

The Importance of Bioethics and Health Law in a Pharmacist's Line of Duty

Hypothesis: Why Should Pharmacists Concern themselves with Bioethics and Health Law?

Background: Bioethics and Health Law form an integral part of what pharmacists do in all their spheres. Bioethics explores moral and ethical questions surrounding life, health, science, medicine, and the environment. With the rising levels of patient awareness about their consumer rights and recourse, it is fast becoming complex administering healthcare to patients. The laws exist to protect both the patients and the healthcare professionals. However, Health Law education has mainly focused on medical doctors even though pharmacists and other healthcare professionals are likely to face increased litigations in the future too.

Method: The study follows a strictly normative assessment and descriptive analysis of existing case studies and the application of the health law in line with the Constitution of the Republic of South Africa. The study highlights the importance of the role that can be played by pharmacists in both public and private sector in minimizing unnecessary litigation. Questions asked included: How does one draw a line where ambiguities exist? How does one arrive at an ethical decision where common law and health law come into conflict, for example, can a pharmacist give the morning after pill to a 12 year old?

Results: Lack of basic understanding of how courts, judges, lawyers, and law work was found to be the main contributor to omissions that were classified as "negligence". Omissions included poorly constructed informed consent. This contributed to increased successful litigation by patients. It was also found that through the application of bioethics, healthcare workers can influence common law and can reduce the number of successful litigations against healthcare workers.

Conclusion

Therefore, it is important to have a basic understanding of Bioethics and Health Law especially for pharmacists as they work very closely with medical doctors. Working as a team could lead to reduced omissions and litigations. This in turn will make sure patients get the highest care possible.