MINUTES
MMA Committee on Ethics & Medical-Legal Affairs
April 17, 2019, 6:00pm, John Murphy Conference Room

Members Present
Devon Callahan, MD
Kate Hanson
Robert Koshnick, MD
Ernest Lampe, MD
Lisa Mattson, MD
Dennis O’Hare, MD
Justin Penny, DO
David Plimpton, MD
Emily Sadecki
Sarah Traxler, FACOG, MD
Craig Walvatne, MD

Members Absent
David Agerter, MD
Christopher Burkle, MD
Hannah Giunta, PhD, DO
Neel Bharat Shah, MBChB
Robert Sloan, MD

Staff Present
Becca Branum

I. Welcome & Introductions
Committee Chair Dr. Lampe welcomed attendees and Committee members introduced themselves.

II. Approval of Meeting Minutes
The Committee reviewed the draft minutes and the following motion was made, received a second, and was adopted without objection.

Motion: To approve the meeting minutes of February 20, 2019.

III. Draft Policy on Ethical Conduct and Conflict of Interest Mitigation in Biomedical and Health Research
The Committee reviewed the draft policy prepared by MMA staff. This draft policy was drafted at the request of the Committee at its February 2019 meeting. MMA staff explained that the policy both mirrors existing AMA policy and captures the specific concerns raised by the Committee. Committee members agreed on several changes to the draft policy and arrived at the following policy that reflected a consensus view of all members. The following motion was then made, received a second, and was adopted without objection.

Motion: To recommend to the Board of Trustees the following policy for adoption:

Ethical Conduct and Conflict of Interest Mitigation in Biomedical and Health Research.
Biomedical and health research is intended to contribute to the advancement of knowledge and the welfare of society. As with medical practice, biomedical and health research should be guided by beneficence, nonmaleficence, justice, and autonomy. Physician-researchers share their responsibility for the ethical conduct of research with the entity that carries out research. Appropriate review of the
research protocol by an objective, disinterested party, such as an institutional review board, is expected and essential to ethical research. Physicians who are involved in any role in research with human participants have an ethical obligation to protect participants’ interests, consider the participant’s decision-making capacity, and safeguard participants’ welfare, safety, privacy, and comfort.

It is ethically permissible for physicians to partner with industry to conduct biomedical and health research. Such engagements offer resources and opportunities to advance scientific knowledge but may also pose risks to the integrity of research and the welfare of human participants. Minimizing and mitigating conflicts of interest in clinical research is imperative to ensuring participant safety and maintaining trust in the medical community. To fulfill obligations to participants, physicians involved in research must ensure that voluntary, informed consent is obtained from each participant or the participant’s legally authorized representative. Such consent should include any disclosures necessary to mitigate conflicts of interest and protect participant autonomy, which may include the nature and source of funding and any financial incentives offered to investigators. Certain practices, such as finder’s fees and bonus payments for enrollment targets, may result in undue pressure on both participants and physician-researchers and should be carefully structured to protect the autonomy of participants and the integrity of the research process. Finder’s fees for recruitment of vulnerable participants, such as those with limited treatment options or those from socioeconomically disadvantaged communities, should receive additional scrutiny. It is ethical to provide reasonable compensation to participants, but all compensation to participants and researchers should be reviewed to ensure that participant interests are protected.

IV. Minnesota Medicine Ethics Content
MMA staff noted that the MMA’s magazine, Minnesota Medicine, was creating a new column that would feature physician reactions to various ethical dilemmas and encourage discussion among readers. MMA staff reviewed a series of ethical vignettes and asked for Committee member feedback. Ethical dilemmas considered included the expulsion of unvaccinated children from a physician’s practice, the ethics of physicians striking in response to unfavorable working conditions, a family’s request to not disclose a terminal illness to a child, a request to a physician to make capital punishment less painful (as in the recent Bucklew decision), the disclosure of medical errors unlikely to result in harm, whether an ethical obligation exists to refer for a procedure that the physician believes is unethical, the ethics of supervised injection sites, disclosure of misattributed paternity, and release of research results from unethical experiments. The Committee reviewed the various dilemmas and provided suggestions to staff on how to proceed with the various vignettes.

V. Warren v. Dinter
MMA staff provided an update on the recent decision of the Minnesota Supreme Court in Warren v. Dinter.

VI. Adjournment
There being no further business, the meeting adjourned at 7:55pm.