

Milken Institute School of Public Health

THE GEORGE WASHINGTON UNIVERSITY

Department of Health Policy and Management

PUBH 6368 Spring I 2018

Law, Medicine, and Ethics, 2 credit hours

ONLINE COURSE

10 weeks

Course Director

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Office Hours: By appointment. Please e-mail or call to schedule a meeting.

Course Description: This course explores legal, ethical, and policy issues that arise in the biomedical arena. We address controversial and challenging questions concerning, inter alia, the definitions of life and death, the nature of personal identity, the requirements of justice, and the boundaries of liberty. We will draw on legal, medical, and ethical/philosophical literature in examining these issues.

Course Prerequisite(s): Public Health and Law, PUBH 6335 (If you have not taken PUBH 6335, please contact Professor Goldstein before enrolling). Residential students must have taken either Health Services and Law, PUBH 6330, or PUBH 6335.

Course Learning Objectives/Learning Outcomes – Upon completion of the course, students will be able to:

- Establish a working knowledge of health policy issues in law, medicine and ethics.
- Participate in informed discussions, debate, and analytical writing regarding issues in law, medicine, and ethics.
- Develop the skills necessary for critical analysis of current and recurring bioethics issues.

Required Texts:

(Readings should be completed before coming to class!)

| Title | Author | Edition |
|---|----------------|---------------------------------------|
| Law, Science and Medicine ("Text") NOTE: Text readings are provided via links posted in 2GW | Gostin, et al. | 3d ed., Foundation Press (2005) |
| Additional required readings provided via links posted in 2GW (citations provided below) | | |

Recommended/Supplemental Texts:

| Title | Author | Edition |
|--------------------------------------|----------------|--------------|
| The Immortal Life of Henrietta Lacks | Rebecca Skloot | Crown (2010) |

Methods of Instruction:

| | | | |
|-------------------------------------|-----------------------------------|-------------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | Lectures | <input checked="" type="checkbox"/> | Class and Small Group Discussions |
| <input checked="" type="checkbox"/> | Case Studies | <input checked="" type="checkbox"/> | Student Presentations |
| <input checked="" type="checkbox"/> | Required Readings/Textbook | <input checked="" type="checkbox"/> | Student-led discussions |
| <input checked="" type="checkbox"/> | Recommended/Supplemental Readings | | |

Methods of Evaluation:**Percent of Grade**

| | |
|--|-----|
| Class Participation [attendance, completion of asynchronous material, careful preparation, thoughtful contributions to discussion, written discussion questions/short reflection papers, leadership in class discussion on discussion questions] | 30% |
| Mid-Term Exam | 35% |
| Final Paper | 35% |

Students will be graded on their class participation, performance on a mid-term exam, and substantive writings.

Grading Scale and Standards:

| | |
|------------|--------------|
| A: 94-100% | C+: 77-79% |
| A-: 90-93% | C: 73-76% |
| B+: 87-89% | C-: 70-72% |
| B: 84-86% | F: Below 70% |
| B-: 80-83% | |

Workload:

In this course, you will be expected to spend approximately 4-5 hours per week in independent learning which can include reviewing assigned material, preparing for class discussions, working on assignments, studying for exams, and group work. In addition, you will spend an average of 2.75 hours each week in direct instruction: 80 minutes per week of prepared asynchronous content and 80 minutes per week in live class sessions with your instructor.

Class Policy: Expectations for individual contributions and acceptable levels of collaboration for assignments on which students may work together

Collaboration among students outside of class is strongly encouraged. The final paper must be written independently, although it is acceptable to seek the opinions of others on drafts. Comprehensive academic research in peer-reviewed sources and rigorous citation of all sources will be expected. These guidelines will be discussed in more detail in class.

Class Policy: Attendance, Participation and Discussion

Class attendance is mandatory. Class discussions showing careful preparation, rigorous thought, and an informed understanding of the subject matter will be an integral part of the learning process. *Please read and analyze all of the assigned materials before the live session to facilitate discussions.* All students will be expected to participate actively in class discussions. Students will also be expected occasionally to lead discussion on discussion questions. **Absences will only be excused in extraordinary circumstances and must be discussed with the instructor prior to class.**

Law, Medicine, and Ethics is a demanding course that requires students to think critically and utilize high-level analytical skills regarding complex issues. The discipline requires such mastery not only in well-articulated written work, but also in thoughtful discussions between and among students and instructors. Receiving full points for participation is not simply a matter of showing up and turning work in

on time. Outstanding participation grades require truly thoughtful, insightful, and well-argued contributions and leadership in class that demonstrate a high level of mastery of the course material.

Class Policy: Assignments

- **Regular attendance in live sessions, completion of asynchronous material, careful preparation for class, thoughtful contributions to discussion, written discussion questions/short reflection papers, leadership in class discussion on discussion questions. 30%**
 - A discussion question based on the readings should be posted on the wall **24 hours prior to each live session**. Students should be prepared to lead class conversation on the question during the live session. The discussion questions will be graded on a satisfactory/unsatisfactory basis.
 - 2-3 pages of “reflection” that demonstrate the student’s engagement with the assigned readings and reflection on the issues at hand will be due prior to the live sessions for Units 3, 7, and 8. The instructor will provide more details regarding expectations for this assignment. The reflection papers will be graded on a satisfactory/unsatisfactory basis.
- **Midterm exam.** The mid-term exam will be available after the L/S in Unit 4 and due before the L/S in Session 5. The instructor will provide more details regarding expectations for this assignment. **35%**
- **Final paper.** The final paper will be due 72 hours after the final live session of the course. A proposed topic for the final paper will be due prior to the L/S in Unit 6. The instructor will provide more details regarding expectations for this assignment. **35%**

Class Policy: Late Work

Students must meet the due dates for all assignments. **Extensions will be granted only in extraordinary circumstances and must be discussed with the instructor in advance of the due date.** Grades for unexcused late assignments will be reduced one step for each day the assignment is late (A to A-, B+ to B, etc.).

Class Policy: Make-up Exams

Any student who experiences significant family or personal illness or emergency after the final withdrawal date and is unable to complete course work should ask the instructor for an incomplete for the course. Each case will be managed on an individual basis.

University Policy on Religious Holidays:

1. Students should notify faculty during the first week of the semester of their intention to be absent from class on the day(s) of religious observance.
2. Faculty should extend to these students the courtesy of absence without penalty on such occasions, including permission to make up examinations.
3. Faculty who intend to observe a religious holiday should arrange at the beginning of the semester to reschedule missed classes or to make other provisions for their course-related activities.

2GW:

2GW will be used for all online course activities, hosting weekly course content, the posting of course files and assignments and for communicating with the class. Students are already enrolled for this course on 2GW if registration has been completed. It is the student’s responsibility to periodically check the course site for updates to the syllabus/readings/schedules.

Academic Integrity:

All Milken Institute School of Public Health Students are required to complete the GW Academic Integrity Activity. This must be completed within 2 weeks of starting your coursework at Milken Institute School of Public Health. - See more at:

<https://publichealth.gwu.edu/integrity#sthash.FIIRdO5H.dpuf>

Please review the University's policy on academic integrity, located at www.gwu.edu/~ntegrity/code.html and complete the online training for all GWSPH students; All graded work must be completed in accordance with the George Washington University Code of Academic Integrity. **There will be no exceptions to this policy.**

Academic dishonesty is defined as cheating of any kind, including misrepresenting one's own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information. Common examples of academically dishonest behavior include, but are not limited to, the following: cheating; fabrication; plagiarism; falsification and forgery of University academic documents; facilitating academic dishonesty.

SafeAssign and TurnItIn:

All GWSPH faculty have access to the SafeAssign and TurnItIn plagiarism detection services. Please be aware that the work products you submit for this course may be scanned by these tools for originality. Students found plagiarizing will be subject to penalties outlined in the GWSPH Student Handbook and GW Code of Academic Integrity.

NOTE: You are expected to type out and sign the following honor pledge at the end of each assignment:

“On my honor as a student of the George Washington University, I have neither given nor received assistance on this assignment.

[Signed: Your name]”

Support for Students Outside the Classroom:

Disabilities Support Services: (DSS)

Any student who may need an accommodation based on the potential impact of a disability, should contact the Disability Support Services office at 202.994.8250 in the Rome Hall, Suite 102, to establish eligibility and to coordinate reasonable accommodations. For additional information please refer to: <https://disabilitysupport.gwu.edu/>

Mental Health Services: 202-994-5300

The University's Mental Health Services offers 24/7 assistance and referral to address students' personal, social, career, and study skills problems. Services for students include: crisis and emergency mental health consultations, confidential assessment, counseling services (individual and small group), and referrals. <https://counselingcenter.gwu.edu/>

Adverse Weather/Class Cancellation:

Because this is an online class, it is rare for either instructor or student to miss a class. Under severe weather conditions, students or instructors may lose electricity, and potentially the internet, but not the phone connection.

To Report an Emergency or Suspicious Activity:

Call the University Police Department at 202-994-6111.

Additional Information:

Additional information about emergency preparedness and response at GW or the University's operating status can be found on GW Campus Advisories (<http://CampusAdvisories.gwu.edu>) or by calling the GW Information Line at 202-994-5050.

Session Outline**Session 1**Course Overview and Introduction

- a. Introduction to bioethics literature and analysis.
- b. Introduction to legislative issues in bioethics.
- c. Case study: HR 3200, Sec. 1233
- d. Case study: Ethical considerations for using untested interventions for Ebola virus disease

Required readings:

- 1) Vaughn, L. (2013). Bioethics: principles, issues, and cases. New York: Oxford University Press, c2013, Ch. 1-2
- 2) HR 3200, Sec. 1233 — 111th Congress (2009-2010)
- 3) Nyhan, B. (2010). Why the "Death Panel" Myth Wouldn't Die: Misinformation in the Health Care Reform Debate. *The Forum*, 8(1), ISSN (Online) 1540-8884.
- 4) Luhby, T., *CNN Money* and Aleccia, J., *Kaiser Health News*, Fake Obamacare "death panels" are back, Feb. 14, 2017
- 5) Department of Health and Human Services, Centers for Medicare & Medicaid Services (2016), Advance Care Planning, available at: <https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/AdvanceCarePlanning.pdf>
- 6) Gostin, L.O., Lucey, D., Phelan, A. (2014). The Ebola Epidemic: A Global Health Emergency. *Journal of The American Medical Association*, 312(11), 1095-1096.
- 7) World Health Organization, "Ethical considerations for use of unregistered interventions for Ebola virus disease (EVD)."
- 8) McNeil Jr., D. New Ebola Vaccine Gives 100 Percent Protection, *The New York Times*, Dec. 22, 2016

Session 2

Defining Death & Withholding and Withdrawal of Life-Sustaining Treatment

- a. Introduction to legal cases in bioethics.
- b. Legal/Medical/Ethical definitions of death.
- c. Decision-making competence.
- d. Surrogate decision-making.
- e. The “right” to die.
- f. Legal standards of review.

Required readings:

- 1) *State v. Guess*, 244 Conn. 761, 715 A.2d 643 (1998), plus notes, Text, pp. 976-981
- 2) Curfman, G., Morrissey, S., & Drazen, J. (2008). Cardiac transplantation in infants. *The New England Journal Of Medicine*, 359(7), 749-750.
- 3) Boucek, M. M., Mashburn, C., Dunn, S. M., Frizell, R., Edwards, L., Pietra, B., & Campbell, D. (2008). Pediatric heart transplantation after declaration of cardiocirculatory death. *The New England Journal Of Medicine*, 359(7), 709-714.
- 4) Truog, R., & Miller, F. (2008). The dead donor rule and organ transplantation. *The New England Journal Of Medicine*, 359(7), 674-675.
- 5) Bernat, J. (2008). The boundaries of organ donation after circulatory death. *The New England Journal Of Medicine*, 359(7), 669-671.
- 6) Veatch, R. M. (2008). Donating hearts after cardiac death--reversing the irreversible. *The New England Journal Of Medicine*, 359(7), 672-673.
- 7) Magnus, D. C., Wilfond, B. S., & Caplan, A. L. (2014). Accepting brain death. *The New England Journal Of Medicine*, 370(10), 891-894.
- 8) *Cruzan v. Director, Missouri Dept. of Health*, 497 U.S. 261 (1990), plus notes, Text, pp. 1001-1017
- 9) Gostin, L.O. (2005). Ethics, the Constitution, and the dying process: the case of Theresa Marie Schiavo. *The Journal of The American Medical Association*, 293(19), 2403-2407.
- 10) Vegetative Patient Shows Signs of Awareness, Study Says, *The New York Times*, September 7, 2006
- 11) Spontaneous Movements Often Occur After Brain Death, *Science Daily*, Jan. 13, 2000

Assignment: Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.

Session 3

Euthanasia and Physician-Assisted Suicide

- a. Euthanasia v. physician-assisted suicide: Legal distinctions.
- b. Statutory Law.
- c. Evolution of common law regarding the "right" to die and physician-assisted suicide.
- d. Euthanasia v. physician-assisted suicide: Ethical/moral distinctions.
- e. The role of trade organizations/medical societies.
- f. Policy v. law v. ethics/morals.

Required readings:

- 1) Gostin, L.O. (1997). Health law and ethics. Deciding life and death in the courtroom: from Quinlan to Cruzan, Glucksberg, and Vacco -- a brief history and analysis of constitutional protection of the 'right to die'. *Journal of The American Medical Association*, 278(18), 1523-1528.
- 2) Gostin, L.O. (2006). Physician-assisted suicide: a legitimate medical practice? *Journal of The American Medical Association*, 295(16), 1941-1943.
- 3) *Washington v. Glucksberg*, 521 U.S. 702 (1997), and *Vacco v. Quill*, 521 U.S. 793 (1997), Text pp. 1035- 1050
- 4) The Oregon Death with Dignity Act, Text, pp. 1050-1055
- 5) Current Annual Report on Oregon's Death with Dignity Act
- 6) Robinson, J. (2010). Baxter and the return of physician-assisted suicide. *Hastings Center Report*, 40(6), 15-17.
- 7) A piece of my mind. It's over, Debbie. (1988). *Journal of The American Medical Association*, 259(2), 272.
- 8) Quill, T. (1991). Death and dignity. A case of individualized decision making. *The New England Journal Of Medicine*, 324(10), 691-694.
- 9) Rachels, J. *Active and Passive Euthanasia*, plus notes, Text, pp. 1059-1062
- 10) Emanuel, E. J. (2016). Attitudes and Practices of Euthanasia and Physician-Assisted Suicide in the United States, Canada, and Europe. *Journal of The American Medical Association*, 316(1), 79-90.
- 11) American Medical Association, Council on Ethical and Judicial Affairs, Policies (Excerpt)

Assignments:

1. **Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.**
2. **2-3 pp. reflection paper that demonstrates your engagement with the assigned readings and reflection on the issues at hand due prior to live session.**

Session 4

Maternal-Fetal Relations/Assisted Reproduction

- a. Ethical/social debates regarding maternal-fetal relations.
- b. Autonomous decision-making
- c. The meaning and interpretation of parental rights.
- d. Surrogate motherhood.
- e. Assisted reproduction

Required readings:

- 1) *In re A.C.*, 573 A.2d 1235 (D.C. 1990) (Excerpt)
- 2) *In re: Baby Boy Doe, A Fetus*, 260 Ill.App.3d 392, 198 Ill.Dec. 267, 632 N.E.2d 326 (1997), plus notes, Text, pp. 1226-1236
- 3) Rhoden, N. K. (1987). Cesareans and samaritans. *The Journal of Law, Medicine & Ethics*, 15, 118–125. (Excerpt)
- 4) Cantor, J. (2012). Court-ordered care--a complication of pregnancy to avoid. *The New England Journal Of Medicine*, 366(24), 2237-2240.
- 5) *Davis v. Davis*, 842 S.W.2d 588 (TN 1992), *cert. denied*, 507 U.S. 911, plus note, Text, pp. 1115- 1124
- 6) *In re Baby M*, 109 N.J. 396, 537 A.2d 1227 (1988), plus note, Text, pp. 1188-1198
- 7) Notes, Text, pp. 1209-1213
- 8) Purdy, L. M. (1989). Surrogate mothering: exploitation or empowerment?. *Bioethics*, 3,18–34. (Excerpt)
- 9) Cohen, I., & Adashi, E. (2013). Made-to-order embryos for sale--a brave new world?. *The New England Journal Of Medicine*, 368(26), 2517-2519.
- 10) Hookway, James. (2014). Thailand targets surrogacy practices amid scandals; government threatens to close door on major international hub for infertile couples. *Wall Street Journal* (Online), Aug 27, 2014.
- 11) Macer, D. (2014). Ethical conditions for transnational gestational surrogacy in Asia. *American Journal Of Bioethics*, 14(5), 1-2.

Assignment: Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.

Midterm exam distributed: Due before L/S, Session 5.

Session 5

Research with Human Subjects

- a. The evolution of human subjects research policy
- b. The Nazi Experiments
- c. Tuskegee
- d. Informed consent in research trials
- e. Guidelines for international research trials
- f. Case studies in research with human subjects

Required readings:

- 1) Overview and the Nazi War Crimes Trials, plus notes, Text, pp. 871-885
- 2) Henry Beecher, *Ethics and Clinical Research*, plus notes, Text, pp. 886-890
- 3) Testimony of Fred Gray, plus notes, Text, pp. 890-894
- 4) Patricia King, *The Dangers of Difference*, Text, pp. 894-898
- 5) *Government Regulations*, Text, pp. 904-907
- 6) Department of Health and Human Services, Regulations on Protection of Human Subjects, plus notes, Text, pp. 907-914
- 7) U.S. Department of Health and Human Services (Jan. 18, 2017), Final rule enhances protections for research participants, modernizes oversight system, available at: <https://www.hhs.gov/about/news/2017/01/18/final-rule-enhances-protections-research-participants-modernizes-oversight-system.html>
- 8) Federal Policy for the Protection of Human Subjects, Final Rule, Executive Summary, 82 Fed. Reg. 7149 (Jan. 19, 2017)
- 9) CIOMS, International Ethical Guidelines for Biomedical Research Involving Human Subjects, plus notes, Text, pp. 918-924
- 10) Lurie, P., & Wolfe, S. M. (1997). Unethical trials of interventions to reduce perinatal transmission of the human immunodeficiency virus in developing countries. *The New England Journal Of Medicine*, 337(12), 853-856.
- 11) Angell, M. (1997). The ethics of clinical research in the Third World. *The New England Journal Of Medicine*, 337(12), 847-849.
- 12) Levine, R. J. (1998). Editorial: the 'best proven therapeutic method' standard in clinical trials in technologically developing countries. *IRB: Ethics and Human Research*, 20(1), 5-9.
- 13) Bloom, B. R. (1998). The highest attainable standard: ethical issues in AIDS vaccines. *Science*, 279(5348), 186-188.
- 14) Lynch, H. (2012). Ethical evasion or happenstance and hubris?. *Hastings Center Report*, 42(2), 30- 38.
- 15) Hudson, K.L., & Collins, F.S. (2013). Family matters. *Nature*, 500(7461), 141-142.

Optional Reading: The Immortal Life of Henrietta Lacks

Assignment: Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.

Midterm exam due before L/S.

Session 6

Abortion

- a. Ethical/social debates regarding abortion
- b. Legal debates regarding abortion.
- c. Evolution of common law.

Required Readings:

- 1) Thomson, J.J. (1971). A defense of abortion. *Philosophy & Public Affairs*, 1(1), 47-66
- 2) *Griswold v. Connecticut*, 381 U.S. 497 (1965), plus notes, Text, pp. 1134-1138
- 3) *Roe v. Wade*, 410 U.S. 113 (1973), majority opinion, Stewart concurring opinion, and Rehnquist dissent
- 4) *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), plus notes, Text, pp. 1143-1161
- 5) *Gonzales v. Carhart*, 548 U.S. 938 (2006) (all opinions)
- 6) Orentlicher, D. (2011). The legislative process is not fit for the abortion debate. *Hastings Center Report*, 41(4), 13-14
- 7) Rosenbaum, Sara. (2016). When Common Sense and Public Health Prevail: *Whole Woman's Health v. Hellerstedt*. *HealthAffairsBlog*, July 1, 2016.
- 8) *Whole Woman's Health v. Hellerstedt*, 579 U.S. ____ , No. 15-274 (2016), majority opinion and Ginsburg concurring opinion
- 9) Presidential Memorandum Regarding the Mexico City Policy, Jan. 23, 2017
- 10) Lo, N. C., & Barry, M. (2017). The Perils of Trumping Science in Global Health - The Mexico City Policy and Beyond. *The New England Journal Of Medicine*, 376(15), 1399-1401

Assignment:

1. **Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.**
2. **Proposed final paper topic due prior to live session.**

Session 7

Stem Cells & Cloning

- a. Review of bioethics advisory commissions' recommendations regarding cloning and research involving embryonic, induced pluripotent, and adult stem cells.
- b. Discussion of proper role of advisory commissions in public policy-making.
- c. Discussion of ethical/legal/policy debates regarding cloning and research involving stem cells.

Required Readings:

- 1) National Bioethics Advisory Commission, Cloning Human Beings, Executive Summary
- 2) Childress, J.F. (1997). The challenges of public ethics: reflections on NBAC's report. *Hastings Center Report*, 27(5), 9-11
- 3) President's Council on Bioethics, Human Cloning and Human Dignity, plus notes, Text, pp. 1213- 1222
- 4) Fletcher, J.C. (2000). The National Bioethics Advisory Commission's report on stem cell research: a review. *ASBH Exchange*.
- 5) Bush Vetoes Measure on Stem Cell Research, The New York Times, June 21, 2007
- 6) Executive Order 13505, March 9, 2009, Removing Barriers to Responsible Scientific Research Involving Human Stem Cells
- 7) 2009 Guidelines on Human Stem Cell Research. In *Stem Cell Information* [World Wide Web site]. Bethesda, MD: National Institutes of Health, U.S. Department of Health and Human Services, 2011.
- 8) Davis, D.S. (2013). Not with a bang, but a whimper: *Sherley v. Sebelius*. *Hastings Center Report* 43(1), 17-18.
- 9) Stein, R. Scientists report possibly crucial advance in human embryonic stem cell research, The Washington Post, Oct. 5, 2011
- 10) Baker, M. Stem Cells Made by Cloning Adult Humans, *Nature*, April 28, 2014.
- 11) With three first-in-human trials, therapeutic stem cell science takes a bold step, *ScienceDaily* (October 20, 2014).

Assignments:

1. **Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.**
2. **2-3 pp. reflection paper that demonstrates your engagement with the assigned readings and reflection on the issues at hand due prior to live session.**

Session 8

Genetics

- a. Discussion of ethical/moral/legal issues raised by advances in genetics.
- b. Discussion of privacy implications and recent legislation involving genetics.
- c. Discussion of ethics cases in genetics.

Required readings:

- 1) Text: Decoding the Structure of Life, Text, pp. 6-11; Katskee v. Blue Cross/Blue Shield, 245 Neb. 808, 515 N.W.2d 645 (1994), plus notes, Text, pp. 25-28; Genetic Enhancement, Text, pp. 39-46
- 2) Hudson, K., Holohan, M., & Collins, F. (2008). Keeping pace with the times--the Genetic Information Nondiscrimination Act of 2008. *The New England Journal Of Medicine*, 358(25), 2661-2663.
- 3) Genetics and Public Policy Center, The Genetic Information Nondiscrimination Act
- 4) Genetics and Public Policy Center, Information on The Genetic Information Nondiscrimination Act
- 5) Donley, et al. (2012). Prenatal whole genome sequencing: just because we can, should we? *Hastings Center Report*, 42(4), 28-40.
- 6) Parens, E., Appelbaum, P., & Chung, W. (2013). Incidental findings in the era of whole genome sequencing. *Hastings Center Report*, 43(4), 16-19.
- 7) Conley, J. (2013). Myriad, finally: Supreme Court surprises by not surprising. *Genomics Law Report*.
- 8) Presidential Commission for the Study of Bioethical Issues, Privacy and Progress in Whole Genome Sequencing, Executive Summary.
- 9) Belluck, P. In Breakthrough, Scientists Edit a Dangerous Mutation From Genes in Human Embryos. *The New York Times* (Aug. 2, 2017).
- 10) Cha, A.E. FDA cracks down on company marketing 'three-parent' babies. *Washington Post* (Aug. 8, 2017).
- 11) The National Academy of Sciences and National Academy of Medicine, Committee on Human Gene Editing: Scientific, Medical, and Ethical Considerations. *Human Genome Editing: Science, Ethics, and Governance*, Executive Summary

Assignments:

2. **Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.**
3. **2-3 pp. reflection paper that demonstrates your engagement with the assigned readings and reflection on the issues at hand due prior to live session.**

Session 9

Distributive Justice and the Allocation of Health Care Resources

- a. Theories of justice
- b. Legal rights and human rights
- c. Justice and health reform
- d. Rationing
- e. Futile Care
- f. Macroallocation & Microallocation
- g. Case study: Oregon Medicaid

Required Readings:

- 1) Social Justice, Text, pp. 633-636
- 2) Fried, C. (1976). Equality and rights in medical care, *Hastings Center Report*, 6(1), 29-34.
- 3) Daniels, N. (1985). *Just health care / Norman Daniels*. Cambridge [Cambridgeshire]; New York: Cambridge University Press, 1985, pp. 6-7.
- 4) President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research. Securing Access to Health Care: A Report on the Ethical Implications of Differences in the Availability of Health Services, Vol. 1. Washington, D.C.: U.S. Government Printing Office, 1983. (Excerpt)
- 5) Mariner, W. K., Glantz, L. H., & Annas, G. J. (2012). Reframing federalism - the Affordable Care Act (and broccoli) in the Supreme Court. *The New England Journal Of Medicine*, 367(12), 1154-1158.
- 6) Jost, T.S. (2012). A mutual aid society? *Hastings Center Report*, 42(5), 14-16.
- 7) *In re: Baby K*, 16 F.3d 590 (4th Cir. 1994), plus notes. (Excerpt)
- 8) Oberlander, J. (2007). Health reform interrupted: the unraveling of the Oregon Health Plan. *Health Affairs*, 26(1), w96-w105.
- 9) Callahan, D. (1991). Ethics and priority setting in Oregon. *Health Affairs (Project Hope)*, 10(2), 78-87.
- 10) Brown, L. (1991). The national politics of Oregon's rationing plan. *Health Affairs (Project Hope)*, 10(2), 28-51.
- 11) Alakeson, V. (2008). Why Oregon went wrong. *BMJ: British Medical Journal*, 337a2044.
- 12) Donaldson, C., Bate, A., Brambleby, P., & Waldner, H. (2008). Moving forward on rationing: an economic view. *BMJ: British Medical Journal*, 337a1872.

Assignment: Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.

Session 10

Public Health Ethics

- a. Ethical principles in population health
- b. Similarities/differences between public health ethics and bioethics
- c. Practical ethics: case studies

Required readings:

- 1) Childress, J., Faden, R., Gaare, R., Gostin, L., Kahn, J., Bonnie, R., Kass, N., Mastroianni, A., Moreno, J., & Nieburg, P. (2002). Public health ethics: mapping the terrain. *Journal of Law, Medicine & Ethics*, 30(2),170-8.
- 2) Callahan, D., & Jennings, B. (2002). Ethics and public health: forging a strong relationship. *American Journal of Public Health*, 92(2), 169-76.
- 3) Kass, N. (2001). An ethics framework for public health. *American Journal of Public Health*, 91(11), 1776-82.
- 4) Baum, N., Gollust, S., Goold, S., & Jacobson, P. (2007). Looking ahead: addressing ethical challenges in public health practice. *Journal of Law, Medicine & Ethics*, 35(4), 657-667.
- 5) Bayer, R., & Fairchild, A. (2004). The genesis of public health ethics. *Bioethics*, 18(6), 473-492.
- 6) Kuehn, B. (2016). Pediatrician Sees Long Road Ahead for Flint after Lead Poisoning Crisis, *Journal of the American Medical Association*, 315(10), 967-969.
- 7) Sharfstein, J. (2016). JAMA Forum: Flint, Michigan and the Failure of Public Agencies, February 17, 2016.

Assignment:

1. **Post discussion question based on the readings on the wall 24 hours prior to live session. Be prepared to lead class conversation on the question.**
2. **Final paper due 72 hours following L/S.**