Chapter 28: Ethical Issues in Health Information Management

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Learning Objectives

- Examine ethics and ethical dilemmas
- Interpret the concepts of morality, code of conduct, and moral judgment
- Assess the AHIMA Code of Ethics
- Differentiate how cultural issues affect health and healthcare quality, cost, and health information management
- Evaluate the consequences of a breach of healthcare ethics
- Determine the ethical issues related to research
- Apply HIM ethical standards of practice
- Evaluate the culture of a department and policies that support a culture of diversity

Key Terms

Altruism	Double billing	Privacy
Autonomy	Egoism	Quality
Beneficence	Ethical principles	Respect
Bias	Ethics	Retrospective
Blanket authorization	Ethics committee	documentation
Code of Ethics	Integrity	Security
Confidentiality	Leadership	Stereotyping
Consequentialism	Least harm	Unbundling
Cultural audit	Medical identity theft	Upcoding
Cultural competence	Moral values	Utilitarianism
Cultural diversity	Need-to-know principle	Values
Culture	Nonmaleficence	
Deontology	Prejudice	

Real-World Cases

1. Kelley Sue is a new coder who had never held a HIM job before. She is right out of college and just passed her RHIA. She is hired by a local clinic and is excited to start working. A few weeks later, her manager asked to meet with her. The manager closed the door and proceeded to tell her that she wanted Kelley Sue to code charts for a particular procedure using two codes instead of one so the reimbursement would be higher. Kelly's supervisor then proceeded to divulge information that the clinic was struggling financially so anything extra would help out a lot. Kelly Sue got the impression that if she did not do as she was asked they would let her go. This was a great job for her that she really needed. She also felt the sense that since it was her supervisor asking her to do it, that she was obligated.

Discussion Questions
Using the seven considerations chart for ethical decision making answer the following:

a. Identify the ethical question.

b. What are the facts?

c. Who are the stakeholders?

d. What are the options?

e. What is the decision (HIM values at stake)?

f. What justifies choice?

g. How is this prevented so issue the issue is not repeated?

2. A woman was found unresponsive on a desert highway and brought to the emergency room of a local hospital. After five days in a coma, the women awoke and did not know her name, where she was from, her history, or have any recollection of her past. She was given the name Jane Brown and eventually released from the hospital. After many years working with social service agencies, she built a new life but never regained memories of her past. Eventually, she graduated from college, moved to the Pacific Northwest, married, and had two sets of twins one year apart. One day a man recognized her as a missing woman from Arizona and contacted authorities. The police notified Ms. Brown of her past life and informed her she has family members who want to meet her. With the case receiving national news coverage and attention, the local hospital noticed a marked increase in the number of people requesting access to the health records of Ms. Brown and her children.

Discussion Questions

a. What are the ethical issues that are associated with this case?

b. Name a few things the hospital can do to prevent the unethical behavior?

Essay Questions
1. Conduct a class discussion on ethical issues related to HIM that are in the news currently. How are these being handled? Can you come up with some solutions? Does anyone have a situation in his or her work that is applicable?

2. Write an essay on an ethical issue that has come up at work. How did you handle the situation? What are some ideas on what a manager could do to resolve the issue and prevent it from occurring again in the future? Possibly try and use the ethical decision making process.

3. In small groups of three, roll play hypothetical scenarios in regard to ethical issues in coding, Release of Information (ROI), and related to research. One person creates the ethical issue, one

person discovers the issue, and the third person is the manager or ethical committee on how to resolve the issue. Work together and switch roles.

4. Write an essay trying to get a test subject or research through to the Institutional Review Boards for the Protection of Human Subjects (IRBs) Come up with scenarios that could be in violation of Autonomy, Beneficence or Justice. Have a peer read through the paper to find what the violation of ethics is and discuss the thinking behind it.

Application Exercises

1. Evaluate the culture of City Hospital HIM Department

Background: City Hospital HIM Department employs 17 people. Only one employee is male, Ralph, he is 74 years old and processes the disclosure documentation for the department. He keeps to himself because he feels that the other employees think he is slow and they have nothing in common. Seventeen-year-old Celine is a recent high-school graduate who is going to school at night and enjoys social media and has a best friend who is getting married to his boyfriend this summer and it is all Celine talks about. Teal is a 27-year-old hard worker who is always seven minutes late for work in the morning and spends the first 15 minutes at her desk putting on her make-up for the day. When she does finally start working she gets a lot done and out performs the others in her department. Teal speaks English as a second language and is very hard for others in the department to understand. David is a 54-year-old department manager who is putting in his time before his retirement in four months. David is a family man who believes strongly in the beliefs of his church and often shares his church doctrine with his employees during their annual evaluations.

Name of employee	Potential bias/prejudices	What training could help the department and the employee with cultural awareness
Ralph	Generational differences	Sample answer: Ralph should receive competency training on generational differences
Celine	Celine and David may have conflicts because of their difference beliefs	
Teal	Others may think she is not as intelligent or able because of the language barrier	
David	Religious beliefs	

2. Create a diversity training presentation for other students in this course.

Review Quiz

Instructions: Choose the most appropriate answer for the following questions.

1.   What type of authorization allows the release of a patient's information from the signed date forward, with no end date?
      a.   Disclosure authorization
      b.   Blanket authorization
      c.   Need-to-know authorization
      d.   Consent authorization

2.   What is the practice of assigning diagnostic or procedural codes that represent higher payment rates.
      a.   Upcoding
      b.   Unbundling
      c.   Utilization
      d.   Managed care

3.   What is the practice of using multiple codes to bill for various individual steps in a single procedure, rather than using a single code that includes all of the steps of the comprehensive procedure?
      a.   Utilization
      b.   Upcoding
      c.   Need-to-know
      d.   Unbundling

4.   The minimization of variation in a clinical practice is used in what setting?
      a.   Need-to-know
      b.   Utilization
      c.   Managed Care
      d.   Quality Assurance

5.   The legal term for "First do no harm" is _____
      a.   Ethics
      b.   Beneficence
      c.   Nonmaleficence
      d.   Autonomy

6.   Genetics, adoption, and drug use are a few areas that require special attention, these are known as:
      a.   Special information
      b.   Scientific information
      c.   Sensitive information
      d.   Super information

7.   What is considered to be a risk versus benefit in regards to ethical principles?
        a.   Beneficence
        b.   Justice
        c.   Autonomy
        d.   Vulnerable population

8.   The participant in a research group has been given the full disclosure on what the study is all about, and has been given to option to opt out of the study. This falls under what ethical principle?
        a.   Justice
        b.   Autonomy
        c.   Vulnerable population
        d.   Beneficence

9.   What has created ethical issues based on security, interoperability, and record integrity?
        a.   HIPAA
        b.   Advocate
        c.   Sensitive data
        d.   Electronic health record

10.   What organization was established to help provide equality for minority groups, women, people with disabilities and veterans?
        a.   Equal Opportunity For All (EOFA)
        b.   Equal Employment Opportunity Commission (EEOC)
        c.   CLASS ACT
        d.   Equality Employment Organization (EEO)

11.   True or false: Beneficence is an ethical principle meaning a patient has the right to choose their course of treatment.
        a.   True
        b.   False

12.   True or false: An ethical Dilemma occurs when one is faced with a choice between 2 or more situations.
        a.   True
        b.   False

13.   True or false: A cultural audit is a strategy to define an organizations values, symbols, and routines and identify areas for improvement.
        a.   True
        b.   False

14.   True or false: With an increase in medical identify theft, it is important for HIM professionals to help find and correct fraudulent information within a health record.
        a.   True
        b.   False

15.   True or false: HIM professionals are not ethically obliged to give back to the HIM community by providing practice opportunities for students.
     a.   True
     b.   False

Instructions: For questions 16 through 25, match the term with the appropriate definition.
     a.   prejudice
     b.   bias
     c.   stereotyping
     d.   privacy
     e.   confidentiality
     f.   security
     g.   leadership
     h.   respect
     i.   quality
     j.   integrity

16.   _____ The assumption that everyone within a certain group are the same.

17.   _____ Prejudging a person based on one of examples such as age, education, religion… without reviewing all the information.

18.   _____ Prevents a person from having an impartial judgment

19.   _____ Legal and ethical concept that requires healthcare providers to protect health records and other personal and private information from unauthorized use or disclosure.

20.   _____ The means to control and protect access of health information and records

21.   _____ The right of a patient to control the disclosure of protected health information.

22.   _____ Openness in decision-making, honesty in communication and actively, and ethical practices that command trust and support collaboration

23.   _____ Visionary thinking, decisions responsive to membership and mission, and accountability for actions and outcomes

24.   _____ Appreciation of the value of differing perspective, enjoyable experiences, courteous interaction, and celebration of achievements that advance our common cause.

25.   _____ An abiding commitment to innovation, relevance and continuous improvement in programs, products and services.