2016

329-01-02 Bioethics

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Xavier University Fall 2016

BIOETHICS Philosophy 329 01 and 02

3 Credit Hours: Monday and Wednesday evenings

Section 1: CRN 90467: MW 4:30 pm -- 5:45 pm in Alter Hall Room 204
Section 2: CRN 90468: MW 6:00 pm -- 7:15 pm in Alter Hall Room 204

Instructor: Robert Hurd, S.J., M.D., S.T.D.

E-mail: hurd@xavier.edu

Office hours: Please send me an e-mail message to arrange a good time and location (probably Hinkle Hall Room 243 or the Jesuit House at the end of University Drive—3844 Victory Parkway)

Course Description:

This course will encourage informed discussion of a number of “hot topics” in bioethics today. Beginning with a review of the basics of philosophical ethics, students will acquire tools which will help them both to formulate ethical perspectives in line with their own personal values and beliefs and to be able to defend and promote these values in the wider society in which we live.

Bioethics is most commonly looked upon as a problem-solving discipline. The problems may be personal, (i.e., what kind of health care do I want,) or professionally oriented, (i.e., what should I do as a health professional in this situation,) or public-policy oriented, (namely, what should be allowed in this hospital, this state, or country?) Since bioethics involves more than one person, and frequently a circle of professionals, the patient, and the patient’s family, it is often very complex.
The Xavier University Philosophy Department mission statement reads in part:

[Our mission is] to educate [Xavier] students in the great ideas and movements of the history of Western Philosophy in order that they might become creative, critical and active participants in the world in which they live. The mission recognizes that introducing undergraduates to the discipline of philosophy...requires that Philosophy professors’ teaching ... engage their students in the study of the fundamental questions which encompass the whole of human life and knowledge, of nature and God.

Bioethics in Xavier’s Core Curriculum / Course Learning Objectives:

This course is part of the Xavier Core Curriculum, which aims to develop people of learning and reflection, integrity and achievement, in solidarity for and with others. It addresses the following core learning objective at the intermediate level:

Objective 1a: Students recognize and cogently discuss significant questions in the humanities, arts, and the natural and social sciences.

Core Goals and Objectives

As emerging technologies offer untold possibilities for intellectual understanding, and tempt students toward superficial engagement of ideas, Xavier’s undergraduate core curriculum promotes depth of thought through broad exposure to ways of knowing, or Perspectives, of traditional liberal arts disciplines. In the words of Adolfo Nicolás, the Superior General of the Society of Jesus, or Jesuits, Xavier’s undergraduate core curriculum cultivates “a sensitivity to, an openness to, the dimensions of transcendence, of depth, of gratuity, of beauty that underlie our human experience” and that undergirds every academic discipline.[1] Xavier’s
undergraduate core curriculum engages all areas of the Liberal Arts Catholic Jesuit tradition to encourage Xavier women and men to become people of learning and reflection, integrity and achievement, in solidarity for and with others, an overall perspective that can be summed up with the phrase: “One for All.”


Objective 1b: Students apply the approaches of multiple disciplines to a significant issue. - in First Year Seminar and Ethics/Religion and Society elective

Reflection

Invites us to pause and consider the world around us and our place in it.

Goal: Students gain knowledge, ask questions, develop skills, and form conclusions through reflective thinking.

Objective 2a: Students find, evaluate, and logically convey information and ideas in written and oral presentations.

Objective 2b: Students evaluate problems using quantitative methods and arguments.

Discernment: Invites us to be open to God’s spirit as we consider our feelings and rational thought in order to make decisions and take action that will contribute good to our lives and the world around us.
Goal: Students gain knowledge, ask questions, develop skills, and form conclusions through reflective thinking.

Objective 3a: Students identify and critically assess multiple dimensions of an ethical issue in an attempt to reach a conclusion.

Objective 3b: Students examine the nature of beauty, truth, and virtue as means of gaining a sense of the divine.

Whole Person: Invites us to view each person as a unique creation of God.

Goal: Students work collaboratively and effectively with diverse groups toward personal and common good.

Objective 4a: Students describe and examine the multifaceted character of society and how the inclusion of different perspectives can influence one’s worldview.

Objective 4b: Students discuss and evaluate what constitutes human wellness.

Invites us to walk alongside and learn from our companions, both near and far, as we journey through life.

Goal: Students integrate varying perspectives that link local and global realities.

Objective 5a: Students examine the diverse, complex, and interdependent nature of people in the world.
Objective 5b: Students examine the interconnections between humans and the natural environment

Service Rooted in Justice and Love: Invites us to invest our lives into the well-being of our neighbors, particularly those who suffer injustice.

Goal: Students serve as responsible members of society particularly concerned for and united with those who suffer injustice.

Objective 6a: Students investigate the root causes of injustice with compassion and academic rigor.

Objective 6b: Students describe the evolution of their vocation and aspirations to contribute to the world.

Bioethics and Xavier’s Ethics / Religion and Society Program

This course satisfies the Ethics/Religion and Society elective requirement in the core curriculum. Consistent with the mission of Xavier University as a Jesuit, Catholic university rooted in the liberal arts tradition, the Ethics/Religion and Society (E/RS) sequence of courses provides a basis for you to become intellectually, morally and spiritually educated individuals capable of critical reflection on ethical and religious questions of social significance from the perspective of multiple disciplines with unique methods. Through the E/RS elective, you will develop a more proficient and durable ability to reflect critically on ethical and/or religious questions of social significance.
Course Criteria for E/RS Status:

While preserving the integrity of the discipline from which it comes, the course integrates in a substantive way the ethical and/or religious analysis of a socially significant issue or issues.

Substantive integration of moral reflection and/or religious analysis is to be demonstrated explicitly in the course's structure, choice of required texts, and assignments.

"Socially significant" means that the issue under study constitutes an important dimension in the structure of society and has implications that go far beyond its effects upon isolated individuals.

Ethical and/or religious analysis entails that the course clearly identifies the values, principles, and methodology that are to be used in moral or religious reflection on the issue.

The course is clearly identified as an E/RS course.

Minimally, this means that the course syllabus clearly states the course's status as an E/RS course and explicitly describes how the course intends to meet E/RS objectives.

Although the professor is expected to identify a set of values and principles according to which the social issue can be analyzed, the professor creates an atmosphere in which students feel comfortable to express their judgments.

By encouraging free discussion, the professor helps students to consider different points of view and to appreciate the complexity of issues.
The theme of this year’s Ethics/Religion and Society program will be “Imagining the Good: Community, Equality, Environment.” Please try to attend at least one of these E/R S presentations.

September 13 - E/RS Interviews: Why Thought Matters: Community Equality, Environment
In the 3rd of 6 E/RS interviews, John Fairfield (History) and Tyrone Williams (English) will discuss why thinking matters in our time. The E/RS interviews provide an opportunity for us to get to know in a more informal way members of the Xavier community.
Location and time TBD.

September 26 - Ta-Nehisi Coates on Race in America
Ta-Nehisi Coates is an award-winning author and a national correspondent for The Atlantic. He is well-known for his writing on cultural issues and race relations in the United States. His book Between the World and Me is a New York Times Bestseller and his essay "The Case for Reparations" is widely acclaimed. Ta-Nehisi Coates will visit Xavier University on September 26th to give a talk on “On Race in America”.
Location: Cintas Center Arena, 7pm [Tickets can be obtained in advance.]

October 20 - Elizabeth Anderson on Racial Justice and Integration
Elizabeth Anderson is Professor of Philosophy and Women’s Studies at the University of Michigan and an award-winning author of the book The Imperative of Integration. Much of her work engages the issues of equality, feminism, and pragmatism. She will visit Xavier University to give a talk on October 20th.
Location: TBD, 7pm.
November 10  -Samuel Moyn on Human Rights and History

Samuel Moyn is Professor of Law and History at Harvard University and has written numerous works on the history of human rights. His pioneering work The Last Utopia: Human Rights in History argues that the concept of human rights as we now it essentially emerged in the 1970s. His most recent book is title Christian Human Rights.

Location: TBD, 7pm.

Required Text:
Robert M. Veatch, Amy M. Haddad, Dan C. English, *Case Studies in Biomedical Ethics*. Second Edition [A copy is available at the reserve desk in the Conaton Learning Center.]

Methodology and Course Requirements:

1) Attendance is strongly encouraged at all sessions, particularly in the second half of the semester when we have student presentations and guest speakers. Students who miss more than four classes may be asked to withdraw. You do not need to notify the professor if you will not be in class, but do try to get the notes from one of your fellow students.

2) The course **Canvas site** is our main sources of information on announcements, reading assignments, extra credit opportunities, etc.

3) Please make every effort to acquaint yourself with the material in this syllabus, as this will make it easier for you to fulfill the core curricular learning objectives, as well as complete the assignments and prepare for the examinations at your own pace.

4) Each student should read the assigned readings before class. Classes may begin with quizzes covering the assignments. We may not have time at the end of the semester to address articles which the class was not ready to discuss at the assigned time.
5) Active participation is expected of all students, particularly in the second half of the semester when we are discussing the student presentations.

6) No eating, texting, or reviewing materials from other classes will be allowed during the classes or during examinations. No credit will be given for any exams in which texting occur.

7) Each class member will write an ethical analysis of two “cases.” The case will be chosen by the students themselves from the popular press, websites, or from examples provided by the professor (not from the textbook, as these are usually already densely analyzed by the author(s).) Ideally the source will simply describe an ethically problematic situation, and not include extended ethical commentary. Also, the topic of the case should not be the same as your group presentation topic or a topic which was extensively discussed during the initial weeks of the class. **The ENTIRE source must be copied and turned in with your analysis (including any commentary.)**

Your ethical analysis should demonstrate your familiarity with the ethical frameworks and Principilism, as discussed in the early part of the semester, as well as and your own value-intense ethical approach. No analysis may be less than five or more than seven, typed, and double-spaced pages.

After a thorough discussion of the case, the students are encouraged to expand upon one or more key aspects of the case using at least two other well chosen references.

Your cases will be graded according to their degree of **organization, grammar and spelling, depth of understanding of the situation, and punctuality.**

If the case writeup is due the day your group is making its presentation, you are welcome to turn in the paper the following class.

8) Each student will also be part of a group of two students which will make a presentation on a “hot topic” in ethics. This will necessitate some exposition of the context of the issue, the situation of a “case” patient (if applicable,) and an ethical analysis of the issue and the conclusions reached. Try to incorporate several of the ethical frameworks and principles we have discussed in class, include diverse cultural perspectives, and express your personal solutions. Be sure that your presentation explicitly addresses at least three of the course objectives noted earlier in this syllabus. **See the recommendations at the end of**
the syllabus for other suggestions on how to prepare your class presentation.

9) Submit by the last day of class the certificate from the Protecting Human Research Participants course prepared by the National Institutes of Health which is available at http://phrp.nihtraining.com/users/login.php.

10) Students are encouraged to attend events on campus related to the field of bioethics. Many of these will be presentations sponsored by Xavier’s Ethics/Religion and Society and Peace and Justice programs. You can receive participation points (usually two points/session) for attending these sessions by preparing a two-page reflection on what you heard at the presentation and how it relates to our course material or your major. Each student may earn up to 6 points in this way. Please do your best to attend at least one of the presentations of the Ethics/Religion and Society program.

11) If this class is taken as part of a philosophy major or minor or honors program, please notify the professor within the first two weeks of the semester, so the course can be adapted to the specific requirements and expectations of your program.

Evaluation:

- Class participation, NIH certificate, reflection papers, quizzes 15%
- First semester exam 20%
- Class presentation 20%
- First Paper 15%
- Second Paper 15%
- Final exam 15%
Grading Scale:

- A  93 - 100
- A-  90 - 92
- B+  88 - 89
- B    80 - 87
- C+  78 - 79
- C    70 - 77
- D    60 - 69
- F    Below 60

Recall these three definitions prepared by the Philosophy Department in regard to grading:

A = work that not merely fully and accurately reproduces class discussion, the main thread in an argument or the main philosophical significance of a text under discussion, but which, having considered arguments and counter-arguments, goes beyond these and indicates a contribution of the student himself or herself, giving evidence of an individual and hence deeper understanding of the material in question.

B = work that shows a more or less complete and exact understanding of the issues, texts, and/or arguments as explained in class, clearly and logically formulated without going beyond such explanations.

C = work that shows basic understanding of the material but with errors, omissions and confusions of either a formal or material nature.
# Course Schedule—subject to adjustment

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<thead>
<tr>
<th>Week of</th>
<th>Topic</th>
<th>Required Readings</th>
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<tbody>
<tr>
<td>Aug 22</td>
<td>Introduction to the Course</td>
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| Aug 29  | PowerPoint presentation on The Questions of Ethics | **VHE:** 1-16 [Introduction: Four Questions of Ethics]  
VHE: 19-28 [Chapter 1: A Model for Ethical Problem-Solving] |
| Sep 5   | **Monday: Labor Day Holiday [No class]**  
Continue material on The Questions of Ethics | **VHE:** 29-44 [Chapter 2: Values in Health and Illness]  
VHE: 45-62 [Chapter 3: What Is the Source of Moral Judgments?] |
|         | **Wednesday: Nazi Medicine Video and discussion** | Nuremberg Code [Introductory Materials module] |
| Sep 12  | PowerPoint presentation and discussion on Ethical Frameworks (Monday and Wednesday) | **White:** “A Return to Virtues” [Ethical Theories module]  
**Location and time TBD.** |
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<tr>
<th>Date</th>
<th>Monday</th>
<th>Wednesday</th>
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<tr>
<td>Sep 19</td>
<td>PowerPoint presentation on Ethical Frameworks continued</td>
<td>PowerPoint presentation and discussion on Life, Death and Moral Standing</td>
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<td>Sep 26</td>
<td>Review for first semester exam.</td>
<td>FIRST SEMESTER EXAM on Introduction &amp; Chapters 1,2, &amp; 3 and PowerPoint</td>
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<td>presentations on The Questions of Ethics, Ethical Frameworks, and Life, Death,</td>
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<td>and Moral Standing, as well as material on the Nuremberg Code and associated</td>
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<td>readings</td>
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<td>Oct 3</td>
<td>PowerPoint presentation on Hippocratic and Other Traditions in Health</td>
<td>For Monday: Pellegrino: A Philosophical Basis for the Patient-Physician</td>
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<td>Care</td>
<td>Interaction [Hippocratic Tradition module, under Guinan. Hippocrates Is Not</td>
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<td>National Institutes of Health. “Regulations &amp; Ethical Guidelines: The Belmont</td>
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<td>Report” [Principlism module]</td>
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<td>VHE: 65-88 [Chapter 4: Benefitting the Patient and Others: The Duty to Do</td>
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<td>Good and Avoid Harm]</td>
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| Oct 10 | Monday & Wednesday: Continue presentations on Principlism, including respect for autonomy, veracity and fidelity | VHE: 89-104 [Chapter 5: Justice: The Allocation of Health Resources]  
Lo: "HIPAA and Patient Care”  
VHE: 105-124 [Chapter 6: Autonomy]  
VHE: 125-145 [Chapter 7: Veracity: Honesty with Patients]  
VHE: 146-163 [Chapter 8: Fidelity: Promise-Keeper, Loyalty to Patients, and Impaired Professionals] |
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<td><strong>Wednesday: First paper due</strong></td>
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| Oct 17 | Monday: Continue discussions of principlism | VHE: 165-197 [Chapter 9: Avoidance of Killing]  
VHE: 401-426 [Chapter 18: Death and Dying]  
Cleveland Clinic Bioethics. “CCF Implementation of the New Ohio DNR Comfort Care’ Rules and Regulations” [Death and Dying module]  
Cleveland Clinic Bioethics. “Advance Directives: Frequently Asked Questions” |
| | Wednesday: Student presentation and discussion of Avoiding Killing and introduction to other End-of-Life Issues | |
| | Response from the Rev. Terri Thornton of Cincinnati Children’s Hospital Medical Center | |
| **October 20** -Elizabeth Anderson on Racial Justice and Integration  
Location: TBD, 7pm. | | |
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<td>Wednesday: Presentation by Anne Lovell, APRN</td>
<td>Bell: “Should We Tell Parents When We’ve Made an Error?” [Medical Errors module]</td>
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<td>Boyte: “Casey’s Legacy” [Medical Errors module]</td>
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<td>Oct 31</td>
<td>Monday: Student presentation and discussion on Healthcare Inequalities Response by Roger Logan of Logan Consulting Group</td>
<td>VHE: 328-348 [Chapter 15]</td>
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<td>Wednesday: Student presentation and discussion of ethical issues in occupational therapy</td>
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<td>Nov 7</td>
<td>Monday: Presentation on LBGTQIA issues</td>
<td>Handout and materials from Fr. Urmston's website</td>
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<td>Wednesday: Ms. Donna Park &amp; Fr. Ben Urmston, S.J., on their visions of hope and world peace</td>
<td><a href="http://www.xavier.edu/frben">www.xavier.edu/frben</a></td>
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<td><strong>November 10  -Samuel Moyn on Human Rights and History</strong> Location: TBD, 7pm.</td>
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| Date   | Monday Activity                                                                 | Wednesday Activity                                                                 | Text References
|--------|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------
| Nov 14 | Student presentation and discussion on Abortion, Sterilization and Contraception | Second paper due on Wednesday

**Second paper due on Wednesday**

Wednesday: Student presentation and discussion on Genetics, Birth and the Biological Revolution

VHE: 201-224 [Chapter 10]

Steinfels: “Beyond the stalemate” [Abortion folder]

VHE: 225-247 [Chapter 11]

| Nov 21 | Student presentation and discussion on mental health and behavior control       | Wednesday: Thanksgiving Holiday [No class]

VHE: 248-275 [Chapter 12]

| Nov 28 | Student presentation and discussion on Organ Transplantation                   | Wednesday [Eve of World AIDS Day]: Student presentation and discussion on HIV/AIDS and the drug abuse epidemic

VHE: 293-327 [Chapter 14]

| Dec 5  | Student Presentation and discussion on Emergency Response Ethics               | NIH web course certificate due

Gostin: “Ethical and Legal Challenges Posed by Severe Acute Respiratory Syndrome [Emergency Response Ethics module]"
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<th>FINAL EXAMS:</th>
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<tr>
<td><strong>Section 1:</strong> Monday, Dec 12, from 4:00 to 5:50</td>
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<tr>
<td><strong>Section 2:</strong> Wednesday, Dec 14, from 6:00 – 7:50</td>
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Bioethics Modules on Canvas [This can serve as a list of possible presentation topics as well.]:

1. Abortion
2. AIDS
3. Assisted Reproduction Technologies
4. Bioengineered Seeds
5. Catholic Ethics
6. Clinical Research Ethics
7. Cloning and Stem Cell Research
8. Death and Dying
9. Disability
10. Emergency Response Ethics
11. Environmental Ethics
12. Ethical Theories
13. Genetics
14. Global Climate Change
15. Health Insurance and Just Allocation of Health Resources
16. Hippocratic Tradition
17. Impaired Newborns
18. Introductory Materials
19. Islamic Ethics
20. Jewish Ethics
21. LGBTQI Ethics
22. Miscellaneous
23. Obesity
24. Occupational Therapy
25. Organ Transplantation
26. Peace and War
27. Principlism
28. Surrogate Parenthood
Hints for Preparation of Case Analysis (optional)

1. **Assessment**
   - What is the patient’s condition? What are the indications for treatment?
   - Is the patient capable of making decisions?
   - What are the patient’s preferences?
   - What are the preferences of the family/surrogate decision-makers?
   - What are the needs of the patient as a person?
   - What are the interests of the medical staff, including the social worker and chaplain or anyone else connected with the care of the patient?
   - Are there institutional or legal factors that complicate possible decisions?
   - Are there possible social repercussions based on the decisions made and implemented in this case?

2. **Ethical Considerations**
   - What principles are involved in this case? How do they rank?
   - What ethical theory is being espoused by the major players in this case?
   - Are there similar cases in the literature?
   - Are there relevant guidelines set by the institution or be professional societies or interdisciplinary groups, e.g., the Ohio DNR Laws?
   - Are there other ethical theories or perspectives that might shed light on this situation? Any church guidelines for their believers?

3. **Discussion and Implementation**
   - What are the ethically acceptable options?
   - What justification can be given for the preferred resolution of the case?
   - How is the resolution to be accomplished?
   - Is a wider ethical consultation necessary or desirable? Legal consultation or judicial review?

4. **Evaluation**
   - Is the plan working?
   - How might the problem have been prevented?

5. **Institutional Ethics**
   - Could there be a policy or guidelines for similar cases?

6. **Societal Ethics**
   - Cost for one denies others care
   - Society should resist monetary considerations in most individual patient care decisions.

*Adapted from Introduction to Clinical Ethics, Edly, Fletcher, et al., 1995*
Hints for Preparing Your Bioethics Presentations

Once you have chosen your topic, the next step is to meet with your co-workers, divide up the responsibilities and exchange contact information.

Try to meet several times as a group so that the presentation will flow well and not be merely a series of several separate presentations.

The instructor will usually give you some material to start you thinking about the topic. Focus on just one or at most two cases so that your presentation does not become too broad. The Canvas modules have additional material on your topic.

In light of the new core curriculum learning objectives, please relate explicitly at least two parts/slides of your presentation to these learning objectives.

Prepare a background introduction to the issue. Next, discuss the case from the point of view of several ethical theories, the four principles, intercultural perspectives, diversity and tolerance. Finally, give your own synthesis.

When exploring intercultural perspectives, try to present at least two—perhaps contrasting—perspectives, e.g., a Catholic perspective and a Hindu perspective.

Discuss recent legislative or legal decisions, as well as scientific developments. Be sure your discussion is up-to-date. Avoid being partisan or too one-sided. Perhaps one presenter could act as a “devil’s advocate,” expressing opposing views even if all the presenters are in agreement on the issue.

Do not forget to prepare a title slide, including your names and the date of the presentation. Also prepare a concluding slide with references. Be sure you identify the content of a website citation so students will have an idea what it is about.

Do not put too much information on each slide.

If more than two students have signed up for a particular topic, one student should prepare a discussion of at least two of the assigned readings.

Your presentation should last between 45 to 60 minutes.

BE CREATIVE!!! Encourage group participation and lively discussion. Try to make use of the new features that Alter Hall has to offer.

Take your presentation seriously, perhaps even dressing professionally for the occasion.
In the end, please e-mail me a copy of your PowerPoint presentation so that I can add it to our course documents on Canvas. If you have prepared a Prezi, please prepare also a PowerPoint version which can be submitted to the professor and placed on Canvas.

REMEMBER, your presentations are what make each semester of Bioethics different and exciting!