

Bioethics Matters

A Newsletter for the Friends
of Biomedical Ethics at UVA



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Director's Letter

As promised in our last newsletter, I can now—with great pleasure and excitement—introduce to you our new faculty members in the Center for Biomedical Ethics and Humanities:

Lois Shepherd, JD (lls4b@virginia.edu), is Associate Professor of Biomedical Ethics with a joint appointment as Professor in the School of Law. After receiving her undergraduate degree from UNC-Chapel Hill and her law degree from Yale University, where she served as a senior editor of the Yale Law Journal, Lois practiced corporate law for six years with the Charlotte, N.C., firm of Robinson, Bradshaw & Hinson, P.A. She began her academic career in 1993 at the Florida State University College of Law, and has most recently been the Florida Bar Health Law Section Professor and D'Alemberte Professor of Law at Florida State University College of Law in Tallahassee. In addition to numerous law review essays, she (with a colleague) has written a casebook, *Bioethics and the Law*, the second edition of which will appear in 2009. As a bioethics and health law expert in Florida, she was inevitably drawn into the controversy over the life and death of Terri Schiavo; out of that

experience has come her second book (to be published in spring 2009) which expands the discussion into a broader consideration of ethical issues at stake in the care of persons at various points in the spectrum of "minimal consciousness."

Lois directs our programs in medicine and law, teaches one course each semester in the law school, brings her particular expertise to our teaching of medical students and residents, and has a special focus on research ethics, serving as a teacher, consultant, and resource for the School of Medicine's array of basic science and clinical researchers.

Donna Chen, MD, MPH (dtc6k@virginia.edu), is Assistant Professor of Biomedical Ethics and joins Walt Davis as our second clinical ethicist. Donna received her undergraduate education at the University of California, Berkeley, where she also obtained her MPH while in medical school at UCSF. Her residency training in psychiatry was at Columbia University in New York (including a year as chief resident), followed by overlapping postdoctoral fellowships at the NIH in clinical and research ethics and in consultation-liaison psychiatry. She serves on a number of national committees devoted to clinical and research ethics policy and practice.

Donna joined the UVA faculty in 2003, where she has allotted her efforts among practicing and teaching psychiatry, pursuing conceptual and empirical research in neuropsychiatric and public health ethics, and serving, in an adjunct position, as coordinator of professionalism education for the CBEH. She has written extensively on ethical dimensions of conducting human subjects research in a variety of settings, on preparing physicians for the ethical tensions between providing clinical care and participating in the research enterprise, as well as on exploring the role and meaning of physician professionalism in a changing healthcare system. Bringing her into the Center as full-time faculty enables her

and the Center to build on her significant expertise and multi-faceted interest in clinical ethics, particularly in the fields of psychiatry and neurology, as well as in research ethics. While Donna continues to spend part of her time and effort in the Department of Psychiatry and Neurobehavioral Sciences, in her new position in the Center she directs ethics education for second-year medical students and is an integral part of our teaching efforts for all medical students and residents, participates in clinical consultation activities, and joins Lois in providing resources in research ethics.

We are delighted and energized by their presence with us, and we're channeling much of that energy into planning for the March 2009 offering of Developing Skills for Healthcare Ethics Programs (DSHEP). Lois and Donna will each speak from their particular areas of expertise and are also contributing their ideas and perspectives to our fashioning of the entire program. As an exciting addition to the 2009 conference, Ann Mills and Donna Chen have crafted a superb and timely pre-meeting afternoon workshop on leadership as it pertains specifically to clinical ethicists and members of ethics consult services. It has become increasingly clear that those of us who take on the mantle of "ethicist" within hospitals and medical centers thereby entail some obligation, whether we want it or not, to attend not only to the moral quality of patient care but also to the moral quality of the institution in its many other activities, from employee relations to organizational structure to research efforts. That this is the case, that successfully responding to this obligation requires thoughtful leadership, and the skills that such leadership calls for are the topics to be explored in this workshop. This is an opportunity not to be missed! I look forward to seeing you all at both the leadership session and the conference to follow next March. ♦

Margaret Mohrmann

BIOMEDICAL ETHICS

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Ethics and Leadership in Health Care Systems

Tuesday, March 10, 2009

Jordan Hall Conference Center

12:00 p.m.—5:15 p.m.

\$150/person (Tuesday only)

\$800/person (Tuesday and Wednesday—Friday (DSHEP) - see page Four

The Center for Biomedical Ethics and Humanities is offering a pre-symposium educational program, Ethics and Leadership in Health Care Systems. This program will be helpful to any persons interested in viewing their healthcare ethics involvement through the lens of leadership. Program participants can elect to attend one educational program or the other or both.

Educational Purpose

This half-day program is intended to introduce and discuss the leadership role of persons who are involved in ethics activities. The program will discuss why persons "doing" ethics have a leadership role and the skills, competencies, and virtues needed for persons to be effective in that role. At the end of the course participants will be given a difficult case to work through using the knowledge and skills they have acquired. Faculty from the Center for Biomedical Ethics and Humanities will lead the sessions.

Educational Objectives

Upon completion of the program, participants will have knowledge of:

- ◆ Why ethicists have a leadership role
- ◆ What virtues are important in that role
- ◆ What "Reflective Practitioner" means in that role
- ◆ What skills and competencies are important to become an effective leader
- ◆ Why values are so important in healthcare systems

For more information, or to register for this program, please contact Carrie Gumm, at 434.924.5695 or cg2b@virginia.edu.

Recent Faculty Publications/Presentations/Activities

Donna Chen

Publications

+ Chen DT, Mills AE. (2008) Addressing ethical commitments when professionals partner with organizations. *39 McGeorge Law Review* (3): 719-735.

+ Chen, D.T., Mills A.E., Werhane, P.H. Werhane. (2008) Tools for tomorrow's healthcare system: A systems-informed mental model, moral imagination, and physicians' professionalism. *Academic Medicine*_(83)(8): 723-732

+ Chen DT, Case LD, Brott TG, Brown RD Jr, Silliman SL, Meschia J.F, Worrall BB; ISGS Investigators. (2008) Impact of restricting enrollment in stroke genetics research to adults able to provide informed consent. *Stroke*. Mar;39(3):831-7. Epub 2008 Feb 7.

+Chen DT, Meschia JF, Brott TG, Brown RD, Worrall BB. (2008) Stroke Genetic Research and Adults with Impaired Decision-Making Capacity: A Survey of IRB and Investigator Practices. *Stroke*. Jul 24. [Epub ahead of print]

Presentations

+ "Off-Label Prescribing." Invited Faculty for New Frontiers in Mental Health and Law Research Seminar. School of Law, University of Virginia. Charlottesville, VA. February 20, 2008.

+ "Complex research ethics issues when studying depot naltrexone in addicted individuals under community legal supervision." Invited Faculty for New Frontiers in Mental Health and Law Research Seminar. School of Law, University of Virginia. Charlottesville, VA. April 23, 2008.

Ann Mills

Publications

+Chen DT, Mills AE. (2008) Addressing ethical commitments when professionals partner with organizations. *39 McGeorge Law Review* (3): 719-735.

+Chen, D.T., Mills, A.E., Werhane, P.H. (2008) Tools for tomorrow's healthcare system: A systems-informed mental model, moral imagination, and physicians' professionalism. *Academic Medicine*_(83)(8): 723-732

Margaret Mohrman

Presentations

- + "Spirituality and Medicine: What Doctors Are Being Taught and Why." Templeton Lecture, University of Vermont, Burlington, VT, May 20, 2008
- + "On Children's Best Interests." Annual Ethics Retreat, University of Vermont/Fletcher Allen Health Care, Burlington, VT, May 20, 2008
- + "Thinking with Stories: Learning to Attend." Department of Pediatrics Grand Rounds, University of Vermont, Burlington, VT, May 21, 2008

Lois Shepherd

Presentations

- + Joyce Compton Brown Lecture, "If that Ever Happens to Me," Gardner Webb University, Boiling Springs, North Carolina, March 2008.
- + Panelist, "Universal Health Care," sponsored by Health Law Society of Florida State University College of Law, February 27, 2008.

Ethics Conundrums: Below Donna Chen and Ann Mills explain why clinical ethicists should examine their leadership role*

Ethics and Leadership in Health Care

Everyone seems to be in agreement that healthcare activities have an ethical core. But the ethical dimensions are frequently lost or forgotten in our complex healthcare system. In part, ethics committees, ethics programs, ethics consult services, and other ethics activities have been developed to remind people working in these complex systems of this moral core and/or to fill in the gap when the ethical dimensions are overlooked. People who assume these responsibilities by participating in healthcare ethics activities also have a leadership role within the healthcare system.

The leadership role of persons involved in ethics activities has not been carefully examined. Moreover, people involved in ethics activities often do not think of themselves as leaders. They think of themselves as “facilitators,” or “teachers,” or “advisors.” This may be one reason why ethics committees or programs often have less influence on the institution’s moral atmosphere than anticipated, and may even fail to thrive.

There is a large amount of literature discussing “leaders” and what “leadership” means. Some attribute good leadership to the qualities of an individual; others believe that leadership is situational, even accidental, dependent on whether the particular qualities of an individual help achieve certain goals or mitigate troubling situations.

A more useful view of leadership entails recognizing that leadership is a quality that does not necessarily track with an individual’s position in an organization or organized activity. Leadership can emerge from any individual who is integral to an activity, regardless of their formal position. But, it is likely to arise only in persons who are aware of this potential and understand what it means. This is particularly true for leadership in complex systems, like today’s healthcare systems, and it is equally true in the sub-systems of healthcare developed to attend to the ethical aspects of health care.

Leadership within complex systems—including healthcare and its ethics-focused sub-systems—depends on people who understand what human systems are and how they evolve. A systems approach recognizes that human systems, by their nature, are dynamic and constantly evolving. In light of this characteristic, the functioning of a system depends critically on interacting individuals and teams, the values and beliefs these individuals bring to their activities and interactions, and the goals and guiding principles negotiated among these individuals and teams. A systems approach to leadership includes the recognition that explicit attention must be paid to how the system is evolving, and how the individuals and teams that make up the system are reacting and adjusting. Leadership in systems also recognizes that leadership can emerge from anywhere in the system.

Most members of healthcare ethics programs, whether they occupy formal leadership positions or not, provide leadership within their organization’s sub-systems devoted to ethical dimensions of care. We believe that, with some attention to developing leadership skills, many would also be prepared, and well placed, to offer leadership within the larger healthcare system in order to ensure that ethical aspects of healthcare are attended to consistently and well throughout the institution, again regardless of whether they occupy a formal leadership position in the larger organization.

In March, during the afternoon before our annual conference begins, we will offer a pre-symposium educational program that will identify and explore mental models, virtues, values, competencies, and skills that would be helpful to any persons interested in viewing their healthcare ethics involvement through the lens of leadership. We encourage interested readers to contact Ann Mills at 434 982-3978 or amh2r@virginia.edu or Donna Chen at 434 243 5804 or dtc6k@virginia.edu. ♦

*We thank Margaret Mohrmann and Edward Spencer for their advice and help in designing this new educational offering.



DSHEP 2009

The Center for Biomedical Ethics and Humanities, in cooperation with UVA's Office of Continuing Medical Education, is pleased to announce the 2009 **Developing Skills for Healthcare Ethics Programs (DSHEP)**, March 11-13, 2009 at the UVA Jordan Hall Conference Center.

This three day advanced program introduces different models of ethics programs, as well as differing models of services ethics programs provide, in addition to enhancing skills of those institutional representatives already serving on ethics programs. The program supplies tools to participants interested in identifying areas in the institution where ethics programs might consider enlarging their role. ***Program registrants are expected to have already obtained the basic education expected of most ethics committee members.*** The program's faculty and presenters include members of the UVA ethics program, the UVA Ethics Consultation Service, as well members of ethics programs from other institutions.

Program registration will be limited so registrants are able to fully interact with colleagues and faculty. The cost of the program is \$650 per registrant. The fee includes breakfasts, lunches, CMEs or CEUs, and conference materials.

Scholarships are available for previous Virginia Healthcare Ethics Network (VHEN) members, so if your institution was at one-time a VHEN member, you may be able to obtain a scholarship, which are available on a first come first serve basis.

For registration or scholarship information, please contact Carrie Gumm at cg2b@virginia.edu, or 434-924-5695. ♦

Questions, comments
and items of interest
should be sent to:

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