

Imaging Scenario: #3

The Case of the New
Minister

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Dawn is an ordained minister in a little church located in a small community. She has had to overcome some discrimination being that she is the first female clergy member in the town. Dawn feels like her church congregation and other community members have finally started to accept her in this new role. She has recently been diagnosed with irritable bowel syndrome by a gastroenterologist in a town close by. He performed a colonoscopy on Dawn to rule out cancer of the bowel. He then told Dawn that he wanted her to start taking amitriptyline to see if it would solve her irritable bowel problem. He has had success in the past using this antidepressant, also known as Elavil. He tells Dawn that he will call the prescription in to her local pharmacy. When Dawn goes in to pick up her prescription, she runs into other people from the congregation. The pharmacist leans over and asks Dawn in front of the others, "Do you know that this is an antidepressant?"

Ethically, Dawn's rights to privacy and patient confidentiality were violated. As a pharmacist you must always keep patient information confidential. The pharmacist failed to do that the moment he asked Dawn if she was aware of the medication in front of other customers. To keep Dawn's information private the pharmacist could have pulled Dawn aside or into another room before questioning her about the medication she is taking. He could have contacted the physician who wrote the prescription and made sure the medicine prescribed was correct so he could provide details on any concerns from Dawn about the medicine. Lastly, he could have also filled the prescription and asked Dawn if she had any questions about the medications and made sure she was aware of any side effects. Pulling her to the side or into another room would have been the

best option, you lose the risk of someone overhearing conversation, rumors starting, and it gives Dawn the chance to ask questions about the medications comfortably.

Legally, the privacy rule under HIPPA law was violated. This alone carries a large fine and provides grounds for a slander lawsuit. Slander is an intentional tort and is defined as an individual that publicly reveals truthful information that is not of public concern in which a person would find offensive if made public. Dawn's reputation suffers from the pharmacists' comments since many people attach a stigma to taking antidepressants. Gossip can spread quickly throughout the town and Dawn has already had to overcome discrimination as being the first female clergy member. The pharmacists' statement, heard by other church members, was also a breach of patient confidentiality. Slander is not a "crime," but it is a tort. Therefore a person will not go to jail but can be sued by the person affected. In this case Dawn could sue the pharmacist for damages of defamation.

Professionally, the pharmacist did not deliver patient care and service unrestricted by the concerns of personal attributes or the nature of the disease or illness. The pharmacist did not take the right steps to deliver the best patient care due to Dawn. Instead made a type of judgement in asking if she knew the medicine she was prescribed was an antidepressant.

In this scenario the Pharmacist was in the wrong. He did not keep Dawn's information confidential; he discussed information in front of others that would give Dawn a lawsuit against him. If I were in the position to address this situation, I would make sure to address the pharmacist with patient privacy, HIPPA laws, intentional misconduct, and the possibility of being sued due to lack of correct patient care. Everyone deserves the right to patient privacy and as workers in healthcare it is everyone's responsibility to provide that to patients.