Should those who purport to train individual clinical ethics consultants using the ASBH educational core competencies as a guide establish an entity to accredit these programs?

Friday, October 22, 2010, 7:15 AM to 9:00 AM
Aqua 300
Hilton San Diego Bayfront
One Park Boulevard
San Diego, CA 92101
619-564-3333

Hosts:

Robert Baker, PhD (Union Graduate College/Mt. Sinai School of Medicine)
Jeffrey P. Bishop, MD, PhD (St. Louis University)
Colleen M. Gallagher, PhD, MA, LSW, FACHE (MD Anderson Cancer Center)
Gerard Magill, PhD (Duquesne University)
Bruce D. White, DO, JD (Albany Medical College)

Invitees:

We have called a meeting intended only for those individuals that might be signatories to a compact creating a Provisional Council for the Accreditation of Graduate Clinical Ethics Education (pCAGCEE) (some pronounce the abbreviation pē-kāg′-sē) as described at http://acgbe.wordpress.com/ toward the possibility of creating a Council for Accreditation of Graduate Bioethics Education (CAGCEE) (some pronounce the abbreviation kāg′-sē).

We have extended a warm and cordial invitation to the day-to-day, managing program director or designated alternate (regardless of title held) of all post-baccalaureate educational program that purport to train students who aspire to practice as clinical ethics consultation professionals according to the American Society for Bioethics and Humanities (ASBH) Core Competencies for Health Care Ethics Consultation (with the latest draft available at http://www.asbh.org/uploads/files/pubs/CCUpdateNov09.pdf).

This invitation was extended to only one individual from each program as described in the materials informing possible attendees of the meeting (available at http://acgbe.wordpress.com/) and only for programs that:

• Graduate students whose faculty allow them to make the unchallenged claim that they have the peer-accepted educational background and skills to serve as individual clinical ethics consultant professionals;
• Are affiliated with an organization accredited by a recognized regional accrediting body for colleges or universities or affiliated with an institution that has training
programs accredited by a review committee of the Accreditation Council for Graduate Medical Education (ACGME);

- Use the ASBH *Core Competencies for Health Care Ethics Consultation* in teaching and evaluating students;
- Award a certificate or diploma to students who successfully complete the prescribed course of study; and
- State that students who are awarded a certificate or diploma from the program so described and who may wish to serve as individual clinical ethics consultants should be able to successfully pass a peer-developed and peer-recognized written examination which tests knowledge in the educational core competencies detailed in the ASBH *Core Competencies for Health Care Ethics Consultation*.

Moreover, invitees were asked to attend as individuals, not as representatives of any organization.

**Agenda:**

- Call to order at 7:30 AM, introductions (Dr. White)
- Restatement of attendee criteria (Dr. Gallagher)
- Election of a meeting presiding officer and recorder (Dr. Bishop)
- Possible agenda items (Presiding Officer)
  - Discussion of the question: Should those who purport to train individual clinical ethics consultants using the ASBH educational core competencies as a guide establish an entity to accredit programs that purport to train clinical ethics consultation professionals?
  - Then discussion of the question: What organization name should be used for the entity established to accredit programs that purport to train clinical ethics consultation professionals?
  - Other items that may be raised by the presiding officer and attendees from the floor.
Draft compact signatory attestation statement for those who sign the compact establishing the Provisional Council for the Accreditation of Graduate Clinical Ethics Education (CAGCEE)

The pCAGCEE is a temporary entity and its purpose is to assist in the ultimate creation of the Council for the Accreditation of Graduate Clinical Ethics Education (CAGCEE).

Each signatory to the compact establishing the pCAGCEE must sign a statement attesting to the fact that:

- He or she is the day-to-day managing director or designated alternate (regardless of title held) of a post-baccalaureate educational program that purports to train individual clinical ethics consultants or that graduates students who make the claim unchallenged by their program faculty that they have the peer-accepted educational background and skills to serve as individual clinical ethics consultants;
- The educational program so described is affiliated with an organization accredited by a recognized regional accrediting body for colleges or universities or affiliated with an institution that has training programs accredited by a review committee of the Accreditation Council for Graduate Medical Education (ACGME);
- The faculty of the educational program so described uses the American Society for Bioethics and Humanities (ASBH) Core Competencies for Health Care Ethics Consultation and the ASBH Improving Competencies in Clinical Ethics Consultation: An Education Guide as curriculum tools or frameworks in developing courses or topics of study and evaluating students who may wish to serve as individual clinical ethics consultants after completion of the program so described;
- Students who complete the required course of study in the educational program so described are awarded a certificate or diploma;
- Students who are awarded a certificate or diploma from the program so described and who may wish to serve as individual clinical ethics consultants should be able to successfully pass a peer-developed and peer-recognized written examination which tests knowledge in the educational core competencies detailed in the ASBH Core Competencies for Health Care Ethics Consultation (or some similar examination which may become part of a process leading to certification as an individual clinical ethics consultant by an peer-recognized and authorized entity);
- He or she agrees that participation in the pCAGCEE and any successor organization should be voluntary and motivated by a sincere desire to further the provision and improvement of clinical ethics consultation services for the benefit of the public and in the public interest; and
- He or she agrees that holding a certificate or diploma from an educational program so described and which may become accredited by the pCAGCEE or any successor organization should not be used as a prerequisite requirement for sitting for the peer-developed and peer-recognized written examination described above until after December 31, 2014.
Only one (1) person may sign the compact from each regionally accredited or nationally affiliated clinical ethics educational program that purports to train individual clinical ethics consultants or that graduates students who make the claim unchallenged by their program faculty that they have the peer-accepted educational background and skills to serve as individual clinical ethics consultants.
Potential officers of the Provisional Council for Accreditation of Graduate Clinical Ethics Education (pCAGCEE)

Three officers of the pCAGCEE have been proposed:
- a Chair;
- a Secretary; and
- a Parliamentarian

The founding signatories—those persons who sign the compact establishing the pCAGCEE—will elect the initial three (3) officers of the pCAGCEE. Each founding signatory, or designated successor, will be a member of the pCAGCEE and have one vote in any elections or proceedings. A slate of candidates will be nominated for each office in an open forum and the candidate for each office who receives a greater than a fifty-percent (50%) majority of the voting members of the pCAGCEE will be acknowledged as officer elected. Officers of the pCAGCEE will hold office until their successors are installed after the establishment of the Council for Accreditation of Graduate Clinical Ethics Education (CAGCEE) or as otherwise prescribed. No two (2) officers may be employed or affiliated with the same educational program; no two (2) officers may be residents of the same state or province. The Chair will be the presiding officer and chief executive officer of the pCAGCEE; the secretary will keep and record minutes for any meetings and make these minutes and records available upon request to any member of the pCAGCEE. The parliamentarian will aid the chair and secretary in organization functions and carrying out the directives to the officers of the pCAGCEE. Should an office become vacant, the two remaining officers of the pCAGCEE will nominate a slate of two (2) candidates to fill the vacant office and organize and oversee the election. The candidate for the vacant office who receives a greater than a fifty-percent (50%) majority of the voting members of the pCAGCEE will be acknowledged as officer elected to the vacant office.
Draft initial directives to the officers from the Provisional Council for the Accreditation of Graduate Clinical Ethics Education (pCAGCEE)

1. Certify the signatories (or their designated alternates) as founding and voting members of the pCAGCEE by name and affiliated organization or institution from their signatures on the compact to establish the pCAGCEE, recalling that only one (1) person may sign the compact from each regionally accredited or nationally affiliated clinical ethics educational program that purports to train individual clinical ethics consultants or that graduates students who make the claim unchallenged by their program faculty that they have the peer-accepted educational background and skills to serve as individual clinical ethics consultants;

2. Meet face-to-face or electronically as necessary and as often to conduct business affairs and carry out the initial and any subsequent directives to the officers of the pCAGCEE;

3. Conduct the business affairs and carry out the initial directives and any subsequent directives to the officers of the pCAGCEE faithfully and expeditiously and in an open and transparent, usual and customary manner;

4. Develop and draft articles of incorporation or organization for a Council for the Accreditation of Graduate Clinical Ethics Education (CAGCEE) and submit the draft to voting members of the pCAGCEE for their consideration and approval by at least a seventy-five-percent (75%) super-majority vote of the pCAGCEE;

5. Include in the draft articles of incorporation or organization of the CAGCEE a provision for the creation of a founding board of directors, with each member to serve after election for a term of three (3) years, with some of the initial incumbents chosen by lot serving less than a term of three (3) years so as to allow for proportional staggered terms of the members of the board of directors in perpetuity, and with each member permitted the right of re-election to a second full three-year (3-year) term before leaving the board of directors for at least one (1) year before being permitted to serve on the board of directors again; additionally, with no two (2) members of the board of directors being employed or affiliated with the same educational program; and no three (3) members of the board of directors being residents of the same state or province;

6. Include in the draft articles of incorporation or organization of a CAGCEE a provision that prescribes the election of a board of directors of the CAGCEE that allows for the following members:
   • Five (5) persons to be elected by a greater than a fifty-percent (50%) majority of the voting members of the pCAGCEE from a slate of at least seven (7) candidates nominated by the officers of the pCAGCEE;
   • One (1) person to be elected by a greater than a fifty-percent (50%) majority of the voting members of the pCAGCEE from a slate of at least three (3) candidates nominated by the board of directors of the American Society for Bioethics and Humanities (ASBH);
   • One (1) person to be elected by a greater than a fifty-percent (50%) majority of the voting members of the pCAGCEE from a slate of at least three (3) candidates nominated by the board of directors of the Association of Bioethics Program Directors (ABPD); and
• Two (2) persons to be elected by a greater than a fifty-percent (50%) majority of the voting members of the pCAGCEE from a slate of at least three (3) candidates nominated by the officers of the pCAGCEE who have no familial, financial, or professional relationship with any post-baccalaureate educational program that purports to train individual clinical ethics consultants or that graduates students who make claim unchallenged by their program faculty that they have the peer-accepted educational background and skills to serve as individual clinical ethics consultants;

7. Include in the draft articles of incorporation or organization of the CAGCEE a provision that allows for additional members of the board of directors if peer-recognized organizations which might certify individual clinical ethics consultants (for example, an organization such as an American board of clinical ethics consultants) and which might represent individual clinical ethics consultants professionally (for example, an organization such as an American college of clinical ethics consultants) evolve:
   • Two (2) persons to be elected by a greater than a fifty-percent (50%) majority of the voting members of the CAGCEE from a slate of at least three (3) candidates nominated by the board of directors of the peer-recognized organization that certifies individual clinical ethics consultants; and
   • Two (2) persons to be elected by a greater than a fifty-percent (50%) majority of the voting members of the CAGCEE from a slate of at least three (3) candidates nominated by the board of directors of the peer-recognized organization that represents individual clinical ethics consultants professionally;

8. Include in the draft articles of incorporation or organization of the CAGCEE a provision that allows for additional members to the board of directors at a future date as more programs are granted accreditation status by adding two (2) persons for each additional five (5) accredited programs after twelve (12), with these members of the board of directors being day-to-day managing directors or designated alternates (regardless of title held) of post-baccalaureate educational programs that purport to train individual clinical ethics consultants or that graduate students who make the unchallenged claim that they have the peer-accepted educational background and skills to serve as individual clinical ethics consultants; with these additional members of the board of directors initially to be elected by a greater than a fifty-percent (50%) majority of the voting members of the CAGCEE from a slate of at least three (3) candidates nominated by the officers of the CAGCEE; and with these members of the board of directors serving staggered terms in perpetuity as other members of the board of directors;

9. Include in the draft articles of incorporation or organization of the CAGCEE a provision that limits the membership of the board of directors to fifteen (15) persons;

10. Include in the draft articles of incorporation or organization of an CAGCEE a provision for the election of a chair, a vice-chair, and a secretary-treasurer for one (1) year terms without the right of re-election to the same office of the CAGCEE board of directors from and by its membership by greater than a fifty-percent (50%) majority of the voting members;
11. Register the name COUNCIL FOR THE ACCREDITATION OF GRADUATE CLINICAL ETHICS EDUCATION and approved articles of incorporation or organization in the office of an appropriate state official;
12. Organize and oversee the election of the board of directors and officers as prescribed by the approved and registered articles of incorporation or organization of the CAGCEE;
13. Invite representatives of the ASBH, representatives of the ABPD, and interested individual clinical ethics consultation professionals and citizens to join in this effort to further the provision and improvement of clinical ethics consultation services for the benefit of the public and in the public interest; and
14. Prepare a draft pre-printed form document for use by the day-to-day program managers to make application for accreditation by the CAGCEE, with this pre-printed form document not to exceed five (5) pages when completed including required attestation signatures and supporting materials, and this document being available for presentation as a draft to the founding board of directors of the CAGCEE at their first meeting.

Recall that:
- The pCAGCEE may continue to expand as more sign the compact? The new members of the pCAGCEE may not be able to participate in the election of officers but may vote in elections and proceedings after they become signatories.
- The board of directors of CAGCEE will be responsible for governance and operations in perpetuity, not the program directors; the board will be a representative group of program directors.
- Board members are to be elected by a fifty-percent (50%) majority so there probably will be subsequent run-off elections, perhaps more than one run-off election per contest.
- Board members may not necessarily come from accredited programs because the stated standard for initial election is: “day-to-day managing director … (regardless of title held) of a post-baccalaureate educational program that purports to train individual clinical ethics consultants or that graduates students who make the unchallenged claim that they have the peer-accepted educational background and skills to serve as individual clinical ethics consultants.”