

Ethical considerations: *Reasonableness, rules and exceptions to rules*

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Introduction

- Introduction
- Ethics, being exceptional and reasonableness
- When the Rule is Wrong
- Conclusion

Ethics, being exceptional and reasonableness

- Four principles
- Fairness vs. individual interests
- Fair distribution of resources means:
 - A reasonable general rule
 - A means of recognising when the rule should not apply to an individual

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Ethics, being exceptional and reasonableness

Being exceptional is key to fairness.

The purpose of IPFR is to consider why

a Rule

Should not apply to

an Individual

Ethics, being exceptional and reasonableness

In everyday usage, being exceptional is...

“..of the nature of, or forming an exception: out of the ordinary course, unusual, special” (*Oxford English Dictionary*)

Is that enough for IPFR purposes ?

Ethics, being exceptional and reasonableness

Not really. My main message:

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“To show that it would be unreasonable for a rule to apply , the clinician has to show that the patient is unusual **in a way that means she will benefit more from that intervention than the generality of patients.**”



Being exceptional depends on the rule.

Every patient is unique

When the Rule is Wrong: *Five ways of showing reasonableness*

The rule is:

“Drugs are not approved if their benefits in the generality of patients do not justify their cost.”

NICE, AMWSG etc.



When the Rule is Wrong:

Five ways of showing reasonableness

A rule should not apply if:

1. The benefit to this patient is more than in the generality of patients
 - The predicted response is better
 - A previous response has been better
 - A small response would have a greater benefit
 - Quality: small biological response unusually valuable
 - Duration: living longer unusually important
2. The cost to this patient is less than in the generality of patients

“Although overall the effectiveness of an intervention is not significant, there are subgroups of patients in whom it is more effective, and the patient is in one of them”

“Although studies show that overall the intervention is not very effective, this particular patient had the intervention and it worked very well”

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Conclusion

- Everyone is unusual (in fact, they are unique).
- Ethics depends both on **reasonable rules** and on **reasonable exceptions to rules**.
- It can only be unreasonable for the rule to apply to a specific patient **if she is unusual in a way relevant to the rule**.

Conclusion

Showing that the rule should not apply usually means showing three things:

1. There is a rule that says the intervention would not normally be provided.
2. The patient is unusual.
3. Her particular unusualness means she will benefit from the intervention more than the generality of patients.

Conclusion

Main message:

“To show that it would be unreasonable for a rule to apply , the clinician has to show that the patient is unusual in a way that means **she will benefit more** from that intervention **than the generality of patients.**”