

UNIVERSITI TEKNOLOGI MARA

CLINICAL ETHICS COMMITTEES IN
MALAYSIA:
A FEASIBILITY STUDY

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ABSTRACT

Ethics emerges from 'the theoretical domains of philosophy' and applied in modern medicine to assist healthcare staff in addressing an array of moral questions. However, ethical values between patient and healthcare staff often collided, leading to ethical conflicts and dilemmas in clinical settings. Ethics deliberation, a skill to resolve ethical conflicts, is not possessed by all. Controversies like the Seattle God Committee, *Re Quinlan*, Baby Jane Doe, and many others have contributed to the slow emergence of clinical ethics committees (CEC) to solve ethical dilemmas in the United States of America since the 1970s (Tapper, 2013). However, the number of CEC spurred when the Joint Commission on Accreditation of Healthcare Organisations (JCAHO) recommended that each hospital seeking its accreditation should have a mechanism to address ethical dilemmas within their institutions (Aulizio, 2016). Many changes have been made in the development of CEC around the world. CEC in some countries (the United States of America and Canada) are mandated by an accreditation body. Some countries (Belgium, Norway, and Singapore) had mandated the establishment of CEC by law while other countries (Ireland, the Netherlands, France, Germany, Italy, Spain, Switzerland, Denmark, Sweden, Lithuania, Croatia, Bulgarian, Israel, Japan, and New Zealand) reported the emergence of CEC based on grassroots phenomenon (Worthington & Macdonald, 2012). However, according to Khoo, Siew, Thong, Alwi, & Lantos (2019), there is no institution-based ethics consultation service available in Malaysia. There is a lacuna in the existing literature on the need and demand for Clinical Ethics Support Services (CESS) in Malaysia with the type of CESS that will be the most feasible for application in Malaysia. Using a library-based search method to elaborate on how other countries utilise CESS, the study will explore the various methods for delivering CESS, which will lead to the discussion on whether it is feasible to establish CEC in Malaysia. The study will justify why a modified model of a CEC is the most practical method to deliver CESS in Malaysia as an initiative to assist ethical decision-making in the healthcare industry that respects different values held by different parties for the benefit of both healthcare staff and patients.

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CHAPTER ONE

INTRODUCTION

1.1 Introduction

Medicine is the combination of science and art in the practice of identifying the symptoms, establishing the diagnosis, prognosis, treatment, and the prevention of diseases with the aim to restore or preserve health by means of drugs, surgical operations, or manipulations and appliances of technology (Dictionary.com, 2019). Medicine has been prevalent for thousands of years, started as a traditional medicine that has close connections with customs, religions, and local culture. It had since evolved together with the advent of modern science and become the evidence-based medicine that currently shaped modern medicine. The advancement of science had impacted modern medicine by bringing innovations in medical technologies and medical interventions which provide new options for treatment and care of a patient. The developments have been creating possibilities that formerly seem unthinkable, hence, addressing the value-laden questions and options which go beyond what medicine or science itself can address (Aulizio, 2016).

Values define what is essential to an individual or a society. At times, there could be certain situations in medicine that give rise to a conflict between different values, such as deciding to terminate the ventilation-assisted devices at the end of life care. Different individuals may have different values and practices depending on their personal, religious, social, and cultural beliefs. Most of the time, values or ethics held by the patient, physicians, and other healthcare staff align, so much so that there are no ethical conflicts at stake, but it may not be valid all the time. Where apparent disagreement exists, it is worth taking time to discuss and understand divergent points of view. Most of the time, a resolution can be achieved, but infrequently, respectful disagreement will be the only option. A solution that does not satisfy all parties involved in the conflict leads to an ethical dilemma.

Ethics are sets of behaviours that define what good and bad conduct that humans ought to do based on ethical standards that are supported by logical and well-founded reasons (Velasquez, Andre, Shanks, & Meyer, 2010). There are various terminologies related to ethics that warrant further clarification before embarking on this study.