

## **PHL 344: Ethical Issues in Health Care**

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Class meetings: Monday and Wednesday, 12:40 – 2:30 in 117 Berkey Hall

### **Course description:**

Health care ethics (also known as bioethics) is an interdisciplinary field; however philosophical analysis plays a central role. The purpose of this course is to introduce you to a variety of ethical issues related to health care and to different philosophical arguments related to these issues. Topics will include the physician-patient relationship, ethical issues in reproduction, end-of-life decision-making, and research ethics.

### **Required texts:**

You are not required to purchase any books for this course. All readings are available via D2L.

### **Learning outcomes:**

By the end of the course, students will be able to:

1. Identify and explain a variety of ethical issues arising in health care.
2. Explain, and describe objections to, a number of philosophical arguments related to ethical issues in health care.
3. Construct arguments in support of their own positions on ethical issues in health care and defend them against criticism.

### **Course requirements**

- Reading responses – **25%**
- In-class group assignments – **15%**
- Midterm tests (2, equally weighted) – **20% each**

- Final exam (same format as midterms) – **20%**

**Details of course requirements: (see also #5 under “Course Policies”)**

**Reading responses:** You will be required to do six of these assignments – two before Test 1, two more before Test 2, and the final two before the final exam. We will drop your lowest grade, *but you must do all six reading responses for your lowest grade to be dropped.*

There are two parts to each of these assignments.

The **first part** is a short (1 ½ - 2 page, double-spaced) paper on one or more of the readings we’ll be covering in class on a single day – it will be due before the beginning of class. In this part of the assignment, you should do the following:

- Briefly summarize the main topic(s) of the reading(s) for the class, or summarize in more detail one of the readings. In writing this part of the assignment, imagine you are explaining what we’re reading in class to a friend who doesn’t know anything about the topic.
- Describe one thing you want to make sure we discuss in class, either because you don’t understand it yet or because you found it interesting.
- Briefly explain one way in which you see connections between this week’s readings and things we’ve read and/or talked about in previous classes.

The **second part** of the assignment is due 48 hours after the first part and should be about a page long. In it, you should do the following:

(1) Correct any errors you made in your summary of the paper(s) and then

(2) Briefly explain what you have learned about the topic of the reading after we discussed it in class. This could be material from the lecture, from class discussions, from a group discussion or assignment, or something else about how the reading relates to other material we’ve discussed in class. It may also be that you simply have some new ideas after having thought about the paper for a while. All of these are good things to talk about. The purpose of this part of the assignment is to give you a chance to revisit your initial understanding of and views on the reading(s).

**In-class group assignments:** At the beginning of the semester, you will be assigned to a group of approximately 5 students. In some classes, you will work with your group to complete an in-class assignment. The format of these assignments will vary and will be explained in class. These assignments will be given a group grade; however, if you are not in class to work on an assignment with your group, you will not get credit for it. Please note that asking your groupmates to sign your name on an assignment when you are not there - or doing so for a member of your group – is academic dishonesty and will be treated accordingly. Missed in-class assignments cannot be made up; see #5 under course policies for details.

**Tests (including final exam):** The format for all three tests will be the same and will consist of be discussed in more detail in class before the first test. We will also discuss a couple of sample test questions in class together before the first test.

**Grading scale:**

Final grade	Percentage
4.0	90 – 100
3.5	85 – 89.9
3.0	80 – 84.9
2.5	75 – 79.9
2.0	70 – 74.9
1.5	65 – 69.9
1.0	60 – 64.9
0.0	<59.9

**Course policies:**

1. Students are expected to attend classes and to come prepared to discuss the assigned readings for the class. While you are doing the readings for the class, you should make note of any questions or problems you had and raise them in class. Similarly, you should be prepared to contribute anything you found particularly interesting in the readings. If you miss a class, including classes early in the semester that you miss because you registered late, you are responsible for getting the notes from a classmate.

2. Arrive on time for class and don't leave early. Do not check Facebook (etc.), send text messages (or paper notes), or talk about non-course-related things with your neighbor in class. All of these activities are disruptive and disrespectful of others in the class. Studies have shown that people sitting near you will be distracted, which means that you may be affecting the grades of other students in the class.

3. The attached schedule of readings may be revised if we spend more or less time than anticipated on some of the course material. If it is revised, a copy of the new reading list will be posted on D2L and an announcement will also be made in class that the new version of the list has been posted.

4. **Late work will not be accepted for this class.** There is enough flexibility in the *reading response assignments* that you can choose to do each of them at a time that fits your schedule, so there is no reason that you should not be able to submit them (both parts) on time. Due to the nature of the *in-class group assignments*, you need to be in class to complete them. (There will be enough of them that each will be worth only a very small part of your final grade for the class, so missing one or two over the course of the semester will not have a big effect on your grade.) You will, of course, also need to be in class to write *the tests and the final exam*. In general, no make-up tests will be offered; that said, I recognize that there are situations that justify making exceptions to this rule. These include prolonged illness, bereavement, family emergencies, and alien abductions. In these and similar circumstances, I will work with you to help you to complete the required work, but you should know that (1) documenting of extenuating circumstances may be required, and (2) in some cases we will also need to work with your advisor or other people who can help you to stay, or to get back, on track with your classes. In particular, you should be aware of MSU's [grief absence policy](#).

5. Students are required to keep any work that has been graded and returned until the end of the semester. This is in your best interests; if you believe that an error has been made with regard to your final grade, you will need to show this work in support of your claim.

6. Any student who is found to have plagiarized any part of the course work will fail the course. Plagiarism is preventable; if you have any doubts or questions about what counts as plagiarism, you should talk to me. Resources for preventing plagiarism are posted on D2L.

7. More generally, students are expected to adhere to the Spartan Code of Honor, which reads: "As a Spartan, I will strive to uphold values of the highest ethical standard. I will practice honesty in my work, foster honesty in my peers, and take pride in knowing that honor is worth more than grades. I will carry these values beyond my time as a student at Michigan State University, continuing the endeavor to build personal integrity in all that I do."

#### **MSU policies that will apply in this course:**

[taken (mostly) verbatim from <https://www.msu.edu/~ombud/classroom-policies/syllabus-faq.html#question3>]

1. **Academic Honesty:** Article 2.III.B.2 of the [Student Rights and Responsibilities \(SRR\)](#) states that "The student shares with the faculty the responsibility for maintaining the integrity of scholarship, grades, and professional standards." In addition, the (insert name of unit offering course) adheres to the policies on academic honesty as specified in General Student Regulations 1.0, Protection of Scholarship and Grades; the all-University Policy on Integrity of Scholarship and Grades; and Ordinance 17.00, Examinations. (See

[Spartan Life: Student Handbook and Resource Guide](#) and/or the MSU Web site: [www.msu.edu](http://www.msu.edu).)

Therefore, unless authorized by your instructor, you are expected to complete all course assignments, including homework, lab work, quizzes, tests and exams, without assistance from any source. You are expected to develop original work for this course; therefore, you may not submit course work you completed for another course to satisfy the requirements for this course. Also, you are not authorized to use the [www.allmsu.com](http://www.allmsu.com) Web site to complete any course work in this course. Students who violate MSU academic integrity rules may receive a penalty grade, including a failing grade on the assignment or in the course. Contact your instructor if you are unsure about the appropriateness of your course work. (See also the [Academic Integrity](#) webpage.)

2. **Limits to confidentiality.** Essays, journals, and other materials submitted for this class are generally considered confidential pursuant to the University's student record policies. However, students should be aware that University employees, including instructors, may not be able to maintain confidentiality when it conflicts with their responsibility to report certain issues to protect the health and safety of MSU community members and others. **As the instructor, I must report the following information to other University offices (including the Department of Police and Public Safety) if you share it with me:**

--Suspected child abuse/neglect, even if this maltreatment happened when you were a child,

--Allegations of sexual assault or sexual harassment when they involve MSU students, faculty, or staff, and

--Credible threats of harm to oneself or to others.

These reports may trigger contact from a campus official who will want to talk with you about the incident that you have shared. In almost all cases, it will be your decision whether you wish to speak with that individual. If you would like to talk about these events in a more confidential setting you are encouraged to make an appointment with the MSU Counseling Center.

3. **Accommodations for Students with Disabilities** (from the Resource Center for Persons with Disabilities (RCPD): Michigan State University is committed to providing equal opportunity for participation in all programs, services and activities. Requests for accommodations by persons with disabilities may be made by contacting the Resource Center for Persons with Disabilities at 517-884-RCPD or on the web at [rcpd.msu.edu](http://rcpd.msu.edu). Once your eligibility for an accommodation has been determined, you will be issued a Verified Individual Services Accommodation ("VISA") form. Please present this form to me at the start of the term and/or two weeks prior to the accommodation date (test, project, etc.). Requests received after this date may not be honored.
4. **Commercialized Lecture Notes:** Commercialization of lecture notes and university-provided course materials is not permitted in this course.

5. **Disruptive Behavior:** Article 2.III.B.4 of the [Student Rights and Responsibilities \(SRR\)](#) for students at Michigan State University states: "The student's behavior in the classroom shall be conducive to the teaching and learning process for all concerned." Article 2.III.B.10 of the [SRR](#) states that "The student and the faculty share the responsibility for maintaining professional relationships based on mutual trust and civility." [General Student Regulation 5.02](#) states: "No student shall . . . interfere with the functions and services of the University (for example, but not limited to, classes . . .) such that the function or service is obstructed or disrupted. Students whose conduct adversely affects the learning environment in this classroom may be subject to disciplinary action through the Student Judicial Affairs office.
6. **Attendance:** Students whose names do not appear on the official class list for this course may not attend this class. Students who fail to attend the first four class sessions or class by the fifth day of the semester, whichever occurs first, may be dropped from the course.

## PHL 344: Ethical Issues in Health Care – Reading List

**NOTE:** Most of the readings below need to be accessed through the MSU library system. Depending on how and where you are trying to gain access, you may need to sign into the library's EZproxy system. [Instructions can be found here](#). Contact information for the help desk is also available at that link, in case you have problems signing in.

### Week 1: Course Introduction

August 30: Course Introduction – no assigned readings

### Week 2: Approaches to Bioethics I

#### **September 4: Labor Day (no classes)**

September 6: Principlism – “top-down” bioethics

Beauchamp, TL (2007) [The ‘four principles’ approach to health care ethics](#). In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 3-10.

Childress, JF (2009) [A principle-based approach](#) In Helga Kuhse and Peter Singer (eds.) *A Companion to Bioethics* Second edition. Malden, MA: Wiley. pp. 65-76.

### Week 3: Approaches to Bioethics II

September 11: Cases, casuistry, and narrative – “bottom-up” bioethics

Arras, JD (2009) [A case approach](#) In Helga Kuhse and Peter Singer (eds.) *A Companion to Bioethics* Second edition. Malden, MA: Wiley. pp. 65-76. pp. 117-125.

Jonsen AR (2007) [Casuistical reasoning in medicine](#) In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 51-56.

Brody, H. (2007) [Narrative ethics](#). In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 151-157.

September 13: Feminist bioethics

Little, MO. (1996) [Why a feminist approach to bioethics?](#) *Kennedy Institute of Ethics Journal* 6(1): 1-18.

Sherwin, S (2008) [Whither bioethics? How feminism can help reorient bioethics.](#) *International Journal of Feminist Approaches to Bioethics* 1(1): 7-27.

#### Week 4: Physicians and Patients

September 18: The physician-patient relationship

Emanuel, EJ and Emanuel L (1992) [Four models of the physician-patient relationship.](#) *JAMA* 267(16): 2221 – 2226.

Childress, JF (2007) [Paternalism in health care and health policy.](#) In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 223-229.

September 20: Informed consent

Freedman B (1975) [A moral theory of informed consent.](#) *The Hastings Center Report* 5(4): 32-29.

Kukla R (2007) [How do patients know?](#) *The Hastings Center Report* 37(5): 27-35.

#### Week 5: Competence

September 25: Competence

Brock, DW and SA Wartman (1990) [When competent patients make irrational choices.](#) *New England Journal of Medicine* 322 (22):1595-1599.

Charland, LC (2001) [Mental competence and value: The problem of normativity in the assessment of decision-making capacity.](#) *Psychiatry, Psychology and Law* 8(2): 135-145.

September 27: When patients aren't competent

Elliott, C (2009) [Patients doubtfully capable or incapable of consent.](#) In Helga Kuhse and Peter Singer (eds.) *A Companion to Bioethics* Second edition. Malden, MA: Wiley. pp. 541-550.

Archard, DW (2007) [Childrens' consent to medical treatment.](#) In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 311-317.



Week 6: Test 1 and Reproductive ethics, part 1

October 2:

**Test 1 – covers all class material up to September 27**

October 4: Personhood and moral status

Newson, AJ. (2007) [Personhood and moral status](#). In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 277-283.

Singer, P (1984) [The moral status of the embryo](#). From *Making Babies*, by Peter Singer and Deane Wells.

Week 7: Reproductive ethics, part 2

October 9 : Abortion

Tooley, M (1972) [Abortion and infanticide](#). *Philosophy and Public Affairs*. 2(1): 37 – 65.

**NOTE: We will only be reading the following parts of this paper:** (1) the first paragraph; (2) Section 2, the first paragraph (on p. 40); (3) Section 3, up to the end of the first paragraph on p. 47 (which ends with "...it is itself such an entity"); and (4) Section 4, up to the end of the first paragraph on p. 53 (which ends with "...either of viability or of birth as cutoff points").

Sherwin, S. (1991) [Abortion through a feminist ethics lens](#). *Dialogue* 30(3): 327-342.

October 11: Prenatal testing

Asch, A (1999) [Prenatal diagnosis and selective abortion: A challenge to practice and policy](#). *American Journal of Public Health* 89(11): 1649 – 1657. **We'll only be reading to the end of the section "Implications for family life".**

Ballantyne, A, Newson, A, Luna, F, Ashcroft, A. (2009) [Prenatal diagnosis and abortion for congenital abnormalities: Is it ethical to provide one without the other?](#) *American Journal of Bioethics* 9(8): 48 – 56.

Week 8: Genetics

October 16: Genetic selection

Steinbock, B. (2002) [Preimplantation genetic diagnosis and embryo selection](#). In Justine Burley and John Harris (Eds.) *A Companion to Genethics*. Malden MA: Blackwell. pp. 175-190.

October 18: Genetic engineering

Mariscal, C and Petropanagos A. (2016) [CRISPR as a driving force: The Model T of biotechnology](#). *Monash Bioethics Review* 1:1 - 16.

Savulescu, J. [Genetic interventions and the ethics of enhancement of human beings](#). Originally published in the Oxford Handbook of Bioethics.

### Week 9: End-of-life decision-making

October 23: Euthanasia

Brock, D. (1992) [Voluntary active euthanasia](#). *Hastings Center Report* 22(2): 10 – 22.

October 25: Alternatives to euthanasia(?)

Boyle, J (2004) [Medical ethics and double effect: the case of terminal sedation](#). *Theoretical Medicine and Bioethics* 25(1): 51-60.

Huddle, TS and Bailey, FA. (2012) [Pacemaker deactivation: withdrawal of life support or active ending of life](#). *Journal of Medicine and Philosophy* 33(6): 421-433.

### Week 10: Neuroethics

October 30: Brain death and organ donation

Truog, RD. (1997) [Is it time to abandon brain death?](#) *The Hastings Center Report* 27(1): 29-37.

November 1: Neuroenhancement

DeGrazia, D. (2000) [Prozac, enhancement, and self-creation](#). *The Hastings Center Report* 30(2): 34 – 40.

Schwartz, C. (2016) [Generation Adderall](#). The New York Times Magazine, October 12

### Week 11: Test 2 and Research ethics, part 1

November 6:

***Test 2 – covers all class material from October 4 – November 1***

November 8: Overview of research ethics

Luna, F, and Macklin, R (2009) [Research involving human beings](#). In Helga Kuhse and Peter Singer (eds.) *A Companion to Bioethics* Second edition. Malden, MA: Wiley. pp. 455-468.

Emanuel, EJ, Wendler, D, Grady, C (2000) [What makes clinical research ethical?](#) *JAMA* 283(20): 2701-2711.

*Week 12: Research ethics, part 2 - cases*

November 13: “Big Pharma”

Angell, M (2005) [The truth about the drug companies](#). *New York Review of Books*. July 15

Elliott, C (2010) [The deadly corruption of clinical trials](#). *Mother Jones* September/October

November 15: *No readings*

*Week 13: Research ethics, part 3 - clinical trials*

November 20: Placebo-controlled trials

Weijer, C. (1999) [Placebo-controlled trials in schizophrenia: Are the ethical? Are they necessary?](#) *Schizophrenia Research* 35(3): 211-218.

Miller, FG, and Brody, H (2003) [A critique of clinical equipoise: Therapeutic misconception in the ethics of clinical trials](#). *The Hastings Center Report* 33(3): 19-28.

November 22: Too much protection?

Groopman, J. (2005) [The pediatric gap: Why have most medications never been properly tested on kids?](#) *New Yorker*. January 10.

Lyerly, AD, Little, MO, Faden R. (2008) [The second wave: Toward responsible inclusion of pregnant women in clinical research](#). *The International Journal of Feminist Approaches to Bioethics* 1(2): 5-22

*Week 14: Resource allocation, part 1*

November 27: Microallocation

Rescher, N. (1969) [The allocation of exotic life-saving therapies.](#) *Ethics* 79(3): 173-186.

Annas, G (1985) [The prostitute, the playboy, and the poet: Rationing schemes for organ transplantation.](#) *American Journal of Public Health* 75(2): 187–189.

November 29: Macroallocation

Daniels, N. (2002) [Justice, health, and health care.](#) In Rhodes, R, Battin, MP, Silvers, A. *Medicine and Social Justice.* Oxford: Oxford University Press. pp. 6-23.

Narveson, J. (2011) [The medical minimum: Zero.](#) *Journal of Medicine and Philosophy* 36(6): 558-571.

Week 15: Resource allocation, part 2

December 4: Health risks and health care

Veatch, RM. (1980) [Voluntary risks to health care: The ethical issues.](#) *JAMA* 243:50-55

Rogers, W. (2009) [Health inequities and the social determinants of health.](#) In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 585-591.

December 6: Global health ethics

Lowry, C and Schüklenk, O (2009) [Global health responsibilities.](#) In Helga Kuhse and Peter Singer (eds.) *A Companion to Bioethics* Second edition. Malden, MA: Wiley. pp. 391-403.

Benetar, SR. (2007) [Justice and priority setting in international health care research.](#) In Richard E. Ashcroft, Angus Dawson, Heather Draper, and John R. McMillan (eds.) *Principles of Health Care Ethics* Second Edition. Chichester, West Sussex: Wiley and Sons. pp. 735-741.

**Exam: Tuesday, December 12, 12:45 – 2:45**