Healthcare Resource Allocation and Catholic Social Teaching

By Ashley Beck

Since the summer of 2009 CBET has been running a one-year research project, Healthcare Resource Allocation and Catholic Social Teaching. This has been part funded by the Charles Plater Trust. Traditionally the input of Catholic moral theology into the field of healthcare has tended to be concentrated, quite rightly, on bioethical issues. But increasingly Catholics and others who work at various levels in healthcare face difficult and complex questions about the allocation of financial and other resources, questions which will become more critical as and when the financial situation in the health service worsens. The tradition of Catholic social teaching offers Catholics a good way of looking at the issues involved, but in the past, at least in this country, little has been done to explore this.

The team running the project consists of Professor David Albert Jones, as its director; Paul Gately, a former MA (Bioethics) student at St Mary’s, and Fr Ashley Beck, who has been a researcher in the project since November 2008.

We aim to publish a booklet which will be a resource for Catholic Healthcare professionals. This will be in three parts: first, a survey of the ways in which primary care trusts take resource decisions and the ecomometrics underpinning the recommendations of the National Institute for Health and Clinical Excellence (NICE); second, the ways in which the key principles of Catholic Social Teaching relate to healthcare resource allocation; third, in the light of the first two parts, practical advice to those who have to make resource allocation decisions. We intend to have this booklet published later this year.

A vast number of Catholics work in the health service at all levels, and what has been essential for this project is wide-ranging process of consultation. We need to listen to those who have to make these decisions, not simply lecture them. As part of this consultation was arranged in early February at the headquarters of the King’s Fund in central London. This involved the project team and a small number of senior professionals – Jim McManus, Director Public Health in Birmingham, Dr Tom Mann, who now runs a consultancy advising Primary Care Trusts on acute care, also involved some years ago in the setting up of NICE, Dr Neil Weir, an ENT surgeon involved through the Knights of Malta in the establishment of care homes for the elderly, also a member of the Joint Bishops’ Conferences Bioethics Committee, and Liz Butler, Chair of Bromley PCT, formerly Chair of Queen Mary’s Hospital NHS Trust in Sidcup. Another professional involved in consultation so far is Bill Moyes, former Chair of Monitor, the body which is responsible for Foundation NHS trusts.

What are the key issues?

One is the devolution of decision-making in the NHS in the last twenty years – most of those whom we aim to help through this project work in levels where people would not have been taking important decisions about resource allocation when the NHS was more centralised. On the face of it, this shift seems consistent with the social teaching principle of subsidiarity – the belief that it is right to carry out functions in society at the ‘lowest’ level, the one nearest to the people involved.

One way in which we see this principle worked out in healthcare is in the wish most people have to be treated at home rather than in a hospital, particularly when close to death. For surgeons and PCTs subsidiarity will always be linked to other issues – the needs of other groups within an overall unit, the reduction of waste, and whether or not it is simply a cloak for cuts in funding.

How far is local decision-making real if financial limits leave little freedom? The insights of social teaching can help us evaluate the ways in which healthcare resources are allocated.

There will be further consultations and the project will also have a presence at the Catholics in Healthcare conference in Liverpool in June 2010.

Dying Matters

This issue of the CBET Bulletin includes an account of our allocation project and some examples of work that students have gone on to do, or are doing, as a result of the MA programme in bioethics.

The MA has been an important element of work at CBET, helping to constitute a community of scholars interested in issues of biomedicine and new technologies, whether as past or present students, as lecturers, as occasional speakers, as external examiners or as members of validation panels. The MA has inspired a network and it is hoped that the vignettes in this Bulletin give a sense of this. These stories show some of the great variety of issues we have been involved in. For the rest of this introduction I wish to focus on one area of ethical concern that has come to the fore in recent months and with which CBET has been engaging.

The United Kingdom has recently launched a campaign to raise awareness of issues surrounding death and dying. It is called, appropriately enough, ‘dying matters’. Over the last few months CBET has been involved both with this initiative and with a range of ethical issues at the end of life. CBET is a member of the dying matters coalition and asked for cuts in funding.

At a glance

The issue of assisted suicide has been much debated in the press over the last year with several high profile legal cases in England and a bill to legalise ‘assisted dying’ being debated in Scotland. Much of the public debate has been conducted through highly emotive stories or through slogans and sound bites, but doctors, lawyers and parliament continue to take notice of serious reflection on the possible impact of such changes in the law. A number of members of CBET have done work in this area, in particular Dr Wendy Hiscox who has recently published evidence of involuntary euthanasia from those countries which have legalised euthanasia. She has been invited to participate in a debate on the issue at the Royal Society of Medicine in June.

Also in the next few months the General Medical Council will bring out its revised guidance on end of life treatment and care. While GMC guidance is not law it does set the standard for good practice and is binding on doctors. This guidance covers the issue of withholding and withdrawing medical treatment and withholding and withdrawing clinically assisted nutrition and hydration from those for whom it is not beneficial (for example, where it would not succeed in supplying nutritional need). These are very difficult issues.

On Friday 6th November 2009, Dr Trevor Stammens gave a lecture at the Christian Medical Fellowship (CMF) breakfast at the Royal College of General Practitioners (RCGP) Annual Conference in Glasgow on the topic of “Spirituality in the Surgery – A Disciplinary Matter?” at the BiOM. This was on the topic of conscientious objection in medicine.

That same afternoon, Dr Stammers appeared on the Jeremy Vine show on BBC Radio 2 debating with the head of the TPG on the proposed removal of the right of parents to withdraw their children from school sex education.

“Mortality, Divine Commands and Evolution” was the theme of a talk presented by Professor David Jones at a seminar organised by the Society of Apothecaries on 14th November.

On Wednesday 25th November 2009, Professor Geoff Hunt was an invited guest at a workshop on emerging technologies convened by the Phillips Centre on Bioethics in London. Professor David Jones also spoke at the Liverpool Care Pathway National Conference on the subject of Hydration in Care of the Dying: The Ethical and Religious Considerations.

Dr Trevor Stammens’ review of Bioethics at the Movies edited by Sandra Shapshay was published in the Winter 2009 edition of the Catholic Medical Quarterly.

Visiting Professor Rodney Taylor recently met with MPs at the House of Commons to raise awareness of Myelo-dysplastic syndrome, and in discussions with the All Party Parliamentary Group on Cancer. Commencing in January 2010, Professor Rodney Taylor will be teaching on the Ethics and Medical Law course at Imperial College School of Medicine, London.

Six new graduates received their MA in Bioethics at the winter awards ceremony on Saturday 6th February.

On 27th February Professor David Jones spoke on allocation and justice issues at a seminar organised by the Society of Apothecaries.

In March 2010, Dr Brenda Appleby will be visiting CBET as part of her sabbatical. Dr Appleby is a bioethicist and Assistant Professor in the Department of Religious Studies at St Francis Xavier University in Antigonish, Nova Scotia.

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For her dissertation Pauline Gately undertook a study of the sexual exploitation of women in the UK, focusing on how non-medical healthcare practitioners can be trained to identify and respond to such exploitative relationships. In addition, Pauline wrote a policy paper on patient privacy and confidentiality which was translated into the Bengali language.

In this edition of the CBET Bulletin we feature the MA Bioethics programme which forms part of CBET’s teaching activities. In particular we highlight some MA graduands’ achievements in the field of bioethics as a result of completing the MA programme.

Hybrids in the Headlines

The Human Fertilisation and Embryology Act 2008 contained a range of controversial measures concerning assisted reproduction and embryology. Among the most contentious was sanction for the creation of all types of human-animal hybrid embryos for research. For her dissertation Pauline Gately examined the scientific case for such research, gleaned primarily from submissions to a Commons Inquiry set up for the same purpose, and tested national newspaper reports against this for accuracy and balance. It was concluded that the public were seriously misinformed both as to what was to be sanctioned and the likely medical benefits.

This research was presented last October at the annual conference of the Genomics Network. This organisation, funded by the Economic and Social Research Council, is concerned with the social, ethical and economic implications of the expanding role of the human genome and seeks to promote understanding between the relevant disciplines. A number of research projects on the HFE Act were presented.

The CBET poster presentation, co-written with Professor Jones, was well received and provided a welcome opportunity to foster contacts with an organisation committed to open dialogue between scientists and other stakeholders.

Policing medicine

Rachael Pickering did the MA course a few years ago whilst still a junior doctor, working in a hospital and juggling career, postgraduate exams and motherhood. Even though life was hectic, she really relished the weekly trips to Strawberry Hill although she does confess to using the short journey to speed-read each week’s set readings!

Due to a variety of reasons, Rachael had to put on hold completing her dissertation until the year after leaving college, simply doing the course appears to have generated a number of career opportunities that she may well have had otherwise. These include promoting GP palliative care skills for Macmillan, writing ethics articles for medical education journals, teaching ethics to undergraduate students, and working for an end of life communication organisation.

Rachael comments, “I’m not a shrinking violet, and having a bit of ethical knowledge under my belt has given me the confidence to speak up to the public arena”. Last year Rachael tabled and proposed a motion at the British Medical Association’s Annual Representative Meeting about the right and wrong ways of practising her particular line of work, Forensic & Legal Medicine – that is, Police Medicine. At the present time the discipline lies outside the NHS, as Prison Medicine used to, and so clinical standards and models of service vary wildly across the country.

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NSF-isation of Forensic & Legal Medicine is at the top of the Committee’s agenda, and she is looking forward to spending some of 2010 working towards this goal. There are a myriad of potential ways of highlighting the issue including the possibility of adding the Royal Society of Medicine in the Spring.

Reaching a wider audience

Current student on the MA course, Philippa Taylor, has also explored avenues to disseminate her work to a wider audience. Philippa comments, “I felt it was a shame that the hard work that went into my essays was being left to gather dust on my shelves. Two papers stood out to me as being topical but, perhaps more importantly, fairly novel in their subject area”.

Consequently, Philippa approached an editor of a journal to see if they might be interested in using them. The response was positive and the outcome was that two of her articles were published in the journal Catholic Medical Quarterly, Philippa found the whole process very rewarding and satisfying.

Every picture tells a story

Ian Bells graduated with his MA in 2005 having completed his dissertation on clinical photography and issues of human rights and the implications for responsible practice in the imaging of medicine. Since then his interest in privacy, consent & confidentiality led to further study which culminated in a Law MA by Research in 2008. During that year as a result of departmental restructuring, he took early retirement from managing a NHS medical illustration department.

‘Clinical Photography: The Need for Orthopraxy’ was published in the Journal of Medical Ethics in February 2008. This was Ian’s response to a General Medical Council fitness to practise hearing whereby the principles of privacy, consent and confidentiality were abused by a consultant, who took photographs of his patients without due regard or care.

In 2009 Ian was invited to co-author a chapter on sexual assault in ‘Current Practice in Forensic Medicine’ with his contribution focussing on ‘The Ethics of Genital Photography’. This is to be published later this year, and he awaits the final decision of the editor as to its exact content.

The subject is multi-faceted and has the potential for more detailed work, especially in over sexualised western cultures where such photography and its clinical & evidential status are being challenged.