

Ethical Decision Making in Healthcare

LDST 377-01

Spring 2008

Course Syllabus

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Office Hours: Open door and by appointment

COURSE DESCRIPTION

This course is an introduction to some of the central ethical issues associated with decision making in medicine and healthcare. We begin with a discussion of the place of truth and informed consent in medical treatment and experimentation. So doing will allow us to lay out the competing normative frameworks upon which we will rely for the rest of the course. In particular, we will look at the ways in which the values of autonomy and well-being come to bear on medical decision making. This starting point also highlights a critical question that will arise periodically in our study of bioethics: is there something distinctive about the application of morality in medical contexts? For example, do moral requirements apply to physicians in the same way that they apply to the rest of us, or are medical leaders exceptional in some morally relevant sense? Next, the course considers the value of life and, specifically, the morality of abortion and euthanasia. We then take up ethical problems surrounding the issues of resource allocation—especially, organ donation—and animal experimentation. The course concludes with a sustained and systematic analysis of a classic work in “surrogate decision making.”

All students are expected to accept responsibility for understanding, critiquing, and developing the ideas conveyed in the readings and the classroom. Classes will assume that students have completed all of the assigned readings, and I will regularly ask you to make contributions to the class based on your reflections on what you have read. My expectations for intellectual engagement are thus quite high. I expect not only deep thinking and analytical writing but also active, insightful participation in the classroom. Part of your grade will be determined by your contribution to our discussions. **Please also note that class begins and ends on time.**

COURSE OBJECTIVES

- The student should develop an intellectually sophisticated understanding of the main ethical issues associated with medical leadership and healthcare.
- The student should be able to articulate the competing views surrounding morally contentious healthcare issues.
- The student should be in a position to recognize the central moral values that come to bear on medical decision making in particular cases.
- The student should learn how to critique moral arguments and how to present moral arguments of her own.
- The student should be able to analyze the ethical problems covered in the course from a broadened moral perspective and to address related problems with the mature use of moral imagination.
- The student should become familiar both with the particular moral perils associated with medical leadership and with the causes of these perils—for example, indeterminacy with respect to membership in the moral community; scarcity of resources; disparities in knowledge, information, and ability; and disagreements about value and the criteria for personhood.
- The student should be able to provide the essential elements of a framework for an ethically sound account of surrogate decision making.

REQUIRED TEXTS

Helga Kuhse and Peter Singer (eds.), *Bioethics: An Anthology*, 2nd edition (Oxford: Blackwell, 2006).

Allen E. Buchanan and Dan W. Brock, *Deciding for Others: The Ethics of Surrogate Decision Making* (Cambridge: Cambridge University Press, 1990).

REQUIREMENTS AND GRADING¹

Your final grade will be determined as follows:

1. Class Contribution ²	10%
2. Quiz	10%
3. Outline	10%
4. Midterm Exam	15%
5. Paper	25%
6. Final Examination	30%

A WORD ON DEADLINES AND SCHEDULED EXAMS

The instructor takes deadlines and scheduled exams very seriously. In fairness to your classmates, any difficulties that arise should be brought to my attention as soon as possible before the deadline or scheduled exam. **No late work will be accepted, unless accompanied by a completed *and approved* request form.** The form can be found attached to this syllabus. It cannot be used for weekly essays. **Please note that computer problems *never* constitute an acceptable excuse.**

¹ The Jepson School supports the provisions of the Honor System as sanctioned by the School of Arts and Sciences. **Every piece of written work** must have the honor pledge and the student's signature on it. The pledge is: "I pledge that I have neither given nor received unauthorized assistance during the completion of this work." I reserve the right to refuse to accept any work submitted without the honor pledge.

² To facilitate class contributions, I will ask you to write weekly essays directly on the readings. They should take the following form: 1 single-spaced, typed page, consisting of at least 600 words, per week for 11 weeks. Failure to conform to these requirements will result in a loss of credit for your work. Essays must be posted to blackboard by **5:00 p.m. on Sunday** for Monday's class, **5:00 p.m. on Tuesday** for Wednesday's class, and **5:00 p.m. on Thursday** for Friday's class. Punctual and full class attendance is also required for essay credit. You may not use the request for extension/make-up for weekly essays. Schedule changes may affect the days on which your weekly essays are due.

III. Possible People and Abortion

S 2/3 **WEEKLY ESSAY 3 (Group C)**

M 2/4 Hare, "The Abnormal Child: Moral Dilemmas of Doctors and Patients," p. 329

T 2/5 **WEEKLY ESSAY 4 (Group A)**

W 2/6 Parfit, "Rights, Interests, and Possible People," p. 108

F 2/8 **SPEAKER**

S 2/10 **WEEKLY ESSAY 4 (Group B)**

M 2/11 Hare and Parfit (con.)

W 2/13 **QUIZ**

R 2/14 **WEEKLY ESSAY 4 (Group C)**

F 2/15 Finnis, "Abortion and Health Care Ethics," p. 17

S 2/17 **WEEKLY ESSAY 5 (Group A)**

M 2/18 Tooley, "Abortion and Infanticide," sections I-III, VI

T 2/19 **WEEKLY ESSAY 5 (Group B)**

W 2/20 Thomson, "A Defense of Abortion," p. 40

R 2/21 **WEEKLY ESSAY 5 (Group C)**

F 2/22 Thomson (con.)

IV. Killing and the Sanctity of Life

S 2/24 **WEEKLY ESSAY 6 (Group A)**

M 2/25 Grisez and Boyle, "The Morality of Killing: A Traditional View," p. 266

- T 2/26 **WEEKLY ESSAY 6 (Group B)**
- W 2/27 Rachels, "Active and Passive Euthanasia," p. 288
- R 2/28 **WEEKLY ESSAY 6 (Group C)**
- F 2/29 Nesbitt, "Is Killing No Worse Than Letting Die?" p. 292
- S 2/30 **WEEKLY ESSAY 7 (Group A)**
- M 3/3 Kuhse, "Why Killing is Not Always Worse – and Sometimes Better Than Letting Die," p. 297
- R 3/4 **WEEKLY ESSAY 7 (Group B)**
- W 3/5 Chris Hill, "The Note," p. 377
- R 3/6 **OUTLINE DUE (5:00 p.m.)**
- F 3/7 *Million Dollar Baby*
- 3/7-16 **SPRING BREAK**

V. Resource Allocation and Organ Donation

- S 3/16 **WEEKLY ESSAY 7 (Group C)**
- M 3/17 Menzel, "Rescuing Lives: Can't We Count?" p. 407
- T 3/18 **WEEKLY ESSAY 8 (Group A)**
- W 3/19 Veatch, "How Age Should Matter: Justice as the Basis for Limiting Care to the Elderly," p. 437
- F 3/21 **MIDTERM EXAM**
- S 3/22 **WEEKLY ESSAY 8 (Group B)**
- M 3/24 Moss and Siegler, "Should Alcoholics Compete Equally for Liver Transplantation?" p. 421
- T 3/25 **WEEKLY ESSAY 8 (Group C)**

- W 3/26 Kluge, "Organ Donation and Retrieval: Whose Body is it Anyway?"
p. 483
- R 3/27 **WEEKLY ESSAY 9 (Group A)**
- F 3/28 Radcliffe-Richards et al., "The Case for Allowing Kidney Sales,"
p. 487
- S 3/29 **WEEKLY ESSAY 9 (Group B)**
- M 3/31 Harris, "The Survival Lottery," p. 491

VI. Experimentation with Animals

- T 4/1 **WEEKLY ESSAY 9 (Group C)**
- W 4/2 Kant, "Duties Towards Animals," p. 564
Bentham, "A Utilitarian View," p. 566
Singer, "All Animals are Equal," p. 568
- R 4/3 **WEEKLY ESSAY 10 (Group A)**
- F 4/4 Singer (con.)

VII. Deciding for Incompetents

- S 4/6 **WEEKLY ESSAY 10 (Group B)**
- M 4/7 Dworkin, "Life Past Reason," p. 357
- T 4/8 **WEEKLY ESSAY 10 (Group C)**
- W 4/9 Buchanan and Brock, "Minors," *Deciding for Others*, Chapter 5,
pp. 215-246
- R 4/10 **PAPER DUE (5:00 p.m)**
- F 4/11 **PRESIDENTIAL INAUGURATION (no class)**
- S 4/13 **WEEKLY ESSAY 11 (Group A)**

- M 4/14 Buchanan and Brock, "Minors," *Deciding for Others*, Chapter 5, pp. 246-266
- T 4/15 **WEEKLY ESSAY 11 (Group B)**
- W 4/16 Buchanan and Brock, "The Elderly," *Deciding for Others*, Chapter 6, pp. 266-289
- F 4/18 **SPEAKER**
- S 4/20 **WEEKLY ESSAY 11 (Group C)**
- M 4/21 Buchanan and Brock, "The Elderly," *Deciding for Others*, Chapter 6, pp. 289-310.
- T 4/22 **WEEKLY ESSAY 12 (Groups A and B)**
- W 4/23 Buchanan and Brock, "The Mentally Ill," *Deciding for Others*, Chapter 7, pp. 311-331.
- R 4/24 **WEEKLY ESSAY 12 (Groups B and C)**
- F 4/25 Buchanan et al., "Why Not the Best," *Deciding for Others*, Chapter 7, pp. 332-365.
- M 5/1 **FINAL EXAM (9:00 a.m.)**

REQUEST FOR EXTENSION/MAKE-UP
(not to be used for weekly essays)

1. **Today's Date:**
2. **Original Assignment Date:**
3. **Reason for Extension/Make-up:**
4. **Proposed Due Date/Make-up Date:**
5. **Instructor Signature:**
6. **Your Signature:**

Submit this form with the completed assignment (e.g., paper, make-up exam, etc.).
This form will not be accepted if incomplete (e.g., if #5 is blank).

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6. **Your signature:**

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