



MASSACHUSETTS
GENERAL HOSPITAL

PSYCHIATRY ACADEMY

Ethics and Boundary Issues

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Disclosures

Neither I nor my spouse/partner has a relevant financial relationship with a commercial interest to disclose.

Ethics: An Overview

- “Ethics is the study of how to make hard choices in the face of conflicting values.”
 - *Elliott Crigger, Director of Ethics Policy, American Medical Association*

Two Core Elements

- Identifying values
- Making choices

Approaches to Values

- What defines or is the origin of good or right?
 - Duty – Deontology
 - Relevance: oaths, covenants, pledges
 - Outcomes – Consequentialism
 - Relevance: public health, benefit, effect size
 - Character – How to be
 - Relevance: Moral exemplars, “what would X do”

Principlism

- An approach to biomedical ethics that uses a framework of four universal and basic ethical principles:
 - Autonomy
 - Beneficence
 - Nonmaleficence
 - Justice

Autonomy

- An individual's rational capacity for self-determination
- Each individual may express their preferences about treatments and their reasoning in accepting or refusing them
- To uphold this principle, the health care provider needs to respect the wishes of patient regarding medical interventions

Beneficence

- Obligation of the health care provider to contribute to the patient's welfare with any interventions conferring benefit directly to the patient.
- Benefit for the patient may reach beyond medical outcomes, and the patient's values, beliefs and culture may modify how benefit is perceived.
 - The patient with capacity can express how these values influence their preferences about medical treatments.

Nonmaleficence

- The obligation to not inflict or minimize infliction of necessary harm.
- In theory, this allows for the benefit of a treatment to outweigh the risks and the suffering related to the treatment.

Justice

- Considers the obligation to fairly and equitably distribute health and health care.
- This requires prioritization and rationing of competing claims.
- Health care providers are challenged to use resources wisely and to grant equality and equity to all sick people.

Making Choices

- How do we choose between competing or conflicting values?
 - Balancing
 - Moral residue
 - Resources
 - American Psychiatric Association
 - American Academy of Psychiatry and the Law
 - American Medical Association

Boundaries

- Responsibility of the psychiatrist to maintain boundaries for safe and effective treatment of the patient

Boundary Transgressions

- Boundary Crossings
- Boundary Violations

Boundary Crossings

- A deviation from classical therapeutic activity that is harmless, non-exploitative, and possibly supportive of the therapy itself.

Boundary Violations

- A deviation from classical therapeutic activity that is harmful or potentially harmful, to the patient and the therapy.
- Constitutes exploitation of the patient.

Summary

- Clinical and forensic practice can lead to ethical challenges
 - Identify the values at stake
 - Make considered choices
 - Also an opportunity to identify and advance opportunities for advancing ethical interests
- Boundaries
 - The responsibility of the psychiatrist
 - Challenges nonetheless arise
 - Resources and Strategies

Questions?

Selected References

- American Academy of Psychiatry and the Law. Ethics Guidance for the Practice of Forensic Psychiatry (2005). Available at <https://www.aapl.org/ethics.htm>, accessed August 31, 2020.
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