



Canadian Covid Care Alliance
Alliance canadienne pour la prévention
et prise-en-charge de la covid

CCCA ETHICS LENS

HEALING THE HEART OF MEDICINE: TRUSTING OUR MORAL COMPASS

Article #2: MEDICAL MANDATES



In our introductory article, we spoke about the fact that each of us has a moral compass. In fact, the existence of this moral compass is central in justifying the respect for individual human rights inherent in the various codes of ethics, including those of Canadian and American Medical Associations.

In the event of a medical crisis affecting the health of the population at large, can our moral compass help us to answer this question: To what degree can a government supersede individual human rights, like bodily autonomy, and mandate an individual to accept an intervention to improve the health of that individual or their society?

Below is a list of potential questions that *could* be asked to determine if a mandate is ethically and medically justifiable in the case of an infectious disease crisis. What do you think of them? Ask yourself if the validity of each criterion below might vary depending on the circumstances.

1. Does the organism cause serious morbidity (serious harm) and mortality (death) to a significant percentage of the population? This would include deaths and harms caused by the health care system being overwhelmed (assuming that in normal times it is adequate).
2. How well do we understand the mechanism(s) of transmission (how the disease is spread) and prevalence of the organism (how often it is present) in the population? Will they be constantly re-evaluated?
3. Have we explored *all* of the measures that could be used in preventing disease (morbidity), death (mortality) or spread (transmission)?
4. Have we explored the efficacy (effectiveness) of each mandated measure proposed in minimizing morbidity, mortality and transmission of disease, and the duration of such effects? Has this been well documented to be clinically significant by independent analysis and compared to other measures?
5. Have we assessed the degree of safety of the mandated measure for a sufficient period of time using an independent, qualified, transparent and accountable group?



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6. Have both the benefit to society and the risk to each individual been stratified for each subgroup (age, health status, etc.) of the population (looking at things like risk of harm, severity of harm, duration of harm, mitigation of harm, years of life or ability lost, etc.)? N.B. At no time should an individual be expected to take on more harm or risk from a vaccination than the potential benefit that it can provide to society.
7. Will each patient be guaranteed the opportunity for a risk/benefit analysis in a private and confidential fashion by a physician who knows their medical issues and their values? Will this process guarantee an ethically and medically justifiable mechanism for exemption from the mandate, as well as an appeal process?
8. Are the harms of the disease being continuously monitored as well as the harms and benefits of the mandated measures? Is this being done by an independent group with no conflicts of interest?
9. In the case of vaccine mandates, will individuals be offered the opportunity, without cost, to have their immune status determined prior to and after vaccination? If immunity exists, vaccination should not be mandated.
10. Is there sufficient justification medically and ethically to mandate isolating healthy individuals?

So, how difficult was that? Did you learn anything about yourself or your moral compass? Was there anything you discovered that you might want to discuss with others or examine further?

Thanks for exploring this with us.

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