# **Developing Clinical Bioethics for the 21th Century Bioethics**

Prof. Hans-Martin Sass Email: sasshm@aol.com

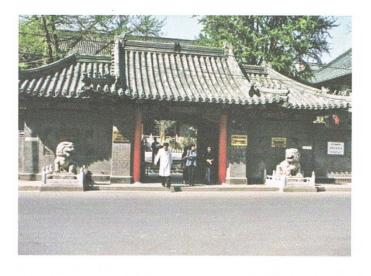
# PEKING UNION MEDICAL COLLEGE, SEPTEMBER 2013 Developing Clinical Bioethics for the 21th Century Bioethics Character Profiles of Clinics as great Corporate Neighbors Hans-Martin Sass

hansmartin.sass@rub.de, sasshm@aol.com

# Character of a Great [corporate] Person

- 1. healthy and well functioning body
- 2. good partner, good services
- 3. well respected and integrated
- 4. competent and compassionate
- 5. cultivated and cultivating neighbor





#### The Clinic as a virtuous and healthy Corporate Neighbor Sun Simiao 孫思道: great physician 大響:nurture your own nature 養性

#### Sun Simiao:'If a person's virtue in actions is not abundant, even if they constantly take elixirs of jade and pills of gold, they will be unable to extend their longevity.'

- 1.better individualized care and treatment in times of inflexible quality norms and reimbursement schemes
- 2.better integration of stationary and ambulatory care
- 3.promoting health literacy and responsibility in the geographical
- neighbourhood and in cyberspace communities
- 4.nurturing self-cultivation of the clinic and the cultivation of the neighborhood

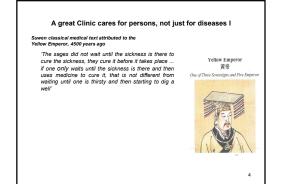
#### The Clinic as a Corporate Person I

We have to take into account the principle of struggle for life and existence, a principle which in some way also modifies our obligations towards fellow humans, even if we might feel unhappy about it. Our entire life and activity in politics, in business, in administration, in the laboratory, in the workshop, in the fields... is in its reasoning and goals not focusing on love in the first place, quite often rather focused on struggle for life with some sort of fellow competitor. Quite often we don't recognize it, as long as such a struggle is without hate and in an open and legally accepted way. First Jahr. 1928

#### The Clinic as a Corporate Person I

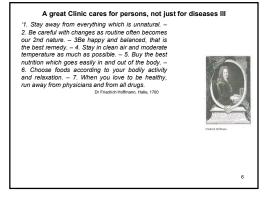
The ancients, in their knowledge of the Dao, followed the pattern of yin and yang, were in harmony with skills and calculations, were moderate in their food and drink and regular in their living habits, and did not recklessly overskert themselves. Therefore they were able to keep their body and spirit complete and live out their heavenly years to the fullest, only leaving after a hundred years had passed





#### A great Clinic cares for persons, not just for diseases II

- six remedies for integrated health care: light and air (aer), eating and drinking (cibus et potus), work and rest (motus et quies), sleep and wake (somnus et vigilia), secretion and excretion (secreta et excreta), stimulation of the mind (affectus animi)
- 'non homo universalis curatur, set unus, quique, noster'. 'we don't cure a universal human being, but an individual one, a special one, OUR5'.
   Galen, doctr to Roman Emperor Marc Aurel, 200 years ago



#### A great Clinic cares for persons, not just for diseases IV

The way of nurturing life consists of never moving nor standing for a long time, never sitting nor lying for a long time, never looking nor hearing for a long time. Extended looking damages the blood, extended lying down damages the qi, extended standing damages the bones, extended sitting damages the fiesh, and extended moving damages the sinews. Avoid overeating, overdiniking, and heavy lifting. Avoid anxiety and woryring, great anger, sorrow and grief, great fear, jumping about, too many words and great laughter. Avoid eagerly jumping at your desires and avoid holding on to hatred. All of these are harmful to longevity. If you are able not to go against these, then you will be able to extend your life. Dresmismise Sti-882

### A great Clinic cares for persons, not just for diseases V

When seeing the suffering and grief of others, he must act as if it were his own and open his heard deeply to their misery. He must not avoid dangerous mountains with rugged cliffs, any time of day or night, the cold of winter or heat of summer, hunger or thirst, fatigue and exhaustion. He must singlemindedly attend to their rescue without thinking of efforts or appearances. Acting like this, he can serve as great physician for the masses; acting against this, he is a giganic thief o all sentient beings'.

Chiron, a half-God, was the heart heart Asklepios; he took an arrow. Asklepios; he took an arrow. else and thus saved a life inight, dedly ts or great

11

#### Definition of Health

Health is 'a state of complete physical, mental and social wellbeing and not merely the absence of disease and infirmity'. World Health Organization Health is a process and a balanced result of health-literate and healthcompetent care of one's own physical, emotional, and social wellbeing, achieved by competent understanding, modification and enhancement of individual genetic, social, and environmental risk factors and challenges, with the support of health care professionals and through equal and fair access to health care service, including health education and preventive services. Hame.Matin Sas

9

12

#### THE CLINIC AS A GREAT CORPORATE PERSON

- 1. The Clinic as a corporate person needs to strife to be a well respected and contributing person in the neighborhood.
- 2. The Clinic has many organs and capacities, making her a strong competent and compassionate person and serving the neighbors well.
- The Clinic works well when all experts and teams in different capacities work well together such as organs in a healthy body.
- The Clinic comes alive and promotes life when communicating and cooperating well and successfully with patients and her neighborhood.
   The Clinic will be a particularly good neinbbor if she provides not only multiple
- The clinic will be a particularly good neighbor if she provides not only multiple stationary services but also outreach services via internet or face-to-face consultation in helping individuals and families to live a healthier and happier life.

10

#### THE GREAT CLINIC'S EIGHT PIECES OF JADE

- 1. provide competent and compassionate medical treatment:
- 2. provide competent and compassionate nursing care;
- 3. provide competent and compassionate quest services:
- 4. integrate stationary and ambulatory services:
- integrate the medical status and the value status of your patient in diagnosis, prediction, therapy and prevention;
- 6. provide advice for lifestyle, nutrition and stress management;
- 7. provide services also to a wider community in cyberspace;
- 8. nurture and cultivate your corporate body to be a great corporate neighbor.

#### 20th Century PRINCIPLISM IN MEDICAL ETHICS Professional Principles / Virtue Models We don't treat a universal person, but a special one, a unique, ours [Galen 50]

- 1. Autonomy, Nonmaleficence, Beneficence, Justice [US 1979]
- 2. Autonomy, Dignity, Integrity, Vulnerability [Europe 2008]
- Justice, Equality, Autonomy, Benignancy, Altruism, Human Solidarity, Respect for the Dead, Respect for other Forms of Life, Preservation of Life [Kishore 2003]
   Respect the right of adient's self-determination. Save life, Protect health and
- Restitute it Alleviate suffering, Accompany the dying. [German Chamber of Physicians 1998]
- Compassion, Respect, Righteousness, Responsibility, Ahimsa [Tai 2007]
   Communication, Cooperation, Competence, Compassion, Cultivation [Sass 2011]

#### MEDICAL ETHICS IS ONLY ONE PART OF BIOETHICS

- BIOS (Greek word for Life) includes all forms of living beings, biotopes and communities.
- BIOETHICS includes ethical behavior towards individual humans and non-humans, corporate and institutional persons, human communities, natural biotopes, cyberspace communities.
- The Bioethical Imperative: Respect every Living Being as an end in itself and treat it, if possible, as such ! Fritz Jahr 1926

13

16

#### **Clinical Ethics - Harmonious but not Identical**

We can simultaneously affirm a common morality and show respect of the differences in those cultures that do not share our own moral perception. Human finitude requires respect for the moral views of others without surrendering one's own conviction that there is a single universal foundation for morality. The result is a pluralism of ethics side-by-side with a conviction in a universal common morality'. R.M. Veatch 2004 'Bioethics, health care ethics, healthcare law and regulations all over the world - in China and elsewhere - should and must be 'in harmony but not identical'; 'in harmony as well as diversified' (cf. Confucius). XM Zhai 2011

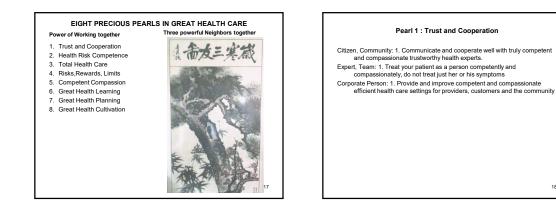
#### Individual and Corporate Health Competence

Confucius said that our body is a gift from our parents; therefore we must take good care of it rather than abuse it. Whoever fails in this duty is unrighteous because he does not comply with the mandate of heaven Tai 2008 A person with great virtue will surely have longevity Mencius 300 BC Nurturing and cultivating health is essential for long life and quality of life of individuals, corporations and communities

15

18

#### Interactive and Integrative Partnership Ethics Between father and son, there should be affection, between ruler and minister, there should be righteousness, between husband and wife, there should be attention to their separate functions, between young and old, there should be a proper order, and between friends, there should be faithfulness Mencius Between expert and lay, between individual and corporate persons there should be fair and trusting communication and cooperation, great competence and mutual compassion, and a strive for nurturing and improving cultivation



14

#### Pearl 2 : Developing Health Risk Competence

- Citizen, Community: 2. Develop competence and responsibility in health risk management.
- Expert, Team: 2. Communicate and cooperate with your patient to promote her/his competence in health care matters.
- Corporate Person: 2. Protect, support and develop good communication and cooperation in the education and training of competent and compassionate professional health care.

19

22

#### Pearl 3 : Total Health Care

- Citizen, Community: 3. Make extended use of predictive, preventive and natural medicines.
- Expert, Team: 3. Integrate the clinical status and the value status of your patient into differential ethics, diagnosis and prognosis. Corporate Person: 3. Set institutional frameworks for a whole range of health care services.

20

23

#### Pearl 4 :Risks, Rewards, and Limits

- Citizen, Community: 4. Expect healing or relief from sickness and disease, but be aware of the limits and risks in life and in all medical intervention.
- Expert, Team: 4. Be aware of benefits, limits, and risks of interventions and discuss those with your patient.
- Corporate Person: 4. Support providers and customers of health care service

21

24

### Pearl 5 : Competent Compassion

- Citizen, Community: 5. Expect competent and compassionate treatment and advice from medical experts and be a fair partner with them
- Expert, Team: . Be a competent and compassionate partner to your patient, to your colleagues and to your team. Corporate Person: 5. Establish yourself as a competent and compassionate health care center for prevention, education and treatment

#### Pearl 6 : Great Health Learning

Citizen, Community: 6. Define and implement your sense of qualities of life, from childhood to old age, in sickness and in health. Expert, Team: 6. Cultivate and educate yourself in providing the best possible clinical and personal care. Corporate Person: 6. Provide continuing professional education for health care experts

#### Pearl 7 : Great Health Care Planning

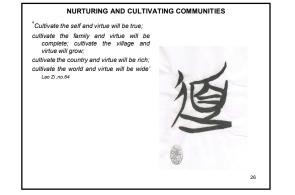
 Citizen, Community 7. Prepare and implement your health care plan, your advance directives and name proxy decision makers for circumstances of incompetence.
 Expert, Team: 7. Assist your patient in providing easy to understand direct or internet-based health care information and in preparing and implementing health care strategies and advance directives, and in working with proxies for the benefit of your patient.
 Corporate Person: 7. Offer outreach programs and be a good corporate neighbor

#### Pearl 8 : Great Health Care Cultivation

Citizen, Community: 8. Cultivate your health and your health care competence, care compassionately for others and for healthy cultural, political, social and natural environments. Expert, Team: 8. Cultivate and care competently and compassionately for your own health, your health care partners, and for healthy natural, social, and professional environments. Corporate Person: 8. Cultivate and care responsibly for your own

health, for your patients and individual and corporate partners, and for healthy corporate, political, social and natural environments

25

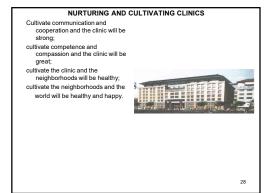


#### NURTURING AND CULTIVATING THE BIOETHICAL IMPERATIVE

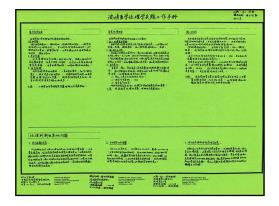
'Cultivate your life and virtue becomes true; cultivate individual and corporate persons and virtue will be complete; cultivate social and natural environments and virtue will grow; cultivate communication and cooperation, and life will be rich; cultivate compassion and competence, and life will be great; cultivate life, and world and virtue will be wide'



#### 27







Medical-Scientific Diagnosis	Medical-Ethical Analysis	Trentment of the Case
The evaluation of the medical-scientific diagnosis tollews traditional influens.	The pendysts of medical offsical considerations applies to the following them resonance.	What options alternative possible solutions) are available in the face
Ortanal considerations:     Mal is the polend's diagnosis and progroup?	<ul> <li>Health and well-being of the patient:</li> </ul>	potential conflict between the medical-scientific and the redical ethic expects? Which do like element-coned scientific and ethical citiana are result
What hype a head water is incommon and programs and process? What hyper a head water is incommon and any other and the disproses and process?	What have or injury may only as a result of selecting a single method of toatmant?	affected by these alternative options? Which aptions are most appropriate grown the particular value proble
	WE direction therein a resent interview the?	Who, if anyone, should be consulted to serve as an arbonic in the
If the recommended is alment is neither offered to nor accepted by the patient, what is the progress?	Will it level to produce tops or game assisty in the patient? • Sail defermination and the restort's automass.	physician <sup>3</sup> Is referred of the patient nocassary for either medical or effective region
<ul> <li>Special considerations: Withe patients ineducal invaluent to helpful to the patient?</li> <li>Withe tradement advanced lead to a positive programs in the period ar</li> </ul>	What is known about the patient's charabed values? What is the patient's level of understanding of intersive or palitative textment on unit to standardine entropy.	What are the movel in contrast to the legal obligations of the physics with regard to the chosen treatment? What are the mixed obligations of the potent, start, family, health care
cese? If so, is whet degree? Could the selected kestment harm or inside the cadent?	Is the potions well informed about the diagnosis, progrosss, and the patients beginned policies publishes by bandwards.	institution and system?
lo what degree? Now fail degree? Now fail degree?	Is it possible to satisfy the patient's posterances in formulating the teatment plan? Is which impressived the physician pormit the patient to determine the	What, if any are the arguments for expecting the selected leadersen? Here should the physicilar respond to these arguments? Does the treatment decision require activities an efficial conservant?
Medical practice:	Statement plant? Who else, if anyone, should make devisions on baked of a content and	By show?
And any other medical treatments equally adequate? What consideration should be given to (1) the most enced medical enformment due to become dical essential as well as (2) the allysis and	his/hor bott interests? Must the patient agree with the chosen therapy?	<sup>1</sup> Was the decision takes with respect to treatment choice adequately document with the patient? Dot her/the pages?
enformine clinical experience? What interact his to an enforcement constraints? What is to be an engineer conversely, are then precise?	<ul> <li>Medical responsibility: Howevery connects surveyor environment physician, the paraset, the staff, or the parametric benefic?</li> </ul>	Device the decision process be reasoned and the decision actually revised?
	In it possible to elemenate as resolve such conflicts by selecting a track of the backward optimal or selection.	
	Now care one work to assume that the following solvers will be realizened: (1) the establishment of exclusio histo between patient and physician (2) hereining the principle of bith-telling in all discussions; and (2) surgesting the policy of protecting bither confident solity?	
	What inforced facts are unknown or annealistics? How the tortical officialisation been interpreted forwatelest, classfeed, and acklement within the physician patient reduknoisign?	Summary: What channes was made after assessing the scientific and official
Networkery: Whit is the optimal locativent after considering all the available scientific- matical Anewhedge?	Summary: What hash of levelment is optimal given thorough attention to the salent and interval medical official socies?	reports of the creat How can the physician most accurately represent the medical which mixes only the physician most accurately remodical and othical barrels related to the physician of evaluating the modical and othical barrels related to the physician of evaluating the modical and othical barrels.
Additional Gammerry by Marie assessment	<ol> <li>In cases of considerable social impacts www.ext.res.amplates.combettonic and misterial. to the patient.</li> </ol>	3. In cases of the specific and non-the specific research. Has the reserve protocol and design takes the resultion of the state
by calculated of breast lower lower lower lower	the Daniely the Intellit care analytebox, and accurity? Are the patient, inkduces, and community able to been these coasts? Will the costs of the model analytebox despotent of the potent d, besites bits type.	where the constativation? It the removable constant?
Nill Far chosen medical bestment and its effect acceptability	protected detectopenent, and recapion dearcher adorptaticly and 7 Here the the consistent to factor-statistication could be a number an effect	<ul> <li>Distribution provide schedy indexerved mention between the sectors of in the produced?</li> <li>Where is improved the last providing a diseased - and the mention draws draws</li> </ul>
I the treatment capable allowing building introduce with the regression cold why derived modical-accentific and/or mechanism in the interval of the factors must be rethought gives the anternane represence a new initial and with the rendering modification and mainter charge accesses and the set of the rendering modification and the initiater charges accesses and the set of the s	second-conditional enhanced conditional and	The period subject and is assure that it is adopately understand? What reasons wight explore why a patient subject did not give a hely informed, composed, and voluntary consent? What procedures were initiated to use of discrementation analysis a real
readment? Now do patients veact to adexatients in treatment statings? n close where the progrades is dire, how should the physician decide		where the second