

PHIL 386 – Philosophy and Health Care

Fall Term 2012

Tue, Thu 2:00–3:20 pm, ED 170

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A. Course overview and aims

Ethical dilemmas in the practice of health care continue to proliferate and receive increasing attention from health care professionals, ethicists, policy makers, and the general public of health care consumers. In this course, we will examine a number of ethical and social issues that arise in the context of contemporary medical practice and research by analyzing articles that argue for particular viewpoints and by considering decision scenarios in which such issues arise. Topics to be covered include the relationship between health care professional and patient, autonomy and consent in medical treatment and medical research, euthanasia and physician-assisted suicide, abortion, problems posed by modern reproductive and genetic technologies, allocation of scarce medical resources, and the health care system. The class will start with a brief introduction to major approaches in moral philosophy (duty-based ethics, utilitarianism, and feminist ethics), and throughout the class we will consider how these ethical theories apply to the particular health care issues discussed.

Students who successfully complete this class will

- be able to identify and analyze different philosophical approaches to selected issues in medical ethics,
- have gained insight into how to read and critically interpret philosophical arguments, and
- have developed skills that will enable them to think more clearly and critically about ethical questions as future or current health care providers, policy makers, and consumers/patients.

B. Prerequisites

There are no formal prerequisites for this class. The class does not presuppose any special knowledge of health care or familiarity with ethical theory.

C. Texts

Required: Johnna Fisher (ed.), *Biomedical Ethics: A Canadian Focus*. Oxford University Press, 2009.

Optional: Walter Glannon, *Biomedical Ethics*. Oxford University Press, 2005.

The *required text* contains position pieces on bioethical issues that we read and discuss in class. The basic ethical notions involved are covered by my lectures, and I make the lecture notes available online. While this material is sufficient to successfully deal with the exam questions, I still recommend getting the *optional text*, as it provides another overview of the ethical notions and arguments. Both texts are available at the UofA bookstore. A few of the required readings are not in our textbook, but can be accessed online via our course website.

D. Course requirements and grading

- Midterm 20%
- Final 30%
- 2 Assignments 10%
- Essay 20%
- Oral presentation 10%
- Participation 10%

Midterm exam (20%): The midterm on **Oct. 23** will consist of multiple choice questions, short answer questions (requiring you to explain in a few sentences a concept), and long answer questions (requiring you to apply ethical notions to a case, or to restate ethical arguments). The midterm covers the material on moral theories, informed consent, and end-of-life decisions.

Final exam (30%): The final on **Dec. 10** will consist of multiple choice questions, short answer questions (requiring you to explain in a few sentences a concept), and long answer questions (requiring you to apply ethical notions to a case, or to restate ethical arguments). While emphasis will be placed on material covered in the second half of the course, the final will be cumulative.

Assignments (10%): In 2 of the classes from **Sep. 20 to Nov. 8**, you have to hand in a homework assignment (you can choose in which classes you hand in one). Each class before an assignment can be turned in, I will pick an article from our syllabus due for the following class meeting. If you choose to hand in an assignment on this article, then you have to lay out an argument contained in the article as well as an evaluation of it. (See the handout on arguments distributed.) The assignment has to be turned in at the beginning of the class meeting. An assignment is about one page double spaced (maximum 2 pages). Each assignment counts 5% towards your grade. (Among other things, the assignments are meant as a preparation for the essay.)

Essay (20%): On **Dec. 4** in class, you have to hand in an essay (4–5 pages double spaced). In the essay, you have to analyze and evaluate the argument of another author who discusses a topic in medical ethics. Guidelines on possible topics will be distributed in November.

Oral presentation (10%): Each student has to give one brief oral presentation (about 5 minutes). The most straightforward option is to choose one of the assigned articles from the textbook and to summarize the main points and offer some critical considerations. More interesting is

to present on a non-assigned article which makes an interesting argument (e.g., from our textbook or the books on reserve) or any other material that is relevant to our topic (e.g., recent bioethical cases). The main function of the presentation is to trigger subsequent discussion, which the presenter is to lead. You may give your presentation using PowerPoint (or otherwise distribute a brief handout), making sure that discussion questions are included. In any case, I ask you consult with me about your topic and to send me a draft of your presentation in advance.

Participation (10%): Attendance and active participation is important for this class. Each class will normally intersperse lecture with general discussion or group work. It is the responsibility of each student to come to class prepared to actively engage in discussion of the week's topic and readings. Each of you will probably have picked up different points from the readings or have novel insights, so please share them! You can also obtain participation credit by contributing to the discussion forum on our website.

Some of the topics which we will be discussing are highly controversial. Remember to respect the opinions and feelings of others. Be critical of arguments, not people.

When assigning final grades at the end of the term based on your performance on the above requirements, I will ensure that the grade distribution of this class does not deviate too much from the overall university distribution, taking into account the overall workload of this course and the difficulty of the material.

E. Course website

The course has a website at <https://eclass.srv.ualberta.ca>. Some of our assigned readings can be accessed from this site, and I use the site to post announcements, lecture notes, handouts, study guides, and your grades. The site also contains our discussion board.

F. Academic integrity and plagiarism

The University of Alberta is committed to the highest standards of academic integrity and honesty. Students are expected to be familiar with these standards and to uphold the policies of the university in this respect. Students are urged to familiarize themselves with the Code of Student Behaviour (<http://tinyurl.com/CodeofStudentBehaviour>) and avoid any behaviour which could potentially result in suspicions of cheating, plagiarism, misrepresentation of facts and/or participation in an offence. Academic dishonesty is a serious offence and can result in suspension or expulsion from the university. For a summary please see <http://www.governance.ualberta.ca/en/StudentAppeals/DontCheatsheet.aspx>

The Code of Student Behaviour defines plagiarism as follows:

No Student shall submit the words, ideas, images or data of another person as the Student's own in any academic writing, essay, thesis, project, assignment, presentation or poster in a course or program of study.

The library has a general website on plagiarism:

<http://www.library.ualberta.ca/guides/plagiarism>. See in particular the section on "Avoiding Plagiarism" (sidebar on the left, among "Resources for Students").

G. Schedule of classes

Thu, Sep 6	Introduction
Tue, Sep 11	Ethical theories 1: Utilitarianism and Kantian ethics <ul style="list-style-type: none"> • pp 1–16 (Fisher textbook, Ch. 1)
Thu, Sep 13	Ethical theories 2: Other approaches. Principles of medical ethics <ul style="list-style-type: none"> • pp 17–21 (Fisher textbook, Ch. 1) [optional: Glannon, Ch. 1]
Tue, Sep 18	Ethical theories 3: Moral arguments
Thu, Sep 20	Informed consent 1: Research ethics <ul style="list-style-type: none"> • pp 459–462 (Intro, Ch. 9) • pp 462–469 (Pence, ‘The Tuskegee study’) • online: Hellman & Hellman, ‘Of mice but not men: problems of the ...’ • online: Kim et al., ‘Sex bias in trials and treatment must end’ and Baylis, ‘Pregnant women deserve better’ [optional: Glannon, Ch. 3]
Tue, Sep 25	Informed consent 2: Autonomy and paternalism <ul style="list-style-type: none"> • online: Check Hayden, ‘A broken contract’ • pp 77–80 (Intro, Ch. 3) • pp 115–121 (Macklin, ‘Consent, coercion, and conflicts of rights’) [optional: Glannon, Ch. 2]
Thu, Sep 27	Informed consent 3: Truth-telling in medicine <ul style="list-style-type: none"> • pp 106–107 (Lipkin, ‘On telling truth to patients’) • pp 107–111 (Thomasma, ‘Telling the truth to patients: a clinical ...’) • pp 121–125 (Brody, ‘Transparency: informed consent in primary care’)
Tue, Oct 2	Informed consent 4: Paternalism and cultural relativism <ul style="list-style-type: none"> • pp 23–26 (Intro, Ch. 2) • pp 44–47 (Kipnis, ‘Quality care and the wounds of diversity’) • pp 47–56 (Macklin, ‘Ethical relativism in a multicultural society’)
Thu, Oct 4	Informed consent 5: Autonomy and competence <ul style="list-style-type: none"> • pp 26–30 (Buchanan and Brock, ‘Standards of competence’) • pp 30–33 (Harrison et al., ‘Involving children in medical decisions’) • p 34 (Canadian Medical Association, ‘Advance directives for ...’) • pp 35–43 (Sherwin, ‘A relational approach to autonomy in health care’)

Tue, Oct 9	End-of-life decisions 1: Assisted suicide and active euthanasia <ul style="list-style-type: none"> • pp 137–142 (Intro, Ch. 4) • pp 177–181 (Callahan, ‘When self-determination runs amok’) • pp 164–176 (Brock, ‘Voluntary active euthanasia’) [optional: Glannon, Ch. 6]
Thu, Oct 11	End-of-life decisions 2: Active vs. passive euthanasia <ul style="list-style-type: none"> • pp 161–164 (Rachels, ‘Active and passive euthanasia’) • pp 181–192 (Wolf, ‘Gender, feminism, and death: physician-assisted ...’)
Tue, Oct 16	End-of-life decisions 3: Passive euthanasia <ul style="list-style-type: none"> • pp 143–147 (Bernat et al., ‘Patient refusal of hydration and nutrition: ...’) • pp 149–152 (Wicclair, ‘Medical futility: a conceptual and ethical analysis’) • pp 152–157 (Boyle, ‘Medical ethics and double effect: the case of ...’)
Thu, Oct 18	Moral status of the fetus 1: Personhood <ul style="list-style-type: none"> • pp 223–227 (Intro, Ch. 5) • online: Noonan, ‘An almost absolute value in history’ • pp 240–246 (Warren, ‘On the moral and legal status of abortion’) [optional: Glannon, Ch. 4, pp 71–83]
Tue, Oct 23	MIDTERM EXAM
Thu, Oct 25	Moral status of the fetus 2: Broader perspectives on abortion <ul style="list-style-type: none"> • pp 246–255 (Thomson, ‘A defence of abortion’) • pp 255–262 (Sherwin, ‘Abortion through a feminist ethics lens’)
Tue, Oct 30	Moral status of the fetus 3: Maternal neglect and infanticide <ul style="list-style-type: none"> • pp 264–269 (Seymour, ‘A pregnant woman’s decision to decline ...’) • pp 270–278 (Mahowald, ‘Decisions regarding disabled newborns’)
Thu, Nov 1	Reproductive and genetic technologies 1: Eugenics and sterilization then <ul style="list-style-type: none"> • pp 283–286 (Intro, Ch. 6) • pp 292–302 (Grekul et al., ‘Sterilizing the ‘feeble-minded’: eugenics ...’) [optional: Glannon, Ch. 4, pp 86–93 and Ch. 5]
Tue, Nov 6	Reproductive and genetic technologies 2: Eugenics and sterilization now <ul style="list-style-type: none"> • pp 304–307 (Pearson, ‘Population policy and eugenics in China’) • online: Kluge, ‘Sterilization of the mentally severely handicapped: a ...’
Thu, Nov 8	Reproductive and genetic technologies 3: Genetic screening <ul style="list-style-type: none"> • pp 337–341 (Kass, ‘Implications of prenatal diagnosis for the human ...’) • pp 341–346 (Purdy, ‘Genetics and reproductive risk: can having ...’) • pp 347–350 (Lippman, ‘Prenatal genetic testing and screening: ...’) Last opportunity to turn in an assignment
Tue, Nov 13	No class. Fall term class break
Thu, Nov 15	Reproductive and genetic technologies 4: Genetic enhancement <ul style="list-style-type: none"> • online: pp 365–371 & 374–375 of Resnik, ‘The moral significance of ...’ • pp 328–335 (Baylis & Robert, ‘The inevitability of genetic enhancement’)

Tue, Nov 20	Reproductive and genetic technologies 5: Cloning <ul style="list-style-type: none"> • pp 307–310 (Kass, ‘Cloning of human beings’) • online: Brock, ‘Human cloning and our sense of self’ • online: pp 322–326 of Baylis, ‘Human cloning: three mistakes and an ...’
Thu, Nov 22	Health care and justice 1: The right to health care <ul style="list-style-type: none"> • pp 363–365 (Intro, Ch. 8) • pp 365–370 (Buchanan, ‘The right to a decent minimum of health care’) • pp 370–372 (Armstrong, ‘Managing care the Canadian way’) [optional: Glannon, Ch. 7]
Tue, Nov 27	Health care and justice 2: Microallocation of scarce resources <ul style="list-style-type: none"> • online: Annas, ‘The prostitute, the playboy, the poet: rationing schemes ...’ • pp 411–422 (Callahan, ‘Allocating resources to the elderly’)
Thu, Nov 29	Health care and justice 3: Rationing based on unhealthy life-style <ul style="list-style-type: none"> • online: Cohen et al., ‘Alcoholics and liver transplantation’ • pp 424–430 (Veatch, ‘Voluntary risks to health: the ethical issues’)
Tue, Dec 4	Review for the final. ESSAY DUE in class
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Mon, Dec 10	FINAL EXAM 2:00–4:00 pm

H. Books on reserve at Rutherford Library

Some of the following books may be useful for writing the essay, as a reference, or for giving an oral presentation. They are on reserve at Rutherford (Humanities and Social Sciences) Library.

Glannon, W. (2005) *Biomedical Ethics*. Oxford University Press. [Our optional textbook on reserve.] R 724 G58 2005

Munson, R. (ed.) (2008) *Intervention and Reflection: Basic Issues in Medical Ethics*, 8th edition. [Excellent American textbook combining an overview of the basic ethical issues/arguments with case descriptions and position articles on bioethical issues.] R 724 I57 2008

Baylis, F., Downie, J, Hoffmaster B., Sherwin, S. (eds.) (2004) *Health Care Ethics in Canada*, 2nd edition. Nelson. [Similar to our Fisher textbook, another collection of articles on bioethical issues and legal cases.] R 724 H38 2004

Kluge, E. W. (ed.) (2005) *Readings in Biomedical Ethics: A Canadian Focus*, 3rd edition. Pearson. [Similar to our Fisher textbook, another collection of articles on bioethical issues and legal cases.] R 724 R433 2005

Pence, G. E. (2008) *Classic Cases in Medical Ethics*, 5th edition. McGraw-Hill. [Similar to but more detailed and advanced than our Glannon textbook, offering a detailed account of cases and ethical notions and arguments.] R 724 P36 2008