

Public Policy-making in the Situation of Conflicting Patients' Medical Rights, Relying on the Principles of Ethics and Human Rights

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Abstract

In the face of crises such as the rapid spread of contagious diseases, the ravages of war, and the devastation of earthquakes, medical professionals often find themselves in a dire predicament. Resources and treatment facilities at their disposal are simply insufficient to cater to the needs of all patients. The ethical and legal quandary that arises in such situations, of categorizing patients and determining the order of medical service, is a pressing issue that involves policy makers, doctors, and patients alike.

This article delves into a thought-provoking question: What should be the guiding principles in patient prioritization? Should the distribution of health resources be solely based on clinical criteria, which are primarily consequentialist, or should egalitarian criteria determine the order of patient care? And how do we balance the need to protect patients' human rights with the adopted criteria?

The answers to the aforementioned questions have been obtained by adopting the analytical-descriptive method and using library resources. The results show that the answers to the above issues should be based on the maximum respect for the patients' human rights, on a clinical and non-clinical composite approach, and by giving weight to the egalitarian-based retrospective and consequences-based prospective components.

Keywords: Conflict of Rights; Health Resources; Distribution; Prioritization.

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