

Medical equipment sales ethics



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Ethical Leadership

Many believe ethics and morals are interchangeable; indeed, there is a blurred line between the two. However, morality is a personal belief that individuals create and develop for themselves to govern their life. Ethics is a physical statement, or law, that defines how businesses and people should act toward each other. There are many qualities that define an ethical leader. Honesty, humanity, respect for others, fairness, encouragement of subordinates, and having no tolerance for ethical violations are characteristics of an ethical leader.

Leaders can appear in a myriad of ways across many platforms that range from business to politics, even celebrities can use their personal influence to state what an ethical leader should do by the way they act and how they treat other people.

Business Ethics

According to a 2016 study, salespersons of durable medical equipment (DME) are nearly always in the operating room with the surgeon to ensure the proper instruments are used during the surgery (O'Connor, Pollner, & Fugh-Berman, 2016). In this scenario, I am uncomfortable with the idea of withholding information about the potentially fatal side effect but am bound by a non-disclosure agreement I signed that forbids me to say anything. The goal becomes how to balance my personal morality, following ethical business standards, and keeping my job. To achieve this standard I look to emulate other leaders that exemplify my beliefs.

One Leader I look to as a role model is G. L. Like many ethical leaders, G. L. displays all the aforementioned traits; however, he demonstrates two particular traits very well. The two ethical traits are respect for others and care for humanity. These ethical traits stem from a strong belief in the Declaration of Independence where it is mentioned that all people are equal and gifted with undeniable rights which are life, liberty, and the pursuit of happiness (U. S. National Archives and Records Administration, n. d.).

G. L. organizes and promotes conversation, and deferential debate, between people and groups of opposing opinion without allowing petty dialogue or personal attacks. It is his belief that we need diversity in life, especially business, to succeed. He shows respect for others by allowing people to have their own opinion; and, by accepting people and not trying to change their beliefs he tries to find common ground in which to build a relationship. I have seen in my own life that it is easier to accomplish goals with people I would otherwise not associate with by having a few common points of interest and building trust through those means.

G. L. has helped create and establish an organization based on humanitarian beliefs. The mission of this organization is to free the imprisoned, welcome the incarcerated, and to liberate, reconstruct, reestablish, and improve the lives of persecuted religious and ethnic minorities wherever they are in need; second, is to interrupt human trafficking in an enterprise called Operation Game Changer (OGC) (Mercury One, 2018). There have been over 100 campaigns in the Middle East since this organization was founded in 2015; and, during Super Bowl LI, OGC identified over 40 locations in the Houston, TX area involved in human trafficking (Mercury One, 2018). Both situations

show that G. L. believes in basic human rights for everyone; nobody should be forced to follow the beliefs of the country in which they live, nor, should they be forced into slavery. Much like the underground railroads during the civil war these companies move under the cover of darkness using side roads and safe points to get these people to safety.

Ethical Consequentialism

Many people misunderstand consequentialism as any action being acceptable so long as the results are good; however, this is an extreme view of consequentialism because there is no way to define what a morally good result would entail (Frecknall-Hughes, Moizer, Doyle, & Summers, 2017).

Consequentialism is more complex by insisting on equality between the means in which things are done and the end results; in this sense, an unlawful act would be permitted to maintain the balance of situation so that a projected good outcome might still be achieved (Frecknall-Hughes, Moizer, Doyle, & Summers, 2017). The idea, the needs of the many far outweigh the needs of the individual, is similar to the consequentialist core belief. Ethical consequentialist judges a person's actions based on the outcome of the situation and how it affects the individuals involved. If a majority experience a positive feeling or achieved a positive outcome, then the situation was morally and ethically correct.

An ethical consequentialist in this scenario might not feel obligated to disclose the potential for a lethal side effect. As previously described, consequentialists judge a person's actions based on the outcome of the situation. A sales representative with an ethical consequentialist attitude

would ensure their presence in every operation that involved the artificial knee-joint so they would have the opportunity to maintain the balance of the situation and ensure the most positive outcome for all people involved.

An ethical consequentialist will view cognitive moral development as something that is mutable; dependent on the situation it may be required for the individual to act differently at different times to ensure a balanced outcome. Since perspective is completely the truth for the one that beholds it, it can be argued that any ethical position is postconventional. As it relates to society and justice a consequentialist would follow this same pattern because they believe their principles transcend mutual benefit and a standard set of rules regarding overall outcome would make life better and fairer for all.

However, in certain situations this may change. If asked, is it better to honor your company's non-disclosure agreement or inform the potential buyer of the risk involved, a consequentialist may adopt a conventional attitude to try and keep friendly relations between the surgeon, the patient, and their company; indeed, they will believe in following the rules to maintain the order. Currently there are no ethics laws pertaining to the sales of durable medical equipment (DME) that force companies to provide full disclosure on the products they sell to the general public. The law as it is written in Executive Order 12731 states, " manufacturers, governments, and entities that do business with the government are to put forth fair and rigorous standards of ethics (U. S. Department of Health and Human Services, 2018).

Since there is no law requiring full disclosure, a consequentialist would not worry about being dismissed from work; for the greater good, they would not mention the fatal side effect. They may, however, wonder if they will receive additional compensation beyond the regular sales commission for maintaining their company's policy to avoid disclosing information regarding a potentially lethal infection. In this instance, looking for personal gain, an ethical consequentialist thinks on a pre-conventional stage of development.

Ethical Deontology

An ethical deontologist believes the morality of a person's action is more important than the outcome; contradictory to the consequentialist, a deontologist will not allow an unlawful act to occur while trying to attain their goal (Mandal, Ponnambath, & Parija, 2016). While the end result is to sell knee replacements and make life better for those individuals that need them, a deontologist would not feel comfortable withholding information; indeed, most deontologists view withholding information tantamount to lying. Lying is dishonest and therefore not a morally acceptable way to conduct business. If I were an ethical deontologist, I would have no problem disclosing all pertinent information regardless of the non-disclosure agreement; furthermore, as a deontologist I would have refused to sign the non-disclosure agreement citing that withholding information, such as the possibility of death, is morally reprehensible and at its core lying to our customers.

Like a consequentialist, a deontological thinker would move through different stages of moral development. An ethical deontologist would have a post

conventional view on what is best for society, overall justice, and what their interpretation of the law is regarding whether or not they are obligated to say something; as a post conventionalist they would see morality and legality are not always the same but, practical rules should occur to make life fairer for everyone. They also would want a society where principle, such as honesty, transcended mutual beliefs.

An ethical deontologist does not look for personal gain over doing what is right. This person would be in the conventional stage of morality based on their orientation to understanding that having fixed rules keeps society in order. They understand their company's policy is to not disclose the potentially fatal risk, however, their reasoning for morality and their belief in honesty would make them want to disclose that information to maintain order in society. A deontologist would not expect additional rewards if they honored the non-disclosure agreement; in fact, they might challenge the non-disclosure agreement citing the lack of morality, even, dishonesty with their customers and potential customers. Because of this they may fear losing their position within the company related to differences in moral beliefs.

A Critique of My Ethical Lens Inventory

As I was researching what it meant to be a deontologist versus a consequentialist I learned more about how I think ethically. It makes sense that I lean towards consequential ethics as I use reason and experience to determine what ethical priorities are needed to provide guidance in any situation. I am a person that is regularly categorized in the two percent of

any given group and the results of my Ethical Lens Inventory (ELI) did not surprise me; am in the special two percent of ethically ambivalent people. While I do fit into the two percent margin I am just off center in the reputation lens. My ELI shows that I have a mild preference for sensibility and equality. In situations that are not clearly defined I lean toward my feelings rather than rationale. I also have respect for the community. This is true in all settings of my life. I compartmentalize my surroundings, that is to say, work is one community, my family is another community, and my social life is yet another. I act the same ethically in each situation.

Ethical Flaw: The Double Standard

In examining the negative aspects of Ethical Lens Inventory (ELI) I chose to further explore my double standard. Apparently, I have a double standard that reflects a sense of entitlement; which is to say, I believe that my status entitles me to perks that are not, or should not, be available to people not in my position. As I read more about this I can see myself at work. The ELI suggests when I think about, or about to attempt, something unethical I use my position as a means to progress. It also suggests I believe that I am my position. This is true of my beliefs as it relates to work. Where I work I assist in many departments; in fact, I know more about what is going on in the entire building between human resources, inventory supply, and, expenditures I believe that if I was no longer there the infrastructure of the building would collapse, and for a time, be in complete disarray; because of the many functions I fill, it would take at least three people to replace me. The question then becomes, what can I do to mitigate this attitude and what

steps I need to take to ensure I do not let myself fall victim into other negative aspects of my ELI.

The first step is to recognize this as a flaw in my ethical thinking and actions. This must be followed by understanding; that is, I need to understand how this ethical thinking can lead my actions and how others perceive me. As part of that understanding, I need to learn about the different ethical lenses to understand how to interact with them in a positive manner.

Second, I need to consider the individuals I interact with. Whether it is at work or in social situations I need to support those around me and respect their position. Rather than believe they are where they are, or know what they know, is because of me I need to step back, realize they understand their job and then help to edify them in their position.

The third thing I can do is develop ethical agility. This step can be achieved as I master the first two steps. Once I have learned and understood other ethical lenses and use that knowledge to help others around me I can then fulfill this step; which is to move between ethical lenses fluidly dependent upon circumstances, thus helping me transform into a person that views actions more importantly than outcomes.

Values and Virtue

As stated earlier, I value sensibility and equality. According to my Ethical Lens Inventory (ELI) my emotions are controlled by my reason as I look to fulfill what my heart desires most. I lean toward the good of the community over the need of each individual. I see this in how I support local institutions,

whether government or privately owned, so long as they are good for the community and no entity abuses their authority by taking away individual choice.

My classical virtue is fortitude. My Ethical Lens Inventory (ELI) defines me as a person that bears hardship and uncertainty with courage. I can definitely see this in how I act and react to the situations that go on around me. As I work to complete goals I am faced with obstacles from time to time; however, I do not let this stop me. Some would call, and have called, this attitude being stubborn; but, I know now that this is my classical virtue of fortitude.

Conclusion

Ethics is a physical statement, or law, that defines how businesses and people should act toward each other. There are many qualities that define an ethical leader. Honesty, humanity, respect for others, fairness, encouragement of subordinates, and having no tolerance for ethical violations are characteristics of an ethical leader. An ethical consequentialist will view cognitive moral development as something that is mutable; dependent on the situation it may be required for the individual to act differently at different times to ensure a balanced outcome. An ethical deontologist believes the morality of a person's action is more important than the outcome; contradictory to the consequentialist, a deontologist will not allow an unlawful act to occur while trying to attain their goal (Mandal, Ponnambath, & Parija, 2016). Through personal reflection, and the things I have studied for this essay, I look to become more ethically deontological. I

believe it is important that my actions be above reproach. Knowing my ethical strengths and weaknesses will help me achieve the type of professional is important. I know having fortitude as my virtue I understand how negative actions can affect outcomes and this will help me to know how to guide my actions to promote positive outcomes. Knowing where I stand on the ethics spectrum will help guide me in everything I do.

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