

# Making Ethical Decisions

**A**t the time I'm writing this column, Enron, another school plagiarism scandal, and judging improprieties at the Winter Olympics adorn the front page of the *New York Times*. The country needs an ethics tune up! Perhaps we could use one, as well. I share a basic primer in ethical decision-making based upon a recent "Train The Trainers" course I took at the Institute of Global Ethics ([www.globalethics.org](http://www.globalethics.org)) and one of their training manuals (Born).

Ethical dilemmas involve difficult choices between two alternatives and focus on determining the right course of action. These decisions are guided by ethical values. We may face decisions where the choice is between right and wrong rather than right versus right. Examples of this might be whether or not to upgrade the level of service code on a office visit, beyond what you have performed in order to get higher reimbursement. A right versus wrong dilemma may be readily identified by: 1) asking whether your choice is illegal or contrary to your professional code of ethics, 2) the gut feeling test which asks "Does it feel wrong?" 3) the front page test which asks how you would feel if your decision made the front page of your local paper, and 4) the role model test in which you ask what someone you admire, such as a supervisor, would do in a similar situation.

Assuming you are dealing with a right versus right dilemma, as opposed to a right versus wrong one, the next step is to try to understand what the problem is all about. For instance, while cleaning your daughter Beth's room you find evidence that strongly suggests she has plagiarized her term paper which she has already turned in. Who are the players? What are the facts? What are the competing ethical values? Generally, right versus right dilemmas involve one or more of the following values: 1) truth versus loyalty, 2)



Diane H. Schetky, M.D.

self versus community, 3) short-term versus long-term, and 4) justice versus mercy. While your daughter's decision to plagiarize was a right versus wrong dilemma, you are now left with a right versus right dilemma regarding how to

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handle it and one which might involve elements of all four competing values.

Three decision principles may be applied to guide us in resolving ethical decisions.

**Care-Based Thinking** is derived from the Golden Rule and asks how it would feel to be in the other person's shoes. **Ends-Based or Utilitarian Thinking** advises that we do whatever provides the greatest good for the greatest number of people. Using this approach, you need to weigh the consequences of competing decisions and consider which of two actions would produce the most good or the least harm for the most people. **Rule-Based Thinking**, derived from the work of philosopher Immanuel Kant, emphasizes the need to act on principles rather than consequences which cannot necessarily be predicted. Yet another way out of ethical dilemmas is to find a third way out by using creative thinking. For example, is it possible to take an action that would honor both rights? Are there other people who might help with your dilemma?

Applying these principles to Beth, the identified players are Beth, her teacher, and the student body. Your dilemma involves you, your spouse, Beth, and her school indirectly. You feel conflicted between the truth versus loyalty to your daughter and as a parent, you feel protective of her. You are concerned about short-term versus long-term effects and realize that if you do nothing about her behavior, you might be encouraging future dishonesty. On the other hand, you worry about jeopardizing her getting into the college of her choice if the plagiarism becomes known to the school. As a parent, you lean towards mercy but also think she might learn more from experiencing consequences.

Having identified the competing ethical values, you try applying different decision making principles to guide your actions. **Care Based Thinking** leads you to identify with Beth, her fear of a poor grade, and the shame she might feel if confronted. On the other hand, she might feel relieved if confronted. **Ends Based Thinking** reminds you that others are harmed by plagiarism, including those who did not plagiarize and suffer lower grades as a result of it, and that rampant plagiarism is threatening to erode intellectual integrity in many schools. **Rules Based Thinking** would not condone Beth's actions. At this point, you decide to confer with your spouse. Together you confront Beth, who *continued on page 109*

reflects a general problem with 'negative' studies being intrinsically less 'newsworthy' than positive ones. This also points to a general problem in interpreting single case studies, i.e., the bias for only positive reports to be published. Finally, there is the persistent problem in this area of placebo response and how this should be dealt with methodologically (e.g. by use of longer placebo run-in periods). If the secretin story can create some thoughtful dialogue about these issues, the substance will still have contributed positively to our understanding and treatment of ASD. ■

*Dr. Owley is Assistant Professor of Psychiatry in the Section of Child and Adolescent Psychiatry, Department of Psychiatry, University of Chicago. He is the head of the Developmental Disorders Psychopharmacology Clinic, and Medical Director of the Sonia Shankman*

*Orthogenic School. Dr. Cook is Professor in the Departments of Psychiatry and Pediatrics and Committees on Genetics and Clinical Pharmacology and Pharmacogenomics at the University of Chicago. Dr. Volkmar is Professor of Child Psychiatry, Pediatrics and Psychology at Yale University Child Study Center. He is an associate editor of the American Journal of Psychiatry, the Journal of Child Psychology and Psychiatry, and the Journal of Autism and past chairperson of the AACAP Autism Committee.*

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### *Schetky from page 107*

confesses. When she calms down, you walk her through the above steps and ask her what action she thinks she should take at this point in time. She is remorseful and says she only copied part of someone else's paper because she was too stressed out with college applications to put in the necessary amount of time on her paper. She proposes telling her teacher and seeing if she will return the plagiarized paper, which she hopes she has not yet read, and give her an extension to complete her original paper.

You dwell upon these ethical paradigms while driving to work the next day and realize you are heading for another ethical dilemma at the residential treatment facility where you are the only staff psychiatrist. You have been irritable and angry lately because you feel the administration does not allow you adequate time in which to evaluate and treat the many kids you see there. You have been finding your work less satisfying and have been worrying about your liability. You have

hung in out of loyalty to the patients and treatment staff and because the facility has not been able to recruit another child and adolescent psychiatrist. On the other hand, what was to have been a short term staffing problem has dragged on for 6 months. You admit the job pays well, you don't want to leave the area, and you are not eager to do private practice. At the same time, you worry that by trying to see all of the patients, and not spending enough time with each one, that you are short changing many of them and increasing your chances of making mistakes. **Ends Based Thinking** might justify this as a form of rationing scarce resources. However, **Rules Based Thinking** would say you are compromising your principles of practice and deviating from the standard of care.

While crawling up a hill behind a logging truck you decide to speak with your administrator. Falling snow clouds your visibility but you are clear about what needs to be done. You meet with

your administrator, express your frustrations, underscore the liability issues, and issue an ultimatum that you will leave in 3 months if the situation has not been remedied. The administrator is responsive and hires a psychiatric nurse clinician to help you out in the interim while the search for another child and adolescent psychiatrist is intensified. ■

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*Dr. Schetky practices child and adult forensic psychiatry in Rockport, ME.*