

BIOETHICS

Philosophy 345 (section 008)

Fall 2019

Tuesday, Thursday: 9:40-10:55

HSS-60

INSTRUCTOR:

Dr. Jordan Baker

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Dunford Hall, Room 2312

Office hours:

Mondays, 9am-11am or by appointment

DESCRIPTION

Issues of life, death, and medical care have always been morally loaded. The rapid development of medical technologies in the 21st century—and biological sciences more generally—have pushed these concerns to the forefront of society. We only need to look at the debate currently raging in the United States regarding healthcare to see how moral, legal, and biological issues are closely connected. In response to these developments the field of *bioethics*—unheard of 50 years ago—has developed to think carefully about the issues that arise in these value-laden topics.

Bioethics is a field of applied ethics, this means that it stands with one foot in the abstract theorizing of moral philosophy and the other foot firmly planted in the messy circumstances of the world as we find it. The goal of the bioethicist is to bring these two “worlds” together to better understand how we—as medical professionals, researchers, and fellow citizens—*should act*. Of course, answers are difficult to establish in ethics, but we can make much progress by attempting to *clarify the questions*. A bioethicist’s job is to make it manifestly clear what is morally, legally, and medically at stake in any given case. This understanding can then serve as the basis for informed policymaking, professional standards, and individual choices.

In this class, I ask you to take up the role of bioethicist. To learn how to think carefully about the difficult ethical questions that surround medical practices and the biological sciences. We will start by learning about some particularly useful ethical theories, as well relevant aspects of the legal system, and then move into discussions centered on: the right to care, informed consent, end of life issues, privacy and confidentiality, reproductive health, cultural sensitivity, and medical research. To engage these issues, we will make frequent use of past cases. This course does not presuppose previous experience with philosophy and is aimed at providing skills and outcomes that would benefit those interested in careers in healthcare, research, or public policy.

COURSE OBJECTIVES

1. Students will be able to recognize and explain general ethical perspectives and the basic features of the US legal system, as they apply to the medical field and the biological sciences.
2. Students will be able to discuss common moral and legal arguments addressing core ethical issues in the medical field and biological sciences (e.g. right to treatment, informed consent, end-of-life choices).
3. Students will be able to assess arguments made in the bioethical realm.
4. Students will gain the ability to justify their own moral views of bioethical issues.
5. Students will gain the ability to combine their views with those of others, integrating differences to address dealing with situations of moral disagreement.

REQUIRED TEXTS

(1) Jones, Gary E., and Joseph P. Demarco. *Bioethics in Context: Moral, Legal, and Social Perspectives*. Peterborough, Ontario: Broadview Press, 2016. [you can purchase a digital copy directly from the publisher for \$40 by [clicking here](#), physical copies are only a little more expensive about \$60] . It is also in the UTK Bookstore.

(2) I will provide other readings/case studies electronically through Canvas, usually as PDFs.

CLASS REQUIREMENTS

Participation (10%): This class is a hybrid: part lecture and part discussion. As such, participation is a crucial element. **Do not be shy about sharing your thoughts;** even ideas that seem silly or ill-formed to you may be just what we need to explore further. Of course, you can't participate without attending. If you still need to miss class for an urgent reason, please contact me either before or **immediately afterward**. I reserve the right to fail students with excessive absences at the end of the semester.

EXAM (15%): Following our early discussions about ethical theory and the American legal context, you will take an in-class exam over this material. This will count for **15%** of your final grade and will be taken in-class on **Thursday, September 12th**. More details about what to expect will be provided in class.

WEEKLY CASE ANALYSIS (20%): Most weeks during the semester, you will be asked to engage in a short two-part writing assignment. Detailed instructions and prompts for each week's assignment will be found on Canvas. **The first part should be submitted prior to reading/discussing the material for that week, and thus**

they are due on Canvas at the start of the week. The second part will include focused reflection on your original thoughts (i.e. what you submit at the start of the week) in light of the particular arguments and discussion from the week's course material and will be due by the end of the week. Each part will be submitted electronically via Canvas. The first part will be graded as complete (50) or incomplete (0), and the second part will be graded as *Excellent (50)*, *Good (40)*, *Sufficient (30)*, *Insufficient (10)*, or *No Credit (0)*. More details are available on Canvas. Taken collectively these count for **20%** of your final grade.

PAPERS (35%)- Twice during the semester, you are required to write a paper over an assigned topic related to the course material. The first paper will ask you to engage the broader concern of justice in the distribution of healthcare resources, and the second will ask you to engage a narrower applied topic *of your choice*. **Each paper should be around 1300 to 1500 words.** The due date and weight of each paper is listed below:

- *Paper 1 (15% of your final grade) – due no later than October 3rd @ 11:59pm*
- *Paper 2 (20% of your final grade) – due no later than October 24th@ 11:59pm*

Detailed guidelines and prompts are posted on Canvas. What is most important about these papers is that you are asked to defend a clear thesis targeting someone else's argument/position, and the reasons and argument you give are far more important than your particular conclusion. **Papers must be submitted electronically via Canvas by 11:59pm on the day they are due.** Failure to submit the paper on-time results in the paper being subject to a letter grade per day penalty.

FINAL CASE STUDY PROJECT (20%): Rather than having a final exam for the course, you will work in groups (typically 4 students) to conduct an ethical analysis of a case *of your choosing* that engages a pressing bioethical issue. Group member may have different (and perhaps dramatically different) views of the issue or conclusions regarding the issue, this assignment requires you to engage in a process of deliberation to identify what seems to be an acceptable consensus in light of these disagreements. **Your group's deliberative engagement and final argument will be given to the class in a 10min presentation on 11/21st, 11/26th, or (if needed) 12/3** (NOTE: dates will be assigned randomly, and all groups will be required to submit a detailed outline of their presentation to me by **Wednesday, November 20th**). **Additionally, each individual group member will submit their own paper (at least 1200 words) that defends their personal view of the issue in light of the various alternative reasons that were offered within the group. The paper is due by the start of the scheduled final exam period [currently scheduled for Tuesday, December 10th from 10:15 to 12:15].** The group's presentation will count for **10%** of your overall grade, and the individual paper will count for **10%**. We will have mandatory in-class workday on **Tuesday, November 19th** to assist you in your preparations. Full details are available on Canvas.

CLASS POLICIES

Plagiarism and Academic Honesty

Work that does not conform to the University policy on academic integrity will constitute grounds **for failing this course**, and I will pursue the **maximum possible further penalty** with the Office of Student Judicial Affairs. Your work must be your own, and must be done for this class alone. Quoting or paraphrasing any source, whether a book, magazine, web site, or any other medium, whether our text or not, requires that you cite that source properly. See me if you require further clarification.

Disability Statement

Any student who feels they may need an accommodation based on the impact of a disability are encouraged to speak with **Student Disability Services** for assistance with documenting their eligibility for services at (865) 974-6087 or sds@utk.edu. The SDS office is located in 100 Dunford Hall. SDS will work with students and faculty to coordinate reasonable accommodations for students with documented disabilities. You can also find more information on-line at <http://sds.utk.edu> to work out strategies for educational success. **If you have an undocumented disability please speak with me privately as soon as possible.**

Grades

The final grade will be assigned based on the requirements listed above according to the following weights:

94-100: A	87-89: B+	77-79: C+	67-69: D+	0-59: F
90-93: A-	84-86: B	74-76: C	64-66: D	
	80-83: B-	70-73: C-	60-63: D-	

NOTE ABOUT HOW YOU WILL BE GRADED: Most ethicists assume that there are correct and justifiable answers to the ethical questions we tackle even though we recognize people vehemently disagree about what the right answers are and some of them may never abandon their views. You can, if you like, think of this class as an *exercise* in impartial, dispassionate, free and rational thinking about some contentious moral problems. You will be asked, for the limited purposes of this course, to set aside your own likes and dislikes, your feelings and your upbringing and instead concentrate on giving *reasons* for the positions you defend and against the ones you criticize. The reasons you offer should, as far as possible, be ones that you could expect any sane, reasonable person to recognize and accept, even if they may disagree with the conclusions you draw from those reasons. We live in a democratic society, so this is an invaluable skill to have. **It is this act of giving and receiving reasons (in both writing and speaking) and the *quality* with which you do this that will be the primary consideration for your grades.**

SCHEDULE

All page numbers refer to the numbers IN THE TEXT

TR 8/22 Introduction
No readings

T 8/27 Arguments and Argumentation
No Readings, In -Class activity

Ethical Theory & US Law

TR 8/29 THEORY: Consequentialism, *Chapter 1 (pp. 25-38)*

Weekly Writing assignments begin (#1a Due Monday, 9/2, 10AM, #1b due Friday 9/6 11:59PM)

T 9/3 THEORY: “Deontology,” *Chapter 1 (pp. 38-49)*

TR 9/5 THEORY: “Alternative Approaches,” *Chapter 1 (pp. 49-64)*

T 9/10 LAW: “The US Legal System” Chapter 2 (pp. 73-84)

TR 9/12 *****THEORY AND LAW EXAM*****

Justice, Health Care, and Equal Opportunity

T 9/17 “Justice & the Right to Care,” Chapter 3 (pp. 85-98)

TR 9/19 “Justice and the Right to Care,” Chapter 3 (pp.98-128)

Treatment and Beneficence

T 9/24 “The Duty to Treat,” Chapter 4 (pp. 131-155)

TR 9/26 Dan Brock, “Conscientious Refusal by Physicians and Pharmacists: Who is obligated to do what, and why?” (**PDF**)

Informed Consent and Patient Autonomy

T 10/1 “Informed Consent,” Chapter 5 (pp.131-155)

TR 10/3 “Informed Consent,” Chapter 5 (pp. 182-213)
1ST PAPER DUE (ON CANVAS BY 11:59PM)

T 10/8 “Informed Refusal and Discontinuing Treatment,” Chapter 6 (pp.

221-245)

TR 10/10 “Informed Refusal and Discontinuing Treatment,” Chapter 6 (pp. 246-261)

Cultural Difference and Medical Communication

T 10/15 “Cultural Competency,” Chapter 9 (pp. 329-363)

TR 10/17 **NO CLASS, Fall Break**

Privacy, Confidentiality and Trust

T 10/22 “Privacy and Confidentiality,” Chapter 8 (pp. 297-307)

TR 10/24 “Privacy and Confidentiality,” Chapter 8 (pp. 297-307)
2nd PAPER DUE (on Canvas by 11:59PM)

Moral Status, Research, and Reproduction

T 10/29 “Issues in Human Reproduction,” Chapter 10 (pp. 367-389)

TR 10/31 “Issues in Human Reproduction,” Chapter 10 (pp. 390-410)

T 11/5 Animal Research, **Reading TBA**

TR 11/7 “Medical Research,” Chapter 12 (pp. 433-451)

Mental Illness, Organ Transplants, and other Institutional Exceptions

T 11/12 “Mental Illness,” Chapter 11 (pp. 415-438)

TR 11/14 “Transplantation Ethics,” Chapter 13 (pp. 477-487)

Final Presentations

T 11/19 MANDATORY IN-CLASS GROUP WORK DAY

TR 11/21 *****Group Presentations*****

T 11/26 *****Group Presentations*****

TR 11/28 **NO CLASS, Thanksgiving Break**

*Final question: “What do **you** care about?”*

T 12/3 **Student Chosen Topics**

TR 12/5

NO CLASS, Study Day