

Medical Ethics

Christopher Newport University, Fall 2017

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| MEETING INFO | Dr. Chris Tweedt 202 McMurrin Hall chris.tweedt@cnu.edu 704.941.9079 | Philosophy 207, Sec. 2 Tues & Thurs, 11–12:15 pm 314 McMurrin Hall |
| TEXTBOOK | <i>Bioethics: Principles, Issues, and Cases</i> , 3rd ed. by Lewis Vaughn. | |
| OUTCOMES | The purpose of this class is to help you <ol style="list-style-type: none">1. clearly and informedly think through ethical decisions,2. gain an understanding of the arguments and viewpoints relevant to central medical ethics debates3. learn to discuss polarizing issues in a charitable and respectful manner, especially in the presence of strong disagreement, and4. develop the ability to charitably and accurately interpret, summarize, and critique philosophical arguments in the context of medical ethics. | |
| OVERVIEW | <p>Medical decisions have consequences—health-related consequences, financial consequences, legal consequences, and, most relevant to this course, ethical consequences. When you enter the medical field, you will be faced with difficult ethical decisions. In this course, you will learn how to make these decisions and make them well. The topics of this course are focused on issues that arise in health care professionals real-world practice. This course will present a variety of views on each topic in order to help students understand and articulate their reasons for their positions. The course is divided into three sections.</p> <ol style="list-style-type: none">1. First, we will develop a framework for making ethical decisions. We will address these questions: Why do we treat people, and when do we know when to stop? Which principles should guide our interaction with patients and provision of treatment? How should we make decisions when our moral principles conflict? How do we make decisions that we know have a bad effect? How should we deal with mistakes weve made?2. Second, we will discuss specifics questions about the doctor-patient relationship: When, if ever, can we experiment on humans? Who can make decisions about the patients treatment,? (The doctor? The patient? Relatives?) Who has the right to know about patient information? Are you obligated to tell the truth to patients and/or proxies? How much information are you obligated to divulge?3. Last, we will discuss ethically questionable medical procedures: abortion, reproductive technology, genetic screening, withholding treatment from a patient, ending the life of a patient, and life-extending procedures. | |
| SCHEDULE | Aug 29 About the course No reading | |
| | Aug 31 About Ethics Vaughn, 3-8, 13-17 | |

Ends and Means of Medical Practice

Sep 5 **Why do we treat people?**

KevinMD, "A rude awakening for many medical students"

WHO, definition of health

Boorse, "On the distinction between disease and illness"

NYT, "When anxiety or depression masks a medical problem"

Case 1, Case 2

Sep 7 **When are we done treating someone?**

Genetic Engineering and Biotechnology News, "Therapy and Enhancement: Is there a moral difference?"

U.S. Bioethics Counsel, "Distinguishing Therapy and Enhancement"

The Hastings Center, "Treatment or enhancement? Two Hard Cases"

The Atlantic, "A new way to be mad"

Case 3, Case 4

Sep 12 **Does it matter how we heal someone?**

Vaughn, 34-52

Hippocratic Oath, ancient version

Hippocratic Oath, modern version

Current Affairs, "Now Singer argues it might be okay to rape disabled people"

Case 5, Case 6

Sep 14 **How do we make difficult choices?**

Vaughn, 8-13

Beauchamp and Childress on moral dilemmas

No cases today

Sep 19 **Can we do something that we know has a bad effect?**

Review Vaughn, 40-42

Case 7, Case 8

Sep 21 **How should we compose ourselves in decision-making contexts?**

Beauchamp and Childress on virtue

Case 9, Case 10

Sep 26 **How should we compose ourselves...? Continued**

How to be a Stoic, "Whats the point of regret?"

How to be a Stoic, "Seneca on Anger Pt. 1"

Epictetus' *Enchiridion*, ch. 1-21

Case 11, Case 12

Sep 28 **Review**

No reading

Oct 3 **Test #1**

Specific Clinical Practices

Oct 5 Human Research

Vaughn, 239-253
Allan Brandt, “Racism and Research: The Case of the Tuskegee Syphilis Study” (Vaughn, 285-295)
Nuremberg Code, Declaration of Helsinki, Belmont Report (Vaughn, 259-266)
Ronald Munson, “From Vioxx to the ASR Implant”
NYT, “Patients lose sight after stem cells are injected in their eyes”
Case 13, Case 14 (Questions accompany Vaughn, 255-256)

Oct 10 Paternalism and Patient Autonomy

Vaughn, 81-90
Terrence Ackerman, “Why doctors should intervene” (Vaughn, 110-115)
Robert Schwartz, “Autonomy, Futility, the Limits of Medicine” (Vaughn, 115-119)
Case 15, Case 16

Oct 12 Proxies’ Decision-Making Power

“Bouvia v Superior Court” (Vaughn, 123-127)
AMA Council on Ethical and Judicial Affairs, “Fundamental Elements of the Patient-Physician Relationship” (Vaughn 127-128)
Ronald Munson, “Faith and Medicine”
Washington Post, “The dying child who became an ideological football”
The Catholic Weekly’s “Charlie Gard will die. But is it murder?”
Case 17, Case 18

Oct 17 No class, Fall Break

Oct 19 Truth-Telling

Vaughn, 144-152
Mack Lipkin, “On Telling Patients the Truth” (Vaughn, 159-161)
Shelly Schwartz, “Is it ever okay to lie to patients?” (Vaughn, 161-164)
Susan Cullen and Margaret Klein, “Respect for Patients, Physicians, and the Truth” (Vaughn, 164-171)
Case 19, Case 20

Oct 24 Informed Consent

Vaughn, 196-205
Jay Katz, “Informed consent—must it remain a fairy tale?” (Vaughn, 213-222)
Howard Brody, “Transparency: Informed Consent in Primary Care” (excerpt) (Vaughn, 226-228)
Canterbury v. Spence (Vaughn, 235-238)
Case 21, Case 22

Oct 26 Confidentiality

Federal guide to privacy of patient information (Read only chap. 2, pp. 9-21)
James Rachels, “Why privacy is important” (Vaughn, 172-177)
Mark Siegler, “Confidentiality in Medicine, a decrepit concept” (Vaughn, 177-180)
Tarasoff v. Regents of the University of California (Vaughn, 191-195)
Case 23, Case 24

Oct 31 **Conflicts of Interest**

NPR, “Drug company payments mirror doctors’ brand-name prescribing”
National Institutes of Health, “Conflicts of Interest and Medical Practice,” Ch. 6
Case 25, Case 26

Nov 2 **Review** (First audio case study due by 5 pm)

Nov 7 **Test #2**

Current and Future Clinical Procedures

Nov 9 **Abortion:** reasons against

Vaughn, 309-322
Christopher Kaczor, *The Ethics of Abortion*, ch. 5-6
Case 27, Case 28 (Vaughn, 323-324)

Nov 14 **Abortion:** reasons for

Judith Jarvis Thompson, “A defense of abortion” (Vaughn, 326-336)
Giubilini and Minerva’s “After-birth Abortion: Why Should the Baby Live?”
Roe v. Wade (Vaughn, 397-402)
Planned Parenthood v. Casey (Vaughn, 402-408)
No cases today

Nov 16 **No class, conference**

Nov 21 **Euthanasia and PAS**

Vaughn, 625-637
Daniel Callahan, “When self-determination runs amok” (Vaughn, 658-662)
James Rachels, “Active and passive euthanasia” (Vaughn, 678-681)
Vacco v. Quill (Vaughn, 707-709)
Ronald Munson, “Jack Kevorkian: Moral Leader or Doctor Death?”
Case 29, Case 30

Nov 23 **No class, Thanksgiving**

Nov 28 **Withholding Treatment, PVS Treatment**

Ronald Munson, “Terri Schiavo”
Case 31, Case 32

Nov 30 **Genetic Engineering**

Vaughn, 539-556
Leon Kass, “Implications of prenatal diagnosis for the human right to life” (Vaughn, 560-564)
Frida Simonstein and Michael Mashiach-Eizenberg, “Attitudes toward Autism spectrum disorders among students of allied health professions”
Jeff McMahan, “The morality of screening for disability” (Vaughn, 571-574)
Walter Glannon, “Genetic Enhancement” (Vaughn, 599-603)
TED talk on happiness
Case 33, Case 34 (Vaughn, 558-559)

Dec 5 **Extending Life**

Minds, “If you're alive in 30 years, it's likely you will be alive in 1000 years”

The Verge, “Elon Musk launches Neuralink, a venture to merge the human brain with AI”

Case 35, Case 36

Dec 7 **Review** (Second audio case study due by 5 pm)

Dec 12 **Test #3**, 11:00 - 1:30

GRADING

300 points **3 tests**

The tests cover the reading and lectures from only the current part of the course.

Tests will be taken on a computer during class times specified above.

I will describe the format of the test in class.

Test dates are on the schedule above.

100 points **10 case papers**

10 case papers are due only during class times for which there are cases.

Argument papers must answer all questions for both cases for the day.

Papers must contain no more than 200 words.

Papers resemble lab write-ups. I will describe how to write your papers in class.

Papers will be graded only on insight or thoughtfulness in your answers.

Papers are due within 10 minutes of the start of each class.

You get an automatic 0/100 on all papers if you plagiarize on one paper.

100 points **2 audio case studies**

Must be in an audio format, maximum 3 minutes, delivered to me electronically.

The first part must contain a description of an ethically difficult medical case.

The second part must contain an analysis.

What is the action you are evaluating?

Who is affected by your possible actions?

What should you do, and why?

How could someone rationalize acting differently?

Why is the rationalization incorrect?

Students will only be graded on content, not smoothness of presentation.

Due dates are on the schedule.

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| SCALE | 100 > A > 92 | 90 > B+ > 88 | 80 > C+ > 78 | 70 > D+ > 68 |
| | 92 > A- > 90 | 88 > B > 82 | 78 > C > 72 | 68 > D > 62 |
| | 60 > F > 0 | 82 > B- > 80 | 72 > C- > 70 | 62 > D- > 60 |

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| OFFICE HOURS | Monday | Tuesday | Wednesday | Thursday |
| | 9-10 PM | 9:30-10:30 AM 12:30-1:30 PM | 9-10 PM | 9:30-10:30 AM 12:30-1:30 PM |

HONOR CODE By being enrolled in this class, each student is expected to read, understand, and abide by the CHU's honor code. CNU reserves the right to penalize any student whose academic conduct at any time is, in its judgment, detrimental to the University. This conduct includes plagiarism, collusion, cheating, giving or receiving or offering or soliciting information in examinations, or the use of previously prepared material in examinations or quizzes.

Class Policy: You'll receive an automatic F in the course if you share test or quiz questions with other students. The purpose of these tests is to, well, test your knowledge. If you allow other students to prepare, it undermines the testing process. If you discover someone sharing questions and report it to me, you will get free ice cream. Also, I'll report all seeming-plagiarism to CHECS and give you a 0 for the assignment. I won't argue with you whether you did it intentionally. We all know how that will go. You'll argue that you didn't mean to do it, just like people who do it intentionally argue. So I'm not even going to ask. Please be intentional about not doing it.

DISABILITY, ACCOMMODATION In order for a student to receive an accommodation for a disability, that disability must be on record in the Office of Student Affairs, 3rd Floor, David Student Union (DSU). If you believe that you have a disability, please contact Dr. Kevin Hughes, Vice President of Student Affairs (594-7160) to discuss your needs. Dr. Hughes will provide you with the necessary documentation to give to your professors. Students with documented disabilities are required to notify the instructor no later than the first day on which they require an accommodation (the first day of class is recommended), in private, if accommodation is needed. The instructor will provide students with disabilities with all reasonable accommodations, but students are not exempted from fulfilling the normal requirements of the course. Work completed before the student notifies the instructor of his/her disability may be counted toward the final grade at the sole discretion of the instructor.

ACADEMIC SUPPORT The Center for Academic Success (located in Christopher Newport Hall, first floor, room 123) offers free tutoring assistance for Christopher Newport students in several academic areas. Staff in the center offer individual assistance and/or workshops on various study strategies to help you perform your best in your courses. The center also houses the Alice F. Randall Writing Center. Writing consultants can help you at any stage of the writing process, from invention, to development of ideas, to polishing a final draft. The Center is not a proofreading service, but consultants can help you to recognize and find grammar and punctuation errors in your work as well as provide assistance with global tasks. You may visit the Center for Academic Success to request a tutor, meet with a writing consultant, pick up a schedule of workshops, or make an appointment to talk one-on-one with a University Fellow for Student Success. If I become concerned about your course performance, attendance, engagement, or well-being, I will speak with you first. I also may submit a referral through our Captains Care Program. The referral will be received by the Center for Academic Success as well as other departments when appropriate (Counseling Services, Office of Student Engagement). If you are an athlete, the Athletic Academic Support Coordinator will be notified. Someone will contact you to help determine what will help you succeed. Please remember that this is a means for me to support you and help foster your success at Christopher Newport.