PHIL 335 - Medical Ethics
4 Credits, CRN 26076
(Discussion CRNs 27905 & 27906)
Winter 2014, University of Oregon

Professor: John Holmes   Graduate Teaching Fellow: Christy Reynolds

Lecture Time and Location: Tuesday and Thursday mornings, 10:00 – 11:20, GSH 117
Discussion Section Times and Location: Thursdays, Noon and 1:00 PM, 101 PETR

Offices:
Prof. Holmes: 250 Susan Campbell Hall   Ms. Reynolds: 161 Susan Campbell Hall

Office Hours:
Prof. Holmes: Tuesdays and Thursdays one hour after class, or by appt.
Ms. Reynolds: Wednesdays from 10:00 – Noon.

E-mail Addresses:
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Course Description: In a biomedical society like ours, the value of life and our relation to it becomes one of the most relevant factors for understanding who we are as human beings. The goal of this course is to provide the essential elements for students to assess future difficult life situations in a critical manner.

Course Objectives:
• Cultivate student understanding of various ethical problems in contemporary medicine.
• Train students to approach complex moral issues with analytical precision, moral concern, and reflective judgment.
• Have students demonstrate an ability to critically analyze and evaluate contemporary ethical problems in medical ethics.

Course Group Satisfying: Successful completion of this course can be applied to the Group Requirement for Arts & Letters bachelor candidates.

Format of Course
This is an in-class course with two lecture sessions per week and one discussion section per week. Students are expected to complete all reading assignments, attend all the lecture sessions and discussion sections throughout the term, and complete all the writing assignments and exams. Students are expected to have the weekly readings completed by the time of their weekly discussion section. Students should login to Blackboard early each week and review any newly posted materials as soon as possible. Students will be asked to complete two short writing assignments, take two multiple choice style exams, and complete a final writing assignment.
Tentative Schedule

Week 1: *Intro to Bioethics and Ethical Theory* (Jan 7-9)

**Central Questions:** What is ethics? What is bioethics?

**Readings:**
- Chapter One in *Bioethics* (pp. 3-32)

**Discussion Section:** Identify a defensible set of considered moral judgments and important aspects of moral life.

Week 2: *Foundations of Ethical Theory* (Jan 14-16)

**Central Questions:** Which ethical theories are the most promising? Which theories ought to be avoided?

**Readings:**
- Chapter Two in *Bioethics* (pp. 33-68)

**Discussion Section:** Practice using ethical theories and principles in specific situations.

**Week 2 Writing Assignment Topics** (due at Discussion Section):
- What does Mill mean by “Better to be Socrates dissatisfied than a pig satisfied?” Is he right?
- Could a utilitarian consistently accommodate virtues into her moral theory? How?
- How does Held’s view of ethics differ from Kant’s? Can they be reconciled?

Week 3: *Paternalism and Autonomy* (Jan 21-23)

**Central Questions:** Should a provider ever treat a patient against his or her will? Are providers obligated to always follow patient wishes? May a provider ever have good reason to breach patient confidentiality?

**Readings:**
- Intro to Chapter Three in *Bioethics* (pp. 71-83)
- “Why Doctors Should Intervene” by Ackerman in *Bioethics* (pp. 99-103)
- “Bouvia v. Superior Court” in *Bioethics* (pp. 109-113)
- “Ethical Relativism in a Multicultural Society” in *Bioethics* (pp. 164-174)
- “Tarasoff v. Regents of the Univ of Cal” in *Bioethics* (pp. 175-179)
- “Four Models of the Physician-Patient Relationship” posted on Blackboard.

**Discussion Section:** Review the Bouvia and Tarasoff cases.

**Week 3 Writing Assignment Topics** (due at Discussion Section):
- According to Ackerman, under what circumstances is it appropriate for a physician to ignore a patient’s choices? Is he right?
- Does Macklin advocate intolerance of other cultures? Explain.
- Give an overview of the four models proposed by Emanuel and Emanuel. Do you agree with their conclusion about which model is best? Explain.
Week 4: Informed Consent (Jan 28-30)
(Students need to have the first short writing assignment completed by the time of discussion section this week in order to receive credit for it)

Central Questions: What is informed consent and when should it be obtained?
Readings:
• Intro to Chapter Five in Bioethics (pp. 180-190)
• “The Concept of Informed Consent” by Faden and Beauchamp in Bioethics (pp. 190-194)
• “Transparency” by Brody in Bioethics (pp. 205-210)
• “Informed Consent” by Levine in Bioethics (pp. 211-216)
• “Canterbury v. Spence” in Bioethics (pp. 217-220)
Discussion Section: Review the Canterbury case.
Week 4 Writing Assignment Topics (due at Discussion Section):
• According to Faden and Beauchamp, what is the problem with equating informed consent with shared decision-making? Are they right?
• What reasons does Brody give for preferring the “transparency standard” over other standards of informed consent? Is his standard better than others?
• According to Levine, how do varying notions of person make applying the rules of informed consent problematic? What is his solution? Is his solution right?

Week 5: Human Research (Feb 4-6)
(MIDTERM EXAM WEEK)

Central Questions: How ought providers navigate competing obligations in light of human research?
Readings:
• Intro to Chapter Six in Bioethics (pp. 221-241)
• “The Nuremberg Code” in Bioethics (pp. 241-242)
• “Declaration of Helsinki” in Bioethics (pp. 242-245)
• “The Belmont Report” in Bioethics (pp. 245-248)
• “Of Mice but Not Men” by Hellman and Hellman in Bioethics (pp. 254-259)
• “A Response to a Purported Ethical Difficulty…” by Freedman in Bioethics (pp. 259-263)
• “How to Resolve an Ethical Dilemma…” by Marquis in Bioethics (pp. 263-266)
Discussion Section: Midterm Exam

MIDTERM EXAM in discussion sections on Thursday, Feb 6
Week 6: Abortion (Feb 11-13)

Central Questions: What do famous violinists and space explorers have to do with abortion?

Readings:
- Intro to Chapter Seven in Bioethics (pp. 291-306)
- “A Defense of Abortion” by Thomson in Bioethics (pp. 307-317)
- “Why Abortion is Immoral” by Marquis in Bioethics (pp. 317-328)
- “On the Moral and Legal Status of Abortion” by Warren in Bioethics (pp. 333-343)
- “Abortion Through a Feminist Lens” by Sherwin in Bioethics (pp. 371-379)
- “Roe v. Wade” in Bioethics (pp. 380-385)

Discussion Section: Review the various positions on abortion

Week 6 Writing Assignment Topics (due at Discussion Section):
- What is Thomson's famous violinist analogy and what point does she try to make with it? Is her analogy a good one?
- What is Marquis's argument against abortion? Is his argument sound?
- Why does Warren say that genetic humanity is not sufficient for moral humanity? Is she right?

Week 7: Reproductive Technology (Feb 18-20)

Central Questions: Are there morally permissible limits on the right to conceive? Are there some situations when conceiving a child would be unethical?

Readings:
- Intro to Chapter Eight in Bioethics (pp. 392-410)
- “IVF: The Simple Case” by Singer in Bioethics (pp. 410-414)
- “Give Me Children or I Shall Die!” by Cohen in Bioethics (pp. 427-438)
- “Surrogate Mothering” by Purdy in Bioethics (pp. 454-463)
- “Cloning Human Beings” by Brock in Bioethics (pp. 499-509)
- “Opinion in the Matter of Baby M” in Bioethics (pp. 510-517)

Discussion Section: Discuss whether there are morally acceptable limits to the right to conceive a child

Week 7 Writing Assignment Topics (due at Discussion Section):
- Which of Singer's responses to objections to IVF is the strongest? Which of his responses is the weakest? Explain.
- Discuss the distinction Cohen makes between nonexistence before coming into being and nonexistence after having lived. How does this distinction serve her argument? Do you agree with her argument?
- What is Purdy's stance on surrogacy? Is she right?
- What is the strongest argument against human cloning? What is the weakest argument against human cloning? Explain.
Week 8: Genetic Choices (Feb 25-27)

Central Questions: Is genetic manipulation for the purpose of selecting child ethically permissible? Might some forms of genetic enhancement ever be considered morally obligatory?

Readings:
- Intro to Chapter Nine in Bioethics (pp. 518-538)
- “Genetics and Reproductive Risk” by Purdy in Bioethics (pp. 542-548)
- “The Morality of Screening for Disability” by McMahan in Bioethics (pp. 549-552)
- “Genetic Dilemmas and the Child’s Right to an Open Future” by Davis in Bioethics (pp. 553-562)
- “The Non-Identity Problem” by Brock in Bioethics (pp. 567-571)
- “Genetic Enhancement” by Glannon in Bioethics (pp. 577-581)
- “What Does ‘Respect for Embryos’ Mean?” in Bioethics (pp. 589-592)
- “Pontifical Declaration on Embryonic Stem Cells” in Bioethics (pp. 592-593)

Discussion Section: Review ethical implications of the Baby M case

Week 8 Writing Assignment Topics (due at Discussion Section):
- What is Purdy’s argument against having children when there is high genetic risk? Is she right?
- How does McMahon respond to the standard objections against genetic screening? Is his response sound?
- Is Davis’s approach to the deaf-child dilemma consequentialist or deontological? Explain.
- Explain Brock’s claim that failure to prevent a serious disability cannot wrong the child but is nevertheless wrong. Is he right?
- According to Glannon, how could enhancement undermine our autonomy and moral agency? Is he right?

Week 9: Euthanasia and Physician Assisted Suicide (Mar 4-6)

(Students need to have the second short writing assignment completed by the time of discussion section this week in order to receive credit for it)

Central Questions: Is there a right to die? Is there a moral difference between killing and letting die?

Readings:
- Read Intro to Chapter 10 in Bioethics (pp. 594-609)
- “Death and Dignity” by Quill in Bioethics (pp. 610-613)
- “When Self-Determinism Runs Amok” by Callahan in Bioethics (pp. 625-630)
- “Active and Passive Euthanasia” by Rachels in Bioethics (pp. 649-652)
- Read “It’s Over, Debbie” posted on Blackboard.
- Read “Moral Fictions and Medical Ethics” posted on Blackboard.

Discussion Section: Review differences between types of euthanasia and PAS

Week 9 Writing Assignment Topics (due at Discussion Section):
• Review the cases of Debbie and Diane. Were the physician’s actions in these cases ethically justifiable? Explain.
• Why does Callahan think there is an important moral difference between killing and letting die? Is he right?
• What is Rachels’ Smith–Jones thought experiment and how does he use this experiment to make his case?
• Review the cases of John and Sam. Discuss the moral fictions that Truog et al. believe create moral confusion in these cases. Should the cases of John and Sam be decided differently from a moral standpoint? Explain.

Week 10: Health Care Justice (Mar 11-13)

Central Questions: Is there a right to health care? How should scarce medical resources be distributed?

Readings:
• Read Intro to Chapter Eleven in Bioethics (pp. 681-695)
• “Is There a Right to Health Care…” by Daniels in Bioethics (pp. 696-702)
• “Rights to Health Care…” by Engelhardt in Bioethics (pp. 708-716)
• “Allocation of Exotic Medical Lifesaving Therapy” by Rescher in Bioethics (pp. 729-738)
• “QALYfying the Value of Life” by Harris in Bioethics (pp. 738-746)

Discussion Section: Discuss libertarianism and egalitarianism as they relate to health care justice

Week 11: FINALS WEEK

Final Exam - Monday, 8:00 AM – 9:30 AM, March 17, 2014, 117 GSH.
Final Writing Assignment due by Thursday, March 20, Noon in the Philosophy Department office (211 Susan Campbell Hall)

Grading

Final grades will be determined by the number of points received throughout the semester. The number of points a student receives will be determined by his or her performance on two exams, two short writing assignments, and a final writing assignment. The total number of points possible throughout the term is 250. The midterm exam is worth 50 points, the final exam is worth 75 points, each short writing assignment is worth 25 points, and the final writing assignment is worth 75 points. The grading scale for determination of final grades is as follows:

A = 225 - 250
B = 200 - 224
C = 175 - 199
D = 150 - 174
F = 0 - 149

Student attendance and participation in the course will play a role in determining + and – grades. The grading scale leaves little room for major errors. Students are advised to complete
every assignment and attend every in-class meeting. Those who need help understanding readings, lectures, or class discussions are encouraged to attend office hours or send questions to Prof. Holmes or Ms. Reynolds via email. Separate extra credit assignments will not be offered.

**Exams**

Students are expected to take a midterm and final exam. Each exam will test student knowledge with regard to course material presented in the weeks immediately previous to the exam. Students should note that knowledge of the foundations of ethical theory, biomedical principles, and ethical decision-making from weeks one and two will be required throughout the entire class. The exams are aimed at determining how well students have understood the tools and key concepts introduced through the readings and lecture. The exams will consist of multiple choice and true/false questions. Students who miss an exam may not be allowed the opportunity to retake the exam. Students should make arrangements ahead of time with Ms. Reynolds to take an exam at an alternative time if they know in advance they will not be able to attend the class meeting when the midterm or final will be offered.

**Short Writing Assignments**

Students are expected to write **two** 500-700 word writing assignments during the term; one during the first half and one during the second half. The first short writing assignment is due prior to Week 5 and the second is due prior to Week 10. Writing assignment topics are provided on the syllabus for Weeks 2, 3, 4 and Weeks 6, 7, 8, 9. Students may choose to write on any of the provided topics and are expected to hand in their writing assignments in discussion section of the weeks indicated. Students should use a standard font and double-space their writing assignment. Each writing assignment must; (1) **indicate the assigned topic at the beginning of the writing** and (2) **adequately answer the assigned topic using supporting concepts and ideas from the readings and lectures**. Late assignments may not receive full credit. Incomplete writings may be returned to the student without a grade.

**Final Writing Assignment**

A final writing assignment is due during finals week. The final paper should be around 1500 words long and expand on one or more of the weekly writing assignment topics. Students are expected to make an appointment with Prof. Holmes or Ms. Reynolds for assistance in choosing a final writing assignment topic. More details about the final writing assignment will be given throughout the term.

**Accommodations**

Accommodations may be available if you need them in order to fully participate in this class. Specific accommodations should be approved through the Accessible Education Center, located at 164 Oregon Hall, (541) 346-1155.

**Academic Misconduct**

Academic integrity is the cornerstone of any university and will be strongly enforced in this course. Any student who commits academic misconduct (e.g. cheating or plagiarism) will be given an “F” for the assignment in question. Students are expected to complete all exams.
individually without help from others, and to complete their own writing assignments. For additional information about academic misconduct students should refer to the Student Conduct Code published by the Office of the Dean of Students.

**Student Responsibility Regarding Dates and Deadlines**

Students are responsible for keeping track of course meeting times, due dates and deadlines. Late assignments will generally not be accepted. In the event that unforeseen circumstances arise and prevent the timely completion of course duties, students are expected to communicate openly with Prof. Holmes or Ms. Reynolds about the circumstances to determine whether other arrangements can be made.

**Notes**