

History of Medicine/Philosophy 558
Ethical Problems Raised by Biomedical Technology

Spring 2000

Instructors:	Phone	E-mail
Norman Fost, M. D., M. P. H.:	263-8562	normfost@macc.wisc.edu
Alta Charo, J. D.:	262-5015	racharo@facstaff.wisc.edu
Julie Fagan, M. D.:	263-0150	jrfagan@facstaff.wisc.edu
Robert Streiffer, Ph.D. :	263-9479	rstreiffer@facstaff.wisc.edu
Office: Ruth (Tu, Th, 8:30 – 1:30)	262-1460	stiling@facstaff.wisc.edu

Organization: This class meets Tuesdays (for lecture) and Thursdays (for small group discussions) from 11:00 – 12:15 p.m. This is a survey course in bioethics, for advanced undergraduates and graduate students. Our goal is to familiarize the students with the range of issues and arguments found in the literature of bioethics, and to encourage independent and critical thinking and writing on these topics.

Location:

Lecture: Tuesdays
 2211 Law School

Discussion: Thursdays

 301 140 Van Hise (Norm Fost)
 302 355 Van Hise (Julie Fagan)
 303 144 Van Hise (Rob Streiffer)
 304 2211 Law School (Alta Charo)

Reading: The primary text for the course is *Ethical Issues in Modern Medicine*, by John Arras and Bonnie Steinbock (5th Edition, 1999). It is available at University Bookstore. Page numbers which follow are keyed to this book.

Grading: Students will be evaluated on the basis of four short quizzes (20% total), a 4-5 page mid-term paper (30%), and an 8-10 page final paper (50%). The final grade can be raised or lowered by unusually constructive participation in discussion, or by an unusual lack of it. The mid-term paper is due in class, Thursday, March 9 at 11:00 a. m. The final paper is due Monday, May 15, at 11:00 a.m. in the History of Medicine Office, 1420 MSC (262-1460). Please get a receipt when you drop off your final paper.

Schedule

1.	1/25, Tu	Introduction	Fost	1-34
		(a) "Introduction: Moral Reasoning in the Medical Context", pp. 1-34		
		(b) Film: "Who Shall Survive"?		
	1/27, Th	Philosophy and Law	Streiffer	1-34
		(a) "Introduction: Moral Reasoning in the Medical Context", pp. 1-34		
2.	2/1, Tu	Confidentiality	Fost	
3.	2/8, Tu	Paternalism and Autonomy	Fost	51-76, 100-114
		(a) "The Dying Cancer Patient" by Robert M. Veatch, pp. 51-54		
		(b) The Hippocratic Oath, p. 55		
		(c) "The Doctor, the Patient, and the Truth" by Charles C. Lund, pp. 56-58		
		(d) "The Refutation of Medical Paternalism" by Alan Goldman, pp. 59-66		
		(e) "Four Models of the Physician-Patient Relationship" by Ezekiel J. Emanuel and Linda L. Emanuel, pp. 67-76		
		(f) "The Doctor's Master" by Norman Levinsky, pp. 100-102		
		(g) "Ethically Important Distinctions Among Managed Care Organizations" by Kate T. Christensen, pp. 103-108		
		(h) "The HMO Physician's Duty to cut Costs", p. 109		
		(i) "Fiscal Scarcity and the Inevitability of Bedside Budget Balancing" by E. Haavi Morreim, pp. 109-114		
4.	2/15, Tu	Consent	Streiffer	77-99, 115-126
		(a) Arato v. Avedon, pp. 77-84		
		(b) "Antihypertensives and the Risk of Temporary Impotence: A Case Study in Informed Consent" by John D. Arras, p. 85		
		(c) "Informed Consent – Must It Remain a Fairy Tale?" by Jay Katz, pp. 86-93		
		(d) "Transparency: Informed Consent in Primary Care" by Howard Brody, pp. 94-99		
		(e) "Informed Consent to Rationing Decisions" by Mark A. Hall, pp. 115-121		
		(f) "Must We Forego Informed Consent to Control Health Care Costs? A Response to Mark A. Hall" by Paul S. Appelbaum, pp. 122-126		
5.	2/22, Tu	Foregoing Life Sustaining Treatment	Fagan	170-204, 216-223, 231-249
		(a) State of Tennessee Department of Human Services v. Mary C. Northern, pp. 170-173		
		(b) "Transcript of Proceedings: Testimony of Mary C. Northern" pp. 174-176		
		(c) "Deciding for Others: Competency" by Allen Buchanan and Dan W. Brock, pp. 177-186		
		(d) "A Chronicle: Dax's Case As It Happened" by Keith Burton, pp. 187-191		
		(e) "Commentary" by Robert B. White, p. 192		
		(f) "Commentary" by H. Tristram Engelhardt, Jr. p. 193		
		(g) "The Living Will: Help or Hindrance?" by Stuart J. Eisendrath and Albert R. Jonsen, pp. 194-200		
		(h) "The Health Care Proxy and the Living Will" by George J. Annas, pp. 201-205		
		(i) "The Severely demented, Minimally Functional patient: An Ethical Analysis" by John D. Arras, pp. 216-223		

- (j) "Quality of Life and Non-Treatment Decisions for Incompetent Patients: A Critique of the Orthodox Approach" by Rebecca S. Dresser and John A. Robertson, pp. 231-242
- (k) "The Limits of Legal Objectivity" by Nancy K. Rhoden, pp. 243-249

	2/24, Th	Dax's Case	Fagan	
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- (a) Film

6.	2/29, Tu	Active Euthanasia and Assisted Suicide	Streiffer	250-301
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- (a) "Death and Dignity: A Case of Individualized Decision Making" by Timothy E. Quill, pp. 250-253
- (b) "Assisted Suicide: The Philosophers' Brief, Introduction" by Ronald Dworkin, pp. 254-257
- (c) "The Philosopher's Brief" by Ronald Dworkin, Thomas Nagel, Robert Nozick, John Rawls, Thomas Scanlon, and Judith Jarvis Thomson, pp. 258-265
- (d) "The Distinction Between Refusing Medical Treatment and Suicide", by the New York State Task Force on Life and the Law, pp. 266-273
- (e) "Physician-Assisted Suicide: A Tragic View" by John D. Arras, pp. 274-279
- (f) "Euthanasia: The Way We Do It, the Way They Do It" by Margaret Battin, pp. 280-291
- (g) "Is There a Duty to Die?" by John Hardwig, pp. 292-301

7.	3/7, Tu	Definition of Death	Fost	143-169
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- (a) "Defining Death" by the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, pp. 143-151
- (b) "The Impending Collapse of the Whole-Brain Definition of Death" by Robert M. Veatch, pp. 152-159
- (c) "Is It Time to Abandon Brain Death?" by Robert D. Truog, pp. 160-169

	3/14, Tu	Spring Break		
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8.	3/21, Tu	Abortion	Streiffer	330-360
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- (a) "The Unspeakable Crime of Abortion" by Pope John Paul II, pp. 330-331
- (b) "A Defense of Abortion" by Judith Jarvis Thomson, pp. 32-341
- (c) "On the Moral and Legal Status of Abortion", by Mary Anne Warren, pp. 342-351
- (d) "Why Abortion is Immoral" by Don Marquis, pp. 352-359

9.	3/28, Tu	Procreative Autonomy and Responsibility	Charo	316-329, 375-401
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- (a) "The Norplant Option" by Stuart Taylor Jr., pp. 316-318
- (b) "Coercion and Contraception" by Bonnie Steinbock, pp. 319-329
- (c) "The McCaughey Septuplets: Medical Miracle or Gambling with Fertility Drugs" by Bonnie Steinbock, pp. 375-377
- (d) "Prenatal Diagnosis" by Barbara Katz Rothman, pp. 378-383
- (e) "Can Aborting 'Imperfect' Children Be Immoral?" by Adrienne Asch, pp. 384-387
- (f) "When Is Birth Unfair to the Child?" by Bonnie Steinbock and Ron McClamrock, pp. 388-396
- (g) "The Non-Identity Problem and Genetic Harms—The Case of Wrongful Handicaps" by Dan W. Brock, pp. 397-401

10.	4/4, Tu	Assisted Reproductive	Charo	415-444, 481-509
		(a) "The Presumptive Primacy of Procreative Liberty" by John Robertson, pp. 415-424		
		(b) "Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation", by the Vatican, Congregation for the Doctrine of the Faith, pp. 425-234		
		(c) "IVF and Women's Interests: An Analysis of Feminist Concerns" by Mary Anne Warren, 434-444		
		(d) "Executive Summary: Cloning Human Beings" by the National Bioethics Advisory Commission (NBAC), pp. 481-483		
		(e) "Cloning Human Beings: An Assessment of the Ethical Issues Pro and Con" by Dan W. Brock, pp. 484-495		
		(f) "The Wisdom of Repugnance" by Leon R. Kass, pp. 496-509		
11.	4/11, Tu	Contract Pregnancy and the Family	Charo	445-480
		(a) "On 'Surrogacy'" by Barbara Katz Rothman, pp. 445-451		
		(b) "Surrogate Motherhood as Prenatal Adoption" by Bonnie Steinbock, pp. 452-459		
		(c) "Families, the Marketplace, and Values" by Thomas H. Murray, pp. 460-469		
		(d) "And Baby Makes Three—or Four, Five, or Six: Redefining the Family After the Reprotech Revolution" by R. Alto Charo, pp. 470-480		
12.	4/18, Tu	Genetic Screening	Ossorio	510-530
		(a) "The Introduction of Cystic Fibrosis Carrier Screening into Clinical Practice: Policy Considerations" by Benjamin S. Wilfond and Norman Fost, pp. 510-521		
		(b) "The Ethics of Genetic Research on Sexual Orientation" by Udo Schüklenk, Edward Stein, Jacinta Kerin, and William Byne		
13.	4/24, Tu	Experimentation	Fagan	547-557, 565-613
		(a) "Racism and Research: The Case of the Tuskegee Syphilis Study" by Allan M. Brandt, pp. 547-556		
		(b) "The Nuremberg Code", p. 565		
		(c) "Declaration of Helsinki" by the World Medical Association, pp. 566-568		
		(d) "Ethical Difficulties with Randomized Clinical Trials Involving Cancer Patients: Examples from the Field of Gynecological Oncology" by Maurie Markman, pp. 569-571		
		(e) "Of Mice but Not Men: Problems of the Randomized Clinical Trial" by Samuel Hellman and Deborah S. Hellman		
		(f) "A Response to a Purported Ethical Difficulty with Randomized Clinical Trails Involving Cancer Patients" by Benjamin Freedman, pp. 577-580		
		(g) "Changing Views of Justice after Belmont: AIDS and the Inclusion of "Vulnerable" Subjects" by Carol Levine, pp. 581-588		
		(h) "Unethical Trails of Interventions to Reduce Perinatal Transmission of the Human Immunodeficiency Virus in Developing Countries" by Peter Lurie and Sidney M. Wolfe, pp. 589-593		
		(i) "Ethical Complexities of Conducting Research in Developing Countries" by Harold Varmus and David Satcher, pp. 594-596		

- (j) "International Ethical Guidelines for Biomedical Research Involving Human Subjects" by the Council for International Organizations of Medical Sciences (CIOMS) in Collaboration with the World Health Organization (WHO), pp. 597-600
- (k) "Drug-Free Research in Schizophrenia: An Overview of the Controversy" by Paul S. Appelbaum, pp. 601-606
- (l) "The UCLA Schizophrenia Relapse Study" by Jay Katz, 607-613

14.	5/2, Tu	Access	Fost	630-698
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- (a) "An Ethical Framework for Securing Access to Health Care" by the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, pp. 630-638
- (b) "Equal opportunity and Health Care" by Norman Daniels, pp. 639-641
- (c) "Freedom and Moral Diversity: The Moral Failures of Health Care in the Welfare State" by H. Tristram Engelhardt, Jr., pp. 642-651
- (d) "Aging and the Ends of Medicine" by Daniel Callahan, pp. 652-657
- (e) "The Limits of Setting Limits" by Christine K. Cassel, pp. 658-662
- (f) "Is the Oregon Rationing Plan Fair?" by Norman Daniels, pp. 663-668
- (g) "Should Alcoholics Compete Equally for Liver Transplantation" by Alan H. Moss and Mark Siegler, pp. 669-674
- (h) "Alcoholics and Liver Transplantation" by Carl Cohen, Martin Benjamin, and the Ethics and Social Impact Committee of the Transplant and Health Policy Center, Ann Arbor, Michigan, pp. 675-678
- (i) "Just Caring: Managed Care and Protease Inhibitors" by Leonard Fleck, pp. 679-685
- (j) "Bone Marrow Transplants for Advanced Breast Cancer: the Story of Christine deMeurers" by Alex John London, pp. 686-692
- (k) "The Coverage of Happiness: When Prozac Meets Universal Coverage" by Robert Wright, pp. 693-698

15.	5/9, Tu	Rationing	Charo	699-751
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- (a) "The Individual vs. Society: Resolving the Conflict" by David M. Eddy, pp. 699-705
- (b) "QALYfying the Value of Life" by John Harris, p. 706-714
- (c) "Prior Consent to Rationing: Minimizing the Ethical Costs" by Paul T. Menzel, pp. 715-723
- (d) "Fairness in the Allocation of and Delivery of Health Care: A Case Study in Organ Transplantation" by James F. Childress, pp. 724-739
- (e) "Equality, Justice, and Rightness in Allocating Health Care: A Response to James Childress" by Robert M. Veatch, pp. 735-739
- (f) "Last-Chance Therapies and Managed Care: Pluralism, Fair Procedures, and Legitimacy" by Norman Daniels and James Sabin, pp. 740-751