

Ethics and Wellness Column: Ethics and Due Process

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The United States Constitution provides “due process” in legal and administrative disputes. Due process extends beyond legal and administrative contexts and applies to medical licensure, privileges, and practices. It encompasses fair and equitable treatment in matters such as the conduct of physicians, practice standards, academic promotions, hospital privileges, or medical team assignments. Insufficient due process can hinder career advancement and result in an “injured” party (1-3). Due process guarantees decision-making and a sense of justice. Due process ensures that individuals are considered eligible to practice, relieved from probation, or even considered for promotion. Frustratingly, the absence of due process is occasionally used to obstruct opportunities that would enhance job satisfaction. This lack of transparency can disrupt one’s life for extended periods, leaving them jobless, or hampered or unappreciated for their efforts.

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Incorporating the aspect of ethics into the discussion of due process in medicine further emphasizes its significance and underscores the moral imperative of adhering to due process principles. Here is a detailed exploration of the ethical considerations:

Ethical Imperative: Ethics in medicine are rooted in beneficence, nonmaleficence, justice, and autonomy. Practicing due process aligns with the principle of justice, ensuring that individuals are treated fairly and equitably. It is ethically imperative to provide healthcare professionals with the opportunity to excel based on their qualifications and merit rather than subjecting them to arbitrary

decisions or biases (4).

Fairness and Equity: Ethical considerations underscore the importance of equity and treating individuals fairly and respectfully. Due process safeguards against discrimination and favoritism, ensuring that decisions are based on predetermined objective criteria rather than subjective or ad hoc judgments (5, 6). This ethical dimension is particularly crucial in healthcare, where people’s lives and well-being are at stake.

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Patient Trust: A solid ethical foundation in medicine is built on trust, including patient trust and trust within the healthcare system. When healthcare professionals are granted privileges, promotions, or responsibilities through due process, it reinforces patient trust that decisions are made based on competence and ethical standards (2, 7). Conversely, a lack of due process can erode trust, raising ethical concerns about the integrity of the healthcare system.

Professional Integrity: Ethical principles within the medical profession demand professional integrity. Due process ensures that professionals are not subjected to undue pressures, personal biases, or unfair practices. Upholding due process upholds the integrity of the medical field, demonstrating a commitment to ethical standards (3, 8).

Mitigating Harm: The ethical principle of nonmaleficence underscores the importance of avoiding harm to individuals or groups of individuals. Failing to adhere to due process has harmed patients and healthcare professionals by impeding their autonomy and supplanting career advancement, thus causing undue stress and uncertainty (9). Ethical considerations call for mitigating such harm through a commitment and practice of transparent and equitable due process.

Accountability: Ethical frameworks emphasize the importance of accountability. Due process ensures that decisions and actions are transparent, well-documented, and accountable. It holds deci-

sion-makers responsible for their choices and actions and is both an ethical and legal necessity in healthcare professions (1, 3, 4).

Patient-Centered Care: Ethical medical practice centers on patient well-being. Adhering to due process guarantees that healthcare professionals are assigned roles and responsibilities based on their competence, ultimately contributing to better patient care (6, 8). A fair and just healthcare system benefits healthcare professionals and patients.

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In summary, ethics play a central role in discussions about due process in medicine. Adhering to due process principles aligns with ethical imperatives, such as fairness, justice, accountability, and integrity. It not only benefits healthcare professionals but also fosters patient trust and ultimately contributes to the delivery of ethical, patient-centered care. In contrast, a lack of due process can raise ethical concerns by potentially causing harm, eroding trust, and compromising professional integrity within the medical field. As such, promoting due process is not only a matter of fairness but also a matter of ethical responsibility in the healthcare sector (1, 3, 4).

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Disclosures: The authors have no relevant disclosures.

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