

1-1-2002

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Recommended Citation

Ashish Chandra & Andrew Sikula Sr. (2002). Health Care Organization Managers Beware-Understand Your Ethical Constraints, *Ethics & Behavior*, 12:2, 191-195.

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Health Care Organization Managers Beware--Understand Your Ethical Constraints

Business Ethics in Healthcare: Beyond Compliance. Leonard J. Weber.
Bloomington: Indiana University Press, 2001, 196 pages, \$35.00 (hardcover),
unavailable in paper.

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Professor Leonard J. Weber has excellent credentials and experiences to qualify him as an ethics consultant and author, and Indiana University has a superb reputation for being involved with both the academic and practitioner sides of executive ethics education.

The “Beyond Compliance” subtheme is catchy and appropriate, properly indicating that health care ethics begin rather than end with law. The author properly points out that ethics should be more related to an organization’s mission and values documents than to its balance sheet and income (profit–loss) statement. Weber also clearly sees health care ethics as going beyond mere patient or customer properness, and inclusive of multiple other stockholders such as staff, administrators, doctors, and the community at large. Patient rights, health care provider responsibilities, and the community good are balanced topics in the author’s writings.

Ethical issues in the arena of health care business practice have increasingly become a matter of debate over the past decade. Interest in this field may also be increasing because the consumer is somewhat more knowledgeable about the health care system in general. The media have played a significant role in providing vast amounts of information to the consumer not only related to various disease states and treatments, but also regarding the various cost issues related to providing health care services.

This book is very timely, as it deals with the controversial topic of whether or not health care business issues are dealt with in an ethical manner. The author has done quite an extensive review of the existing literature related to various health care ethics issues, and he has also

performed a valuable service in providing definitions for some critical health-care-related items throughout the text. In an attempt to explain the various (un)ethical issues, Weber has further provided several cases throughout the book. Although these cases are quite intriguing and thought provoking, we would have preferred an explanation or discussion related to a case either before or after the case. Some cases did have some discussion related to them later on in the text. A possible shortcoming is that many of the cases are very short and undetailed. The additional comments that follow sequentially pertain to chapter by chapter analyses as one reads the book.

This book does raise many questions for the health-care-providing community, including both medical and nonmedical staff, such as whether there is an awareness that unintentionally, health care behavior at times may be unethical. Weber made a valiant attempt to enlighten and educate the management of health care organizations regarding various possible situations in which people may make decisions that are not in the best interest of the patient. We particularly liked the section “Priority Principles of Business Ethics.” Listed in this section are good examples that help in providing a better understanding of the major interests, values, or goods that often cause conflict when decisions need to be made in an organizational setting.

The author has devised a model of ethical reasoning for issues in health care business ethics and called it “Four Reminders.” He has acknowledged the fact that this list is his “short list.” We believe that this list should be further expanded, but it is a good starting point and opens up many discussion opportunities. There are numerous articles that have been published in various health care and business-related journals that can be used to enhance this list. If any faculty member is planning to adopt this book for his or her course, enhancing this list can be a good class assignment for students.

Chapter 3 of the book discusses an issue that probably affects the health care business more significantly than any other, namely, cost. The reviewers are very pleased to see that the author has incorporated available information regarding the Balanced Budget Act (BBA) of 1997 in the form of a case study. Unfortunately, many individuals reading this book may not be aware of the BBA. It would have been helpful to include a detailed discussion regarding the BBA before the case, and it would have no doubt helped readers to appreciate the value of the case. Similar comments pertain to some other cases provided in this chapter. Although the cases provided in this chapter are very intriguing and relevant to the chapter’s content, some may be a bit too

technical for many readers. As we mentioned in the previous paragraph, if the book is adopted as a text for a course, these along with many others in the text can serve as very interesting and thought-provoking beginning discussion points and expanded reading areas for students. The various principles provided through-out the book can be guiding standards and tools in the development of enlarged assignments.

The fourth chapter is very interesting and health-care–consumer oriented, as it deals with the ethical treatment of patients. The author has done an excellent job by including the often deemphasized cultural values and religious beliefs of the patient. The consideration of these values is increasingly important at this time, as we are living in a highly mobile society. However, we would have liked to see somewhere in the first four chapters a discussion regarding the principle of fidelity; that is, the right of patients to have health professionals provide health products and services that promote the patient’s interest and not the health professionals’ interest. For example, a pharmacist may recommend that a consumer purchase a particular brand of vitamins. The reason for this recommendation may not be because it is the most beneficial pill for the consumer, but because the product has the highest profit margin for the pharmacist. This type of behavior goes against the principle of fidelity. According to the principle of fidelity, pharmacists should not worry about financial gain. They should be more interested in the health benefits for the consumer.

The author has also made a noble attempt to discuss an increasingly controversial problem affecting the health care field—the issue of providing incentives to clinicians and physicians. This is a very appropriate topic for this book, particularly considering the fact that there are numerous news items and programs that have depicted health care providers as money-hungry professionals who are extremely interested in obtaining monetary incentives to promote a particular product or service. We are not saying that these reports are totally inappropriate or that all health care professionals are ethical. However, in our opinion, such programs have played a role in tarnishing the image of health care professionals as a whole. A good addition to this book, related to this subject, would have been a discussion of the guidelines of the Food and Drug Administration (FDA) and other regulatory authorities, and the steps regulators have taken to monitor and control the financial and nonfinancial incentives provided to and by health care companies, organizations, and professionals. Many organizations and professionals have already

developed and set up their own stringent guidelines against obtaining or providing such incentives.

There is also the question of who and what types of health care products and services should and should not be covered. Weber has adopted a slightly different but very effective approach to address this issue by concentrating more on the issue of what is covered rather than the question of who is covered. This issue has been a matter of great debate by health insurance providers and policyholders, health care providers, consumer advocates, and lawyers, to name a few. We commend the author for attempting to analyze this issue by raising possible unethical behavior on the part of the managed care organizations, particularly in situations when the services obtained by consumers are not covered by their plans. Weber has provided an excellent discussion of select hearing appeals in a managed care environment. The cases accompanying this section are very interesting and definitely have the potential of generating passionate discourse among readers because, more than likely, most readers will be aware of some cases similar to those mentioned in the text.

In this era, when there is a great deal of emphasis on cost savings in health care organizations, it should be taken for granted that sooner or later the health care organization will have to downsize. Downsizing is always controversial and makes many people, particularly those being downsized, very unhappy. The author has provided a thorough discussion regarding the various issues related to the four major components of downsizing: (a) the decision to downsize, (b) selection criteria, (c) the process of letting employees go, and (d) rebuilding morale among remaining employees. Salary-related ethical issues, a subject matter closely related to downsizing, is also discussed in the book, as are health care unionization parameters and problems.

One of the most controversial and highly debated health care issues at present deals with direct-to-consumer advertising (DTCA) of prescription drug products. The reason for this debate relates to the inquiry: Why are pharmaceutical companies spending so much money to promote a product directly to consumers when a consumer cannot purchase it without a prescription? Pharmaceutical companies have spent a tremendous amount of money in DTCA over the past decade, and the amount has risen dramatically every year. It is estimated that \$1.3 billion was spent by U.S. pharmaceutical companies in their DTCA efforts during the first half of 2000 alone. In the first half in 1999, pharmaceutical companies spent about \$907 million for DTCA ("IMS HEALTH Reports," 2000). Although the author has provided a discussion of DTCA, we

would like to see more information regarding the various roles that the FDA and other regulatory agencies play in attempting to establish high ethical standards for marketing health care products directly to consumers. Again, this can be a good class assignment for students to explore. We would also like to see a discussion or section on the understanding of how pharmaceutical advertisements can deceive patients (Chandra & Holt, 1999). This understanding would go a long way in assisting health care product and service managers to avoid making unethical marketing strategies.

In summary, Weber's book has looked into multiple arenas within the health care industry where there is the potential for unethical behavior. The author has briefly discussed several areas that we think could have been further explored and expanded. We would like to commend the author for taking a giant leap and addressing highly controversial issues and problems related to unethical behavior in health care organizations. The book has excellent potential for generating thought-provoking discussion among its readers.

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