

GENERAL BIOETHICS COMMISSION THE HOSPITALLER ORDER OF ST JOHN OF GOD

ESTABLISHING A BIOETHICS COMMITTEES WITHIN THE PROVINCES

Basic Instructions for the Establishment of a Bioethics Committee within the Order

Bioethics, as a social movement, had its inception in industrialized countries during the mid-twentieth century and has supplemented the professional ethics of healthcare professionals with clinical or applied ethics by addressing practical issues.

At this practical level, it was obvious that given the advances made by the life and the health sciences, as well as by innovative biotechnologies, there would be a growing need to make difficult moral choices. Health care institutions (mostly at the local level), as well as government and policy agencies (at the national level), soon recognized the importance of developing more formal mechanisms to address and work to resolve ethically charged or value-laden problems in the rapidly shifting dynamics of everyday health care and health policy. At the very least, many leaders of the scientific community thought that the establishment of various forms of bioethics committees would be a significant first step toward initiating discussions and debates on a plethora of contemporary bioethical issues.

A bioethics committee is a committee that systematically and continually addresses the ethical dimensions of (a) the health sciences, (b) the life sciences and (c) innovative health policies. A bioethics committee is typically composed of a range of experts, is usually multidisciplinary and its members employ a variety of approaches to work toward the resolution of bioethical issues and problems, especially moral or bioethical dilemmas. Moreover, the members of these committees not only become more sensitive to ethical dilemmas but also, in time, develop the knowledge and skills required to deal more effectively with them, frequently finding ways to resolve what may at first appear to be intractable dilemmas.

Provinces of the Order have the option of establishing bioethics committees at the Provincial, regional (within a group or network of similar services) and/or local levels (within a hospital).

This has the advantage, in time, of encouraging the creation of a network among bioethics committees to serve not only the needs of all the people but also smaller populations in regions and even local communities. Furthermore, bioethics committees established at Provincial level have the option, even if they decide to limit their goals, to select among a variety of functions, including those that are usually the concern of committees organized at regional and local levels.

Different forms of bioethics committees at different levels throughout the Provinces of the Order

Bioethics committees can take on different forms & functions at different levels within & across the Order internationally & nationally. The literature at UNESCO & other international sources would suggest that each of the four forms of committee proposed below, having established its own purposes, functions & operation procedures may conclude that it is of benefit or otherwise to combine with other forms of bioethics committee. In other words a Healthcare ethics committee can be combined with a research ethics committee. The deciding factors will most likely be:

- The developmental stage of the Province or the regional or local services
- The level of technical complexity of the Province
- The political situation within the Province proposing to establish the committee

Consideration should also be given to the establishment of a General Bioethics Committee which could oversee & monitor the work of bioethics committees at Provincial levels. The advantage of this would be the development of shared learning, shared policies etc which could be standardised across the Order internationally. It will also allow for the development of an understanding of the types of moral & ethical issue within the context of Catholic healthcare provision.

FOUR FORMS OF BIOETHICS COMMITTEES

1. Policy-Making and/or Advisory Committees (PMAs)

Establish sound science and health policies for the Province, regional or local services

2. Health-Professional Association Committees (HPA)

Establish sound professional practices for patient care (physicians' associations, nurses' associations etc)

3. Health care/Hospital Ethics Committees (HECs)

Improve patient-centred care (hospitals, out-patient clinics, long-term care institutions, hospices)

4. Research Ethics Committees (RECs)

Protect human research participants while acquiring generalisable biological, biomedical, behavioural and epidemiological knowledge (pharmaceuticals, vaccines, devices)

Prior to the actual establishment of a bioethics committee, at its initial meetings the chairperson and members will commit to a principal goal that will henceforth serve to drive its activities in carrying out the functions it has determined are focal, at least for the initial year or longer. The principal goal will usually depend on which form of committee has been established.

PROCEDURES AND OPERATIONS

Once it has been decided to establish a bioethics committee (at any level of the Province), those responsible for its formation must, early on, consider and agree upon a sequence of steps that will serve to create the committee. These must be clearly formulated and followed in an orderly fashion, leaving some room, perhaps, for minor revisions. The following is the proposed steps or basic instructions for the establishment & inception of such a committee:

The steps

1. The form of bioethics committee must be determined:
 - (a) PMA, (b) HPA, (c) HEC, (d) REC, or any combination of these forms.
2. Statutes, or operating policies & procedures must be developed that reflect approval of the bioethics committee by a legal authority both within & external to the Order, dependent on the nature of the country in which the Province is situated. The statutes must include but may not be limited to the following:
 - (a) The various disciplines that will be represented by the members,
 - (b) The tenure of the chairperson and the members (permanent, renewable, rotating, e.g. 1 or more years), and
 - (c) The number of members required to constitute a quorum for official meetings of the

bioethics committee.

3. A chairperson for the bioethics committee must be selected and appointed.

4. The bioethics committee's members must be selected and appointed. The selection process, whatever the steps, must be determined; it may involve bioethicists and philosophers, life scientists, health professionals, behavioural and social scientists, scholars from the humanities, theologians, health-law experts, patient advocates, public officials and laypersons from the local community. Some of these members must be from within the Order (a co-worker or brother) & some representative of the Catholic tradition with understanding & knowledge of Canon Law & the view of the Holy See.

5. The chairperson and the members of the bioethics committee must understand the legal framework, the Values & the religious imperatives of the Order within which the committee has been established, since this serves to guarantee the independence of the committee's members (e.g. formal letters from Provincial Administration to the chairperson and members will assure that liability protection has been provided, either separately to each member or collectively to the chairperson and all the committee's members). It should be made clear to all members, which body is responsible for funding the litigation and any other expenses in the case of a lawsuit being filed naming the committee or any of its members, though a lawsuit is extremely unlikely to be filed.

6. The chairperson and the committee, or one of its subcommittees, should prepare and propose an annual budget, then obtain the Province/ Region/ Institution's commitment to provide these funds.

7. The bioethics committee must determine if none, some, or all of its meetings will be open to the public, and who will establish this policy.

8. It must be determined to whom the chairperson of the bioethics committee is responsible and accountable.

9. The Committee's operations and work procedures should be developed and clarified during its initial meetings. This may include preparing formal reports and other documents, including taking and recording the minutes of all discussions and decisions taken at all meetings.

10. A bioethics committee should establish a permanent and well-staffed secretariat to support its administrative requirements and to clarify the committee's relationship, if any, to Provincial Administration. Without a secretariat, the stability of the committee cannot be assured and its effectiveness and permanent existence may be jeopardized. The secretariat should be established and reflected in the Province's / Region's / institution's organizational chart and the Brothers, professionals and staff working within the Province should be notified of its existence and mission. The secretariat should be ready, willing and able to assist in managing the daily affairs of the bioethics committee, especially the documentation of its work and the dissemination of information that is required if the committee is to operate in a transparent & open way especially in terms of decision making, i.e. that as a matter of committee policy it is prepared to make annual self-evaluations as well as external evaluations of its performance

A Checklist for the Establishment of a Bioethics Committee

HOW TO ESTABLISH A BIOETHICS COMMITTEE?

1. Determine the level
 - a. Provincial
 - b. Regional
 - c. Local
2. Determine the form of committee, depending on the goal
 - a. Policy PMA
 - b. Research REC
 - c. Professional guidelines HPA
 - d. Case consultation HEC
3. Make statutes
4. Select chairperson
5. Select members
6. Determine the legal framework

7. Determine the budget
8. Decide whether meetings will be open or closed
9. Determine to whom the chairperson is responsible
10. Determine work procedures
 - a. Frequency of meetings
 - b. Formal reports of the meetings
 - i. Minutes
 - ii. Decisions
 - c. Distribution of reports
 - d. Provision of documents
 - e. Preparation of meetings
11. Establish the secretariat
12. Provide ethics education to members
 - a. Determine the need for training of members
 - b. Establish a training programme for members

Document ends.

