LDST 377: Ethical Decision Making in Healthcare
Prof. Jessica Flanigan

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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.
  o 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.
  o 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.
  o 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.

Readings:

**PART 1: CLINICAL ETHICS**

**Week 1: Methods**
- **M:** MLK!
- **W:** Medical Ethics and Philosophy
  - *Savulescu* - *Why Bioethics Needs Philosophy*

**Week 2: Consent**
- **M:** Paternalism
  - *Buchanan, “Medical Paternalism”*
  - *Hippocratic Oaths*
- **W:** 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**
- **M:** Addiction and Choice
  - *Foddy and Savulescu* - *A Liberal Account of Addiction*
- **W:** Smoking
  - *Voigt* - *Smoking and Social Justice*
  - *Earp et al* - *Racial Justice and the War on Drugs*

**Week 4: Euthanasia and Death**
- **M:** Death By Choice
  - *Velleman* - *A Right to Self Termination?*
  - *Fisher* - *Swiss Right to Die Clinics*
- **W:** 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
M: Impairment  
_Howard and Aas- On Valuing Impairment_  
_Savulescu- Disability: A Welfarist Approach_  
W: Modification  
_Bayne and Levy- Amputees by Choice_  
_Minerva- Invisible Discrimination_  

Week 6- Public Health  
M: Healthcare Systems  
_Persad et al- Principles of Allocation of Scarce Interventions_  
_Cochrane: After the ACA_  
W: 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  
M: Organ Markets  
_McGrath “Organ Procurement, Altruism, and Autonomy”_  
_Satz “The Moral Limits of Markets: The Case of Human Kidneys”_  
W: Organ Confiscation  
_Fabre- Organ Confiscation_  

Week 8- Pandemic Policy  
M: Infectious Disease  
_Francis et al- How Infectious Disease Got Left Out_  
_Flanigan- Compulsory Vaccination_  
W: 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  
M: The non-identity problem  
_Parfit- The Non-Identity Problem_  
W: A Solution to the Problem  
_Shiffrin- Wrongful Life, Procreative Responsibility, and the Significance of Harm_  

Week 11: Creation Ethics  
M: Designer Babies  
_Savulescu- Procreative Beneficence_  
_Sandel- The Case Against Perfection_  
W: Transhumanism and Equality  
_Bostrom, The Reversal Test_
*Bostrom, “The Fable of the Dragon Tyrant”*

Week 12: Pregnancy and Maternal Rights

M: Assisted Reproduction
- *McLachlan and Swales- Babies, Child Bearers, and Commodification*
- *Anderson- Commercial Surrogate Motherhood*

W: Maternal Rights
- *Thomson- “A Defense of Abortion”*

Week 13: Pregnancy and Moral Status

M: A fetus has moral status
- *Marquis- Why Abortion is Immoral*
- *Liao- The Basis of Human Moral Status*

W: A fetus only has moral status in some cases
- *Harman- Creation Ethics*

Week 14: Pregnancy and Moral Status

M: A fetus does not have moral status
- *Tooley- Abortion and Infanticide*

W: We don't know whether a fetus has moral status
- *Moller- Abortion and Moral Risk*

Week 15: Birth and Childhood

M: Birth
- *Warren- The Moral Significance of Birth*

W: Childhood
- *Gheaus- The Best Available Parent*

**Grading:**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Weight</th>
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<tbody>
<tr>
<td>Class Participation</td>
<td>10%</td>
</tr>
<tr>
<td>Perusall</td>
<td>10%</td>
</tr>
<tr>
<td>Top 10 Responses</td>
<td>30%</td>
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<tr>
<td>Essay</td>
<td>30%</td>
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</tbody>
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- I will apply a ⅓ grade late penalty to your final essay grade if you do not meet with me and submit a thesis outline by week 5
- I will apply a ⅓ grade late penalty to your final essay grade if you do not submit a draft by week 10
Final submissions are due by the end of week 15

| Final Exam | 20% |

All grades are entered as numbers.

The numerical values of essay grades are:

| A+ 98.5 | A+/A 97 | A 95 | A/A- 93 | A- 91.5 | A-/B+ 90 |
| B+ 88.5 | B+/B 87 | B 85 | B/B- 83 | B- 81.5 | B-/C+ 80 |
| C+ 78.5 | C+/C 77 | C 75 | C/C- 73 | C- 71.5 | C-/D+ 70 |
| D+ 68.5 | D+/D 67 | D 65 | D/D- 63 | D- 61.5 | D-/F 60 |

The numerical values for final letter grades are:

| A+ 100-97 | A 96.99-94 | A- 93.99-90 |
| B+ 89.99-87 | B 86.99-84 | B- 83.99-80 |
| C+ 79.99-77 | C 77.99-74 | C- 73.99-70 |

Participation (10%)
Your participation grade is based on how well you contributed to class discussions and activities and how often you attended class. I posted participation guidelines online to give you a rough sense of the standards for each grade.

Perusall (10%)

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

Reading Responses (30%)

Every week will have a reading response due on Friday. You can choose which one to do but you cannot repeat them.
Your grade will consist in the top ten highest scores for your response submissions.

Essay (30%)

One of our goals in this course will be to develop your writing abilities further. Specifically, I want you to write the best paper you’ve ever written. For that reason, you can revise your essay at least twice for a higher grade, as long as you meet with me to discuss revisions.

Exam (20%)

The Registrar sets the final exam time and date. Information about the final is posted online.

Academic Integrity:

Students may not use course materials from previous versions of this course, and students may not distribute the course materials (e.g. exams) without authorization.

Students must complete every assignment on their own unless otherwise specified.

Students may not use artificial intelligence to assist with writing assignments.

Students must comply with the UR honor code.

Students may not submit work from previous courses for this course.

Grades:

Either we will use Google Classroom or you will make a copy of the GoogleDoc grade rubric and I will update your grades there. TBD!

Materials:

All readings are on Perusall. You can print the readings and bring them to class.

Laptops and iPads are not permitted in class without authorization.

*This syllabus may be revised throughout the semester.*