

Defense Health Board

Request to Review Ethical Guidelines and Practices for U.S. Military Medical Professionals

Information Brief



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Overview & Purpose

- **Request to the Defense Health Board (DHB):**
 - Review ethical guidelines and practices for military medical professionals
 - Provide recommendations regarding optimal support for military medical professionals as they confront ethical dilemmas, while identifying existing gaps and opportunities for improvement
- **ASD (HA) has posed two specific questions:**
 - How can military physicians most appropriately balance their obligations to their patients against their obligations as military officers to help commanders maintain military readiness?
 - How much latitude should military medical professionals be given to refuse participation in medical procedures or request excusal from military operations with which they have ethical reservations or disagreement?



Question #1: Dual Agency

How can military medical professionals achieve balance between potentially conflicting obligations?

- Occupational health/sports medicine models
 - Mitigating factors: shared values and commitment to mission

Examples:

- Battlefield decisions involving scarce resources or mission requirements
- Occupational medicine/disability assessments
- Fitness for duty evaluations



Question #2: Balancing Potentially Conflicting Obligations

Military Professionals must balance potentially conflicting personal beliefs, cultural differences, professional obligations, laws, regulations, ethical guidance.

Examples:

- Participation in elective abortion or withdrawal of life support
- Involuntary treatment for communicable disease or treatment in case of mental incapacity
- Treatment of enemy combatants and detainees who may wish to refuse recommended or life-saving treatment



Policy and Ethics Guidance for Military Professionals

Ethics Guidance:

- Hippocratic Oath (Hippocrates, 400 b.c.)
- Formal medical ethics guidance
 - *AMA Ethics Manual, American Psychiatric Association, American Psychological Association, other Professional Societies*

Laws

- U.S. Federal Laws, State Laws, International Laws

Additional guidance and obligations for military physicians:

- U.S. Military Oath of Office
- Uniform Code of Military Justice
- DoD Issuances
- Service Issuances



Examples of Pertinent Department of Defense Policies

- DoDI 6000.14--Patient Bill of Rights and Responsibilities in the Military Health System (MHS) (September 26, 2011)
- DoDI 6490.4--Requirements for Mental Health Evaluations of Members of the Armed Forces (March 4, 2013)
- DODI 6490.08--Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members (August 17, 2011)
- DoDI 6495.02--Sexual Assault Prevention and Response Program Procedures (March 28, 2013)
- DoDI 2310.08E--Medical Program Support for Detainee Operations (June 6, 2006)
- Directive Type Memorandum 09-033 "Policy Guidance for Management of Concussion/Mild Traumatic Brain Injury in the Deployed Setting", June 21, 2010, Incorporating Change 4, November 7, 2011