

GENERAL EDUCATION: This course is part of the following Segment III clusters: Ethics for the Contemporary World, Science and Human Values, Health Care Policy. This course has a minimum 21 page writing requirement.

You will receive Segment III credit only if you complete the cluster as described in the Class Schedule/Bulletin.

FALL 2000

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## **ETHICS IN MEDICINE**

### **PHIL 383**

**PURPOSE/OBJECTIVES:** The focus of this course is on you and your moral decision making. Some people think of morality as intensely personal. Others think of it as powerfully interpersonal. We will explore both these dimensions of being moral. But whether you characterize moral decisions as subjective, intersubjective, or objective, you cannot avoid the need to engage in such decisions, especially if you become involved in our health care system.

Moral issues arise for patients, for their families, for health care professionals who treat them, for other professionals who offer support services, for employers who select health care insurance plans, for insurers who decide what coverage to offer, for researchers, and for government policy makers. In how many of these roles do you see yourself - in your past, in your life now, in your future? What values should guide you if you assume or are thrust into any of these roles? What values would you want others to adopt if their role(s) in the health care picture interact with your own?

Our conversations in this course will be held with a view

toward enriching, extending and deepening your own thoughts about such central bioethical questions as "Who should make decisions about patients, and why?", "Which lives are worth living, and why?", "What are care givers' obligations to patients?", "What are families obligations to patients?", "What are patients obligations to care givers?", "Who has the right to refuse treatment, and why?", "Is there a difference between letting a patient die and helping a patient die?", "Do patients have the right to know the medical details of their conditions?".

The objectives of the course include familiarizing you with moral theories (including theories of justice, feminist ethics of care, communitarianism, and the values of various spiritual traditions) that influence clinical decision making. The course will help you understand, articulate and apply these theories to your own conduct. It also will help you communicate with others about these matters.

**The course has triplet goals. Your active learning should develop:**

- (a) your own coherent views on the issues of medical ethics;**
- (b) your sense of who you are and how you can contribute to other people's wellbeing;**
- (c) your skills in communicating your views to other people and understanding other people's views.**

**MODE OF INSTRUCTION:** This class meets once a week. Some sessions will be lecture/ discussion. Students are encouraged to introduce cases drawn from their personal experience and from their community service placements. Discussion gives you an opportunity to ask questions and try out your theories. Discussion also permits you to try applying your theoretical learning to specific situations, ones which may be very difficult and complex.

**THE TWO OPTIONS:** Students in this class may choose one of two options to apply the theoretical material. The requirements common to both options, and the additional requirements for

each of the options, are described below:

### **COMMON COURSE REQUIREMENTS:**

**Class Attendance:** Class attendance is expected. (See the description of in-class quizzes below.)

Participation in discussion is encouraged.

**One Short Paper (Midterm):** You will be provided with the description of a medical case that requires tough decisions. The case will raise both policy and personal decision issues. The case will include questions that help you to examine it from different perspectives: patient, family, health care professional, community representative, attorney, policy maker, etc. Answer each question using ideas from the readings and class lectures/discussions. The short paper should be at least SEVEN pages. See syllabus for due date.

**In-Class Quizzes:** There will be several in-class quizzes. These usually will not be announced. They will take place following the lecture and discussion, and they will be designed to elicit your understanding of the reading assignment or the lecture. To provide for inadvertent absences, you may miss one such quiz without affecting your grade.

### **DIVERGENT REQUIREMENTS: TWO OPTIONS**

**Traditional Option:** Students who select the traditional option will write two additional short papers on case studies, each a minimum of SEVEN AND A HALF pages, for a minimum total of FIFTEEN pages. These case studies will be handed out after the middle of the term. See syllabus below for due date.

#### **Community Service Learning Option:**

A community service learning experience provides you with an opportunity to help in the community and to use the analytic and communicative skills you will be developing in this course. Students who select the community service learning option will volunteer for a minimum of three hours a week in a health care related placement. They will enroll for in AU 280 for one additional unit. (See Dr. Silvers for ADD Card or Permit Number. The schedule number for AU 280 03 is 42114.) The Community Involvement Center, which will help them find a

placement and also help with any subsequent issues that might arise regarding the placement. (Students who select this option may use their paid work site, or a clinical placement for another course, as their service learning site for this class.) If you select this option, be sure and select a placement which permits you to observe interactions between patients and health care professionals or between patients and the health care system.

Students who select the community service learning option will complete and turn in a FIFTEEN page journal. Journal entries must be made systematically throughout the semester and turned in every two weeks. These will be returned to you regularly, with comments. At the end of the semester, the complete journal must be assembled and submitted.

To find a placement for the Community Service Learning Option, you may go to the Community Involvement Center, in trailer TA in front of the GYM. CIC is open 9-5 weekdays. The phone no. is 338-1486. CIC will help you find a placement. CIC offers support for students who are pursuing experiential learning modes.

You also may find placements by logging on to the SFSU Office of Community Service Learning at <http://www.sfsu.edu/~resource/>. (Enter "student" for both user name and password to access the placement data base.) (See end of syllabus for further volunteer websites.)

Another way of finding placements is by calling the Volunteer Office at hospitals and health care facilities. Good places to start: San Francisco General Hospital (or any hospital convenient to you), Jewish Home for the Aged, On Lok, Laguna Honda (near campus and always needs volunteers), or any of the hospices listed in the yellow pages of the phone book.

Be sure that your placement permits you to observe the interactions between health care professionals and patients.

To select the CSL option, you will enroll in AU 280 for 1 additional unit. Dr. Silvers will give you the ADD CARD or permit to enroll for this option. If you select this option initially but do not pursue it, you may drop AU 280 through SEPT 27 and may withdraw through NOV 22.

Further information on this option is given at the end of this syllabus.

**GRADING:** Please don't think that there is a single "right" answer to any of the complex issues we will be considering. You'll need to struggle with each issue, asking yourself what the situation is like from the point of view of the patient, the family, the health care professional, the attorney, the policy maker.

Ethics is a part of our lives that requires us to become aware of and articulate our own deeply held values, to communicate these clearly so other people understand our beliefs and commitments, and to invite dialogue and meaningful exchange of beliefs. This is a discipline that calls for us to engage others in active and respectful dialogue. Serious ethical discussion means that you, as a participant, know the facts, reflect on and communicate your own values, offer your reasons in a clear and organized fashion to others, demonstrate understanding of positions other than your own, and be responsive, open and able to change yourself as well as others.

In the assignments you do for this class, you will be evaluated on how clearly, deeply and systematically you articulate both your own position and the points of view of other people, even (or especially) those who don't agree with you. How well are you listening to and understanding others? How well are you analyzing and presenting your own response? The thoughtfulness, thoroughness and strength of argumentation you demonstrate in your assignments are also important factors. Your knowledge of the ethical positions presented in the reading and lectures also is important.

Traditional option students will be evaluated on their in-class quizzes, the one short mid-term paper, and the two final papers they complete. Community service learning option students will be evaluated on their in-class quizzes, the one short mid-term paper, and their final complete journal. They will receive CR or NCR for the unit of AU 280 on the basis of their successful execution of their volunteer work and their field supervisor's evaluation.

All work must be submitted by the required date. Do NOT expect to receive credit for exams or papers that are turned in after the deadline.

In-class quizzes	20%
Mid-term case study	20%
Final journal (csl option) or case studies (traditional option)	60%

### **ASSIGNED READING:**

All students must buy the fifth edition of *ETHICAL ISSUES IN MODERN MEDICINE*, by John Arras and Bonnie Steinbock. It is in the bookstore.

To keep up with current medical issues and breakthroughs in biology, please buy the *New York Times* on Tuesdays (it's available in the Student Union shops and in a newsrack at the 19th Ave. entrance to the campus). Every Tuesday the *Times* has a section called "Science Times", in which ethical issues relating to science and medicine are discussed.

## **SCHEDULE**

AUG 30/SEPT 5 - WEEK I: INTRODUCTION TO COURSE

SEPT 6/12 - WEEK II: MORAL REASONING IN THE MEDICAL CONTEXT□, pp. 1-34

SEPT 13/19 - WEEK III: MORAL REASONING CONTINUED,  
pp. 34-40.

FEB 20/26 - WEEK IV: PATIENT - HEALTH CARE PROVIDER  
RELATIONS

Foundations of the Health Professional-Patient Relationship  
(Arras and Steinbock) pp. 41-50

The Hippocratic Oath p. 54

The Refutation of Medical Paternalism(Goldman)pp. 59-67

Four Models of the Physician-Patient Relationship (Emmanuel)  
pp. 67-76

SEPT 27/OCT 3 - WEEK V: INFORMED CONSENT AND  
COMPETENCE

Informed Consent - Must It Remain A Fairy Tale?(Katz) pp. 86-  
94

Transparency: Informed Consent in Primary Care(Brody) pp.  
94-100

State of Tennessee Department of Human Services vs. Mary C.  
Northern and Transcript of Proceedings: Testimony of Mary C.  
Northern pp. 170-177

A Chronicle: Dax's Case As It Happened (Burton) and  
Commentaries (White and Engelhardt) pp. 187 -194

Deciding for Others: Competency (Buchanan and Brock) pp.  
177-187

The Health Care Proxy and the Living Will (Annas) pp. 201-205

OCT 4/10 - WEEK VI DYING I: DECIDING FOR OTHERS

Testing the Limits of Precendent Autonomy: Five Scenarios  
(Cantor) pp. 205-206

In The Matter of Claire C. Conway (N.J. Supreme Court) pp.  
207-216

The Severely Demented, Minimally Functional Patient: An  
Ethical Analysis (Arras) pp. 216-224

Quality of Life and Non-Treatment Decisions for Incompetent  
Patients: A Critique of the Orthodox Approach (Dresser and  
Robertson) pp. 231-242

The Limits of Legal Objectivity (Rhoden) pp. 243-250

OCT 11 - no class

OCT 17/18 - WEEK VII: DYING II: WHEN IS DEATH/  
ASSISTED DYING

Defining Death (President's Commission) pp. 143-151

Is It Time to Abandon Brain Death? (Truog) pp. 160-169.

Is There a Duty to Die? (Hardwig) pp. 292-301

Death and Dignity: A Case of Individualized Decision Making  
(Quill) pp. 250-253

Assisted Suicide: The Philosophers' Brief, Introduction and The  
Philosophers' Brief (Dworkin) pp. 254-265

The Distinction Between Refusing Medical Treatment and  
Suicide (New York State Task Force) pp. 266-273

Physician-Assisted Suicide: A Tragic View (Arras) pp. 274-279

"Vacco v. Quill and Washington v. Glucksberg - the Supreme  
Court Decision" (Rehnquist) to be handed out

The Death With Dignity Act (Oregon's Measure 16) to be  
handed out

OCT 24, 25, 31, NOV 1 - no class, INDIVIDUAL TUTORIALS

NOV 7/8 - WEEK VIII: VULNERABLE POPULATIONS

Can Aborting "Imperfect" Children Be Immoral (Asch) pp. 384-  
388

When Is Birth Unfair To The Child? (Steinbock and  
McClamrock) pp. 388-397

Wanted: Single, White Male for Medical Research (Dresser)  
Handed Out

The Dangers of Difference: The Legacy of the Tuskegee Syphilis  
Study (King) Handed Out

The UCLA Schizophrenia Relapse Study (Katz) pp. 607-613

MID-TERM (MINIMUM OF 7 PAGES) ON ROOSEVELT DAWSON  
AND BABY CASE IS DUE ON

NOVEMBER 14 FOR SECTION 1 AND NOVEMBER 15 FOR  
SECTION 2

NOVEMBER 14/15 - WEEK IX: NEW REPRODUCTIVE

## TECHNOLOGY AND CLONING

The McCaughey Septuplets: Medical Miracle or Bambling With Fertility Drugs? (Steinbock) pp. 375-377

And Baby Makes Three-or Four, or Five, or Six: Redefining the Family After the Reprotech Revolution (Charo) pp. 470-481

Cloning Human Beings: An Assessment of the Ethical Issues Pro and Con (Brock) pp. 484-496

The Wisdom of Repugnance (Kass) pp. 496-510

## NOVEMBER 21/22 - WEEK X: GENETIC ENGINEERING

Ethical Issues in Human Genome Research (Murray) Handed Out

Somatic and Germline Gene Therapy (Elias and Annas) Handed Out

## NOVEMBER 28/29 - WEEK XI: JUSTICE AND HEALTH CARE I

The Doctor's Master (Levinsky) pp. 100-103

Fiscal Scarcity and the Inevitability of Bedside Budget Balancing (Moreim) pp. 109-115

Equal Opportunity and Health Care (Daniels) 639-641

Freedom and Moral Diversity: The Moral Failures of Health Care in the Welfare State (Engelhardt) pp. 642-651

Aging and the Ends of Medicine (Callahan) pp. 652-658

The Limits of □Setting Limits (Cassell) pp. 658-662

CLASS WILL BE HELD ON DECEMBER 6.

DECEMBER 5/6: Hand out two case studies for short papers to be done by traditional option students. These papers are due on DECEMBER 20TH. COMPLETED FULL JOURNALS ALSO ARE DUE ON DECEMBER 20TH. TOTAL PAGES FOR BOTH OPTIONS = 15 PP. DO NOT EXPECT YOUR PAPERS OR JOURNALS TO BE ACCEPTED IF YOU FAIL TO TURN THEM IN BY DECEMBER 20TH AT 5:00 P.M.

## DECEMBER 5/6 - WEEK XII: JUSTICE AND HEALTH CARE II

Fairness in the Allocation and Delivery of Health Care: A Case Study in Organ Transplantation (Childress) pp. 724-735

Equality, Justice, and Rightness in Allocating Health Care: A

Response to James Childress (Veatch) pp. 735-740  
Is The Oregon Rationing Plan Fair? (Daniels) pp. 663-669  
QALYfying the Value of Life (Harris) pp. 706-714  
Last-Chance Therapies and Managed Care: Pluralism, Fair  
Procedures, and Legitimacy (Daniels and Sabin) pp. 740-751

DECEMBER 12/13 - WEEK XIII FINAL SYNTHESIS  
Finish up justice and health care discussion. Synthesize  
fundamental points covered in class. Discuss final papers and  
journals.

DECEMBER 20 - FINAL PAPERS (minimum of 15 pages) AND  
FULL JOURNALS (minimum of 15 pages) DUE BY 5:00 p.m.  
COMMUNITY SERVICE LEARNING OPTION

### **Journal Requirements:**

The purpose of keeping a journal is to give you an additional way to understand what you are learning about yourself, medical ethics, and other people in your community. The journal must contain detailed and thoughtful entries which expand upon feelings involved with the fieldwork and your relationships with people. As the semester progresses, journal entries should also be used to write about what has been gained or realized from the integration of class discussion and fieldwork experience and how these experiences fit in with the larger context of life. Having another person reading your journal can inhibit some people at first; but keep in mind that the feedback you receive can be valuable to you, so be as expressive as possible. Your journal is confidential between you and Dr. Silvers and the teaching assistants.

### **Basic Requirements:**

- Journal entries must be typed & submitted every two weeks. (Keep a copy for yourself.)
- Entries should be a minimum of 3 pages, no maximum.
- There should be a minimum of 15 pages in the journal YOU HAND IN ON DECEMBER 20TH. You may revise and/or expand your journal before turning in the full final version.

- Format: double spaced, 8.5 X 11 paper, 11-12 pt. font, all margins 1"
- Each entry must cover all areas of WORD (Writing, Observing, Reflecting, Depth Processing), described below. If you extensively, thoroughly, and thoughtfully answer each question given for the area of WORD you will fulfill the requirements of content for the journal essay.

**W: Writing:** Correct grammar is required. Thoughts should be clear, paragraphs should flow together, spelling should be checked.

**O: Observing:** Objective writing about what is going on around you. The focus here is the outside world and you are just recording the information.

Questions to ask yourself: What did I observe? Who was involved? When and where did this happen? What am I aware of? What feelings or reactions did I observe in other people?

**R: Reflecting:** Reflecting is the opposite of observing. It involves becoming aware and analyzing what is happening inside of you- your intuitions, thoughts, and assessment of what you observed.

The focus here is you and the challenges and difficulties you are faced with. Reflection is your opportunity to reveal the uniqueness of you and how you make sense of the experiences you have.

Questions to ask yourself: How was that significant? Which of my values are called into play? What feelings came up for me? How does this relate to other experiences? What do I associate with this?

**D: Depth processing:** This is an analysis of your experience in the light of the ethical issues we have addressed in class.

Focuses on new knowledge or insight you have achieved through both the volunteer work and the classroom work. You should demonstrate that you understand concepts from class or readings that apply to what you have observed in your placement situation.

Questions to ask yourself: What is/are the ethical issue(s) involved? For the people I am working with? For me? What else do I need to know that is relevant to understand the ethical issues? What ethical considerations are most important for me

in respect the the issue(s)? What lesson is available in this?  
What conclusions have I reached and why?

### **Due Dates**

#1 SEPT 26/27  
#2 OCT 10/11  
#3 NOV 7/8  
#4 NOV 21/22  
#5 DEC 5/6

Full journal is due on DECEMBER 20TH.

Other important dates:

Last day to be interviewed by agency for placement: SEPT 22

Must start volunteer work by: SEPT 26

Letter of assessment from agency supervisor by: DEC 15

Everyone is encouraged to continue volunteering after the class is over, but last week of required volunteering: DEC 11

### **BIOETHICS AND VOLUNTEER RESOURCES ON THE WEB:**

American Medical Association Page  
on Ethics and Law for Medical Students-

<http://www.ama-assn.org/ethic/vm/>

Bioethics Discussion Page- <http://www-hsc.usc.edu/~mbernste/>

Bioethics.net- <http://www.med.upenn.edu/bioethics/index.shtml>

Biomedical Ethics - Readings on the InterNet-

<http://www.uwc.edu/fonddulac/faculty/rrigteri/biomed.htm>

Bioethics Virtual Library-

<http://www.med.upenn.edu/~bioethic/library/>

Genetics and Ethics- <http://www.ethics.ubc.ca/brynw/>

Health Care Law and Ethics-

<http://php.iupui.edu/~healthlw/home.html>

Medical Humanities- <http://endeavor.med.nyu.edu/lit-med/medhum.html>

National Reference Center for Bioethics Literature-

<http://www.georgetown.edu/research/nrcbl/>

### **MEDICAL FACT AND POLICY RESOURCES:**

BioMedNet- <http://news.bmn.com/hmsbeagle/>

Directory of Genetic Support Groups-

<http://members.aol.com/dnacutter/sgroup.htm>

Health Law and Policy- <http://www.law.uh.edu/healthlaw/>  
Health Pathfinder (links to sites about different diseases)-  
<http://www.law.uh.edu/healthpathfinder/>  
HealthScout- <http://www.healthscout.com/cgi-bin/WebObjects/Af.woa>  
Medscape-  
<http://www.medscape.com/Home/Topics/multispecialty/multispecialty.com>  
Primer on Molecular Genetics (Human Genome Project)-  
<http://www.ornl.gov/hgmis/publicat/orimer/intro.html>  
Useful Links for Health Professionals and Medical Students-  
<http://www.meduniv.lviv.ua/inform/links.htm>

### **VOLUNTEER PLACEMENT RESOURCES:**

SFBAYAREA Volunteer Solutions-  
<http://www.volunteersolutions.org/sfbay/volunteer/search.tcl>  
SFSU Office of Community Service Learning (Enter "student" for  
both user name and password to access the placement data  
base): <http://www.sfsu.edu/~resource/>  
Virtual Volunteering- <http://www.serviceleader.org/vv/forvols.html>  
Volunteer Center of San Francisco- <http://www.vcsf.org/>  
VolunteerMatch- <http://volunteermatch.com>