How to address ethical issues: Methods for ethics in HTA

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Key question in health policy making, health technology management, and in HTA:

• How to assess and implement a health technology in a morally acceptable manner?

How to address ethical issues in HTA? Some broad types of approaches

Conventional approaches
• Traditional approaches in moral philosophy
  - Consequentialism
  - Utilitarianism
  - Deontology (Duty based ethics)
  - Virtue Ethics
  - Discourse ethics
  - Casuistry

Prosessual approaches
• Coherence analysis
  - Wide Reflective Equilibrium
• Parliamentary TA (PTA)
  - Expert methods (e.g., Delphi method)
  - Interactive methods (Consensus confer.)
  - Communication m. (Dialogue confer.)
• Social Shaping of Technology
• Constructive Technology Assessment

Mixed approaches
• Principlism
• Ethics matrix
• Multi Criteria Decision Analysis (MCDA)
• Triangular method (deontology)

Utilitarianism
• Basic Principle: Maximise utility
  - “The greatest good for the greatest number of people” (John Stuart Mill, 1806 – 1873)
• Morally relevant: consequences of actions.
• Balance net harm and benefits
• Embedded in economic thinking (in HTA)

Utilitarianism: What do we do?
1. In a given situation, describe the alternative (action)Js.
2. Identify the consequences of each alternative.
3. Estimate the values and probabilities of each alternative (both harms and benefits).
4. Estimate the net sum of harms and benefits for the various alternatives.
5. Choose the alternative that gives the highest sum.

Decision tree
Deontological ethics

- Not only consequences are morally relevant (intentions)
- As rational human beings we have obligations towards each other.
- Which duties?
  - Relevant to all rational human beings (qualify to be a general rule).
  - Never to treat a human being as a means only, but always also an end
- Source: Immanuel Kant (1724—1804).

Deontological ethics – Bariatric surgery

- What is the aim of the intervention - the persons themselves or their physical health?
  - E.g., Bariatric surgery may be conceived of as a symptom-based treatment, forcing people to change their behaviour, i.e., a surgical disciplining of human behaviour.
  - The key question becomes if we respect them as (rational) persons or if bariatric surgery becomes a quick fix and a means for improving people’s health.
  - Do we respect their autonomy and worth?
- General rule: Do we cut in people to change their behaviour in other comparable cases?

Principlism

Four basic principles:
1. Respect for autonomy (understanding, voluntariness, decision-making capacity);
2. Beneficence (balancing benefits and harm: risks/costs)
3. Non-maleficence (the minimisation of harm to others)
4. Justice (the distribution of benefits and burdens)

- Not absolute, but prima facie principles
- Rules of infringement

Principlism – Bariatric surgery

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1. Obese persons may have reduced autonomy (eating), and surgery may increase autonomy.
2. The benefit appears greater than the harm.
3. Bariatric surgery is an intervention in an otherwise healthy body.
4. We do treat other persons with the same need, capacity for benefit, rights, merit

1. Bariatric surgery is OK
2. Bariatric surgery is OK
3. Bariatric surgery is not OK
4. Bariatric surgery is OK

Casuistry
- Is a case-based reasoning method.
- Starts from the description of a particular case.
- Compares ethical dilemmas around this case with examples of ethical dilemmas related to similar cases.
- Tries to identify the paradigm/example/analogue that best fits the case.
- The solution from the paradigm/example/analogue is used to solve the actual case.
- Does not refer to universal moral norms.

Casuistry – Bariatric surgery
1. What are we perplexed about?
2. What has caused the perplexity?
3. Comparing this case with “paradigmatic” cases (analogues).
   1. Should there be public funding for bariatric surgery?
   2. Obesity appears to be self-inflicted.
   3. Cases
      1. A colleague with burn-out.
      2. A suicide attempt

Wide reflective equilibrium
1. Gather existing judgments about a given case
2. Find which moral principles that are at stake and that guide the judgments.
3. Find (potential) background theories supporting the ethical principles.
4. Try to obtain optimal coherence between 1-3.
   Ref. John Rawls, Norman Daniels

Wide reflective equilibrium
Considered judgments / Intuitions
Principles and rules
Theoretical considerations
Reflection
Revision
Aim: Coherence

The Socratic (Axiological) Approach
The method consists of a procedure in six steps:
1. Describe the characteristics of the HT (type, area (prevention, curative), implementation, controversies)
2. Identify involved persons, groups, and stake holders
3. Identify relevant moral questions (from a list of questions) and justify the selection
4. Perform literature search in accordance with the identified moral questions
5. Analyze and discuss the moral questions identified (in step 3) on the basis of
   1. The literature search
   2. Hearings of involved parties or qualitative studies
6. Wrap up and summarize the process.
EUnetHTA Core Model

- Topics
  - Principal questions about the ethical aspects of technology
  - Autonomy
  - Human dignity
  - Human integrity
  - Beneficence/nonmaleficence
  - Justice and Equity
  - Rights
  - Legislation
- Issues:
  - Specific questions within each topic

Framework for ethical evaluation in HTA (Assasi et al 2016)
How to choose the right method?
- Depends on the target group (population)
- Depends on the technology (complexity)
- Depends on the HTA context
- Depends on the decision-making context
- Depends on the implementation context

Better to use a method than no method!

More methods than applications
- Frustration or fascination?
- Immaturity or confusion?
- Lack of core or richness?