



The Inappropriateness of Providing Marijuana to a Minor and the Unprofessional Act of Accessing Electronic Health Information of a Non-patient.

The WMC often requires licensees to write an educational paper as part of their compliance requirements. The WMC Reviewing Commission Member and the Update! Editorial board found the lessons presented in this paper to be exceptional and of value to the larger provider population. This is in no way an endorsement of the practices from this specific provider and should not be seen as such in future events.

On multiple occasions between 2019 and 2020, I allegedly provided cannabidiol (CBD and delta-9-tetrahydrocannabinol (THC) edible gummies and candies to a minor family member who was not my patient. The edibles I allegedly provided to the minor family member contained an approximate CBD to THC ratio of 1:1. I allegedly accessed the minor family member's electronic health record in a facility where the minor received care. The minor family member was not my patient, and this access was not for treatment, payment, or operations purposes. This paper aims to explore and demonstrate a thorough understanding of the inappropriate and unprofessional nature of my actions, identify the potential impact my actions may have on the minor family member, and identify the changes I have made to my practice to heighten my awareness, hold myself to a higher ethical standard in a personal as well as professional manner to ensure these actions never occur again. I will also reflect on the knowledge gained from my experience in the PROBE program.

Providing CBD/THC edible gummies to a minor family member and inappropriately accessing their electronic health record, crossed several ethical boundaries, placed a minor family member in harm's way, and risked potential negative physical, psychologic, and social effects for them. Widespread legalization and normalization of marijuana use in many states, has led to increased accessibility and The American Academy of Pediatrics showed "states that decriminalized medical marijuana have shown an increase in emergency department (ED) visits and regional poison center (RPC) cases for unintentional pediatric marijuana exposures." In a JAMA Pediatric article evaluating minor exposure: "allowing access to high-potency marijuana products can be deemed negligent, similar to allowing access to potentially harmful pharmaceuticals, household products, or ethanol." In giving a CBD/THC gummy to my minor family member, I crossed several ethical boundaries. In the PROBE program, I learned to evaluate ethical situations utilizing three general frameworks.

From a virtue ethics standpoint, providing a schedule I drug to a minor is not only illegal, but it also goes against the virtues associated with being a responsible and ethical healthcare provider. Honesty, integrity, and professionalism are expected of me as a Physician Assistant, and my actions placed a minor in harm's way. Additionally, accessing their electronic medical record without proper consent or authorization goes against the virtue of integrity as it was an act of dishonesty, breached professional guidelines, and compromised patient privacy. The ripple effect reverberated well beyond the initial harm. From a Consequentialism perspective, providing a CBD/THC edible to a minor can have serious physical health effects for them. According to the American Academy of Pediatrics article, "exposure to marijuana can disrupt brain development, leading to impaired cognition, memory deficits, and decreased educational aptitude and attainment." Regular use during adolescence increases the risk of respiratory issues, cardiovascular problems such as tachycardia and hypertension with an overall increased risk of cardiac events. The cognitive and psychological effects of marijuana have been linked to a decreased IQ, poor attention and memory, as well as executive function.

Furthermore, CBD/THC in adolescent age groups had an increased risk of anxiety, depression, and psychosis, which can have a profound negative impact on a minor's overall well-being and can persist into adulthood, not to mention the added negative impact on academic performance and social relationships. Studies have shown that minors who use CBD/THC regularly are more likely to experience poor academic performance, absenteeism, decreased engagement in extra-curricular activities and increased risky behaviors. My actions involving inappropriate unauthorized access to the minor family member's health record resulted in a breach of privacy, emotional distress, loss of trust, and exposed them to potential discrimination and financial harm.

I HAVE SINCE TAKEN THE TIME FOR SELF-REFLECTION AND INTROSPECTION, AS WELL AS RE-EVALUATION OF MY OWN INDIVIDUAL MORALS AND TRAITS, AND HOW THEY HAVE BECOME MISALIGNED WITH THE VIRTUES OF BEING AN ETHICALLY SOUND PHYSICIAN ASSISTANT.

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HIPAA was created to ensure an individual's trust in the healthcare system to keep their personal healthcare information confidential. When this privacy is compromised, a loss of trust and confidence in the relationship between the patient and healthcare provider can occur. My actions were especially egregious for a minor, as adolescents have a difficult time sharing information with their doctor to begin with. The emotional distress of my actions likely caused the minor to have feelings of being exposed, embarrassment and shame. As a victim of a breach of privacy, leaked health information could possibly expose the minor to future employment discrimination based on medical history and conditions, or even financial exploitation such as identity theft and medical insurance fraud.

From a principles based ethical framework and perspective regarding my actions, I will refer to the American Academy of Physician Assistants Guidelines for Ethical Conduct for the PA Profession. The Statement of Values of the PA profession maintains that a PA should uphold the tenets of autonomy, beneficence, non-maleficence, and justice. My actions violated the principle of beneficence and non-maleficence, as it is my charge to act in the best interests of patients and to do no harm. At one point, I contested this was a personal family matter and an issue not related to healthcare, but I see now and understand that my primary value as a PA is "the responsibility to the health, safety, welfare and dignity to all human beings." I violated the principle of non-maleficence by providing a minor family member with a CBD/THC edible because, as a PA, I must avoid causing harm. Moreover, I violated the principle of patient autonomy by accessing their electronic medical record. According to the statement of values: "PAs hold in confidence the patient specific information shared in the course of practicing medicine. According to the Department of Health and Human Services regarding HIPAA violations, inappropriately accessing mental health information is especially egregious and I have since taken the time for self-reflection and introspection, as well as re-evaluation of my own individual morals and traits, and how they have become misaligned with the virtues of being an ethically sound Physician Assistant.

As I reflect on my actions, I realize and acknowledge where I went wrong. Over the past few years, I have also witnessed the ripple effect my actions had upon myself, my family member's health and well-being, eroded trust in the provider-patient relationship, my supervising physician, department, employer, and both hospital systems in which I work. I understand why my accountability is a must to preserve that ever-so-fragile "social contract" between healthcare and society. Because of that trust, I, as a professional, have to hold myself to a better standard and conduct myself in and out of my white coat in a manner consistent with the Guidelines for Ethical Conduct. My actions and decisions

were made during a very tumultuous time in my life as they occurred several years ago in the setting of a very contentious divorce. In 14 years as a practicing Physician Assistant, I have never had a complaint from a patient, a patient's family, co-worker, or colleague. While I had worked hard to not allow the events in my personal life to affect my life's work in the white coat, I went against my own personal values, and I abused the privileges inherent in that role, against all four main bioethical principles. I have since made changes to my personal and professional life after completing the PROBE Program. The program taught me how to have a heightened awareness for, and approach potential ethical dilemmas from not only a personal virtue standpoint, but to apply a principle-based interrogation of the action and consider the consequences of such actions to all of the potential stakeholders. So much comes with the white coat a PA wears and I have renewed my solemn vow to first do no harm, provide healing and objective advice with moral integrity, transparency, and self-accountability. In addition to the heightened awareness, I will employ ethical "time-outs" to give myself pause should a dilemma present itself. In addition to the PROBE program, I have taken an additional HIPAA awareness course to strengthen my commitment to holding patient information in confidence. As far as providing CBD/THC or marijuana products to a minor, well, it's illegal and it is no longer a part of my life or anything I do. Because of my actions, my relationship with my family member has suffered. From the Washington State Department of Health, I utilized their website to learn about the power of influence adults have in their children's lives and how to take opportunities to set clear and specific boundaries.

In summary, Providing CBD/THC edible gummies to a minor family member and inappropriately accessing their electronic health record, crossed several ethical boundaries, placed a minor family member in harm's way, and risked potential negative physical, psychologic and social effects for them. I realize and acknowledge where I went wrong and understand why my accountability is a must to preserve that ever-so-fragile "social contract" between healthcare and society. I have grown from being held accountable and have gratitude for the experience as it has caused me to peel away the layers of what caused me to make such decisions, realize the impact of my actions on the various stakeholders in my life and my career, as well as the field of medicine, and have made the necessary changes to bring my personal and professional life into alignment so events like these never happen again.

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