

PHILOSOPHY 331 A01
Issues in Biomedical Ethics
Spring Semester, 2022

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Office Hours: Mondays 10:15– 11:15 hrs., Thursdays 13:15-14:15hrs., and by appointment

Text: Eike-Henner W. Kluge *Ethics in Health Care: A Canadian Focus*. (Pearson: Toronto, 2013)

Slides will be posted on Brightspace as appropriate.

Formal Course Requirements and Grading Procedures

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 60 minutes long, the second is 80 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 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. 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: app. Feb. 3
- Mid-term examination #2: app. March 3
- 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

Assigned reading: Chapters 1 and 2

- A. Meta-ethics
- B. Ethical theories used in health care
- 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. Health Care Professional—Patient Relationship

Assigned reading: Chapter 3

- A. Types of relationships
- B. Relevance and ethical analysis
- C. Emerging Issues

4. Informed Consent and the Competent Patient

Assigned reading: Chapter 4

- 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

Assigned reading: Chapter 5

- 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. Feb. 3)

6. Research Using Human Subjects

Assigned reading: Chapter 6

- 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 Health Care

Assigned reading: Chapter 9

- A. Definition of “Health” and its Implications
- B. Health Care as a Right vs. Health Care as a Commodity
- C. The *Canada Health Act* and Significant Developments
- Romanow Report, available at

<https://publications.gc.ca/collections/Collection/CP32-85-2002E.pdf>

8. Allocation of Medical Resources

Assigned reading: Chapter 10

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

9. Personhood and Death

Assigned reading: Chapter 7

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

Mid-term # 2 (app. March 3)

10. Assisted Suicide and Euthanasia

Assigned reading: Chapter 7

- A. Assisted Suicide
- B. Killing vs. Letting Die
- C. Arguments For and Against Euthanasia
- D. Medical Assistance in Dying Act; available at <https://www.justice.gc.ca/eng/cj-jp/ad-am/bk-di.html>

11. Abortion

Assigned reading: Chapter 8

- 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

Assigned reading: Chapter 11

- A. Ambiguity of the Concept
- B. Arguments For and Against the Right to Have Children

C. Surrogate Motherhood and Related Issues

13. Biotechnology

- A. Ectogenesis
- B. Cloning
- C. Genetic Engineering, Etc.

Assigned reading: Chapter 12

14. Review