
Morals, Ethics and Liability

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Morals, Ethics and Law

- Morals
 - Are largely the value set that a person has been taught from childhood.
 - They frequently stem from their family's beliefs.

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Morals, Ethics and Law

Ethics

- A method of considered reflection and analysis applied in a selected professional setting to determine an action when there is essentially no black or white decision to make.
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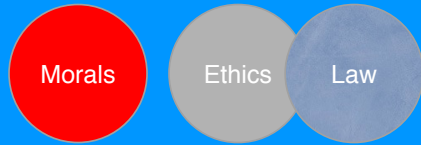
Morals, Ethics and Law

Law

- A formalized system of enforceable rules.
 - A behavior or action can be legal, but ethically or morally indefensible.
 - Closely related to ethics and has some overlap.
 - Questions of law are generally more black and white than those of ethics.
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Morals, Ethics and Law



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Practicing Ethics

- Beneficence – Bringing about good
- Fidelity – Keeping a promise
- Veracity – Telling the truth
- Justice – Acting with equity within the law
- Autonomy – Acting with self-reliance

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Ethical Theories

- Consequentialism
 - The value of an action derives solely from the value of its consequences
- Nonconsequentialism
 - Certain action in and of themselves are wrong.
- Social Contracts
 - Understood expectations between each other.

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Ethical Theories

- The Ethics of Care
 - Moral skills as kindness, sensitivity
- Right-Based Ethics
 - Moral rights as well as legal rights
- Principle-Base Ethics
 - Moral principle basis
- Virtues-Based Ethics
 - Virtuous actions

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Ethics in Practice

- Look at it in a practical way and approach the issue from the point of view as:

“What is in the best interest of the patient?”

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Ethics in Practice

- A patient comes to the pharmacy late on a Friday evening to get a refill on her blood pressure medication. She has no refills remaining and at this time of day we won't be able to contact the Dr's. Office.
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Ethics in Practice

- What course of action should be taken?
 - Legally – No refills, no drug
 - Patient obligation- She should have realized the Rx had no refills.
 - Ethically-What enters into the decision process.
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Ethics in Practice

- How long has she been on the medication?
 - How regularly has it been refilled?
 - Is it time to be refilled?
 - The medication is for BP. How does that influence your decision making?
 - What is your answer?
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Ethics in Practice

- A patient comes to the pharmacy late on a Friday to get a refill on her Vicodin. She has no refills remaining and at this time of day we won't be able to contact the Dr's. Office.

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Ethics in Practice

- What course of action should be taken?
 - Legally – Controlled substance. No refills, no drug.
 - Patient obligation- She should have realized the Rx had no refills.
 - Ethically-What enters into the decision process.

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Ethics in Practice

- How long has she been on the medication?
 - How regularly has it been refilled?
 - Is it time to be refilled?
 - The medication is for pain. How does that influence your decision making?
 - What is your answer?
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Ethics in Practice

- The vaccine, Zostavax, was in short supply for a long period of time.
 - There also was a high demand.
 - Many people would present with an Rx.
 - We would get 10 vials, 10 doses, at irregular intervals.
 - How do you manage the rationing of the vaccine?
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Ethics in Practice

- Your company institutes 3 refills in 15 minutes or less policy.
 - Any new prescription ready in 19 minutes or less policy.
 - Your pharmacy sells tobacco products as well as smoking cessation products.
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Liability

- Intentional Acts
 - Negligence
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Liability - Negligence

- Negligence – Can be described as the action taken without the forethought that would have been taken by a reasonable person.
 - Generally applies to an unintentional act
 - Frequently results from short cuts to speed processes
 - Overcome workload
 - Lack of rigor in following procedures

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Liability - Negligence

- Avoiding Negligence Issues
 - Focus and concentration. Don't multitask.
 - Right patient, right drug, right dose, right instructions.
 - Follow established procedures
 - Clarify any issue at the start of the process.
 - NEVER assume that the pharmacist or someone else will catch a mistake you make.

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Liability - Negligence

Examples of common Negligent errors

- At prescription drop off
 - Name mix up – confirm date of birth
 - Missing information – allergies
 - Update insurance information

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Liability - Negligence

At order entry

- Wrong drug
- Wrong dose
- Calculations
- Abbreviation/terminology interpretation
- Overridden computer system warnings

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Liability - Negligence

At filling/dispensing

- Wrong drug/dose pulled from stock
 - Wrong quantity dispensed
 - Overridden computer system warnings
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Liability - Negligence

At point-of-sale

- Wrong prescription given to patient
 - Probably the most common error. Use a second identifier, e.g. date of birth, to identify patient.
 - HIPAA violations
 - Drugs dispensed without being reconstituted
 - Refrigerated items left out of that sold
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Liability

Avoiding Negligence

- Deflect the time pressure
- Follow established policies and procedures

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Is the Customer Always Right?

- Well, no.
- How do we get around telling them that?
- Much of it is giving attention to their problem and solving it.

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