in medical science and therapeutics, provided that it is done in an ethical manner. Solicitation of patients directly or indirectly, by a physician, by groups of physicians or by institutions or organizations is unethical...; It is unethical to prescribe drugs or formulations about which the physician has no knowledge about its composition and pharmacopeial action...; A physician must seek an informed written consent prior to performing a diagnostic or treatment procedure. Consent should be taken from the patient if s/he is above sixteen years, but in the case of minors or unconscious patients, consent from guardian can be taken. If there is an emergency and nobody is available to sign consent on behalf of patient, it is the responsibility of the physician to start the treatment. It is obligatory for the physician to explain the nature of the procedure and the expected result...; It is the duty of the physician to report to the NMC without fear of any incompetent, corrupt, and dishonest member or unethical conduct on the part of members of the profession...; Divulging the gender of a fetus should not be done in USG or other investigation report as this may lead to subsequent termination..."<sup>10</sup>

To conduct medical research in Nepal, one has to take prior ethical approval from the Ethical Review Board of Nepal Health Research

Council (NHRC) or Institutional Review Committees recognized by NHRC for the institutional purpose only. One of the major functions of NHRC is to provide a specific policy direction for the regulation, promotion, implementation, management, and utilization of health research in Nepal. Besides, it also monitors and evaluates research works related to health and make appropriate recommendations.<sup>11</sup>

#### Need for Medical Ethics

Along with basic sciences, the pre-medical curriculum should consist of chapters on medical ethics regarding the doctor-patient relationship, beneficence and non-maleficence, autonomy and informed consent, confidentiality, respect for public welfare, cultural factors in healthcare, and issues at end-of-life care. Students should be given ideas about dealing with situations that create dilemmas and proper use of morality and practical ethical ideas in cases of withholding treatment, euthanasia, assisted suicide, and condition of specific conflicts that arise during providing healthcare. Most situations encountered are not clear as to the ethical course of action and there is usually no "black and white" situation, but rather shades of gray. Ethical practice in healthcare delivery requires the physician to recognize and learn the methodology for addressing ethical concerns. Learning about medical ethics while studying basic sciences, prepare students to appreciate the art of medical practice. The practice of medicine entails a combination of knowledge, skill, technology, and interpersonal relationships, all of which are melded together by a series of ethical questions. General emphasis should be placed on the ethical aspects of daily medical practice rather than the dramatic dilemmas raised by modern technologies.<sup>12</sup>

These days medical practices have been complicated by the emergence of moral conflicts in medical care and clinical research. An increased emphasis on patient-centeredness in the doctor-patient relationship, the development of sophisticated medical technology, and; the influence of legal and health system factors on clinical care is on the rise. Education on medical ethics helps to provide awareness of values and ethical conflicts. These days knowledge of basic ethical principles, professional obligations, and practical skills in addition to decision making by using ethical principles is a must to avoid medico-legal litigation.<sup>2</sup>

Counseling the patients elaborately in their language whenever possible followed by written informed consent is of great importance to save concerning health practitioner from the medical lawsuit. Systematic and timely documentation assist to decrease visits to the court.<sup>13</sup>

#### Breach of Medical Ethics

In history, there are many events where medical ethics were not followed or can be considered breached when watched retrospectively. The most common ones being "The Nazi Medical Experiments" where 'forced sterilization' for people with physical and mental abnormalities and ethnic minorities were performed and; the eventual practice of 'euthanasia' for incurables were done. Prisoners were deliberately infected with diseases like Tuberculosis and Malaria. Operations were performed without anaesthesia. The other one was named "The Tuskegee Study" where Syphilis patients were not given Penicillin for treatment to see the natural history of the disease. Instead, drugs like Aspirin and Iron tonics were given although Penicillin was well known as the drug of choice for Syphilis and was also widely available after World War II.<sup>14</sup>

#### Conclusion

Ethics and moral values should get topmost priority while practicing medicine and conducting research. It helps to improve

safety and minimize risks while treating patients or conducting research. One should be aware that ignorance of fact is excusable but ignorance of the law is not.

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