

FEB 07 2001

PHILOSOPHY AND HEALTH CARE
Philosophy 3860

Instructor: Tom Enders, PhD
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Office hours: Wed. 11:30-12:30
Thurs. 2-3
or by appointment

Prerequisite: None. No prior knowledge of medicine or ethics is required.
This course is not open to students with credit in Phil 264.

Course Description:

This course provides a philosophical examination of concepts and issues central to the knowledge and practice of health care. Topics may include: private vs. public health care systems, allocation of health care resources, rights and responsibilities of health care personnel and patients, passive and active euthanasia, abortion, reproductive technology, research and experimentation, disclosure of diagnosis and risks, death and suffering, and genetic engineering.

Objectives:

The objective of this course is to introduce you, the student, to basic philosophical concepts, theories and approaches to help in understanding and thinking critically about controversial issues in health care. These issues are issues of institutional and public policy, issues of professional ethics and issues in bioethics. The issues raise questions about who has the right to decide, and the criteria which decision-makers may wish to use in making ethical decisions.

Classroom sessions will be used for presentation of key concepts and arguments, and for discussions of challenging and illustrative cases with the identification and application of moral or ethical values and general principles.

Required texts:

John Thomas & Wilfrid Waluchow, well and good. Peterborough, Ontario: Broadview Press, 1998.
Elisabeth Boetzkes and Wilfrid Waluchow, editors. Readings in Health Care Ethics. Peterborough, Ontario: Broadview Press, 2000.

Course Requirements:

First exam, 5 March 40%
Report/presentation and essay20/10%
Final exam 30%

The report or presentation will require you to introduce a case study to the class in order to initiate discussion. You should note the nature of the ethical decision or dilemma, the relevant facts, philosophical arguments and theories that may be applied to the case, different positions, and your solution.

Proposed Topic Schedule

- 8 Jan.: I. Introduction. General questions about health, the medical profession and patients or clients.
- 15 Jan.: II. Public vs. private health care systems. Value choices. Deciding what to include.
- 22 Jan.: III. Allocation of scarce medical resources.
- 29 Jan.: IV. Ethical Theories or Approaches
... A concise introduction to basics.
- 5 Feb.: V. Professional Ethics: Autonomy vs. paternalism. Doctor/nurse-patient relationships...
- 12 Feb/5 Mar.: VI. Consent.
- 12 Mar.: VII. Disabled Newborns, Death, and Organ Transplantation
- 19 Mar.: VIII. Reproductive Issues: A. Issues Related to Abortion. Pre-natal screening. Sex selection. Behaviour of pregnant women.
- 26 Mar./
2 Apr.: VIII. B. The Right to Have Children. New Reproductive Technologies. IVF, AID, Surrogacy.
- 9 Apr.: IX. Genetic Engineering.

Readings

- I. Introduction. General questions about health, the medical profession and patients or clients.
- II. Public vs. private health care systems. Value choices. Deciding what to include.
- #42. Benjamin Freedman & Francoise Baylis, "Purpose and Function in Gov't. Funded Health Coverage," pp. 487-97.
- #45. Michael Stingl, "Equality and Efficiency as Basic Social Values," pp. 511-20.
- TBA
- III. Allocation of scarce medical resources. Micro- and macro-allocation.
- Case 9.1 "Dialysis Machine Shortages," pp. 215-21
- Case 7.2 "Did Family Instability Warrant Non-Treatment of Baby Jesse," pp. 163-7.
- Case 7.3 "A Jarvik-7 Heart," pp. 168-73.
- Case 12.9 "To Resuscitate or Not to Resuscitate," pp. 285-6
- Case 12:14 "Queue-Jumping in the OR," p. 292
- #43. George Annas, "The Prostitute, the Playboy, and the Poet: Rationing Schemes for Organ Transplantation," pp. 498-502

recommended: Moss & Siegler, "Should Alcoholics Compete Equally for Liver Transplantation?" pp. 106-15 in E.H. Kluge, editor, Readings in Biomedical Ethics: a Canadian Focus.

IV. **Ethical Theories or Approaches.** Consequentialism, non-consequentialism, utilitarianism. Natural Law Theory. Legal vs. moral and natural rights. Kant. Feminist Theory ... A concise introduction to basics.

- Overview by the instructor
- Thomas & Waluchow, pp. 1-10a.

recommended: T&W, pp. 18-33, 42, 46-9, 51 (positive & negative rights)

V. **Professional Ethics:** Autonomy vs. paternalism. Liberty, harm principle and relativism. Doctor/nurse-patient relationships...

- #1. Ezekiel Emanuel & Linda Emanuel, "Four Models of the Physician-Patient Relationship," pp. 39-49.
- #3. Nancy Jecker & Donnie Self, "Separating Care & Cure: An Analysis of Historical & Contemporary Images of Nursing and Medicine," pp. 57-68.
- #4. Susan Sherwin, "A Relational Approach to Autonomy in Health Care," pp. 69-87.

recommended:

- #8. Norberg v. Wynrib, pp. 112-16.
- Nancy Jecker, "Is Refusal of Futile Treatment Unjustified Paternalism?" pp. 80-86 in Michael Boylan, Medical Ethics: Basic Ethics in Action.

VI. **Consent.**

- #10. Benjamin Freedman, "A Moral Theory of Consent," pp. 127-37.
- #11. James Drane, "Competency to Give an Informed Consent: A Model for Making Clinical Assessments," pp. 138-41.
- #13. Eike-Henner W. Kluge, "After 'Eve': Whither Proxy Decision-Making?" pp. 147-53.
- Case 12.2 "Stephen Dawson," pp. 269-73.
- #14. Barry Brown, "Proxy Consent for Research on the Incompetent Elderly," pp. 154-60.
- Case 5.2 "Research Involving Alzheimer Patients," pp. 129-38.
- #15. Christine Harrison et. al, "Bioethics for Clinicians: Involving Children in Medical Decisions," pp. 161-5.
- #7. John Hardwig, "What About the Family?" pp. 104-11
- Case 1.1 "When Physicians & Family Disagree," pp. 61-7.
- Case 8.6 "Religious Conflict Over a Life-Saving Blood Transfusion," pp. 209-14.
- Case 6.1 "Non-Consensual Electro-Convulsive Shock Therapy," pp. 139-47.
- Case 6.2 "Discontinuing Forced Feeding of Anorexia Nervosa Patient," pp. 148-56.

- Case 12.12 "'Please Don't Tell My Husband...'" pp. 289-90.
Case 12.4 "Should Patients Be Informed of Remote Risks?"
pp. 276-7.

VII. Disabled Newborns, Death, and Organ Transplantation

- Case 12.6 "Minors as Organ Donors," pp. 279-80.
Case 10.1 "Anencephalic Infants as Donors," pp. 231-8
#29. Mary Mahowald, "Decisions Regarding Disabled Newborns,"
pp. 330-42.
#47. John Arras & Shlomo Shinnar, "Anencephalic Newborns as
Organ Donors: A Critique," pp. 527-9
#48. Rupert Jarvis, "Join the Club: A Modest Proposal to
Increase Availability of Donor Organs," pp. 530-6
#49. Raanan Gillon, "On Giving Preference to Prior Volunteers
When Allocating Organs for Transplantation," pp. 537-9
#51. Arthur Caplan, "Requests, Gifts, & Obligations: The Ethics
of Organ Procurement," pp. 552-8

recommended:

- #52. Robert Truog, "Is It Time to Abandon Brain Death?" pp. 559-70

19 Mar.: VIII. Reproductive Issues: A. Issues Related to Abortion. Pre-natal screening. Sex selection. Behaviour of pregnant women.

- #26. Thomas Murray, "Moral Obligations to the Not-Yet-Born:
The Fetus as Patient," pp. 294-303
Case 2.3 "Protecting an 'Unborn Child': The Case of Ms. G,"
pp. 87-91.
Case 10.2 "Petal Tissue Transplantation," pp. 239-46.
#50. Mary Mahowald, "As If There Were Fetuses Without Women: A
Remedial Essay," pp. 540-51.
Case 3.1 "Should Fetuses with 'Milder' Defects be Aborted?"
pp. 93-99.
#27. Abby Lippman, "Prenatal Diagnosis: Reproductive Choice?
Reproductive Control?" pp. 307-12.
Case 12.7 "Failed Contraception, Genetic Defect, & Parental
Conflict," pp. 281-2.
Case 12.8 "Sex Selection for Non-Medical Reasons," pp. 283-4.
#30. Helen B. Holmes, "Choosing Children's Sex: Challenges to
Feminist Ethics," pp. 343-60.

26 Mar./

2 Apr.: VIII. B. The Right to Have Children. New Reproductive Technologies. IVF, AID, Surrogacy.

- #16. John Robertson, "Class, Feminist, & Communitarian Critiques
of Procreative Liberty," pp. 169-80.
#17. Christine Overall, "Reflections on Reproductive Rights in
Canada," pp. 181-89.

- #18. Susan Sherwin, "Feminist Ethics & In Vitro Fertilization," pp. 190-98.
- #19. Cynthia Cohen, "'Give Me Children or I Shall Die!': New Reproductive Technologies & Harm to Children," pp. 199-210
- #20. Barbara Berg, "Listening to the Voices of the Infertile," pp. 211-28.
- #21. Brenda Baker, "A Case for Permitting Altruistic Surrogacy," pp. 229-39.
- #28. Laura Purdy, "Loving Future People," pp. 313-29.
- Case 4.1 "Difficulties With Therapeutic Donor Insemination," pp. 107-14.
- Case 4.2 "The Legality & Morality of Surrogate Motherhood," pp. 115-21.

recommended:

- Nancy Jecker, "Conceiving a Child to Save a Child," in E-H Kluge, editor. Readings in Biomedical Ethics, 2nd edition, pp. 458-67.
- Canadian Medical Association, "The Right to Have Children," pp. 407-14. In Kluge.
- Thomas Hurka, "Does Surrogate Motherhood Treat Babies & Women like Commodities?" in Principles: Short Essays on Ethics, pp. 79-82.
- Hurka, "If Feminists are Pro-Choice, Why Don't They Honour Women's Choices Consistently?" pp. 83-6.

IX. Genetic Engineering.

- #53. Lee Silver, "Cloning, Ethics, & Religion," pp. 573-6
- #54. Ronald Munson & Lawrence Davis, "Germ-Line Therapy & the Medical Imperative," pp. 577-87.
- #56. National Reproductive Technologies Commission, "A Germ-Line Genetic Alteration," pp. 596-602.

recommended:

- Hurka, "Tailoring Our Genes: The Ethics of Genetic Engineering," pp. 87-90.