

## ***Virtual Mentor***

American Medical Association Journal of Ethics  
May 2000, Volume 2, Number 5: 38.

### **CASE AND COMMENTARY**

#### **Must Physicians Disclose Health Plan Financial Incentives?**

Commentary by Audiey Kao, MD, PhD

#### **Case**

Ms Halpern is a patient enrolled in a health plan that uses various financial incentives to contain health care costs by reducing the use of expensive medical tests. One day, she presented to her physician, Dr. Pilgrim, complaining of terrible headaches over the past 2 weeks. After examining her, Dr. Pilgrim concluded that these headaches were most likely tension headaches and prescribed nonsteroidal analgesic treatment. However, Ms Halpern was concerned that these headaches might be due to a brain tumor, and would have preferred a head MRI to rule out this possibility. Even though the patient had some concerns that Dr. Pilgrim's decision was influenced by financial incentives, she did not ask him why he made these particular decisions and agreed to go forward with his initial recommendations.

#### **Question for Discussion**

Do you think that Dr. Pilgrim has an ethical and/or legal duty to disclose financial incentives used in her health plan to his patients?

See what the AMA *Code of Medical Ethics* says about this topic in:

1. Opinion 8.053 Restrictions on disclosure in health care plan contracts. American Medical Association. *Code of Medical Ethics 1998-1999 Edition*. Chicago, IL: American Medical Association; 1998.
2. Opinion 8.054 Financial incentives and the practice of medicine. American Medical Association. *Code of Medical Ethics 1998-1999 Edition*. Chicago, IL: American Medical Association; 1998.
3. Opinion 8.132 Referral of patients: disclosure of limitations. American Medical Association. *Code of Medical Ethics 1998-1999 Edition*. Chicago, IL: American Medical Association; 1998.

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*The people and events in this case are fictional. Resemblance to real events or to names of people, living or dead, is entirely coincidental. The viewpoints expressed on this site are those of the authors and do not necessarily reflect the views and policies of the AMA.*

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