LDST 377: Ethical Decision Making in Healthcare
Prof. Jessica Flanigan
M/W noon

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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: This course is designed to give students a better understanding of medical ethics and the ethics of public health. The main learning outcomes center on discovery and creation:
- Students will discover philosophical perspectives that change the way they think about the ethics of healthcare.
  - Students will develop skills that enable them to develop and evaluate moral arguments. For example, students will learn to assess the soundness and validity of an ethical argument.
  - Students will critically evaluate real-world ethical dilemmas in healthcare in order to better understand concepts like consent, wellbeing, and justice.
- Students will also create original philosophical essays that address the ethics of healthcare.
  - Students will think in a clear and systematic way about the normative dimensions of their career or personal choices going forward.
  - Students will learn to develop and write an original philosophical argument.
  - Students will learn to revise papers in response to counter-arguments.
  - Students will write the best papers they’ve ever written in their lives.

Class Technology
• **Perusall** (assigned readings)
  o Readings
• **Blackboard** (grade stuff)
  o Study guides
  o Grading rubrics
  o Tips for assignments
  o Sample work
  o Submit assignments (except essays)
  o Check your grades
• **Email**
  o Quick questions
  o Submitting draft essays

### Grading:

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<thead>
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<tr>
<td>Class Participation</td>
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<tr>
<td>Reading Responses</td>
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<td>Disagreement Project</td>
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All grades are entered as numbers.

The numerical values of essay grades are:

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The numerical values for final letter grades are:

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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 online to give you a rough sense of the standards for each grade.

Perusall
Your perusal grade is based on whether you completed the assigned reading and engaged in conversation on Perusall before class.

Reading Responses:
You can do as many reading responses as you want. The top five scores will be included in your grade.
- Use Blackboard to submit each response. Submit your responses online before class starts.
  - I will not accept responses after the corresponding class.
  - If for some reason you cannot access Blackboard you can email me a response before class.

Disagreement Project
To complete the disagreement project, you must talk to someone for 15 minutes about a topic from the class. You must disagree with the person you're talking to. Record the conversation and write 700-1000 words about why you disagree. Then show your interlocutor the summary of the conversation, and ask them to email me to verify that you accurately described your conversation. You can complete this project any time before the last day of class.

Essay
One of our goals in this course will be to further develop your writing abilities. You can rewrite your essay as many times as you want for a higher grade, but I will only re-grade your essay once every two weeks. More information about the essay is available on Blackboard.

Final Exam:
The Registrar sets the final exam time and date. The exam will test you on the whole semester. The exam is 10 questions and it will cover the readings, classroom discussions, and handouts. I will post a study guide before the exam and there will be a review session.

Academic Integrity:
Students may not use course materials from previous versions of this course. Students must complete every assignment on their own
Students must comply with the UR honor code.
Students may not submit work from previous courses for this course.

Materials:
All readings are on Blackboard or Perusall.
Please print the readings and bring them to class.
Laptops and iPads are not permitted in class without authorization.

Readings:

PART 1: CLINICAL ETHICS

Week 1: How should we reason about moral problems in medicine?
  January 10- Medical Ethics and Philosophy
  Savulescu- Why Bioethics Needs Philosophy
  January 12- Paternalism
  Buchanan, “Medical Paternalism”
  Hippocratic Oaths

Week 2: Competence and Paternalism
  January 17- MLK!
  January 19- Children’s Medical Rights and Consent through time
  Dare- Parental Rights and Medical Decisions
  Davis, Precedent Autonomy and Subsequent Consent
  AAP statement

Week 3: Addiction and Paternalism
  January 24- Addiction and Choice
  Foddy and Savulescu- A Liberal Account of Addiction
  January 26- Smoking
  Voigt- Smoking and Social Justice
  Earp et al- Racial Justice and the War on Drugs

Week 4: Euthanasia and Death
  January 31- Death By Choice
  Velleman- A Right to Self Termination?
  Fisher- Swiss Right to Die Clinics
  February 2 - Survival
  Parfit- Why Our Identity is Not What Matters
  Aviv- What does it mean to die?

PART 2- HEALTH POLICY

Week 5- Impairment and Disability
  February 7- Impairment
  Howard and Aas- On Valuing Impairment
Savulescu- Disability: A Welfarist Approach
February 9- Modification
Bayne and Levy- Amputees by Choice
Minerva- Invisible Discrimination

Week 6- Public Health
February 14- Healthcare Systems
Persad et al- Principles of Allocation of Scarce Interventions
Cochrane: After the ACA
February 16- Social Determinants of Health
Hausman- What’s Wrong With Health Inequalities?
Ray- Why Bioethics Should Care about Environmental Toxins

Week 7- Organs, Tissue, and Markets
February 21- Organ Markets
McGrath “Organ Procurement, Altruism, and Autonomy”
Satz “The Moral Limits of Markets: The Case of Human Kidneys”
February 23- Organ Confiscation
Fabre- Organ Confiscation

Week 8- Pandemic Policy
February 28- Infectious Disease
Francis et al- How Infectious Disease Got Left Out
Flanigan- Compulsory Vaccination
March 2- Challenge Trials
Eyal- Human Challenge Studies to Accelerate Coronavirus Vaccine Licensure
Blumenthal Barby- Payment of COVID-19 challenge trials

Week 9: SPRING BREAK

PART III- Procreative Ethics

Week 10: Conception
March 14- The non-identity problem
Parfit- The Non-Identity Problem
March 16- A Solution to the Problem
Shiffrin- Wrongful Life, Procreative Responsibility, and the Significance of Harm

Week 11: Creation Ethics
March 21- Designer Babies
Savulescu- Procreative Beneficence
Sandel- The Case Against Perfection
March 23- Transhumanism and Equality
Bostrom, The Reversal Test
Bostrom, “The Fable of the Dragon Tyrant"
Week 12: Pregnancy and Maternal Rights
  March 28- Assisted Reproduction
    McLachlan and Swales- Babies, Child Bearers, and Commodification
    Anderson- Commercial Surrogate Motherhood
  March 30- Maternal Rights
    Thomson- “A Defense of Abortion”

Week 13: Pregnancy and Moral Status
  April 4- A fetus has moral status
    Marquis- Why Abortion is Immoral
    Liao- The Basis of Human Moral Status
  April 6- A fetus only has moral status in some cases
    Harman- Creation Ethics

Week 14: Pregnancy and Moral Status
  April 11: A fetus does not have moral status
    Tooley- Abortion and Infanticide
  April 13: We don’t know whether a fetus has moral status
    Moller- Abortion and Moral Risk

Week 15: Birth and Childhood
  April 18: Birth
    Warren- The Moral Significance of Birth
  April 20: Childhood
    Gheaus- The Best Available Parent

This syllabus may be revised throughout the semester. Please check Blackboard for updates.