

HEALTH LAWS AND ETHICS

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ABSTRACT

Health laws and Ethics, these topics are grouped together throughout the text. It is almost impossible to discuss health laws without considering ethics, in contrast, it is pointless to discuss ethics without considering the law.

Today, federal and state governments have a constitutional right to make and enforce laws. Laws are social norms that should be followed. There is also punishment from the government for not following the law. Laws protect the well-being and security of society, resolve conflicts in an orderly and non-violent manner, and are constantly evolving in the face of increasingly changing society. Laws have controlled mankind and the practice of medicine for thousands of years. A brief overview of these laws will be given in the following cases.

Ethics is a set of ethical standards and a code of conduct that governs an individual's Communication with other people and in society. Ethics and morality are two different things 'morality' means that what people do is true and good, while 'ethics' is a serious reflection of morality and its rational analysis. Ethics also refers to the various codes of conduct established by members of the medical profession over the years.

This is the non-doctrinal research wherein the relation between the health laws and the ethics are grouped together. After reading this paper u will able to understand what are the health laws, how ethics plays a significant role in medical practice and what is the future of public health.

Keywords: Public Health, Professional codes, Hippocratic oath, Geneva Convention, Nuremberg Code, WHO, Medical technology, Global warming, human rights.

INTRODUCTION

The public health sector is generally recognized as a positive development. Its development is shaped not only by science but also by various constitutional and moral values, legal norms and political observations. It is helpful to find out the meaning of public health before examining the law and ethics. The text of the paper offers several alternative definitions of public health, but focuses primarily on the future of public health: public health as a society works together to ensure the healthy living of the people. The public health sector is

legislated and cannot function effectively without strong legal infrastructure. Establishes the law foundation for Public Health Administration

Professional codes have evolved throughout the history of professional diversity and biological struggle ethical issues. Growing classes, business groups need to be told how their business members should behave. Oaths, although not popular in medical schools today, can still be found on many healthcare settings and on the walls of clinics. The first oath in the fifth system..., referring to the pagan deities, was converted to Christianity in the tenth or eleventh year. The Hippocratic oath protects the rights of consumers and promotes internal lava tendencies to the doctor without penalty.

The Geneva Convention of Medical Ethics Code refers to co-workers as brothers and does not consider religion, race, or other such factors for the care of the individual as a whole. This code reflects the fact that medicine is available to all in this age.

The Nuremberg Code was established between 1946 and 1949 as a result of war crimes trials after World War II. This code suggests guidelines for human experiments and directs the world. The authors hope that the Code will ensure the safety of humans in the next few years.

IMPORTANCE OF HEALTH LAWS

Protecting public health is the most important objective of the government. Formulation and implementation of legislation is one of the primaries means of government for the healthy and safe life of the people. The law creates a mission for public health or authorities, assigns their functions and determines how they can exercise their authority.

What is public health?

Definitions of public health vary greatly from the World Health Organization to a more comprehensive list of public health practices. Public health was defined by the American public health leader, Charles-Edward A. Winslow stated in 1920 that "education as a control of community transitions through organized community efforts for the prevention of life-threatening diseases and the promotion of physical and health sciences and the environment."¹

Significance of Public Health Laws

As you just saw, 'What is public health?' It's a lot harder than it looks. Despite the lack of ideological clarity, it is important to carefully study the legal basis of public health, its moral value. Law is a tool used to influence norms for healthy behavior, to identify and respond to health hazards, and to set and enforce health and safety standards, and the public health sector, as we know it, cannot survive long without proper legal basis.

¹ Public Health Law and Ethics: A Reader (California, Milbank Books on Health and the Public, 4)

The Public Health law is a study of the state's legal powers and duties to ensure the quality of life of the people². And The law limits the state's right to restrict other legally protected interventions of individuals for the protection or promotion of the right to property or community health.³ Here are five key pointers in moving your public health legislation apart from the legacy of literature and medicine. First, the role of government in the advancement of public health, second, the population-based approach, third, the relationship between people and the state, fourth, the role of service and scientific methods, and finally, the role of coercion.

The law could be an effective tool to grow the health of the population. Laws, regulations and lawsuits, according to other public health preventive regulations, control at different levels, creating conditions to protect every safe and healthy population. First, government intervention aims at individual behavior through education (e.g., health camps), incentives (e.g., the right to levy and spend) and prevention (e.g., penalties for misconduct). Second, the law regulates behavior change agents by requiring safe product design. Finally, the law changes the informational (e.g., advertising ban), physical (e.g., town planning) and business (e.g., investigation) environment.

From the above description, it is clear that public health law is a wide area that encompasses various legal sub-characteristics of constitutional, civil, administrative and tort law. The constitution guarantees the federal government certain powers and limits the powers of all governments to protect the territory of freedom. Civil and administrative law relates to the body of laws and regulations that set health and safety standards, including the agency's authority to define and enforce those standards. Law of Tort provides a mechanism for indirect regulation by the courts. By levying damages for certain types of damages, it can provide powerful incentives for risky behavior (e.g., prosecution of cigarette and gun manufacturers).

CONCEPT OF ETHICS IN HEALTH LAW

Ethics is the ethical consequences of medical technology and its methods. It refers to life, and moral problems are often life-and-death issues. Ethical standards can be personal, institutional, institutional or global. The last few decades have seen dramatic changes in the ethics of modern medicine and research. Over time, medicine and technology change rapidly and offer new options to consumers and their families. Consumers are actively involved in their healthcare and are more aware of medical technology and its consequences. People evaluate this technology and how it relates to their daily lives. Although the use of ethics in our daily lives is difficult for each of us, it provides opportunities, challenges, excitement and choices.

² <https://www.ncbi.nlm.nih.gov/pmc/article>

³ <https://issues.org/gostin/>

The Public health ethics relate to the ethical effects of miserliness and the ethical trust that society provides to public health professionals to work for the same thing.⁴ This type of ethical discourse focuses on the specific history and traditions of the profession, trying to create a culture of professionalism among public health students and professionals. It creates a sense of public duty and trust in professionals.⁵ Professional ethics are role models, which help practitioners to behave in a virtuous way while carrying out their tasks.

A code of ethics, or at least a streamlined value statement, can be useful for the field. The code can give the business an ethical compass, providing concrete guidelines to help clarify specific ethical dilemmas.

Public health ethics, therefore, can illuminate the field of public health in many ways. Ethics can first guide the meaning of public health professionalism and ethical study of occupations, then the moral weight and value of community health and welfare, as well as the recurring themes and dilemmas of the field. The role of advocates in day-to-day public health practices and ultimately in achieving the goal of a safe and healthy population

There needs to be a more sustainable, sophisticated discussion of ethics among public health students, practitioners and scholars⁶. For example, ethics suggestions are rare in public health schools and are primarily targeted at biomedical ethics⁷. Further, some public health employers in the public and private sectors offer continuing education involving ethical issues. Government and educational institutions should consider the value of incorporating ethics into school accreditation, professional credentialing, and promoting public health research.

COMPARING HEALTH LAW AND ETHICS

Health Law and Ethics are different yet related concepts. Laws are mandatory rules that all citizens must abide by or risk civil or criminal liability. Ethics is usually related to ethics and determines the universal goals you are trying to accomplish. However, there is no temporary penalty for failing to meet objectives due to being appropriate in law. Yet most would agree that law in the United States is the driving force behind shaping our morals. The confusion about the definitions of law, ethics and bioethics is understandable. Consider the following example for further clarification:

The U.S. Supreme Court addressed the issue of abortion in *Roe v Wade*, 410 U.S. 113, 1973.⁸ The law states that in the first trimester, pregnant women have a constitutional right to abortion and the state has no interest in regulating them at this time. The state can regulate abortions in the second trimester and insist on reasonable standards of medical practice, if abortion is to be performed. In the third trimester, state interests override the abortion rights

⁴ Callaghan, D., and B. Jennings. 2002. Ethics and public health: Forging a strong relationship. *American Journal of Public Health* 92(2): 169–176.

⁵ Weed and McKeown 1998

⁶ Callahan and Jennings 2002

⁷ Coughlin and Katz 2000

⁸ *Public Health Law and Ethics: A Reader* (California, Milbank Books on Health and the Public)

of pregnant women, and the state may deny abortion if necessary to maintain maternal health or survival. The personal ethics of a doctor or healthcare professional may determine not to participate in abortion or any abortion-related activity. The allocation of bioethics and scarce resources is evidenced by some state laws that refuse to use state funds for abortion. As illustrated by this example, sometimes there is a conflict between law, ethics, and bioethics.

In a continuing battle, state legislatures have rushed to tighten controls on abortions. For example, as of 2006, only Washington, Oregon, New York, Vermont, Rhode Island, Connecticut, and the District of Columbia do not have parental notification or consent laws related to minors seeking abortion. Sometimes, legislation is later overturned by the U.S. Supreme Court. Legal attempts continue to rescind *Roe v Wad*⁹

FUTURE OF THE PUBLIC HEALTH

The field of public health helped vastly to improve the health and well-being of populations during the twentieth century, leading to substantial increases in life expectancy, improved Hygiene and living reduction in infectious diseases¹⁰. Nevertheless, in the new century, major problems as well as significant opportunities are looming over the region. (Compare the ten greatest public health achievements in the twentieth century with current and future public health challenges)

This chapter offers case studies on three of the most complex and important challenges: emergent and reemergent infectious diseases (including the problem of drug-resistant organisms), biological warfare and bioterrorism, and public health genetics.

Climate and environmental changes have many direct and indirect effects on human health. Temperature and humidity affect the abundance and distribution of vectors and intermediate hosts¹¹. Global warming could change the size of vegetation, and it could be expected to change the distribution and spread of vector borne infections, such as malaria. Warm temperatures allow insects and bugs to survive the winter, limiting their population. Record high temperatures and rainfall led to an increase in malaria in Rwanda. Of the many communities in Mexico, the average temperature in the monsoon was the strongest forecast for dengue fever: high temperatures increase vector efficiency.¹²

Extreme meteorological events such as droughts and floods are expected to increase, according to global climate change forecasts. Severe weather has led to outbreaks of many diseases.

Climate and environmental changes motivate humans to migrate, develop new lands, and live in favorable conditions for the spread of infectious diseases. At the same time, we

⁹ Ibid

¹⁰ <https://www.jstor.org/stable/10.1525/j.c>

¹¹ <https://www.bmj.com/content/311/7021/168>

¹² Ibid

are witnessing increased urbanization and the search and clearing of new lands. Both are at risk of infectious diseases. Especially in the large peri-urban populations that grow in the tropics, the risks are the same as for infectious diseases caused by rehabilitation.

Technical benefits are often offset by new vulnerabilities. Interventions can often have unpredictable and unintended consequences. Extensive use of antibiotics has led to high rates of immunity in many bacteria. The large-scale processing and distribution of food has led to the occasional outbreak of contagion, which would not have occurred without a wide distribution network.

It is essential to take precaution biological or chemical terrorism early. Large-scale attacks without special preparation at the local and state levels can affect local and perhaps national public health infrastructure. A large number of patients, both infected and "anxious," will seek medical help with medical supplies, diagnostic tests, and related needs for hospital beds. Emergency responders, health care workers and public health officials may be at particular risk and widespread fears of infection will disrupt daily life.

CONCLUSION

This chapter, and the entire reader, demonstrates the complexity of public health theory and practice. Today the whole world is plagued by the Corona epidemic. A lot of people have done a lot of damage in the last two years. As a society at a time when many such crises may occur, we want to bring health and well-being to the society and distribute benefits equitably among all its members. At the same time, we want to respect the inviolability of each individual. The values of population health, social justice and strong personal autonomy are not always consistent. Finding answers based on strict moral principles, respect for democratic institutions and legal teachings and observance of human rights is the only right way for society.