Professional Ethics: 
The Practitioner’s Obligations 
and Strategies for Success

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Overview
• 4 Ethical Viewpoints – Which One is Right?
• Ethics Isn’t for Wimps – Finding Moral 
  Courage
• Who are the Stakeholders and What are Our 
  Obligations to Them?
• Principles and Strategies for Situations 
  Involving Fairness and Truth Telling
• Simple Tests to Determine “What’s the Right 
  Thing to Do?”

Appreciation
• Big Thank You to Michael Josephson 
  Institute and Character Counts
  • www.CharacterCounts.org

The Train is Coming …
Who Are You Going to Save?

Which Ethical Standard is Right?
• Results based model – What will the 
  results/consequences/outcomes be if I ___?
• Rule based model – What are the 
  duties/rules/laws that apply?
• Virtue based model – What kind of a person 
  would I be if I do/don’t do _____?
• Rights based model – What rights should be 
  honored in this situation?
  Best to use a combination of viewpoints

Moral courage is mental strength: 
the power of will to resist 
pressures and hold onto important 
values even in the face of 
criticism, possible 
embarrassment, being unpopular, 
losing something that you want, or 
injuring a relationship or career.

— Michael Josephson
Watch Out for Excuses

*Compliance does not equal ethics*

It is legal – Responsible people often do less than they are allowed to do.

It’s not my job – Responsible people often do more than they are required to do.

The Doctrine of Relative Filth

“I’m not so bad as long as other people are worse.”

— Michael Josephson

1. Knowing What is Right
2. Doing What is Right

In 90% of the ethical problems you face you know what you should do.

The real question is whether you are willing to do the right thing when it is likely to cost you more than you want to pay.

When people are under extraordinary pressure to meet deadlines, attain short term goals, or focus totally on either profits or cost reduction/savings, all at the expense of relationships, quality, service, or safety, they are forced to make choices which are often destructive personally and to their organizations over the long run.

— Michael Josephson

Case Study

Who Are The Stakeholders?
“Greed is not the issue for most — at least they don’t see it as greed. It is more often a false sense that survival is at stake or that one’s value or worth will be measured by winning a narrowly defined game where ethics doesn’t count for anything.”

— Michael Josephson

You Must Report Wrongdoers

• Even if:
  – Nobody will listen
  – Nobody cares
  – Nothing will change
  – People might find out you reported them
  – Whistleblower consequences
  – Etc.

“More harm has been done by weak persons than wicked persons. The problems of the world are caused by the weakness of goodness rather than the strength of evil.”

— Harry S. Kennedy

When the family member says, “Let’s Not Tell the Patient To Make it Easier On Us.”

It is Disrespectful to Withhold Information Others Need to Control Their Own Destiny

In Relationships of Trust …

• Exaggerations
• Promising what you cannot deliver
• Deliberate distortions
• Half truths or misleading statements
• Concealment of important facts

Are Lies
“How many times do you get to lie before you are a liar?
— Michael Josephson

White lies often look very different from the perspective of the person lied to.

THE TEST:
Upon learning of the lie, would the person you lied to thank you for caring, or feel manipulated or betrayed?

If the Person has Enough Capacity, We Need to Respect the Decision

- People, *with capacity*, have the right to determine the course of their lives
- **People have the right to make a wrong decision**
- Limit to this right is “The Harm Principle” by John Stuart Mills
  - When our actions cause *significant* harm to others

Making Peace With Moral Distress

- Viki’s approach to personal peace
  - Make sure they are informed
  - Then I have to step back and let them decide what is right for them
  - I can’t control the person or the outcome
- Educate and **inspire** – No coercion/force
- Do what you can: call insurer again, privately ask the doctor to reconsider, etc.

You are in charge of distributing a total of $100,000 grant money to 2 worthy professional caregivers.

*How will you decide who should receive the money and what amount would be fair?*

✓ A is known for getting more done than others. He is well known for using grant money to create additional value for those in the community.

✓ B is a competent caregiver. She is a single mother with three small children at home. She needs the money the most.
C is a caregiver whose extended family has political clout. He has said that he is willing to ask for favors for the hospital.

D has been a caregiver for 25 years. Her dedication to her mission shows.

E is the hardest working caregiver you have met. He may not be the best but he tries the most.

Six Theories of Substantive Fairness
1. Merit
2. Need
3. Power
4. Equality
5. Seniority
6. Effort

Which Theory of Justice Wins?
Why Did You Choose That Theory in This Situation?

Even though the underlying concepts of fairness and justice are simple — almost intuitive — applying them in real life proves very difficult.

One Simple Rule
Oftentimes, we do not know what is truly fair

We do know what is unfair and our first obligation is to avoid being unfair

Setting Up Fair Processes
• Impartial gathering and evaluation of information
• Seek out relevant information and conflicting perspectives
• Make decisions without favoritism or prejudice
• Don’t take advantage of the weakness or ignorance of another
Rule of Universality

- Do only those acts which you are willing to allow to become universal standards behavior applicable to all people in similar situation
- Ask yourself, “If everyone did it, would it be a good thing?”

The Publicity Test

What would you do if you knew that your decision and the true reasons behind it would be reported on the 11:00 news or the story would go viral on the internet?

Kid Over the Shoulder Test

Would you do it if you knew your kid was looking over your shoulder?

The Role Model Test

When faced with a difficult decision, think of an ethical role model, someone whose integrity and courage merit admiration, and ask, what would that person do?