2013

329-01-02 Bioethics

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Xavier University Fall 2013

BIOETHICS
Philosophy 329 01/02

3 Credit Hours: Monday and Wednesday afternoons

Section 1: C 90467  MW  4:30 pm-5:45 pm  in Elet 217
Section 2: C 90468  MW  6:00 pm-7:15 pm  in Logan 105

Instructor: Robert Hurd, S.J., M.D., S.T.D.
E-mail: hurd@xavier.edu
Office hours: Call ahead for time and location [513-745-3441]

Course Description:

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.

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.
Course Objectives:

- Students will be able to identify key elements in a case situation which ought to provoke ethical reflection.

- Students will demonstrate their acquaintance with a variety of ethical frameworks and principles by using them to analyze cases.

- Students will be able to articulate and defend their own considered positions on several current hot topics in bioethics.

- Students will role play to prepare themselves to face situations that are likely to be problematic for them in their chosen professions.

- As an E/R S course, students will explore the meanings of justice, tolerance and intercultural diversity and their value in fostering an ethic of solidarity.

Ethics/Religion and Society Program

As stated in the course objectives, Philosophy 329 fulfills the 4th course elective in the Ethics/Religion and Society focus of the Xavier Core Curriculum. Xavier believes it is important for its students to learn to analyze societal issues critically in terms of human values and beliefs and to develop a sense of compassionate solidarity and service. The theme of this year’s Ethics/Religion and Society program is Justice, Tolerance and Diversity. This semester there will be several presentations which all are encouraged to participate in. The purpose of the lecture series is to explore the meanings of justice, tolerance and diversity as well as their relationship to each other. How do different approaches to justice affect the understandings of tolerance and diversity? Likewise, how does one’s understanding of diversity affect one’s view of justice? What differences are most significant and which must be tolerated?
These are some of the presentations offered by the E/R S program this semester (I will let you know when I hear of any others):

1. **Gayatri Spivak**: **September, 19, 2013**. Prof. Spivak is director of the Center for Comparative Literature at Columbia University. She writes on postmodernism, feminism and Marxism, and her scholarship has been honored around the world. Among her many publications are: Translation of and introduction to Derrida's *Of Grammatology* (Johns Hopkins Press, 1976); *In Other Worlds: Essays in Cultural Politics* (Methuen, 1987); *Selected Subaltern Studies* (Oxford University Press, 1988); *Outside In the Teaching Machine* (London: Routledge, 1993); *The Spivak Reader* (Routledge, 1996); *A Critique of Post-Colonial Reason: Toward a History of the Vanishing Present* (Harvard University Press, 1999); *Death of a Discipline* (Columbia University Press, 2003). She will speak on justice and diversity from the perspective of postmodern feminism.


Required Text:
Robert M. Veatch: The Basics of Bioethics, Third Edition [A copy is available at the reserve desk in the Conaton Learning Center]

Methodology and Course Requirements:

1) Attendance is encouraged at all sessions. 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. Sometimes you can attend a session in another section of the course to participate in the same material.

2) The course Blackboard and or Canvas sites are our main sources of information on announcements, assignments, extra credit opportunities, etc. Most of the articles for you to read will be found on Electronic Reserves on the Library webpage.

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 assignments.

4) Each student should have read the assigned readings before class. Classes may begin with quizzes covering the assignments.

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 one “case.” 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.) The source must be copied and turned in with the analysis.

See the suggestions at the end of the syllabus for some questions you might use to prepare the case writeup. Your ethical analysis should demonstrate your familiarity with the ethical approaches discussed in the early part of the semester, including “Principlism” 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. Your cases will be graded according to their degree of organization, grammar and spelling, depth of understanding of the situation, and punctuality.
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.

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 or three 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, and an ethical analysis of the issue and the conclusions reached. Always use Principlism, explain other pertinent ethical theories involved, include diverse cultural perspectives, and express your personal solutions. 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 4 points in this way, which can count to make up points missed on exams, quizzes, papers, etc. Please do your best to attend at least one of the presentations of the Ethics/Religion and Society.

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, quizzes 10%
- First semester exam 15%
- Second semester exam 15%
- Class presentation 20%
- Paper 20%
- Final exam 20%

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.
Bioethics Folders on Electronic Reserves [This can serve as a list of possible presentation topics as well.]:

Abortion
AIDS
Assisted Reproduction Technologies
Bioengineered Seeds
Catholic Ethics
Clinical Research Ethics
Cloning and Stem Cell Research
Death and Dying
Emergency Response Ethics
Ethical Theories
Genetics
Global Climate Change
Health Insurance and Just Allocation of Health Resources
Hippocratic Tradition
Impaired Newborns
Introductory Materials
Islamic Ethics
Jewish Ethics
Miscellaneous
Organ Transplantation
Peace and War
Principlism
Surrogate Parenthood
# Course Schedule—subject to adjustment

<table>
<thead>
<tr>
<th>Week of</th>
<th>Topic</th>
<th>Required Readings</th>
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<tbody>
<tr>
<td>Aug 29</td>
<td>Introduction to the Course</td>
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<td>M &amp; W</td>
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<tr>
<td>Sept 2</td>
<td>Monday: No class [Labor Day]</td>
<td>Ch. 1  A Map of the Terrain of Ethics</td>
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<td>Wednesday: PowerPoint presentation on The Bioethical Terrain</td>
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<td>Sept 9</td>
<td><em>Nazi Medicine</em> Video and discussion</td>
<td><strong>E-reserves</strong>: Nuremberg Code [Introductory Materials folder]</td>
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<td></td>
<td>PowerPoint presentation and discussion on The Hippocratic Tradition Today</td>
<td>Ch. 2 and p 188 The Hippocratic Oath and Its Challengers</td>
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<td><strong>E-Reserves</strong>: Pellegrino: A Philosophical Basis for the Patient-Physician Interaction [Hippocratic Tradition Folder]</td>
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<tr>
<td>Sept 16</td>
<td>PowerPoint presentation and discussion on Life, Death and Moral Standing</td>
<td>Ch. 3 Defining Death, Abortion, Stem Cells, and Animal Welfare: The Basis of Moral Standing</td>
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<tr>
<td>Sept 23</td>
<td>Review for first exam</td>
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<tr>
<td></td>
<td>Wednesday: FIRST EXAM on Chapters 1,2 &amp; 3 and PowerPoints on The Bioethical Terrain, The Hippocratic Tradition, Life, Death, and Moral Standing and associated readings</td>
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<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Reading Material</th>
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<tr>
<td>Sept 30</td>
<td>PowerPoint presentation and discussion on Virtue Ethics</td>
<td>Ch. 11 The Virtues in Bioethics</td>
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<td>Presentation of the V-C-R system of ethics</td>
<td><strong>E-reserves:</strong> White: “A Return to Virtues” [Ethical Theories folder]</td>
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<td><strong>E-reserves:</strong> Seavilleklein &amp; Sherwin. “The Myth of the Gendered Chromosome...” [Ethical Theories folder]</td>
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<td>Oct 7</td>
<td>Monday: Fall Break</td>
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<td></td>
<td>Wednesday: Presentation on Ethical Frameworks</td>
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<tr>
<td>Oct 14</td>
<td>PowerPoint presentation and discussion of Principlism</td>
<td>Ch. 4 Problems in Benefiting and Avoiding Harm to the Patient</td>
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<tr>
<td>Oct 21</td>
<td>PowerPoint presentation and discussion of Principlism (continued)</td>
<td>Ch. 5 The Ethics of Respect for Persons</td>
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<td><strong>E-reserves:</strong> Ganzini. “Ten Myths About Decision-Making Capacity Lo:” HIPAA and Patient Care” [Principlism folder]</td>
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<tr>
<td>Oct 28</td>
<td>Introduction to chapter 6 and 7 of textbook</td>
<td>Ch 6 &amp; 7 Cleveland Clinic Bioethics. “CCF Implementation of the New Ohio ‘DNR Comfort Care’ Rules and Regulations” [Death and Dying folder]</td>
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<td>Ch. 7: Death and Dying: The Incompetent Patient</td>
<td>Welie. “Lessons to be Learned from the Schiavo Case” [Death and Dying folder]</td>
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<td>Wednesday: Student Presentations begin</td>
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<td>Death and Dying</td>
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<td>Review for Second exam</td>
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<tr>
<td>Date</td>
<td>Monday Event</td>
<td>Wednesday Event</td>
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<td>Nov 4</td>
<td>SECOND EXAM on Ch 4, 5 &amp; 11 &amp; PowerPoint presentations on principlism, virtue ethics &amp; required readings</td>
<td>To be announced Critical Thinking in Nursing: Lessons from Tuskegee Video and discussion</td>
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<td>Nov 11</td>
<td>Presentation by Fr. Ben Urmston, SJ of his “Vision of Hope”</td>
<td>Student presentation and discussion on Ethics in Occupational Therapy</td>
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<td>Nov 18</td>
<td>Anne Lovell on Neonatal Care Ethics</td>
<td>Student presentation on health care inequalities</td>
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<td><strong>Paper Due on Wednesday</strong></td>
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<td>Nov 25</td>
<td>Student Presentation/discussion on Genetics</td>
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<tr>
<td>Dec 2</td>
<td>Student Presentation and discussion on HIV/AIDS</td>
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Dec 9

**Student Presentation and discussion on Emergency Response Ethics**

**Student Presentation and Discussion on topic(s) to be announced**

NIH web course certificate due

Review for Final Exam

### FINAL EXAM:

**Section 1: Monday Dec 16**
From 4:30-6:20

**Section 2: Wednesday Dec 18**
From 6:00 to 7:50

Additional topics recommendations for student presentations:
- Organ transplantation
- Abortion and fetal medicine
- Ethics of human experimentation
- Mental health ethics
- War and peace
- Stem cell research or cloning
- Global climate change
- Etc.

**A Five-Step Model for Ethical Problem Solving**
[from Veatch, Haddad, and English's *Case Studies in Biomedical Ethics*]

1. Respond to the “sense” or feeling that something is wrong
2. Gather information/assessment
3. Identify the moral problem/moral diagnosis
4. Seek a resolution
5. Work with others to determine a course of action
Hints for Preparation of Case Analysis

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, Edy, 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 electronic reserves have additional material on your topic.

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

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 speakers 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 three 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!!! Try to encourage group participation and lively discussion.

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 Blackboard. If you have prepared a Prezi, please prepare also a PowerPoint version which can be submitted to the professor and placed on Blackboard/Canvas.

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