

Medical Ethics

Remco Heesen

1 Course Description

Under what circumstances should a doctor make decisions for her patient? Should the government pay for health care, and if so, how much health care should be provided? What is the moral status of abortion and euthanasia?

This course provides an introduction to these core ethical issues in medicine. We will cover the moral responsibilities of health care providers to patients and various third parties, the status of health as a social good, questions of justice in access to health care, and questions of individual liberty and social responsibility at the ends of life including issues such as abortion, physician-assisted suicide, and the definition of death.

While many of these issues are controversial, the course aims to provide a framework for assessing claims about them in a level-headed, analytic way. Our focus will be on identifying the various arguments and discussing their merits.

2 Course Objectives

At the end of this course, students should have

- the ability to state the main positions in the core debates in medical ethics;
- the ability to read papers about medical ethics and extract the main argument(s) from them;
- the ability to discuss the merits and weaknesses of some of the arguments regardless of whether they agree or disagree with their conclusion;
- the ability to show evidence of the above-mentioned skills in writing.

3 Reading List

Readings are primarily drawn from Bonnie Steinbock, Alex John London, and John Arras, *Ethical Issues in Modern Medicine: Contemporary Readings in Bioethics*, 8th edition (New York: McGraw-Hill, 2012), ISBN 0073535869. Page ranges refer to this book.

Welfare and Utility in the Doctor-Patient Relationship

- Class 1. The Nuremberg Code, pp. 711–712. Arras, “The Jewish Chronic Disease Hospital Case”, pp. 712–721.
- Class 2. Arras, Steinbock, and London, “Moral Reasoning in the Medical Context”, pp. 1–14. Hippocratic Oath, pp. 59–60. Jones, “The Tuskegee Syphilis Experiment”, pp. 721–733.

Autonomy, Rights, and Informed Consent

- Class 3. Arras, Steinbock, and London, “Moral Reasoning in the Medical Context”, pp. 14–20, 23–26. Goldman, “Refutation of Medical Paternalism”, pp. 60–68.
- Class 4. Emanuel and Emanuel, “Four Models of the Physician-Patient Relationship”, pp. 76–84.
- Class 5. “Beneficence Today, or Autonomy (Maybe) Tomorrow?”, pp. 68–71. Ackerman, “Why Doctors Should Intervene”, pp. 71–75. Arras, “Antihypertensives and the Risk of Temporary Impotence”, pp. 85–86.

Conflicting Roles and Responsibilities

- Class 6. Arras, Steinbock, and London, “Moral Reasoning in the Medical Context”, pp. 31–35. Tarasoff v. Regents of the University of California, pp. 101–106. Ross, “Disclosing Misattributed Paternity”, pp. 110–118.
- Class 7. Arras, Steinbock, and London, “Moral Reasoning in the Medical Context”, pp. 29–31. Cantor and Baum, “The Limits of Conscientious Objection—May Pharmacists Refuse to Fill Prescriptions for Emergency Contraception?”, pp. 121–126.
- Class 8. Gawande, “Why Physicians Participate in Executions”, pp. 126–133. Baum, “‘To Comfort Always’: Physician Participation in Executions”, pp. 134–142.

Justice and Health Care

- Class 9. Amsden, “The Young Invincibles”, pp. 167–173. “An Ethical Framework for Securing Access to Health Care”, pp. 174–182.
- Class 10. Daniels, “Equal Opportunity and Health Care” pp. 182–185. Allen, “Growth Hormone Therapy for the Disability of Short Stature”, pp. 185–188. Daniels, “The Genome Project, Individual Differences, and Just Health Care”, pp. 188–192.
- Class 11. Kawachi, “Why the United States is Not Number One in Health”, pp. 222–229. Sreenivasan, “Opportunity is Not the Key”, pp. 230–231.
- Class 12. Sade, “Foundational Ethics of the Health Care System”, pp. 193–208. Menzel, “The Realistic Moral Right to a Basic Minimum of Accessible Health Care”, pp. 210–221.
- Class 13. Dworkin, “Justice and the High Cost of Health”, pp. 240–247. Capellen and Norheim, “Responsibility in Health Care: A Liberal Egalitarian Approach”, pp. 247–253.

The Definition of Death and the Persistent Vegetative State

- Class 14. Bernat, “The Whole-Brain Concept of Death Remains Optimum Public Policy”, pp. 517–524. Pellegrino, “Personal Statement”, pp. 525–529.
- Class 15. McMahan, “An Alternative to Brain Death”, pp. 530–534. Smith, “Human Non-Person”, pp. 535–536. Brody, “How Much of the Brain Must be Dead?”, pp. 536–542.

Decisional Capacity and the Right to Refuse Treatment

- Class 16. Buchanan and Brock, “Deciding for Others: Competency”, pp. 332–343.
- Class 17. Dax’s case, pp. 343–354. Spike, “Controlled NHBD Protocol for a Fully Conscious Person”.

Choosing For Others

- Class 18. Wolfson, “Erring on the Side of Theresa Schiavo”, pp. 369–372. “In the Matter of Clair C. Conroy”, pp. 373–382.

- Class 19. Arras, “The Severely Demented Minimally Functional Patient”, pp. 383–390. US Bishops’ Pro Life Committee, “Nutrition and Hydration: Moral and Pastoral Reflections”, pp. 391–397.
- Class 20. Dresser and Robertson, “Quality of Life and Non-Treatment Decisions for Incompetent Patients”, pp. 398–408. Rhoden, “The Limits of Legal Objectivity”, pp. 409–416.
- Class 21. Ouellette, “Termination of Life Support”, pp. 417–420. Robertson, “Extreme Prematurity and Parental Rights”, pp. 421–428. Paris et al., “Parental Refusal of Medical Treatment”, pp. 429–436.

Euthanasia and Physician-Assisted Suicide

- Class 22. Quill, “Death and Dignity”, pp. 437–440. Brock, “Voluntary Active Euthanasia”, pp. 441–454.
- Class 23. Arras, “Physician-Assisted Suicide: A Tragic View”, pp. 455–461.

The Morality of Abortion

- Class 24. Pope John Paul II, “The Unspeakable Crime of Abortion”, pp. 543–544. Warren, “On the Moral and Legal Status of Abortion”, pp. 545–555.
- Class 25. Marquis, “Why Abortion is Immoral”, pp. 556–563.
- Class 26. Thomson, “A Defense of Abortion”, pp. 564–574.

Procreative Decisions and Disability

- Class 27. Haack, “Melissa Rowland”, pp. 595–596. Minkoff and Paltrow, “Melissa Rowland and the Rights of Pregnant Women”, pp. 596–599. Haack, “The Rights and Responsibilities of Pregnant Women”, pp. 599–601. Buchanan et al., “Reproductive Freedom”, pp. 602–608.
- Class 28. Asch, “Prenatal Diagnosis and Selective Abortion”, pp. 609–619. Steinbock, “Disability, Prenatal Testing, and Selective Abortion”, pp. 619–627.