

PHILOSOPHY 331 A01
Issues in Biomedical Ethics
Fall Semester, 2023

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Texts:

- **Required:** Materials on Brightspace

Recommended: Schuklenk and Chadwick, *This is Bioethics* (Wiley-Blackwell, 2021)

Formal Course Requirements and Grading Procedures

This course deals with ethical issues that arise in the context of healthcare both at the level of policy and at the hands-on level, with particular focus on the Canadian scene. It distinguishes between healthcare viewed as a commodity and healthcare viewed as a right, and considers more specific issue such as abortion, informed consent, the healthcare profession-patient relationship, substitute decision making, reproductive technologies and medical assistance in dying. The first few sessions of this course are devoted to acquainting students with the various ethical theories that are used when dealing with these issues, so no philosophical background is required.

Since this course deals with issues on the interface of theory and practice, emphasis will be placed on demonstrated understanding and mastery of the ethical concepts and reasoning as applied to various types of issues encountered in the planning, delivery and research of healthcare. This understanding will be tested through formally scheduled examinations: two mid-terms and a final examination. The first mid-term examination is 50 minutes long, the second is 70 minutes long and the final examination is three hours in length. The first examination is worth 20%, the second is worth 30% and the final examination is worth 50% of the course grade. Students who have taken (and received a grade for) both mid-term examinations have the option of having the final examination count for 100% of their course grade. Students who choose this option must write 100% on the **front** of their final exam booklet before handing it in. Once they have left the exam room, this option is no longer open to them. The examinations are cumulative in the material that they cover. Students are allowed to bring any notes they have authored themselves (or that have been shared with them by a note taker) into the examinations. However copies of lecture slides are not permitted, as neither is the use of electronic devices unless due accommodation requires that this be the case, where this must be previously arranged with the instructor or CAL. With the exception of due accommodation, examination should be written in ink, not pencil. The dates for the mid-term examinations are approximate because they depend on how much time is needed to cover the material in the relevant sections.

Significant dates:

- Mid-term examination #1: Approximately Oct. 5

- Mid-term examination #2: Approximately Nov. 6
- Final examination: scheduled by the university

Exceptions from course requirements, adjustments for taking examinations at set examination dates, etc. will only be made in accordance with UVic regulations as published in the Calendar. It is the responsibility of the students to acquaint themselves with these and with the relevant dates. The mid-term examinations will be returned as soon as they are graded. Final examinations are the property of the University and will not be returned. They are available for viewing at the Records Office at a time designated by the University.

Grading:

Grades will be assigned on a percentile basis with letter grade equivalents as follows: F=0-49; D=50-59; C=60-64; C+=65-69; B-=70-72; B=73-76; B+=77-79; A-=80-84; A=85-89; A+=90-100. The criteria for assigning grades may be found in the University Calendar. Students are encouraged to discuss their examinations with the instructor.

Inappropriate behaviour and contraventions of academic integrity

Inappropriate behaviour and violations of standards of academic integrity as defined in the University Calendar will be dealt with in accordance with University Regulations.

TENTATIVE OUTLINE OF LECTURES AND DISCUSSIONS

1. Introduction

2. Ethical Theory

Readings: Chapters 1 and 2,
materials on Brightspace

A. Meta-ethics

B. Ethical theories used in healthcare

C. Codes of Ethics and Professionalism

CMA Code of Ethics and Professionalism, available at

https://policybase.cma.ca/en/permalink/policy13937#_ga=2.87094481.837296902.1621979348-1512166964.1601055401

The WMA International Code of Medical Ethics, available at

<https://www.wma.net/wp-content/uploads/2006/09/International-Code-of-Medical-Ethics-2006.pdf>

3. Healthcare Professional—Patient Relationship *Readings:* Chapter 6, materials on Brightspace

A. Types of relationships

B. Relevance and ethical analysis

C. Emerging Issues

4. Informed Consent and the Competent Patient

Readings: Chapter 6,
materials on Brightspace

- A. Types of Consent
- B. Advance Directives (Complete *Representation Agreement Act* available at http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96405_01)
- C. Standards of Disclosure and Standards of Comprehension
- D. Exceptions

5. Substitute Decision Making

Readings: Chapter 6, materials on Brightspace

- A. Competence / Capacity
- B. Duly Empowered Substitute Decision Makers
- C. Substitute Decision Making and Values
 - Complete *BC Infants Act* available at http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96223_01

Mid-term # 1 (app. Oct. 5)

6. Research Using Human Subjects

Readings: Chapter 7, materials on Brightspace

- A. Human Experimentation: Nature and Rationale
- B. Consent in Experimentation
- C. Tri-Council Guidelines
 - Complete Tri-Council Policy available at http://www.pre.ethics.gc.ca/eng/policy-politique_tcps2-eptc2_2018.html

7. Right to Healthcare

Readings: Chapters 9 and 10, materials on Brightspace

- A. Definition of “Health” and its Implications
- B. Healthcare as a Right vs. Healthcare as a Commodity
- C. The *Canada Health Act* and Significant Developments
 - Romanow Report, available at <http://publications.gc.ca/site/archivee-archived.html?url=http://publications.gc.ca/collections/Collection/CP32-85-2002E.pdf>

8. Allocation of Medical Resources

Readings: Chapter 12 and 13, materials on Brightspace

- A. Macro-Allocation
- B. Micro-Allocation
- C. Special Issues

9. Personhood and Death

Readings: Chapters 5 and 11, materials on Brightspace

- A. The Concept of Death
- B. Criteria for the Determination of Death

Mid-term # 2 (app Nov. 6)**10. Assisted Suicide and Euthanasia**

Readings: Chapter 11,
materials on Brightspace

- A. Assisted Suicide
- B. Killing vs. Letting Die
- C. Arguments For and Against Euthanasia
- D. Medical Assistance in Dying Act; available at <http://www.justice.gc.ca/eng/rp-pr/other-autre/adra-amst/>

11. Abortion

Readings: Chapter 5,
materials on Brightspace

- A. The Status of the Human Embryo/Fetus
- B. Arguments For and Against Abortion
- C. Ethical relevance of Methods of Abortion

12. The Right to Have Children

Readings: Chapter 5,
materials on Brightspace

- A. Ambiguity of the Concept
- B. Arguments For and Against the Right to Have Children
- C. Surrogate Motherhood and Related Issues

13. Biotechnology

Readings: Chapters 8 and 9,
materials on Brightspace

- A. Ectogenesis
- B. Cloning
- C. Genetic Engineering, Etc.
- D. Artificial Intelligence in Healthcare

14. Review