

FLEX CEUs



# Ethics for the Louisiana Physical Therapist















to our practice as physical therapists and assistants.

“Physical therapy is in a very difficult ethical climate. There is a crisis of confidence. People are facing challenging moral dilemmas and have to address the competing needs of multiple stakeholders.

For instance, a case was reported to a physical therapy board by an insurance company of two therapists who were seeing about 60 patients a day. All the billing was for individual sessions.

The moral potency construct comprises moral courage, moral efficacy and moral ownership. A PT or PTA has moral potency when they express all three of these components.

- Moral ownership: knowing that that it is the person’s responsibility to act.
- Moral courage: seeing actions through to their resolution and overcoming the fear that leads to inaction.
- Moral efficacy: the ability to act and be successful in the action.

Moral potency helps a PT or PTA bridge moral thought to moral action. Moral ownership is the first step. Physical therapists with high degrees of moral ownership are less likely to practice self deception and are more likely to engage when confronted with ethical challenges. The roadblock to moral ownership is self deception. “ (Kirsch & Paru, 2013)

As part of the Ethical path, we take bits and pieces of what has worked for thousands of years, what is deemed “true” and “virtuous” and what is in the best interest of our community. Let’s take a look at dissecting some more of these contributing thoughts that make up the whole.

**Altruism:** Altruism is working and behaving with pure intention. One can look to Disney stories for references of “a true and pure heart” which is always required to win true love or to defeat an enemy. Dr. Edmund D. Pellegrino speaks to this when he says, “Nothing more exposes a physician's true ethics than the way he or she balances his or her own interests against those of the patient. Whether the physician is refusing to care for patients with the acquired immunodeficiency syndrome (AIDS) for fear of contagion (the subject Zuger and Miles discuss in this issue of JAMA) or withdrawing from emergency department service for fear of malpractice suits, striking for better pay or fees, or earning a gatekeeper's bonus by blocking access to medical care, the question raised is the same” (Pellegrino, 1987). In the practice of physical therapy, are we just going to work to collect a paycheck or are we there to truly make a difference in someone’s life? Will we take the 5 to 10 minutes more time to spend with a client to make a difference in their understanding and thus follow through?

**Dignity:** All people have the right to their own dignity or “worthiness.” They



have the right to be treated with respect regardless of background, income level, ability, gender, age, or any other factor that uses a hierarchical pecking order. When all else fails, stick with the golden rule, “Treat others as you would want to be treated.” In physical therapy, regardless of setting, we encounter a number of patients who we may not particularly have a close affinity with. The patient may be obese or have strong body odor or a particular religious belief, which does not align with our personal beliefs. Regardless, people have a right to their “dignity” and “worthiness” and deserve our respect. They should be treated as we would like to be treated ourselves.

**Equality:** Equality is a leveling of the playing field. In cases of economic parity and great need for healthcare, equality and justice both serve the community by saying that everyone deserves equal access to healthcare. A greater number of Americans now have health insurance due to the laws passed by the previous administration. Despite this a clinic may not have a contract with every insurance company. If your clinic is not contracted with an insurance company a potential patient is a subscriber for, information should be provided as to what options they have to continue should they want to receive services at your clinic or be directed to another physical therapy clinic that does indeed take their insurance.

**Freedom:** Freedom in the framework of ethics says that a person has the freedom of their own autonomy, up to, but not including the freedom to affect another person negatively. A scenario which describes this term is the following: A person has a right to choose to smoke tobacco, but they do not have the freedom to make that health choice for other people via second hand smoke. Therefore, we have laws which limit the areas in which to smoke. This example of smoking can also directly apply to physical therapy. A patient has a right to smoke, however if the smell of smoke in their clothing and body negatively impacts the ability of the therapist to perform their job or the smell is irritating to other clients around, the patient should be informed of guidelines to limit the smell of smoke from their person. Means to minimize interaction of this patient with others in the clinic should be taken.

**Prudence:** Caution and discretion in practical manners. In physical therapy, prudence can be applied when working with patients who you suspect would like to confide in you to move to a private room to allow for a safe environment to do so.

We now have a basic knowledge of some of the foundations of Ethical Reasoning and how Morals can be brought into play. However, what are Values and how do they fit in? Values are a way to quantify the worthiness of the principles and morals a group holds dear. “Family Values” encompasses many characteristics that would be thought as the most beneficial way to raise and care for a family. In the same way, Ethical Values are the pathway that the healthcare field utilizes as their foundation for the success of their patients, colleagues, employees, and research participants.

Values are of great benefit to:

- clients who know their rights and choices will be respected and that they will be treated with dignity as a partner in their path to well being
- employees who know what is expected of them and have the comfort and empowerment of recourse and redress if an issue or concern comes up
- colleagues who will be treated with professional respect for their knowledge and expertise that they bring
- research participants who are empowered by their contribution and autonomy to choose to participate
- the PT, who knows their tradition is from a long line of tried and proven methods that benefit and serve their community with dignity

So, why be ethical? Operating within ethical standards keeps you in business. While we looked at all of the values, the virtues, and the morals of operating within an ethical model, the bottom line is: It keeps your patients safe and your business secure. While there will be local, cultural, and practical variations, the standards within the Code of Ethics are recognized throughout the world.

## Bioethical Concerns and HIPAA

Bioethical Concerns relate to how we approach newer technologies ethically. Examples include: Artificial insemination, cloning, stem cell research, and prolonging care for those in long-term comas. These are not “naturally” occurring for humans, but instead is the result of human engineering. There is great debate among cultures and religious groups who have moral objections to invasive procedures.

HIPAA is the federal Health Insurance Portability and Accountability Act of 1996. The primary goal of the law is to make it easier for people to keep health insurance, protect the confidentiality and security of healthcare information, and help the healthcare industry control administrative costs (Thacker, 2003).

## Licensure and Regulation

As members of a health care profession, and similar to other health care professions, physical therapists in the United States are licensed and regulated by the states. This information reviews the licensure status of physical therapists in all states and the District of Columbia, describes the purpose and requirements of state licensure, outlines licensing board structure, and provides information about terms and titles. Other than the information specifically about licensure of the physical therapist, the following information also applies to the physical therapist assistant. Information specific to physical therapist assistant licensure/regulation can be found in the section on physical













































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