

COUNTY OF SAN DIEGO
HEALTH & HUMAN SERVICES AGENCY
PUBLIC HEALTH SERVICES

Chapter: Public Health Ethics
Key Words: public health, ethics, morals, risk, benefits, harm,

SUBJECT: Public Health Ethics Committee

POLICY NO: HHSA-PHS-PHSA-AC001

PAGE: 1 of 8

DATE: April 26, 2015

REFERENCE(S): *Principles of the Ethical Practice of Public Health, Version 2.2; Public Health Code of Ethics; Skills for the Ethical Practice of Public Health; and County of San Diego Code of Ethics (See Appendices #1 - #4).*

SUPERSEDES: N/A

I. PURPOSE

The purpose of the County of San Diego Health and Human Services Agency (HHSA), Public Health Services (PHS) Public Health Ethics Committee is to provide a mechanism for the division to identify and resolve ethical issues that arise from program, policies, interventions, or employee/employer relations.

II. BACKGROUND

A. Overview

1. Concept of Public Health Ethics

At the core of public health is the mission to promote and protect the health of populations. The discipline of public health ethics deals primarily with the 1) moral foundations, justifications, and rationales for public health; 2) varying ethical challenges influenced by limited resources for promoting health and wellness; and 3) real or perceived tensions between the public good and individual rights and liberty. In many cases ethics and morality are used interchangeably. While closely related, the terms have different meanings. "Ethics" refers to the inquiry or examination of what is good conduct, while "morality" refers to beliefs about what is good and bad, right or wrong (i.e., moral norms). "Moral," "particular," and "universal" norms are considered in the ethical decision-making deliberation process, which is a fundamental concept discussed in public health law. A better understanding of these concepts can be achieved by reviewing the Centers for Disease Control and Prevention (CDC) Public Health Law 101: A CDC Foundational Course for Public Health Practitioners (<http://www.cdc.gov/phlp/docs/phl101/phl101-unit-2--16jan09-secure.pdf>).¹

1. Centers for Disease Control and Prevention (CDC) Public Health Law 101: A CDC Foundational Course for Public Health Practitioners (<http://www.cdc.gov/phlp/docs/phl101/phl101-unit-2--16jan09-secure.pdf>).

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POLICY NO: HHS-PPHSA-AC001

PAGE: 2 of 8

DATE: April 26, 2015

2. History of Public Health Ethics

In 1988, the Institute of Medicine (IOM) published its landmark report, *The Future of Public Health*. Three core public health functions of 1) assessment, 2) policy development, and 3) assurance were identified. Identification of the 10 *Essential Public Health Services*, as well as core public health competencies later followed. In 2002, the *Principles of the Ethical Practice of Public Health* (See Appendix #1) and the *Public Health Code of Ethics* (See Appendix #2) were released by the Public Health Leadership Society. With the release of the 2003 IOM report, *Who Will Keep the Public Healthy?*, the need was recognized for public health officials to have appropriate skills in public health ethics. As a result, the publication *Skills for the Ethical Practice of Public Health* (See Appendix #3) was issued in 2004.

The skills necessary to convey public health ethics include the following: 1) the ability to identify an ethical issue; 2) the ability to conduct ethical decision-making, including identification and weighing of harms and benefits of the potential action; 3) understanding the full spectrum of the determinants of health; 4) understanding basic ethical concepts such as justice, virtue, and human rights; and 5) building and maintaining public trust. PHS will use the public health ethical analysis framework to guide the decision-making process of the work of the Public Health Ethics Committee.²

Just as public health professionals are committed to ethics, the County is equally dedicated. The [County of San Diego Code of Ethics](#) was created as a guide for all County employees to assist them in the actions taken and decisions made as public servants. This code of ethics serves as the foundation of County culture and must be reflected in everything employees do (See Appendix #4).

3. Contents of This Document

This document includes guidelines on the roles and responsibilities of PHS staff as it relates to the Public Health Ethics Committee, as well as documentation, training, quality assurance, and confidentiality measures.

2. Gaare-Bernheim R, Neiburg P, Bonnie R. Ethics and the Practice of Public Health, in Goodman RA (ed.), *Law in Public Health Practice*, 2nd ed., New York, Oxford University Press (2005).

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HEALTH & HUMAN SERVICES AGENCY
PUBLIC HEALTH SERVICES

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POLICY NO: HHSA-PHS-PHSA-AC001

PAGE: 3 of 8

DATE: April 26, 2015

B. Definitions

Ethics: The study of, or deliberation about, what choices we should make and why, and what moral norms should guide actions.

Morality: Refers to moral norms about right and wrong that are stable and widely shared in society. Morality provides norms that are a basis for ethical reflection, deliberation, and analyses; also encompasses moral principles, rules, standards of conduct, and values. Provides reference points for the ethical decision-making process.

Moral Norms: Beliefs and practices that guide behavior.

Particular Norms: Refers to moral norms that apply only to certain communities (e.g., professional norms, religious norms).

Public Health Ethics: Provide ongoing analysis, deliberation about, and justification for public health action and policy, often when law is indeterminate.

Public Health Law: Provides authority, statutes, and regulations; limitations on state power; and incentives and disincentives for behavior. Often allows for much professional discretion.

Universal Norms: Refers to moral norms that are widely accepted.

C. Relevant Codes and Regulations or other Standards

1. Public Health Accreditation Board (PHAB) Standards and Measures, Version 1.5., Measure 11.1.2. (See Appendix #5)

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POLICY NO: HHSA-PHS-PHSA-AC001

PAGE: 4 of 8

DATE: April 26, 2015

III. SCOPE

The focus of the Public Health Ethics Committee is the ethical analysis of issues related to public health policy, practice, programs, and operations, and not on individual or group behavior. The latter will be referred to the PHS program or the Departmental Human Resource Officer or DHRO. All PHS and Regional employees are invited to submit issues of public health ethical concern to the Committee.

IV. POLICY

PHS shall define and address ethical issues through an explicit, rigorous, and standard manner as outlined in this policy and procedures document. This policy shall ensure that as ethical issues are identified, ethical decisions are made.

V. PROCEDURES

A. Public Health Ethics Committee Functions, Roles, and Responsibilities

1. The Public Health Ethics Committee will meet the fourth Monday of each month (unless designated otherwise due to holidays or other conflicts), at 11am, immediately following the PHS Public Health Leaders Committee meeting.
2. The function of the Public Health Ethics Committee is to conduct the ethical analysis of ethical issues presented; the committee will review issues and advise actions that should be taken.
3. The Committee is governed in accordance with guidance in the Public Health Ethics Committee Charter (See *Appendix #6*).
4. The Committee will also function to implement its Work Plan.
5. The Committee will conduct and facilitate trainings for members and PHS employees.
6. The Committee will annually recommend appropriate trainings for all PHS staff to PHS Executive Team for inclusion in the Workforce Development plan.

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PUBLIC HEALTH SERVICES

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POLICY NO: HHS-PPHSA-AC001

PAGE: 5 of 8

DATE: April 26, 2015

B. Staff Roles and Responsibilities

1. Public Health Ethics Committee Participants
 - a. *Chair* – Schedules, organizes, and facilitates meetings. The Deputy Public Health Officer (PHS Leadership) shall serve in this role, with the selected Branch Chiefs acting as backup.
 - b. *Facilitator* – A member of the Public Health Ethics Committee. Additionally, other non-member staff may facilitate meetings, after appropriate training.
 - c. *Committee* – Will conduct follow-up reviews of actions resulting from decisions made during the Public Health Ethics Committee.
 - d. *Non-Committee PHS Staff* – All PHS staff members are invited to bring forward public health ethical issues to the Public Health Ethics Committee for consideration to review.
2. PHS Executive Team
 - a. The Executive Team is composed of executive staff of PHS Administration and includes the Public Health Officer (PHO)/Director of PHS, PHS Assistant Director (AD), and Deputy Public Health Officer (DPHO).
 - b. The Team reviews the report of the Public Health Ethics Committee.
 - c. The Executive Team will make the final decisions, if actions are not agreed upon during the Public Health Ethics Committee.
3. PHS Executive Committee
 - a. Executive Committee members are composed of executive and manager level staff in PHS Administration (PHO, AD, DPHO, Deputy Director, Finance Manager, and Accreditation Coordinator), Chief Nursing Officer, and the Chief Pediatric Medical Director.
 - b. The Executive Committee will review overall training needs of the Public Health Ethics Committee and ensure that such trainings are integrated with other PHS Initiatives, such as Health Equity.

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POLICY NO: HHS-PPHSA-AC001

PAGE: 6 of 8

DATE: April 26, 2015

C. Decision-Making Process

1. The Committee will utilize the *Guide for Conducting Ethical Analysis (See Appendix #7)* to facilitate the decision-making process for any ethical issue presented to the Committee.
2. The Committee will identify, analyze, and resolve public health ethical issues using the above decision-making framework.
3. Guiding Principles for the Committee include the following:
 - a. Ensure that a transparent process is developed that provides an opportunity for input from affected stakeholders and considers their interests.
 - b. Provide for the consideration of the best evidence available in addressing each public health ethical issue.
 - c. Ensure that decisions can be re-evaluated as new information is made available.
 - d. Ensure a process of accountability for the decision-makers.

D. Documentation

1. A review report from the Committee will be issued to the PHS Executive Team for review, approval, and implementation.
2. The report will ensure all elements of concern are documented to resolve the issue.

E. Confidentiality

1. A statement of confidentiality will be signed by all Committee members (See *Appendix #8*).
2. All documents generated from the committee will be kept in locked locations to ensure confidentiality.

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PUBLIC HEALTH SERVICES

Chapter: Public Health Ethics
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SUBJECT: Public Health Ethics Committee

POLICY NO: HHS-PPHSA-AC001

PAGE: 7 of 8

DATE: April 26, 2015

F. Training and Education

1. All members are provided with copies of the Public Health Leadership Society resource documents identified in the Reference section of this document (See *Appendices #1 - #3*).
2. The Committee will provide feedback to the Accreditation Coordinator for training suggestions.
3. Trainings will be identified for inclusion in the *PHS Workforce Development Plan*.
4. PHS Executive Committee will also identify opportunities for training for all PHS staff related to public health ethics.
5. PHS Executive Committee will ensure annual review of overall training needs of the Public Health Ethics Committee members and PHS staff and that such trainings are integrated with other PHS Initiatives, such as Health Equity.

G. Quality Assurance

1. To ensure transparency, relevant key stakeholders will be invited to attend and participate in the public health ethical analysis.
2. At each review, the most relevant and recent evidence will be presented and cited in the review report.
3. An annual report of issues reviewed and decisions made shall be generated, during the first quarter for the previous fiscal year, to review opportunities for continuous quality improvement and re-evaluate decisions, as needed. This activity will align with the PHS strategic planning process.

VI. QUESTIONS / INFORMATION

- A. Public Health Officer: 619-542-4181**
- B. Assistant Director: 619-542-4181**
- C. Deputy Public Health Officer: 619-542-4181**
- D. Administrative Secretary: 619-542-4181**

COUNTY OF SAN DIEGO
HEALTH & HUMAN SERVICES AGENCY
PUBLIC HEALTH SERVICES

Chapter: Public Health Ethics
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SUBJECT: Public Health Ethics Committee

POLICY NO: HHS-PPHSA-AC001

PAGE: 8 of 8

DATE: April 26, 2015

VII. ATTACHMENTS

- A. [APPENDIX #1: Principles of the Ethical Practice of Public Health, Version 2.2](#)
- B. [APPENDIX #2: Public Health Code of Ethics](#)
- C. [APPENDIX #3: Skills for the Ethical Practice of Public Health](#)
- D. [APPENDIX #4: County of San Diego Code of Ethics](#)
- E. [APPENDIX #5: PHAB Standard, 11.1.2](#)
- F. [APPENDIX #6: Public Health Ethics Committee Charter](#)
- G. [APPENDIX #7: Guidelines for Conducting Ethical Analysis](#)
- H. [APPENDIX #8: Public Health Ethics Committee Confidentiality Statement](#)

VIII. SUNSET DATE

Pursuant to the HHS/PHS Clinical Quality Management (CQM) ([CQM-Policy and Procedure Document Renewal Policy: HHS-PPHSA-CQM-004](#)), this policy shall be reviewed every three years. As such, this Public Health Ethics Committee policy and procedure will be reviewed and approved for continuance by **April 30, 2018**.

IX. APPROVED

Approved By: Dan O'Shea (Assistant Director, Public Health Services), Wilma Wooten (M.D., M.P.H.; Public Health Officer, Director of Public Health Services) 05/14/2015