LDST 377: Ethical Decision Making in Healthcare
Prof. Jessica Flanigan
T/Th: 1:30-2:45

Overview: In this class, we will discuss ethical decision-making in healthcare from the perspective of patients, physicians, researchers, and policymakers. In Part 1, we will mainly address clinical ethics. For example, what can physicians permissibly do and what are patients entitled to request? In Part 2, we turn to health policy. Do medical innovations like human enhancement and radical life extension threaten our moral equality? What about kidney taxes and organ markets? Is paternalism appropriate in public health or research contexts? Does everyone have a right to healthcare, and if so, how much? Are people entitled to elective treatments, enhancements, and life extension technology? Part 3 addresses procreative ethics. What do we owe future people? Are there any ethical principles that should inform the kinds of people we create? Is abortion permissible? Is commercial surrogacy permissible? Together, these readings and discussions will provide an introduction to the range of ethical questions that arise in modern medicine and medical research.

Objectives: Students in this class will develop three skills: charitable reading, critical thinking, and clear writing. In class we will reconstruct the best version of the arguments presented in the readings by discussing objections and carefully considering alternative points of view. Students will also learn how to put arguments in premise-conclusion form, use thought experiments and cases to test an intuition, and state a view precisely. We will also discuss good writing, in and outside of class, and by the end of the term students will write an original philosophical essay about the ethics of a particular healthcare decision.

Grading:

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<thead>
<tr>
<th>Grade</th>
<th>Deadline</th>
<th>Weight</th>
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<tbody>
<tr>
<td>Participation</td>
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<td>10%</td>
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<tr>
<td>Reading Responses</td>
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<tr>
<td>Essay #1</td>
<td>Thesis Meeting: <strong>February 9</strong></td>
<td>15%</td>
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<td>Essay Due: <strong>February 16</strong></td>
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<tr>
<td>Midterm</td>
<td><strong>March 8</strong></td>
<td>10%</td>
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<tr>
<td>Essay #2</td>
<td>Thesis and Summaries: <strong>April 6</strong></td>
<td>30%</td>
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<td>Essay Due: <strong>April 13</strong></td>
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<td>Revisions Due:</td>
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<td>Final Exam</td>
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All grades are entered as numbers.

The numerical values of essay grades are:

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<td>A+/A</td>
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<td>A</td>
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<td>B+</td>
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<tr>
<td>B+/B</td>
<td>87</td>
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<td>B</td>
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<td>B/B-</td>
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<td>B-</td>
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<td>C+</td>
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<td>C+/C</td>
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<td>C-</td>
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<td>C-/D+</td>
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<tr>
<td>D+</td>
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The numerical values for final letter grades are:

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<tr>
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<td>C-</td>
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<td>D</td>
<td>66.99-63</td>
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<tr>
<td>D-</td>
<td>63.99-60</td>
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**Participation**

Your participation grade is based on how well you contributed to class discussion and how often you attended class. I posted participation guidelines on blackboard to give you a rough sense of the standards for each grade.

**Reading Responses:**

There are twelve reading responses assigned and the top ten scores will be included in your grade.

- Use the Blackboard quiz function for each response. Submit your responses online before class starts. Late responses will not be accepted.
- Make sure to download the response template so if for some reason you cannot access Blackboard you can email me a response on time.
- Note that midway through the semester the due dates for Group A and B's responses switches.
- Responses will be scored as a 1, 0.5, or 0. Each of your top ten scoring responses is worth 1% of your final grade.

**Due Dates:** Papers and outlines are due in my inbox by 11:59 pm on their due dates. Send files as word documents (.doc). You will get a confirmation from me within 24 hours to verify that I received it. Each assignment will be marked down by 1/3 of a letter grade for every late day.

**Essay #1:**

One of our goals in this course will be to further develop your writing abilities. Instructions for this assignment and handouts are posted online.
• I would like to meet with everyone by **February 9** to talk about the first paper. Sign up for an appointment on my door. Bring your thesis and outline to this meeting. The essay topic will cover readings from the beginning of the semester.
  o If you do not meet with me by **February 9** then I will deduct 2/3 of a letter grade from your score on essay #1 (e.g., a B+ paper will become a B-).
• Essay #1 is due on **February 16**.

**Midterm Exam:**
The midterm is on **March 8**. It will test you on the first half of the semester. The exam is 10 short answer questions and it will cover the readings, classroom discussions, and handouts.

**Essay #2:**
This essay is your chance to show off how much you have learned in the class! You will have a choice of topics that address real-world medical ethics questions. Additional research and an original philosophical argument are expected.
• Meetings with me are not required, but you must send me a thesis, outline, and summaries of at least four other philosophical readings on your topic by **April 6** and if I am worried about your plan I may request a meeting that week.
  o If you do not send a thesis, outline, and reading summaries to me by March 31 then I will deduct 2/3 of a letter grade from your score on essay #2. It’s a good idea to come to office hours, talk over email, or schedule a meeting before you commit to a thesis.
• Essay #2 is due on **April 13**.
• You will have the opportunity to revise by _____________. If you choose to revise, please send in a new clean copy, a ‘track changes’ copy, and a cover letter explaining your revisions and responses to comments. I will then consider revising the final essay grade in light of revisions by up to 2/3 of a letter grade.

**Final Exam:**
The final is on _____________. It will test you on the whole semester. The exam is 10 short answer questions and it will cover the readings, classroom discussions, and handouts.

**Materials:**
All readings are on Blackboard. Please print the readings and bring them to class. E-Readers are also acceptable, but laptops and ipads are not permitted in class.

**Readings:**

**PART 1: CLINICAL ETHICS**

**Week 1: How should we reason about moral problems in medicine?**
  **January 16- Medical Ethics and Philosophy**
  *Savulescu* Bioethics- Why Philosophy is Essential for Progress
  **January 18- Paternalism**
  *Buchanan, “Medical Paternalism”*
Hippocratic Oaths

Week 2: Competence and Paternalism
January 23- Children’s Medical Rights
Dare- Parental Rights and Medical Decisions (RR1Y)
Holder- Minor’s Rights
Informed Consent, Parental Permission, and Assent
January 25- Consent through time
Davis, Precedent Autonomy and Subsequent Consent (RR1Z)

Week 3: Voluntary Euthanasia
January 30- Death By Choice
Peter Singer: Voluntary Euthanasia: A Utilitarian Perspective (RR2Y)
Fisher- Swiss Right to Die Clinics
February 1- Escapist Suicide
Velleman- A Right to Self Termination? (RR2Z)
Wallace- Infinite Jest on Suicide

Week 4: Defining Death
February 6- Survival
Parfit- Why Our Identity is Not What Matters (RR3Y)
February 8- Non-Voluntary Euthanasia
McMahan- Brain Death, Cortical Death, and PVS (RR3Z)
February 9: Essay #1 Thesis and Outline Due

PART 2- HEALTH POLICY

Week 5- Providing Health Care
February 13- Allocating Clinical Services
Persad- Principles of Allocation of Scarce Interventions (RR4Y)
Harris- QALYfying the Value of Life
February 15- Arguments for Health Care Guest Lecture
Daniels- Health Care Needs and Distributive Justice (RR4Z)
Cochrane: After the ACA
February 16: Essay #1 Due

Week 6- Impairment and Addiction
February 20- Impairment
Bayne and Levy- Amputees by Choice
Savulescu- Disability: A Welfarist Approach (RR5Y)
February 22- Addiction
Foddy- Addiction and Autonomy (RR5Z)

Week 7- Organs, Tissue, and Markets
February 27- Organ Markets
McGrath “Organ Procurement, Altruism, and Autonomy” (RR6Y)
Satz “The Moral Limits of Markets: The Case of Human Kidneys”
March 1- Organ Confiscation
Fabre- Organ Confiscation
Coons- Dead Donor Rule (RR6Z)

Week 8- Public Health and Paternalism
March 6- Health Policy
Wilson, “Why It's Time to Stop Worrying About Paternalism in Health Policy”
March 8- Midterm!

Week 9:
March 13: Spring Break
March 15: Spring Break

PART III- Procreative Ethics

Week 10: Enhancement
March 20- The non-identity problem
Parfit- The Non-Identity Problem (RR7Z)
March 22- A Solution to the Problem
Shiffrin- Wrongful Life, Procreative Responsibility, and the Significance of Harm (RR7Y)

Week 11: Future People
March 27- Cognitive Enhancement and Immortality
Bostrom, The Reversal Test (RR8Z)
Bostrom, “The Fable of the Dragon Tyrant” (RR8Y)
March 29- Sandel- The Case Against Perfection

Week 12: Making New People
April 3- Procreative Autonomy and Beneficence
Savulescu- Procreative Beneficence (RR9Z)
April 5- Transhumanism and Equality
Buchanan- Moral Status and Human Enhancement (RR9Y)
March 6 Essay #2 Thesis, Outline, and Summaries Due

Week 13: Pregnancy and Rights
April 10: Assisted Reproduction
McLachlan and Swales- Babies, Child Bearers, and Commodification (RR10Z)
Anderson- Commercial Surrogate Motherhood
April 11: Maternal Rights
Thomson- “A Defense of Abortion” (RR10Y)
April 12: Essay #2 Due

Week 14: Abortion and Moral Status
April 17- A fetus has moral status
Marquis- Why Abortion is Immoral
Liao- The Basis of Human Moral Status (RR11Z)
April 19- A fetus only has moral status in some cases
Harman- Creation Ethics (RR11Y)

Week 15: Procreative Decision Making
April 24: Moral Risk
Moller- Abortion and Moral Risk (RR12Z)
April 26: Late Abortion and Infanticide
Warren- The Moral Significance of Birth
Tooley- Abortion and Infanticide (RR12Y)
SYLLABUS INSERTS
INSERT REGARDING ACADEMIC AND PERSONAL SUPPORT SERVICES

Hope N. Walton, Director Academic Skills Center

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** [http://asc.richmond.edu](http://asc.richmond.edu), 289-8626 or 289-8956): Assists students in assessing their academic strengths and weaknesses; honing their academic skills through teaching effective test preparation, critical reading and thinking, information processing, concentration, and related techniques; working on specific subject areas (e.g., calculus, chemistry, accounting, etc.); and encouraging campus and community involvement.

**Career Services** [http://careerservices.richmond.edu/](http://careerservices.richmond.edu/) or 289-8547): Can assist you in exploring your interests and abilities, choosing a major, connecting with internships and learning experiences, investigating graduate and professional school options, and landing your first job. We encourage you to schedule an appointment with a career advisor during your first year.

**Counseling and Psychological Services** [http://caps.richmond.edu](http://caps.richmond.edu) or 289-8119): Assists students in meeting academic, personal, or emotional challenges. Services include assessment, short-term counseling and psychotherapy, crisis intervention, psychiatric consultation, and related services.

**Speech Center** [http://speech.richmond.edu](http://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.

**Writing Center** [http://writing.richmond.edu](http://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.

**Boatwright Library Research Librarians** [http://library.richmond.edu/help/ask/](http://library.richmond.edu/help/ask/) or 289-8876): Assist students with identifying and locating resources for class assignments, research papers and other course projects. Librarians also assist students with questions.
about evaluating and citing sources. Students can email, text or IM a librarian, or schedule a personal research appointment to meet with a librarian in the first floor Research and Collaborative Study area.

Jepson School of Leadership Studies

Common Syllabus Insert

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.
http://registrar.richmond.edu/services/policies/academic-credit.html

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.
http://studentdevelopment.richmond.edu/disability-services/policies.html

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.”
http://studentdevelopment.richmond.edu/honor/

Religious Observance
Students should notify their instructors within the first two weeks of classes if they will need accommodations for religious observance.
http://registrar.richmond.edu/planning/religiousobs.html

Title IX insert

- Title IX makes it clear that violence and harassment based on sex and gender are Civil Rights offenses subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate by contacting Kerry Albright Fankhauser, Deputy Title IX Coordinator and Associate Dean for Westhampton College at (804) 287-6646, or Dan Fabian, Deputy Title IX Coordinator and Associate Dean for Richmond College at (804) 289-8835 or Beth Simonds, Assistant Chief of Police, University Police, at (804) 829-8722.
- For more information see: http://studentdevelopment.richmond.edu/student-concerns/sexual-misconduct/reporting.html