

PROTECTION OF CONSCIENCE PROJECT
Proposed changes to *A Model Code of Ethics for Canadian Pharmacists*
NAPRA Discussion Paper www.napra.org/pharmacists/code.html

PREAMBLE

[Draft] Laws and ethics of health care overlap considerably, since both share the concern that the conduct of health care professionals should reflect respect for the well being, dignity and self-determination of the public . . .

Proposals

[Change] ...since both share the concern that the conduct of health care professionals should reflect respect for the well-being, dignity and self-determination of *all people*...

[Add] *A legitimate ethical goal is the maximum accommodation of differing conscientious beliefs of citizens in all walks of life. Nothing in this Code shall be construed in a manner inconsistent with this goal.*

Reasons

Re: Change Respect for the well being, dignity and self-determination is due to all people, including members of the profession.

The public is an abstraction; pharmacists care for individual people. More important, the concepts of well-being, dignity and self-determination are primarily applicable to individuals, not to the public . It is desirable to avoid language that could cause unintended dichotomies, such as well-being of the public vs. well-being of the individual .

Re: Addition It is important to ensure that a Code of Ethics does not become an instrument for the suppression of freedom of conscience within the profession.

**STATEMENT II:
Guidelines for Interpretation**

[Draft] 2. Pharmacists determine the patient's needs, values and desired outcomes.

Proposals

[Change] 2. Pharmacists *acquaint themselves with* the patients needs, values and desired outcomes.

Reasons

Re: Change The change is recommended to avoid any conflict with the notion of self-determination. The present text can be misinterpreted to mean that the pharmacist decides what the patient needs.

STATEMENT III

[Draft] Pharmacists honour the autonomy, values and dignity of each patient.

Proposals

[Add]

Guideline for Interpretation

This statement shall not be construed in a manner that places the autonomy, values and dignity of the patient in opposition to the autonomy, values and dignity of the pharmacist.

Reasons

Re: Addition

In any professional relationship, all parties in the relationship have legitimate spheres of personal and/or professional autonomy, and are entitled to respect for their values and dignity. In its current, unqualified form, the text tends to invite conflict rather than accommodation when disagreements arise. The amendment seeks to avoid such confrontation.

STATEMENT V

Guidelines for Interpretation

- [Draft]
1. Pharmacists who object, as a matter of conscience, to providing a particular pharmacy product or service must be prepared to explain the basis of their objections to pharmacy management, not the patient.
 2. Pharmacist who object, as a matter of conscience, to providing a particular pharmacy product or service have a responsibility to participate in a system designed to respect a patient's right to receive pharmacy products and services. The system must be pre-arranged to enable the patient to obtain the product or service in a timely and convenient manner, minimizing suffering to the patient.

Proposals

[Change]

1. Pharmacists who object, as a matter of conscience, to providing a particular pharmacy product or service

a) should not be compelled to participate in the provision of the product or service;

b) must give reasonable notice of their objection to pharmacy management so that arrangements can be made to accommodate them while providing for the needs of the patient;

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c) should inform the patient of their objection so that the patient may consult another pharmacist;

d) must not prevent the provision of pharmacy products and services by other pharmacists.

Reasons

Re: Change Proposed changes (a) and (c) exactly parallel the policy of the Canadian Medical Association with respect to the rights and obligations of physicians in the case of abortion.

Proposed change (b) is consistent with the law on accommodation and with the objectives of the present text (Guideline 2).

Proposed change (d) is consistent with the objectives of the present text (Guideline 2), while avoiding the likelihood that participation will be interpreted in a manner prejudicial to freedom of conscience.

STATEMENT VI
Guidelines for Interpretation

[Draft] 3. Pharmacists accept the ethical principles of the profession.

Proposals

[Change] 3. *Pharmacists abide by the Codes of Ethics in force in their jurisdiction.*

[Add] 7. *No discrimination should be directed against pharmacists who manifest conscientious convictions by declining to provide pharmacy services or products. Respect for decision in this area must be stressed, particularly for pharmacy students and new practitioners.*

Reasons

Re: Change Guideline 3 in its present form is unacceptably vague, especially since it is contemplated that a pharmacist could be disciplined for a breach of the code. Ethical principles of the profession fails to express precisely what those principles are, how they are determined or changed, and by whom.

It is sufficient that pharmacists agree to abide by codes of ethics or conduct, which are, presumably, formulated with ethical principles in mind.

Re: Addition The additional guideline exactly parallels the policy of the Canadian Medical Association with respect to protection of physicians who have conscientious objections to abortion. (Ref: CMA Statement on Induced abortion, Approved by the CMA Board of Directors, December 15, 1988)