



Ethical Issues in Healthcare Management

Spring 2021

Instructor Information

- Prof. John Donnellan john.donnellan@nyu.edu
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- Office Hours (via Zoom) by appointment; students are encouraged to e-mail faculty at any time.

Course Information

- Class Meeting Times:

Saturday, January 30 9:00am – 12:30pm
Saturday, February 6 9:00am – 12:30pm
Saturday, February 20 9:00am – 12:30pm
Saturday, February 27 9:00am – 12:30pm
Saturday, March 6 9:00am – 12:30pm

- On Line via NYU Zoom (Each class session will include two 20 minute break periods)

Suggested Course Prerequisites

- None

Course Description

This course will explore the role of ethics and various ethical issues in management leadership and organization success in today's health care environment, describe ethics resources and tools available to healthcare leaders and simulate application of ethical decision-making through case studies and student assignments.

The course will focus on recognizing and responding to contemporary ethical topics in health care management. Class sessions will explore the application of moral reasoning, based on various ethical theories, to health care concerns encountered by health care administrators, policy makers and clinicians. The course will demonstrate the practical application of

philosophy and specifically, moral reasoning to ethical conflicts in health care organizations. Emphasis will be on critical thinking, real-world application, and decision-making in a professional environment.

Course and Learning Objectives

Upon completion of the course students will have acquired the ability to understand and apply legal and ethical principles to managerial decision-making in health care organizations. This will include:

1. An understanding of the basic ethics principles, concepts and standards that relate to today's health care environment, and the relationship between ethics and law
2. An awareness of and an ability to respond to the ethical issues commonly encountered in health care delivery
3. Competence in moral reasoning and the application of basic ethics concepts when identifying, analyzing, and resolving ethics conflicts facing healthcare organizations. This will include the ability to make value characterizations when responding to specific ethics issues
4. The ability to access and apply ethics resources available to health care managers 5. A critical awareness of one's own values, and the underlying ethical issues 6. An opportunity for each student to reflect on, present and discuss in class a specific health management ethics topic

Competencies for MPA, Health Policy and Management

- The ability to manage teams, projects and people; to work in change-oriented healthcare organizations; and mentor a diverse and changing workforce
- The ability to understand and apply legal and ethical principles to managerial and leadership decisions affecting healthcare organizations
- The ability to align human resource capacity and practices and processes with strategic organizational goals
- The ability to hold people accountable to standards of performance and assure organizational, professional and ethical compliance
- The ability to measure, monitor and improve safety, quality, access and system care delivery processes in healthcare organizations
- The ability to assess population and community health needs from a public service perspective
- The ability to draw implications and conclusions to develop an evolving vision that leads to organizational viability
- The ability to use information systems and evidence-based management principles for problem-solving, strategic planning and decision-making, and measuring change
- The ability to synthesize evidence, and apply statistical, financial, economic and cost effectiveness methods in organizational analysis
- The ability to communicate and interact productively in a diverse and changing industry, workforce and citizenry
- The ability to present convincingly to individuals and groups the evidence to support a

- point of view, position or recommendation
- The ability to engage in continuous learning; to reflect on and assess one's strengths and developmental needs; to seek feedback from others; and establish and sustain a professional development network

Key Competencies Addressed in the Course

Assignments and participation in class and case study discussions in this course will be used to assess progress against the competencies listed below. No student will receive a B or higher without demonstrating satisfactory progress toward mastery of each competency.

- The ability to understand and apply legal and ethical principles to managerial and leadership decisions affecting health care organizations [3]
- The ability to implement management practices that optimize workforce performance [2]
- The ability to present convincingly to individuals and groups the evidence to support a point of view, position or recommendation [2]

The level of competency expected to be achieved is denoted in brackets according to the following key:

- [1] = Basic: Foundational understanding of knowledge/skill/competency
- [2] = Intermediate: Student demonstrates greater depth of understanding of this knowledge/skill/competency and can use this ability to analyze a problem
- [3] = Advanced: Student demonstrates expertise in this knowledge/skill/competency and can use this ability to evaluate, judge, and synthesize information

Learning Assessment Table

Program Competency	Corresponding Course Learning Objectives	Corresponding Assignment Title	Denote Level of Competency Expected to Achieve via the Assignment (basic = 1, intermediate = 2, advanced = 3)
The ability to understand and apply legal and ethical principles to managerial and leadership decisions affecting healthcare organizations	#'s 1 - 6	Team Presentation; Individual Paper	3
The ability to hold people accountable to standards of performance and assure organizational, professional and ethical compliance	#1, #2, #3, # 4	Team Presentation; Individual Paper	2
The ability to present convincingly to individuals and groups the evidence to support a point of view, position or recommendation	#3, #4, #5, #6	Team Presentation	2

Required Readings

Students are expected to read the chapters and articles listed in the syllabus each week. The primary text used in the course is:

Darr K. Ethics in Health Services Management. 6th ed. Baltimore, MD: Health Professions Press; 2019.

All additional journal articles, book chapters, case studies and other assigned readings are posted by class session under the Resources Tab on the NYU Classes course website.

Assessment Assignments and Evaluation

Course grades will be calculated as follows:

	% Final Grade	Date Due
Team report & presentation	40%	March 6th
Paper	40%	March 15
Class participation & discussion	20%	Ongoing

Team Presentation: Students, working in teams of three, will prepare and deliver in class a 10-12 minute presentation on a particular healthcare ethics issue, followed by 8-10 minutes of class discussion. The presentation should describe the ethical issue and the reasoning in response to the ethical challenge (see pages 9 and 10 of the syllabus). **TEAM PRESENTATIONS WILL BE MADE DURING THE FINAL CLASS SESSION ON MARCH 6th, 2021.** **Paper:** Each student will prepare a paper addressing a recurring ethical challenge in healthcare management. The paper should describe the issue (either a general situation or a case), and offer an approach for anticipating, managing and potentially decreasing the occurrence of the ethical challenge in the future. The paper should be no more than 6 pages (1.5 spacing) in length, excluding title page, references and appendices. **DUE MARCH 15, 2021.**

Team presentation will be scored on each of the following elements:

- The ethical issue or question is adequately described
- A well-reasoned response to the issue or question is presented
- The response is grounded in ethical literature and ethical principals
- Adequacy of delivery

Paper will be scored on each of the following elements:

- The paper is well written, with an organized discussion and well-backed opinions
- The ethical issue/challenge is clearly described
- An approach for anticipating, managing and potentially decreasing re-occurrence of the situation is offered
- The writer makes use of appropriate references

Class Participation will account for 20% of the final grade, reflecting the importance of engaged participation by students in classroom discussion and case review. Students will be scored on participation in the following manner:

- **Outstanding Contributor:** Contributions in class reflect exceptional preparation. Ideas offered are always substantive and provide one or more major insights as well as direction for the class. Arguments, when offered, are well substantiated and persuasively presented.
- **Good Contributor:** Contributions in class reflect thorough preparation. Ideas offered are usually substantive and provide good insights and sometimes direction for the class. Arguments, when presented, generally are well substantiated and often are persuasive.
- **Adequate Contributor:** Contributions in class reflect satisfactory preparation. Ideas offered are sometimes substantive and provide generally useful insights but seldom offer

a major new direction for discussion. Arguments, which are presented sometimes, are fairly well substantiated and sometimes persuasive.

- **Non-participant:** This person has said little or nothing in class. Hence, there is inadequate basis for evaluation.
- **Unsatisfactory Contributor:** Contribution in class reflects inadequate preparation. Ideas offered are seldom substantive; provide few, if any, insights; and never offer a constructive direction for the class. Integrative comments and effective arguments are absent.

Overview of the Semester

- Week 1
 - Date: January 30
 - Topic: Recognizing and Addressing Ethical Challenges
- Week 2
 - Date: February 6
 - Topic: Organizational Ethics and Social Responsibility
- Week 3
 - Date: February 20
 - Topic: Clinical Ethics Issues
- Week 4
 - Date: February 27
 - Topic: Ethics Resources and Research Ethics
- Week 5
 - Date: March 6
 - Topic: The Ethical Leader; Student Team Presentations

Letter Grades

Letter grades for the entire course will be assigned as follows:

Letter Grade	Points
A	4.0 points
A-	3.7 points
B+	3.3 points
B	3.0 points
B-	2.7 points
C+	2.3 points
C	2.0 points
C-	1.7 points

Letter Grade	Points
F	0.0 points

Student grades will be assigned according to the following criteria:

- (A) Excellent: Exceptional work for a graduate student. Work at this level is unusually thorough, well-reasoned, creative, methodologically sophisticated, and well written. Work is of exceptional, professional quality.
- (A-) Very good: Very strong work for a graduate student. Work at this level shows signs of creativity, is thorough and well-reasoned, indicates strong understanding of appropriate methodological or analytical approaches, and meets professional standards.
- (B+) Good: Sound work for a graduate student; well-reasoned and thorough, methodologically sound. This is the graduate student grade that indicates the student has fully accomplished the basic objectives of the course.
- (B) Adequate: Competent work for a graduate student even though some weaknesses are evident. Demonstrates competency in the key course objectives but shows some indication that understanding of some important issues is less than complete. Methodological or analytical approaches used are adequate but student has not been thorough or has shown other weaknesses or limitations.
- (B-) Borderline: Weak work for a graduate student; meets the minimal expectations for a graduate student in the course. Understanding of salient issues is somewhat incomplete. Methodological or analytical work performed in the course is minimally adequate. Overall performance, if consistent in graduate courses, would not suffice to sustain graduate status in “good standing.”
- (C/-+) Deficient: Inadequate work for a graduate student; does not meet the minimal expectations for a graduate student in the course. Work is inadequately developed or flawed by numerous errors and misunderstanding of important issues. Methodological or analytical work performed is weak and fails to demonstrate knowledge or technical competence expected of graduate students.
- (F) Fail: Work fails to meet even minimal expectations for course credit for a graduate student. Performance has been consistently weak in methodology and understanding, with serious limits in many areas. Weaknesses or limits are pervasive.

Detailed Course Overview

Class 1 – January 30, 2021 – Recognizing and Addressing Ethical Challenges

Class Session

- Course introduction and requirements
 - Learning objectives
 - Teaching methods
 - Grading
 - Assignments
- The relationship between ethics and today's health care organizations
 - What is ethics, health care ethics, and its relationship to law and compliance
 - Importance of ethics in today's health care organizations
 - Recognizing and resolving ethics dilemmas in health care
 - Model ethical decision-making process
- Case Presentation & Discussion

Required Readings

- Darr K. Ethics in Health Services Management. 2019. 6th ed. Baltimore, MD: Health Professions Press. Introduction and Chapters 1-2.
- Nelson WA. A brief overview of health care ethics: practical approaches for today's health care ethics issues. Vol. 16.
- Nelson WA. Ethics: A foundation for quality. Healthcare Executive. 2011; 26(6): 46-49. • Case Study: Maintaining Confidentiality in Small, Rural Communities
- Case Study: Closing the Clinic

Optional Reading

- Nelson, WA. Ethical Uncertainty and Staff Stress. Healthcare Executive. 2009; 24(4): 38-39.
- Rorty MV. "Introduction to Ethics" in Managerial Ethics in Healthcare. Edited Filerman GL, Mills AE, Schyve PM. 2014 Health Administration Press: Chicago, IL. Pp 1-17

Assignments

- Complete all the assigned readings
- Be prepared to respond to the questions in the two case studies

Class 2 – February 7, 2021 – Organizational Ethics and Social Responsibility

Class Session

- Ethical issues in organizations and management
 - Fiscal responsibility, resource allocation and ethics
 - Market forces and ethics
- Managing conflicts of interest
 - Recognizing, managing, and preventing conflicts of interests

- Social responsibility of health care organizations
- Social responsibility of health care organizations
 - Community benefit
 - Setting limits to the availability of health care
 - Overuse and misuse of health care
- Case Presentations & Discussion
 - Resource allocation and community benefit
 - Conflict of interest

Required Readings

- Darr K. Ethics in Health Services Management. 2019. 6th ed. Baltimore, MD: Health Professions Press. Chapters 13, 14
- ACHE Code of Ethics, November 2017
- Brownlee S, Colucci J, Walsh T. Productivity and the Health Care Workforce. New America Foundation. October 2013. Executive Summary pp 1-4.
- Brody H. From an Ethics of Rationing to an Ethics of Waste Avoidance. New England Journal of Medicine 2012; 366:1949-1951.
- Lahey T, Nelson W. A dashboard to improve the alignment of healthcare organizations to core values and mission statement. Cambridge Quarterly of Healthcare Ethics. 2020; 29: 156-162
- Case Studies:
 - Sunny Springs Health Care System
 - Focus Group participant

Optional Readings

- Darr K. Ethics in Health Services Management. 2019. 6th ed. Baltimore, MD: Health Professions Press. Chapters 7, 8
- Culbertson RA. Ethics of mission and margin revisited. Healthcare Executive. 2018; 33(3): 51-52.
- Nelson, WA. Conflicts of Interest. Healthcare Executive. 2009; 24(2): 42-44. • Young GJ, Chou C, Alexander J, et al. Provision of community benefits by tax-exempt US hospitals. NEJM. 2013; 368(16): 1519-1527.

Assignments

- Forum Discussion - Case Study: Sunny Springs HCS (post team comments in advance of Session 2 on the Forum Discussion Page):
 - Is this an ethical problem?
 - What are the relevant ethical facts?
 - How should Sunny Springs Health Care balance its financial health with quality of care concerns?
- As a team, prepare a brief written definition of a conflict of interest

Class 3 – February 20, 2021 – Clinical Ethics Issues

Class Session

- Fundamentals of clinical ethics
 - Provider-patient relationships
 - Informed consent

- Decisions about life-sustaining interventions
- Surrogate decision-making
- Shared decision making
- Ethics resources in health care organizations
 - The evolving nature of ethics committees
 - Ethics tools – ethics self-audits, ethical standards of practice, policy statements
- Case Presentations & Discussion
 - Shared decision-making
 - End-of-life decision-making

Required Readings

- Darr K. Ethics in Health Services Management. 2019. 6th ed. Baltimore, MD: Health Professions Press. Chapters 9-10.
- Elwyn G, Frosch D, Thompson R, et al. Shared decision-making: a model for clinical practice. *J Gen Intern Med.* 2012; 27(10): 1361-1367.
- Nelson WA, Macauley RC. Balancing issues of medical futility. *Healthcare Executive.* 2015; 30(2): 48-51.
- Case studies:
 - Mr. Barney
 - Jahi McMath
 - Aviv R. Annals of medicine: the death debate. *The New Yorker.* February 5, 2018:30-41.
 - Truog R. Defining death – making sense of the case of Jahi McMath. *JAMA.* 2018; 305(18); 1859-1860.

Optional Readings

- American College of Physicians Ethics Manual, 7th edition. *Ann Intern Med.* 2019; 170(2), Supp. 1: S1-S-32.
- Darr K. Ethics in Health Services Management. 2019. 6th ed. Baltimore, MD: Health Professions Press. Chapter 11.
- Elwyn G, Fisher E. Higher integrity health care: evidence-based shared decision making. *Circ Cardiovasc Qual Outcomes.* 2014; 7: 975-980.

Assignments

- Forum Discussion - Case Study: Jahi McMath (post team comments in advance of Session 3 on the Forum Discussion Page):
 - Review readings related to the case
 - Is this an ethical conflict?
 - What is the ethical conflict?
 - What are the ethical values in conflict?
 - What were the options (initially)?
 - Could this have been prevented?
 - What might have been done differently?
 - As a team articulate your definition of medical futility?

Class 4 – February 27, 2021 – Ethics Resources and Research Ethics

Class Session

- Ethics resources
 - Role of ethics committees in healthcare organizations
 - Role of Institutional Review Boards (IRBs) in research
- Ethical issues in human research
 - The development of ethical standards
 - Clarifying what is research
 - Ethical standards for research
 - Case Study & Discussion – Sham Surgery
- Ethical issues in quality improvement
 - The quality improvement mandate
 - The need for ethical basis for quality improvement
 - Proposal quality improvement ethical standards
 - Case Study & Discussion

Required Readings

- Darr K. Ethics in Health Services Management. 2019. 6th ed. Baltimore, MD: Health Professions Press. Chapters 5.
- Bernat JL. Chapter 5. Ethical Issues in Neurology 3rd Ed. Lippincott Williams & Wilkins: Baltimore, MD. 2008: 109-114.
- Emanuel EJ, Wendler D, Grady C. What makes clinical research ethical? JAMA 2000;283(20):2701-2711.
- Nelson W. Rethinking the traditional ethics committee. Healthcare Executive. 2017; 32(1): 46-49.
- Sabin JE. How can clinical ethics committees take on organizational ethics? Some practical suggestions. Jrl of Clinical Ethics. 2016; 27(2): 111-116.
- Case study - IRB Knee Arthroscopy Protocol

Assignments

- Come to class prepared to discuss your organization's ethics committee – what is its purpose and function; what is your perception of its value to clinicians and/or management?
- Forum Discussion - Case Study: IRB Knee Arthroscopy Protocol (post team comments in advance of Session 4 on the Forum Discussion Page):
 - Assume your team is an IRB reviewing the proposal. Without knowing the results of the osteoarthritis study, would you as a board approve the research protocol as presented? Each team member should also be prepared to discuss their rational for voting as they did.

Class 5 – March 6, 2021 – The Ethical Leader; Team Presentations

Class Session

- Ethical leadership in health care organizations
 - The ethical organization
 - The ethical leader
 - Creating and maintaining an ethical culture
 - Case Study and discussion – Building an Ethical Culture at NHRH

- Student team presentations
- Course wrap-up

Required Readings

- Egener BE, Mason DJ, McDonald WJ, et al. The charter on professionalism for healthcare organizations. Academic Medicine. 2017; 92(8): 1091-1099.
- Case Study – Building an Ethical Culture at Northern Regional Hospital

Assignments

- Complete all the readings
- Come to class prepared to give your team presentation

Final Presentations:

Each team should prepare a 10-12 minute PowerPoint presentation, with discussion to follow, on an ethical issue of your choice.

Each team should use the following template for their power point presentation:

Background – what are the circumstances leading to the ethics issue(s)?

Ethics Question – what is (are) the specific ethics question(s) to be clarified?

Ethics Values – what are the related ethics principles and/or organizational values?

Potential Options – what are the options in response to the ethics question?

Recommended Option – what is the recommended option and why?

Preventing the Conflict – what are the practice guidelines for preventing or anticipating the ethics issue?

NYU Classes

All announcements, resources, and assignments will be delivered through the NYU Classes site. Faculty may modify assignments, due dates, and other aspects of the course as we go through the term with advance notice provided as soon as possible through the course website.

Academic Integrity

Academic integrity is a vital component of Wagner and NYU. All students enrolled in this class are required to read and abide by [Wagner's Academic Code](#). All Wagner students have already read and signed the [Wagner Academic Oath](#). Plagiarism of any form will not be tolerated and students in this class are expected to report violations. If any student in this class is unsure about what is expected of you and how to abide by the academic code, you should consult with faculty.

Henry and Lucy Moses Center for Students with Disabilities at NYU

Academic accommodations are available for students with disabilities. Please visit the [Moses Center for Students with Disabilities \(CSD\) website](#) and click on the Reasonable Accommodations and How to Register tab or call or email CSD at (212-998-4980 or mosescsd@nyu.edu) for information. Students who are requesting academic accommodations are strongly advised to reach out to the Moses Center as early as possible in the semester for assistance.

NYU's Calendar Policy on Religious Holidays

[NYU's Calendar Policy on Religious Holidays](#) states that members of any religious group may, without penalty, absent themselves from classes when required in compliance with their religious obligations. Please notify faculty in advance of religious holidays that might coincide with exams to schedule mutually acceptable alternatives.