

MEDICAL AND CHIRURGICAL FACULTY OF MARYLAND
ETHICAL OPINIONS SECTION 300

300. PHYSICIANS AND RESEARCH

301. RESEARCH PROGRAMS

- .01 The patient's best interests are served when a researcher discusses with the primary care and/or treating physician of the patient's participation in the research program, and the course and completion of the research. If the patient objects, the researcher should explain the importance of such notification. If the patient still objects, the researcher may either include the patient in the research protocol within the limitations set by the patient, or exclude the patient from the protocol.

In conducting clinical research, the researcher should demonstrate the same concern and caution for the welfare, safety, and comfort of the patient involved as is required of the primary physician who is furnishing medical care to the patient independent of any clinical investigation. In particular, in referring patients for research, a physician should not use persuasion to obtain consent which otherwise might not be forthcoming, nor should expectations be encouraged beyond those which the circumstances reasonably and realistically justify. The primary concern must always be the reasonable interests of the patient.

- .02 In the event any unknown condition is discovered through the research project, the patient should be informed of the discovery and advised to see his or her physician for any care that may be necessary.
- .03 Should the research physician disagree with medical care being provided by the primary care physician, he or she should contact the primary care physician and discuss the issue before discussing this with the patient. (Council 6/29/78, Maryland Hospital Association, *Compendium* Revision 1984; Council; 9/26/87; PEC 1/23/96)