

PHI 4633 RI: Biomedical Ethics

Professor: Dr. Sam Director

Email: sdirector@fau.edu

Credit Hours: 3

Office Hours: 9-11AM (Wednesdays) or by appointment.

Office Location: Social Sciences 281A

Class time: WF 2:00-3:20PM

Class Location: General Classroom South Boca (room 208)

Course Description: The goal of this course is to use the tools of philosophy to analyze a wide variety of important issues related to medicine and clinical practice. We will cover a wide array of topics spanning all areas of the healthcare profession, including clinical ethics and public health ethics. Here is the description from the course catalogue: “A careful and in-depth philosophical study of the ethical issues arising from the practice of medicine. The course emphasizes the four principles of medical ethics and how these principles can be applied to resolve standard case studies in the field of biomedical ethics.”

RI Designation: This course contains an assignment or multiple assignments designed to help students conduct research and inquiry at an intensive level. If this class is selected to participate in the university-wide assessment program, students will be asked to complete a consent form and submit electronically some of their research assignments for review. Visit the Office of Undergraduate Research and Inquiry (OURI) for additional opportunities and information at <http://www.fau.edu/ouri>.

What Research Looks Like in Philosophy: in philosophy, research is predominantly based on logic and reasoning we can do in our heads. We supplement this reasoning with facts from the social sciences and the hard sciences. But, fundamentally, philosophy is about purely rational (a priori) reasoning. In bioethics, we apply the tools of philosophical reasoning to issues concerning right and wrong as they relate to medicine and public health. In practice, this looks like defending or critiquing some substantive thesis about the morality of a medical practice (i.e. physician assisted suicide is morally permissible). In order to complete this research, you will need to do extensive reading in the peer-reviewed literature on your topic and situate your argument within it.

Student Learning Outcomes:

This is a research-intensive course and thus has the following student learning outcomes:

- **Knowledge:** Students will demonstrate knowledge of both the core principles in biomedical ethics as well as a wide breadth of applications of those principles to many subject areas. They will apply these principles to a specific area of bioethics research in their term papers.
- **Formulate Questions:** Students will formulate research questions and/or scholarly or creative problems with integration of fundamental principles and knowledge in a manner

appropriate to the discipline. The questions students will formulate will be about the morality of any practice or institution of their choosing in medicine and public health.

- **Plan of Action:** Students will develop and implement a plan of action or discipline appropriate methodology to address research and inquiry questions or scholarly problems. In this case, this will involve students picking a topic in bioethics (e.g. human challenge trials, pandemic lockdowns, vaccine mandates) and defending a substantive thesis about morality as it relates to this topic.
- **Critical Thinking:** Students will apply critical thinking skills to evaluate information, their own work, and the work of others. Students will develop critical thinking by writing multiple different kinds of papers, engaging in peer review, and extensive in class discussion. Students will learn to engage with counter-arguments and views from other published work, as well as offering their own responses to these counter arguments.
- **Ethical Conduct:** Students will identify significant ethical issues in research and inquiry and/or address them in practice. The course contains a whole unit on research ethics, which examines questions about using animals in research, how to avoid exploitation in research, and whether human challenge trials can be justified. In addition to studying ethical issues concerning the conduct of research, students will study the ethics of some area of their choosing in their research papers.
- **Communication:** Students will convey all aspects of their research and inquiry (processes and/or products) in appropriate formats, venues, and delivery modes. Students are encouraged to submit their research projects to the Undergraduate Research Symposium held at Florida Atlantic University (Boca Raton campus) each Spring Semester. Use the following link for information: http://www.fau.edu/our/undergrad_symposium.php. We will also work on communication of your research by having a two-day mini conference at the end of the semester where you will all present your research in a conference talk format.

Course Structure: This class will involve a mix of lecture and discussion. On a typical day in class, you will have done a pre-assigned reading on a topic, and I will begin with a summary of that reading and the crucial issues involved in it. At various points in my lecture, we will pause for discussion and questions. The goal is for lecture to take up about 40% of each class with discussion being the remaining 60% of the class.

Course Materials: All of our assigned readings will be excerpts from books or journal articles. Each reading will be posted to Canvas. You do not need to buy any books for this class. I will not be printing any of this material for you, but I highly recommend that you print a physical copy of each reading. There is good evidence that you will learn and retain more from the reading if you have a physical copy of it in front of you as you read.

Topics Covered: we will have 7 units in our class. They are the following:

- Unit 1: Consent in Medical Ethics
 - Key Questions:
 - Why is consent important?
 - Can addicts consent?
 - Can individuals with anorexia nervosa consent?

- Do framing effects undermine consent?
 - Does manipulation undermine consent?
 - Can children consent to treatment? Or, do their parents have to consent for them?
 - Is paternalism ever justified in clinical settings?
- Unit 2: The Ethics of Death and Dying
 - Key Questions:
 - Can we enforce advance directives?
 - Is physician-assisted suicide wrong?
 - Can people give informed consent to die?
 - Can we harm people after they are dead?
- Unit 3: Moral Status
 - Key Questions:
 - What is a person?
 - Are all humans persons?
 - Do animals have rights?
- Unit 4: The Ethics of Abortion
 - Key Questions:
 - Is abortion morally permissible?
 - Why is killing a human wrong?
 - Are abortion and infanticide morally the same?
- Unit 5: Procreative and Family Ethics
 - Key Questions:
 - Is adoption morally required?
 - Is sperm and gamete donation permissible?
 - Is it permissible for parents to disable their children?
 - Should we enhance our children?
- Unit 6: Research Ethics:
 - Key Questions:
 - When is it appropriate to conduct research on human subjects?
 - Is it permissible to use animals in testing?
- Unit 7: Issues in Public Health Ethics
 - Key Questions:
 - Should the state provide healthcare to all?
 - Is there a human right to healthcare?
 - How do we fairly distribute scarce medical resources?
 - Should we lockdown in the midst of a pandemic?
 - Are local or national solutions better in the face of a pandemic?
 - Should there be markets in human organs?
 - Can doctors exempt themselves from procedures that they disagree with?

Grading:

I grade on the following scale:

- 100 - 93 (A)

- 92.9 - 90 (A-)
- 89.9 - 87 (B+)
- 86.9 - 83 (B)
- 82.9 - 80 (B-)
- 79.9 - 77 (C+)
- Etc.

Your grade will be determined by the following categories:

- Take-home midterm (20%)
- Annotated bibliography (15%)
- Term paper rough draft (20%)
- Term paper final draft (25%)
- Quizzes (10%)
- Attendance (10%)

I realize that there are extenuating circumstances each semester for many people. If you find yourself in an extreme situation that affects your ability to perform well in this class, please talk to me about it. I cannot guarantee that I will be able to accommodate you, but I may be able to.

I do all of my grading anonymously, meaning that I don't know whose exam or paper I'm grading until the very end. When you turn in any assignment, I will give you instructions on how to make it anonymous. My goal is to grade as fairly as I can, and I believe that this policy helps with that.

Assignments:

Exams: there will be a take-home midterm. The goal of this exam is to test how well you understand the material covered in class by seeing if you can summarize what we have covered in class and in readings.

Annotated Bibliography: for your term paper, you will submit an annotated bibliography about your research topic. The goal is to read and summarize ten different papers on your topic.

Term Rough Draft: we will also write a longer paper (12-14 pages) that takes an issue of your choosing from class and that takes a stance on it. You will start by writing your best attempt at this paper. Then, we will do revisions for the final version.

Term Paper Final Version: after you turn in your rough draft, you will do peer revisions and receive comments from me. You will then submit a revised version of your paper. The goal of your term paper is to give your best shot at writing an academic journal article. You will pick one topic we covered in class and defend an argument about it, using research articles from our class and from external research. This is not just a literature review; instead, you will defend a substantive thesis of your choosing. In the process of writing your term paper, you will have to situate your argument in the existing literature. This will require reading peer-reviewed journal articles on your topic and incorporating them into your argument, as well as responding to the

arguments made in these papers. In order to write a strong paper, you must engage frequently with counter-arguments and views from other published work, as well as offering your own responses to these counter arguments.

Quizzes: on most days in class, we will have a short reading quiz. I will not tell you in advance which days will have quizzes. We will take the quiz on Canvas. Please bring technology that you can use to complete the quiz. If you don't have a way to do the quiz electronically, I will give you a piece of paper to use. These will be short quizzes that ask questions intended to see if you have done the reading. I will drop your lowest two quiz grades at the end of the semester.

Class Policies:

- *Attendance:*
 - Attendance in class is mandatory. We will have a sign in sheet each class. We learn best in philosophy if we are heavily focused on discussion and debate. You cannot accomplish this if you don't come to class, even if you can understand the material without coming to class.
 - You may have 3 absences **for any reason**. Any absence in addition to these 3 absences will count as unexcused.
 - For each unexcused absence, you will receive a full letter grade deduction from your attendance grade. So, 1 unexcused absence can move your attendance grade from an A to an B, and so on.
 - Of course, if you have some incredibly extenuating circumstance that requires you to miss more than 3 classes, please talk to me. For example, if you are on a university athletics team that travels frequently, have a severe illness, etc. that pushes your attendance past this point, we can figure out a solution.
 - But, this means that any otherwise excused absences that do not rise to the level of extreme extenuating circumstances will have to count as 1 of your 3 absences. So, if you get sick and miss a day, then that counts as 1 of your absences.
 - If you miss a quiz on the day of your absence, it is your responsibility to come to my office hours and take an alternate quiz. Missed quizzes from days that are beyond your 3 absences cannot be made up.
- *Participation:*
 - Our goal is to get closer to the truth. We do this is by discussing the issues with each other. So, it's very important that we all actively participate in the discussion.
- *Discussion Etiquette:*
 - We will be discussing a lot of important and often controversial issues of justice and morality. Given this, we should try to be charitable to our fellow classmates and not jump to harsh conclusions about their views. If a fellow classmate says something that strikes you as false, or even offensive, try to interpret his or her claim in the best possible light. The same goes for the authors that we will be reading.
 - However, even though we should be charitable to our classmates and authors, we should still voice disagreement with each other. In philosophy, it is not rude to disagree with someone; to disagree with someone's reasoning is to acknowledge

that person as a peer who is worthy of being debated. Disagreeing with someone does not mean that you are dismissing their views. Rather, it means that you are engaging with their views. This policy extends to me. I heavily encourage you to disagree with me.

- *Technology:*
 - Laptops, cellphones, etc. will not be allowed in class. There is lots of evidence that we (and the people around us) learn better when technology is absent and when we have to write things by hand. If I see you using technology in class, I will ask you to put it away in front of everyone.
 - Also, if you have a disability accommodation that allows you to use technology in class, I am happy to accommodate this. Please follow the normal procedures about giving me the paperwork.
 - Of course, if you receive an urgent phone call, please feel free to step out of class to take it.
 - On test review days, I will allow people to use laptops. Also, we will be taking quizzes on Canvas, and you will be allowed to use your computer for this.
 - For disability accommodation exceptions, please talk to me directly. I am happy to accommodate disabilities that require the use of technology.
- *Office Hours:*
 - My office hours are listed above. If you would like to talk about philosophy, clarify a point from class, get help with an assignment, talk about your grade, etc., feel free to make an appointment with me.
 - Please, please, please come to office hours if you need help with anything. It's part of my job to help you study for the exams.
- *Late Work:*
 - My policy is that for every day that your assignment is late, you will lose a full letter grade on it.

Course Schedule

| Date | Topic | Assigned Reading | Assignment Due |
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| Week 1 Day 1 | Introduction to the class | None. | |
| Unit 1: Consent in Medical Ethics | | | |
| Week 1 Day 2 | Introduction to Consent | | |

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| | | Tom Beauchamp. "Informed Consent: Its History, Meaning, and Present Challenges." <i>Cambridge Quarterly of Healthcare Ethics</i> (2011): 515-523. | |
| Week 2 Day 1 | Consent and Framing Effects | Jason Hanna. "Consent and the Problem of Framing Effects." <i>Ethical Theory and Moral Practice</i> (2011): 517-531. Optional: Eric Chwang, "Consent's Been Framed: When Framing Effects Invalidate and How to Validate It Again." <i>Journal of Applied Philosophy</i> (2016): 270-283. | |
| Week 2 Day 2 | Consent and Addiction | Louis Charland. "Cynthia's Dilemma: Consenting to Heroin Prescription." <i>The American Journal of Bioethics</i> (2002): 37-47. Hanna Pickard. "The Purpose in Chronic Addiction." <i>The American Journal of Bioethics: Neuroscience</i> (2012):40-49. | |
| Week 3 Day 1 | Anorexia Nervosa and Consent | Jacinta Tan, Tony Hope, Anne Stewart, and Raymond Fitzpatrick. "Competence to Make Treatment Decisions in Anorexia Nervosa: Thinking Processes and Values." <i>Philosophy, Psychiatry, and Psychology</i> (2007): 267-282. | |
| Week 3 Day 2 | Children and Consent | David Archard. "Children's Consent to Medical Treatment." <i>Principles of Health Care Ethics</i> . | |
| Week 4 Day 1 | Consent vs. Paternalism | Selections from Jason Hanna. <i>In Our Best Interest: A Defense of Paternalism</i> . | |
| Unit 2: The Ethics of Death and Dying | | | |
| Week 4 Day 2 | Advance Directives | Rebecca Dresser, "Life, Death, and Incompetent Patients: Conceptual | |

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| | | <p>Infirmities and Hidden Values in the Law.” <i>Arizona Law Review</i> 28 (1986): 373-382.</p> <p>*Note that this is not the whole article, just a selection of pages.</p> <p>Rebecca Dresser, “Dworkin on Dementia: Elegant Theory, Questionable Policy.” <i>Hastings Center Report</i> (1995): 32-38.</p> | |
| Week 5 Day 1 | Active vs. Passive Euthanasia | James Rachels, “Active and Passive Euthanasia.” <i>The New England Journal of Medicine</i> . 1-6. | |
| Week 5 Day 2 | Voluntary Euthanasia | Robert Young. “Voluntary Euthanasia.” <i>The Stanford Encyclopedia of Philosophy</i> (2020). | Annotated bibliography due on Canvas. |
| Unit 3: Moral Status | | | |
| Week 6 Day 1 | What is moral status? | Agnieszka Jaworska and Julie Tannenbaum. “The Grounds of Moral Status.” <i>The Stanford Encyclopedia of Philosophy</i> (2018). | |
| Week 6 Day 2 | Do animals have moral status? | Peter Singer. “Speciesism and Moral Status.” <i>Metaphilosophy</i> (2009): 567-581. | |
| Unit 4: The Ethics of Abortion | | | |
| Week 7 Day 1 | Abortion 1 (Moral Status and Abortion) | Mary Anne Warren, “On The Moral and Legal Status of Abortion.” <i>The Monist</i> (1973): 43-61. | Take home midterm posted. |
| Week 7 Day 2 | Abortion 2 (Thomson’s Argument in Defense of Abortion) | Judith Jarvis Thomson, “A Defense of Abortion.” <i>Philosophy & Public Affairs</i> (1971): 47-66. | |
| Week 8 Day 1 | Abortion 3 (Marquis’ Argument) | Don Marquis, “Why Abortion Is Immoral.” <i>The Journal of Philosophy</i> (1989): 183-202. | Take home midterm due on Canvas. |

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| | Against Abortion). | | |
| Unit 5: Procreative and Family Ethics | | | |
| Week 8 Day 2 | Is adoption morally obligatory? | Tina Rulli. "Preferring a Genetically-Related Child." <i>Journal of Moral Philosophy</i> (2014): 1-30. | |
| Week 9 Day 1 | Are sperm or gamete donation permissible? | Rivka Weinberg. "The Moral Complexity of Sperm Donation." <i>Bioethics</i> (2008): 166-178. | |
| Week 9 Day 2 | Can parents disable their children? | Robert Sparrow, "Defending Deaf Culture: The Case of Cochlear Implants." <i>The Journal of Political Philosophy</i> (2005): 135-152. | |
| Week 10 Day 1 | Should we enhance our children? | Robert Sparrow. "A Not-So-New Eugenics: Harris and Savulescu on Human Enhancement." <i>The Hastings Center Report</i> (2011): 32-42. Optional: watch <i>Gattaca</i> . | |
| Unit 6: Research Ethics | | | |
| Week 10 Day 2 | When is it permissible to do research on human subjects? | <i>The Declaration of Helsinki</i> (2 pages) <i>The Belmont Report</i> (about 10 pages) Richard Yetter-Chappell and Peter Singer. "Pandemic Ethics: The Case for Risky Research." <i>Research Ethics</i> (2020): 1-8. | |
| Week 11 Day 1 | Can we use animals in medical research? | David DeGrazia. "The Moral Status of Animals and Their Use in Research: A Philosophical Review." <i>Kennedy Institute of Ethics Journal</i> (1991): 48-70. | |
| Week 11 Day 2 | Is exploitation permissible in research? | Trisha Phillips. "Exploitation in Payments to Research Subjects." <i>Bioethics</i> (2011): 209-219. | Rough Draft of Term Paper Due on Canvas |

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| Unit 7: Political and Ethical Issues in Public Health | | | |
| Week 12 Day 1 | Public health ethics fundamentals Interventions in public health: nudges and cigarette bans | Kalle Grill and Kristin Voigt. "The Case for Banning Cigarettes." <i>Journal of Medical Ethics</i> (2015): 293-301. Jessica Flanigan. "Double Standards and Arguments for Tobacco Regulation." <i>Journal of Medical Ethics</i> (2015): 305-311. | |
| Week 12 Day 2 | Interventions in public health: drug prohibitions | James Q Wilson. "Against the Legalization of Drugs." <i>Commentary</i> (1990): https://www.commentary.org/articles/james-wilson/against-the-legalization-of-drugs/ Michael Huemer. "America's Unjust Drug War." (2004): 1-12. | |
| Week 13 Day 1 | Should the state provide healthcare to all? | Allen Buchanan. "The Right to a Decent Minimum of Health Care." <i>Philosophy & Public Affairs</i> (1984): 55-78. | |
| Week 13 Day 2 | How do we fairly distribute scarce medical resources? | Govind Persad, Alan Wertheimer, and Ezekiel Emanuel. "Principles for allocation of scarce medical interventions." <i>The Lancet</i> (2009): 423-431. | |
| Week 14 Day 1 | Ethics in a pandemic: lockdowns for and against | Chris Freiman, "Civil Liberties in a Lockdown: The Case of COVID-19." <i>Journal of Medicine and Philosophy</i> . | |
| Week 14 Day 2 | Ethics in a pandemic: should there be vaccine mandates? | Alberto Giubilini and Julian Savulescu. "Vaccination, Risks, and Freedom: The Seat Belt Analogy." <i>Public Health Ethics</i> (2019): 237-249. | Final Version of Term Paper Due on Canvas |
| Week 15 Day 1 | Mini Paper Conference | | |
| Week 15 Day 2 | Mini Paper Conference | | |

Syllabus Statements

Responsible Conduct of Research

It is also strongly recommended that students complete the Responsible Conduct of Research (RCR) certificate through the CITI training of academic research on-line at <http://www.fau.edu/graduate/events/citi-training.php>. Students are also encouraged to attend FAU OURI work- shops on topics related responsible conduct of research. Information on OURI workshops can be found here http://www.fau.edu/our/student_workshops.php.

Policy on the Recording of Lectures

Because of a new Florida Statute in 2021, the following model language is suggested for inclusion in course syllabi, at the discretion of individual faculty:

Students enrolled in this course may record video or audio of class lectures for their own personal educational use. A class lecture is defined as a formal or methodical oral presentation as part of a university course intended to present information or teach students about a particular subject. Recording class activities other than class lectures, including but not limited to student presentations (whether individually or as part of a group), class discussion (except when incidental to and incorporated within a class lecture), labs, clinical presentations such as patient history, academic exercises involving student participation, test or examination administrations, field trips, and private conversations between students in the class or between a student and the lecturer, is prohibited. Recordings may not be used as a substitute for class participation or class attendance and may not be published or shared without the written consent of the faculty member. Failure to adhere to these requirements may constitute a violation of the University's Student Code of Conduct and/or the Code of Academic Integrity.

Attendance Policy

Students are expected to attend all of their scheduled University classes and to satisfy all academic objectives as outlined by the instructor. The effect of absences upon grades is determined by the instructor, and the University reserves the right to deal at any time with individual cases of non-attendance. Students are responsible for arranging to make up work missed because of legitimate class absence, such as illness, family emergencies, military obligation, court-imposed legal obligations or participation in University-approved activities. Examples of University-approved reasons for absences include participating on an athletic or scholastic team, musical and theatrical performances and debate activities. It is the student's responsibility to give the instructor notice prior to any anticipated absences and within a reasonable amount of time after an unanticipated absence, ordinarily by the next scheduled class meeting. Instructors must allow each student who is absent for a University-approved reason the opportunity to make up work missed without any reduction in the student's final course grade as a direct result of such absence.

Counseling and Psychological Services (CAPS) Center

Life as a university student can be challenging physically, mentally and emotionally. Students who find stress negatively affecting their ability to achieve academic or personal goals may wish to consider utilizing FAU's Counseling and Psychological Services (CAPS) Center. CAPS provides FAU students a range of services – individual counseling, support meetings, and psychiatric services, to name a few – offered to help improve and maintain emotional well-being. For more information, go to <http://www.fau.edu/counseling/>

Disability Policy

In compliance with the Americans with Disabilities Act Amendments Act (ADAAA), students who require reasonable accommodations due to a disability to properly execute coursework must register with Student Accessibility Services (SAS) and follow all SAS procedures. SAS has offices across three of FAU's campuses – Boca Raton, Davie and Jupiter – however disability services are available for students on all campuses. For more information, please visit the SAS website at www.fau.edu/sas/.

Code of Academic Integrity

Students at Florida Atlantic University are expected to maintain the highest ethical standards. Academic dishonesty is considered a serious breach of these ethical standards, because it interferes with the university mission to provide a high quality education in which no student enjoys an unfair advantage over any other. Academic dishonesty is also destructive of the university community, which is grounded in a system of mutual trust and places high value on personal integrity and individual responsibility. Harsh penalties are associated with academic dishonesty. For more information, see [University Regulation 4.001](#).