

An introduction to ethical considerations in organ transplantation

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With acknowledgement to Dr Matthew Welberry Smith and the BTS Ethics Committee



BLOG

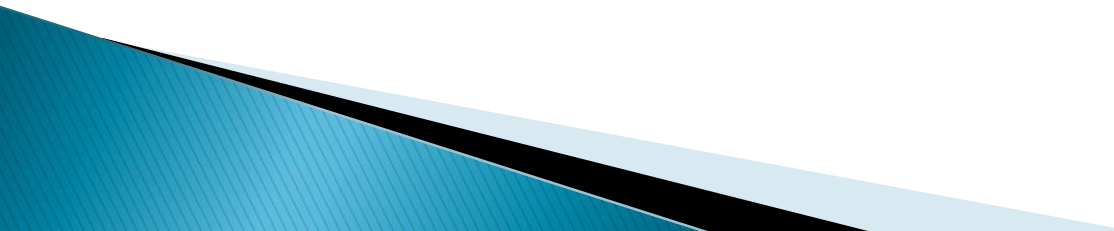
This Day in Science 1950:

First successful
kidney transplant

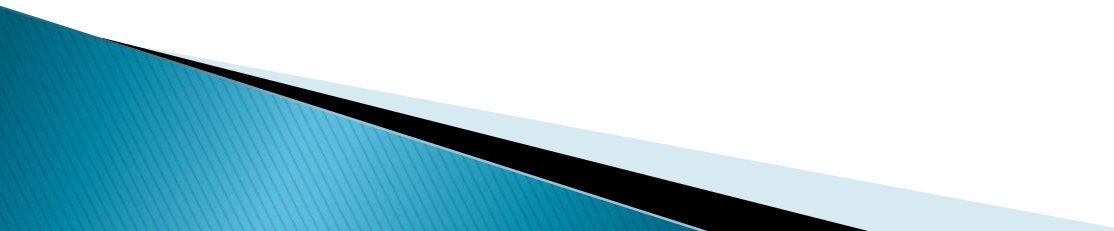
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“Yet, almost immediately, ethical problems were noticed lurking in the miracle”

- ▶ Dr. Murray himself, acknowledging that he had given a “great deal of soul searching to these problems,” reflected on the ethical problem of taking an organ from a healthy person. He contended that, “as physicians motivated and educated to make sick people well, we make a basic qualitative shift in our aims when we risk the health of a well person, no matter how pure our motives”
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1966

- ▶ In 1966, a major conference, was held in London to review the ethical problems of transplantation. Most of the leading transplanters and researchers, as well as scholars in the law, were present
 - ▶ If from a deceased donor, with what clinical evidence of death? As transplant became more efficient, how should recipients be fairly selected
 - ▶ Dr. Starzl called for “a sturdy framework that is ethical, practical and efficiently policed”
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BTS Ethics Committee



- ▶ The British Transplantation Society Ethics Committee is responsible for considering current ethical issues in transplantation to assist the Society in having an agreed position in these areas.
- ▶ ...with an eye to future issue, enabling BTS to develop a defined position as early as possible.
- ▶ <https://bts.org.uk/chapters-committees/ethics-committee/>



What is ethics?

What is not ethics?

Ethics is not the same as law



- ▶ A common confusion
- ▶ Law: the system of rules which a particular country / community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties
- ▶ Ethics: concepts and principles that guide us in determining what behaviour helps or harms sentient creatures
- ▶ The two may or may not overlap at any particular point!

What is *not* ethics?

- ▶ People (often) confuse ethics with behaving in accordance with social conventions, religious beliefs, the law, and do not treat ethics as a stand-alone concept
 - Paul & Elder 2006 *The Miniature Guide to Understanding the Foundations of Ethical Reasoning*
- ▶ Not a set of prohibitions
- ▶ Not an ideal system which is all very noble in theory but no good in practice
- ▶ Not something intelligible only in the context of religion
- ▶ Not something that is relative or subjective
 - Peter Singer, *Practical Ethics* 1979

- ▶ English “*ethics*”
 - from the Ancient Greek *ēthikós* (ἠθικός) "relating to one's character"
 - from root word *êthos* (ἦθος) meaning "character, moral nature"
- ▶ Remarkably hard to give a simple definition!
- ▶ *But a day to day level, ethics is trying to answer those “What do we do?” questions*

What is ethics?

- ▶ Systematic analysis of what it means to lead a decent life
- ▶ “A set of concepts and principles that guide us in determining what behaviour helps or harms sentient creatures”
 - Paul & Elder 2006
 - *The Miniature Guide to Understanding the Foundations of Ethical Reasoning*

What is ethics?

► Range of areas

- Meta-ethics

What is goodness?
What is a “right” action?
How do we know?


- Normative ethics

How should we act
in general terms?

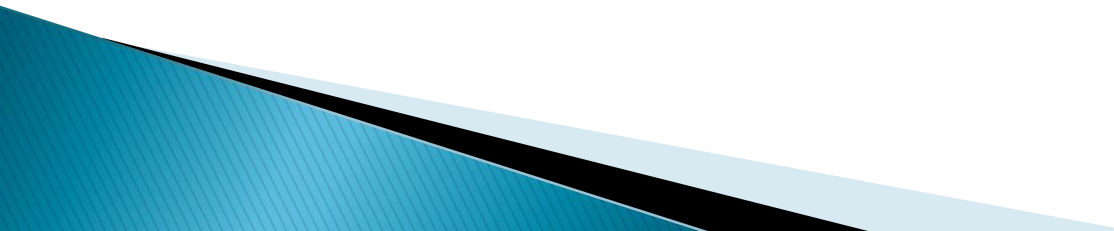
- Applied ethics

How should we act *in this specific situation?*

4 principles of ethics

- Respect for autonomy: respecting the right of individuals to make their own decisions.
 - Beneficence: doing good or promoting the well-being of others.
 - Non-maleficence: avoiding or minimizing harm to others.
 - Justice: ensuring fairness and equality in the distribution of benefits and burdens.
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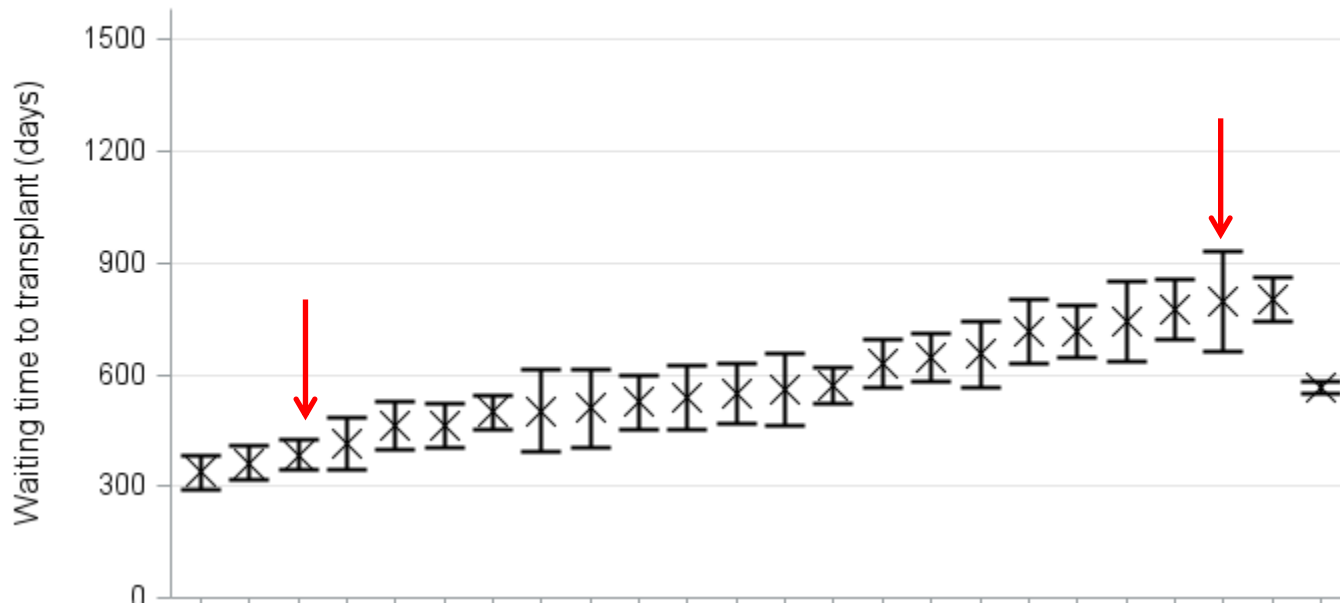
So what's the point of ethics?!

- ▶ Aren't we just asking lots of questions?!
 - ▶ Practical outworkings
 - Different viewpoints, cultures, social situations examining issues together to find integrated solutions to how we can all agree to act
 - Ethics as a forum for doing the work of actually living together in a diverse and complex society
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Practical example

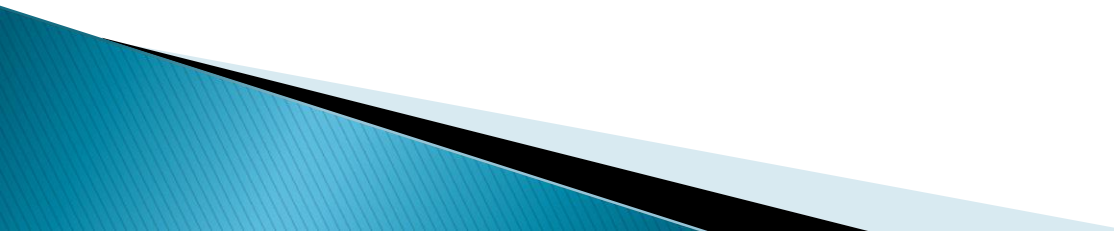
- ▶ Neighbouring transplant units with different median waiting times to kidney transplantation

Figure 3.12 Median waiting time to deceased donor transplant for adult patients registered on the kidney transplant list, 1 April 2015 - 31 March 2018

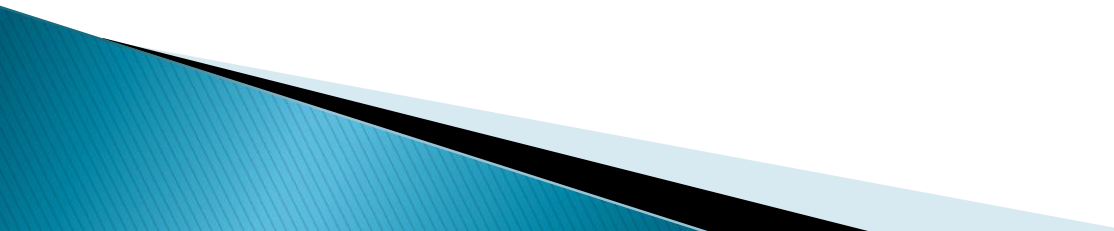


Inequity?

- ▶ Massive difference in median waiting time
 - ▶ Geographical distance ~40 miles
 - ▶ Is this a true measure of access to transplantation?

 - ▶ Reasons?
 - Too much risk in one centre?
 - Too little risk in the other centre?
 - Case mix differences?
 - A different “philosophy of transplantation”?
- 

Actions

- ▶ Regional collaborative set up
 - ▶ Relationships built
 - ▶ Activity shared, best practise shared
 - ▶ Joint attempts to equalise, positively, for all patients
- 

Notice:

- ▶ This only happens because of shared ethics
- ▶ The joint belief

“society should not be unequal”

is essential to this – *and is a statement of an ethical position*

- ▶ It is not data that drives this change. It is an ethical agreement on equality that *uses* data to drives the change.

But don't we all already basically agree on this stuff?

▶ No.....

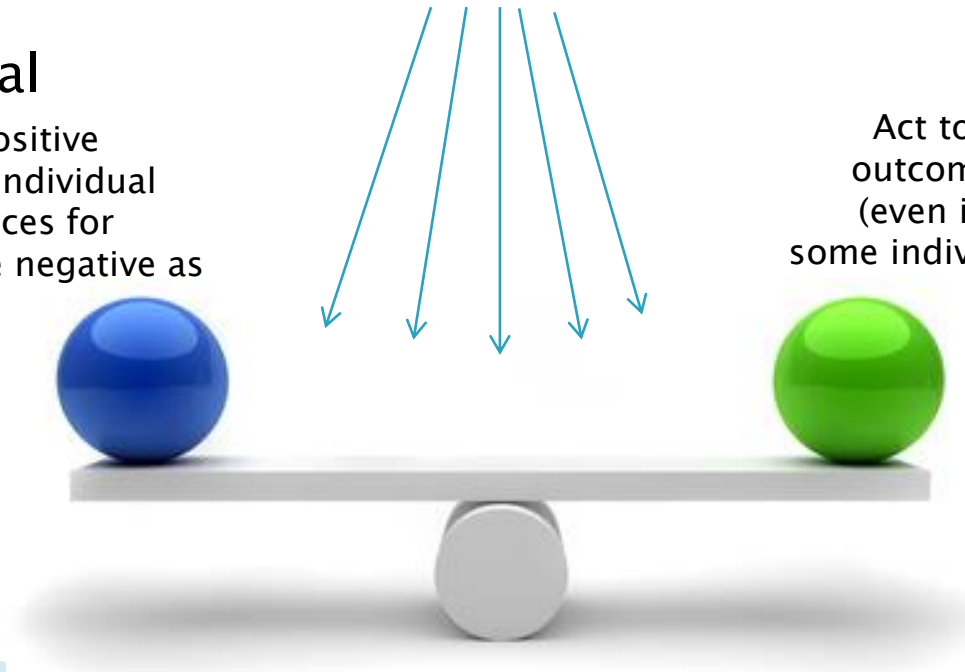
Social differences
Cultural differences
Political differences
...and many more!

Deontological

Act to maximise positive outcomes for this individual (even if consequences for society at large are negative as a result)

Utilitarian

Act to maximise positive outcomes for the majority (even if consequences for some individuals are negative as a result)



A case

- ▶ Deceased donor family specify that they will only agree to donation if the organs go to a recipient with specific characteristics
 - “We are Blue people”
 - “We want Blue people to benefit”
 - “The organs can only be donated if they go to Blue people”



Ethical considerations



- ▶ “Concepts and principles that guide us in determining what behaviour helps or harms sentient creatures”

- ▶ **Equity / fairness?**
 - What about the other people waiting on the list?

- ▶ **Utility**
 - Will the organ last longer if allocated on different criteria (ignoring whether someone is Blue) ?
 - Does that matter to the decision?

Ethical considerations



- ▶ “Concepts and principles that guide us in determining what behaviour helps or harms sentient creatures”

- ▶ Consequences
 - For the transplant waiting list:
 - Is it better that *some* people (Blue, in this case) are removed from the waiting list through these organs being donated? That may free up future opportunities for others....
 - Or does this create a multi-tier unequal system where social choices lead to social advantages? (systems of privilege)

 - For the social structure we live in:
 - Would this endorse social division into groups? (Blue people cf. not Blue people)
 - Do we want our society to be divided in that way?

Ethical considerations



- ▶ “Concepts and principles that guide us in determining what behaviour helps or harms sentient creatures”

- ▶ Consent
 - Is it reasonable for the family to set conditions of consent on this basis?
 - Is it acceptable for no donation to happen if they refuse because their preferred conditions are not met?
 - Is it acceptable for donation to happen without their conditions being met, even if they don't want that?
 - What do we know about the deceased donor's own understanding?
 - On organ donor register?

Group scenario discussions

- ▶ Transplant law
 - ▶ Liver transplant
 - ▶ Lung transplant
 - ▶ Living donation
 - ▶ Groups of 3 – discuss and feedback
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