Ethical Decision Making in Healthcare

Instructor: Sam Director

Course Description: The goal of this course is to use the tools of philosophy to analyze a wide variety of important issues related to medicine and clinical practice.

Course Time: Tuesdays and Thursdays 9:15am-10:30am (EST)

Office Hours: TBD

Method: synchronous online

Learning Objectives:
By the end of this class, my goal is that you will have made significant progress toward achieving the following objectives:

• Develop and improve critical thinking skills.
• Learn to critically assess arguments clearly and carefully.
• Develop the ability to read carefully.
• Learn to engage with ideas that are difficult in a way that is respectful.
• Critically assess important issues that will be relevant to our lives and to the medical profession.

Course Structure: This class will involve a mix of lecture and discussion. On a typical day in class, you will have done a pre-assigned reading on a topic, and I will begin with a summary of that reading and the crucial issues involved in it. At various points in my lecture, we will pause for discussion and questions. The goal is for lecture to take up about 40% of each class with discussion being the remaining 60% of the class.

Course Materials: All of our assigned readings will be excerpts from books or journal articles. Each reading will be posted to Canvas. You do not need to buy any books for this class. I will not be printing any of this material for you, but I highly recommend that you print a physical copy of each reading. There is good evidence that you will learn and retain more from the reading if you have a physical copy of it in front of you as you read.

Topics Covered: we will have 7 units in our class. They are the following:

• Unit 1: Consent in Medical Ethics
  o Key Questions:
    ▪ Why is consent important?
    ▪ Can addicts consent?
    ▪ Can individuals with anorexia nervosa consent?
    ▪ Do framing effects undermine consent?
    ▪ Does manipulation undermine consent?
    ▪ Can children consent to treatment? Or, do their parents have to consent for them?
• Is paternalism ever justified in clinical settings?

• Unit 2: The Ethics of Death and Dying
  o Key Questions:
    ▪ Can we enforce advance directives?
    ▪ Is physician-assisted suicide wrong?
    ▪ Can people give informed consent to die?
    ▪ Can we harm people after they are dead?

• Unit 3: Moral Status
  o Key Questions:
    ▪ What is a person?
    ▪ Are all humans persons?
    ▪ Do animals have rights?

• Unit 4: The Ethics of Abortion
  o Key Questions:
    ▪ Is abortion morally permissible?
    ▪ Why is killing a human wrong?
    ▪ Are abortion and infanticide morally the same?

• Unit 5: Procreative and Family Ethics
  o Key Questions:
    ▪ Is adoption morally required?
    ▪ Is sperm and gamete donation permissible?
    ▪ Is it permissible for parents to disable their children?
    ▪ Should we enhance our children?

• Unit 6: Research Ethics:
  o Key Questions:
    ▪ When is it appropriate to conduct research on human subjects?
    ▪ Is it permissible to use animals in testing?

• Unit 7: Political and Institutional Issues in Medicine
  o Key Questions:
    ▪ Should the state provide healthcare to all?
    ▪ Is there a human right to healthcare?
    ▪ How do we fairly distribute scarce medical resources?
    ▪ Should we lockdown in the midst of a pandemic?
    ▪ Are local or national solutions better in the face of a pandemic?
    ▪ Should there be markets in human organs?
    ▪ Can doctors exempt themselves from procedures that they disagree with?

**Grading:**

I grade on the following scale:

• 100 - 93 (A)
• 92.9 - 90 (A-)
• 89.9 - 87 (B+)
• 86.9 - 83 (B)
• 82.9 - 80 (B-)
Your grade will be determined by the following categories:

- Take-home midterm (25%)
- In-class final exam (25%)
- Paper (25%)
- Quizzes (15%)
- Attendance (10%)

I realize that there are extenuating circumstances each semester for many people. If you find yourself in an extreme situation that affects your ability to perform well in this class, please talk to me about it. I cannot guarantee that I will be able to accommodate you, but I may be able to.

I do all of my grading anonymously, meaning that I don’t know whose exam or paper I’m grading until the very end. When you turn in any assignment, I will give you instructions on how to make it anonymous. My goal is to grade as fairly as I can, and I believe that this policy helps with that.

**Assignments:**

*Exams*: there will be a take-home midterm and an in-class final. The goal of these exams is to test how well you understand the material covered in class by seeing if you can summarize back to me what we have covered in class and in readings.

*Paper*: we will also write a longer paper (5-7 pages) that takes an issue of your choosing from class and that takes a stance on it.

*Quizzes*: on most days in class, we will have a short reading quiz. I will not tell you in advance which days will have quizzes. We will take the quiz on Canvas. Please bring technology that you can use to complete the quiz. If you don’t have a way to do the quiz electronically, I will give you a piece of paper to use. These will be short quizzes that ask questions intended to see if you have done the reading. I will drop your lowest two quiz grades at the end of the semester.

**Class Policies:**

- **Attendance:**
  - Attendance in class is mandatory. We learn best in philosophy if we are heavily focused on discussion and debate. You cannot accomplish this if you don’t come to class, even if you can understand the material without coming to class.
  - You may have 4 absences **for any reason**. You do not need to tell me that you are missing class or why you are missing class. You also do not need a note for missing a class. These are the only absences that you are allowed for this class. Any absence in addition to these 4 absences will count as unexcused.
• For each unexcused absence, you will receive a full letter grade deduction from your attendance grade. So, 1 unexcused absence can move your attendance grade from an A to an B, and so on.
• Of course, if you have some incredibly extenuating circumstance that requires you to miss more than 4 classes, please talk to me. For example, if you are on a university athletics team that travels frequently, have a severe illness, etc. that pushes your attendance past this point, we can figure out a solution.
• But, this means that any otherwise excused absences that do not rise to the level of extreme extenuating circumstances will have to count as 1 of your 4 absences. So, if you get sick and miss a day, then that counts as 1 of your absences.
• If you miss a quiz on the day of your absence, it is your responsibility to come to my office hours and take an alternate quiz. Missed quizzes from days that are beyond your 4 absences cannot be made up.

**Participation:**

• Our goal is to get closer to the truth. We do this is by discussing the issues with each other. So, it’s very important that we all actively participate in the discussion.

**Discussion Etiquette:**

• We will be discussing a lot of important and often controversial issues of justice and morality. Given this, we should try to be charitable to our fellow classmates and not jump to harsh conclusions about their views. If a fellow classmate says something that strikes you as false, or even offensive, try to interpret his or her claim in the best possible light. The same goes for the authors that we will be reading.
• However, even though we should be charitable to our classmates and authors, we should still voice disagreement with each other. In philosophy, it is not rude to disagree with someone; to disagree with someone’s reasoning is to acknowledge that person as a peer who is worthy of being debated. Disagreeing with someone does not mean that you are dismissing their views. Rather, it means that you are engaging with their views. This policy extends to me. I heavily encourage you to disagree with me.

**Technology:**

• Cellphones are not allowed in class.
• Of course, if you receive an urgent phone call, please feel free to step out of class to take it.

**Office Hours:**

• My office hours are listed above. If you would like to talk about philosophy, clarify a point from class, get help with an assignment, talk about your grade, etc., feel free to make an appointment with me.
• Please, please, please come to office hours if you need help with anything. It’s part of my job to help you study for the exams.

**Email Expectations:**

• If you have any questions, please email me. I would ask that, prior to emailing me, you consult the syllabus to see if your question (such as, ‘when is the final?’) is already answered in it. I will make it my goal to respond to all of your emails within 24 hours of receiving them.
• Also, please use proper email etiquette when sending me a message. For example, you should include a subject line, a greeting (“Hi Sam,” “Dear Sam,” etc.), and you should not use emojis, slang, or anything like that in your messages.

• **Late Work:**
  • My policy is that for every day that your assignment is late, you will lose a full letter grade on it.

**Course Schedule:**

Please be aware that this schedule is subject to change. We may find that we cannot cover this amount of material with enough time to have good discussion. If we end up taking longer on any given topics, we may alter the schedule of readings. I will let you know if this happens. Also, this would be a good thing. This would mean that we have so much to say about a given issue that we need to spend even more time talking about it.

Also, please note that the page ranges for each reading may not be the entire reading. You only need to read the specific page range that I list below.

We will average about 18-20 pages of reading per class.

**Key University Dates:**
2/9: no class
3/1-5: light load week (no exams or paper dates)
4/7: no class

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<tr>
<th>Date</th>
<th>Topic</th>
<th>Assigned Reading</th>
<th>Assignment Due</th>
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<tr>
<td>1/19</td>
<td>Introduction to the class</td>
<td>None.</td>
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<tr>
<td></td>
<td>126</td>
<td>Consent and Framing Effects</td>
<td>Jason Hanna. “Consent and the Problem of Framing Effects,” <em>Ethical Theory and</em></td>
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<td>Date</td>
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<td>Unit 2: The Ethics of Death and Dying</td>
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*Note that this is not the whole article, just a selection of pages.*  
<p>| Unit 3: Moral Status |  |
| --- | --- | --- |
| <strong>Unit 4: The Ethics of Abortion</strong> |  |  |
| <strong>Unit 5: Procreative and Family Ethics</strong> |  |  |</p>
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<tr>
<th>Date</th>
<th>Topic</th>
<th>Reading Material</th>
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<tbody>
<tr>
<td>3/25</td>
<td>When is it permissible to do research on human subjects?</td>
<td>Selections from the <em>Declaration of Helsinki</em> Selections from Josh Childress, <em>Belmont Revisited: Ethical Principles for Research with Human Subjects.</em></td>
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**Unit 6: Research Ethics**

**Unit 7: Political and Institutional Issues in Medicine**
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<th>Date</th>
<th>Topic</th>
<th>Reading/Notes</th>
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<tr>
<td>4/15</td>
<td>Ethics in a pandemic: local or national solutions?</td>
<td>Reading TBD.</td>
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<tr>
<td>4/27</td>
<td>Study day (no class)</td>
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<td></td>
<td>Review for final exam</td>
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Jepson School of Leadership Studies Syllabus Statements

Expectations Regarding In-Person Attendance During the Pandemic
We are facing a challenging situation in which all of us are called on to make a good faith effort to be flexible and to make decisions in the best interest of the community, including staying home when sick. Students who are sick should not attend class, will not be required to provide formal documentation from a health care provider, and will not be penalized for absences.

However, students must:
• Notify instructors in advance of the absence if possible. Contact the Student Health Center if sick.
• Keep up with classwork and attend online class sessions if able to do so.
• Submit assignments digitally on time whenever possible.
• Work with instructors to try to reschedule any missed assignments.
• Stay in close communication with instructors.

This attendance policy puts everyone on their honor. It requires that faculty trust the word of their students when they say they are ill, and it requires that students report the reason for their absence truthfully. Falsey reporting a reason for an absence is an honor code violation.

Integrity with Class Recordings
Students shall not:
• Disclose, share, trade, or sell class recordings with/to any other person, organization, business, or institution;
• Post/store these recordings in a location accessible by anyone other than the student, including but not limited to social media accounts.

Students must also comply with any instructions or directions from their faculty regarding the use of such recordings. Students are required to destroy any recordings that were made when they are no longer needed for the student’s academic work. Failure to abide by this policy will be a violation of the Standards of Student Conduct; such issues will be sent to the appropriate University Conduct Officer.

Awarding of Credit
To be successful in this course, a student should expect to devote 10-14 hours each week, including class time and time spent on course-related activities.

Disability Accommodations
Students with a Disability Accommodation Notice should contact their instructors as early in the semester as possible to discuss arrangements for completing course assignments and exams.

Honor System
The Jepson School supports the provisions of the Honor System. The shortened version of the honor pledge is: “I pledge that I have neither received nor given unauthorized assistance during the completion of this work.”

Religious Observance
Students should notify their instructors within the first two weeks of classes if they will need accommodations for religious observance.

Addressing Microaggressions on Campus
Microaggressions are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, that communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.¹ Recent research has found that, when professors do not address microaggressions in class, microaggressions foster alienation of marginalized groups.² Furthermore, both students and faculty that are exposed to microaggressions more often are more likely to have depressive symptoms and negative affect (a negative view of the world).³ A comfortable and productive environment where meaningful learning happens can be collectively created through actions, words, or environmental cues that promote the inclusion and success of marginalized members, recognizing their embodied identity, validating their realities, resisting sexism, ableism, and racism.⁴

The University of Richmond is committed to building an inclusive community. To do so, the following resources are available to support our students: Spiders Against Bias (an anonymous peer to peer support network that aids microaggression and bias incident survivors in connecting to different resources) and the Bias Resource Team.⁵ Additionally, this semester students are leading a series of workshops, Not So Slight: Combating microaggressions, for students to learn how to recognize microaggressions and how to have meaningful conversations around difficult topics in an aggression-free environment.

With this in mind, as a community member at the University of Richmond, I pledge to address microaggressions in the classroom by holding myself, other students, and faculty accountable for what is said and being receptive to criticism when perpetuating these slights, snubs, or insults.

⁵ https://commonground.richmond.edu/contact/bias-incidents/index.html
SYLLABUS INSERT REGARDING ACADEMIC AND PERSONAL SUPPORT SERVICES

Below is a boxed statement that describes the services available from a myriad of resources. We recommend that you consider including this boxed statement in your course syllabus, on Blackboard, or perhaps on a separate handout. Of course, other support services that relate specifically to your course can also be added.

Staff members from the resources below are available for consultations about concerns related to students as well as issues related to services.

If you experience difficulties in this course, do not hesitate to consult with me. There are also other resources that can support you in your efforts to meet course requirements.

Academic Skills Center (asc.richmond.edu): Assists students in assessing their academic strengths and weaknesses; honing their academic skills through teaching effective test preparation, critical reading and thinking, information conceptualization, concentration, and related techniques; working on specific subject areas (e.g., calculus, chemistry, accounting, etc.); and encouraging campus and community involvement. Tutors will be available virtually. The on-call peer-tutors available for these appointments are listed in the Box file: On-Call Online Tutors (https://richmond.box.com/s/dpe37chr2zodr3o1amtj8omjk72v2ktb). Email Roger Mancastroppa (rmancast@richmond.edu) and Hope Walton (hwalton@richmond.edu) for appointments in academic and life skills to request a Zoom conference.

Boatwright Library Research Librarians: (library.richmond.edu/help/ask/ or 289-8876): Research librarians help students with all steps of their research, from identifying or narrowing a topic, to locating, accessing, evaluating, and citing information resources. Librarians support students in their classes across the curriculum and provide library instruction, tutorials, research guides, and individual help. All research support will be provided online or by appointment and students can contact a librarian for help via email (library@richmond.edu), text (804-277-9ASK), chat, or Zoom (by appointment).

Career Services: (careerservices.richmond.edu or 289-8547): Can assist you in exploring your interests and abilities, choosing a major or course of study, connecting with internships and jobs, and investigating graduate and professional school options. We encourage you to schedule an appointment with a career advisor early in your time at UR.

Counseling and Psychological Services (caps.richmond.edu or 289-8119): Assists currently enrolled, full-time, degree-seeking students in improving their mental health and well-being, and in handling challenges that may impede their growth and development. Services include brief consultations, short-term counseling and psychotherapy, skills-building classes, crisis intervention, psychiatric consultation, and related services.

Disability Services (disability.richmond.edu) The Office of Disability Services works to ensure that qualified students with a disability (whether incoming or current) are provided with reasonable accommodations that enable students to participate fully in activities, programs, services and benefits provided to all students. Please let your professors know as soon as possible if you have an accommodation that requires academic coordination and planning.

Speech Center (speech.richmond.edu or 289-6409): Assists with preparation and practice in the pursuit of excellence in public expression. Recording, playback, coaching and critique sessions offered by teams of student consultants trained to assist in developing ideas, arranging key points for more effective organization, improving style and delivery, and handling multimedia aids for individual and group presentations. Remote practice sessions can be arranged; we look forward to meeting your public speaking needs.

Writing Center (writing.richmond.edu or 289-8263): Assists writers at all levels of experience, across all majors. Students can schedule appointments with trained writing consultants who offer friendly critiques of written work.