



# Biomedical Ethics

## Phil 213a, Winter 2012

Professor William Seeley, 315 Hedge

Office Hours: T/Th 11:00 – Noon & by appointment

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### Course Description:

Biomedical ethics is a branch of applied ethics dedicated to the evaluation of ethical issues surrounding medical practice. For instance, what is the distinction between a treatment and an enhancement? How do we distinguish disease and illness from health? Is 'normal function' a biological or a cultural concept? How do the answers to these questions effect our medical judgments? Does the possibility of neuropharmacological enhancement change these answers in the case of psychological health? Should nascent technologies whose effects are not fully understood be used to treat patients with chronic health issues? At what point do risks outweigh the benefits of treatment? Is it ethically permissible to use Alzheimer's patients in human trials? Does permission of the family make a difference in one's evaluation of this matter? How should one go about determining the status and quality of life of a comatose patient? Does anyone have the right, or the ethical resources, to assess the life options of chronically ill patients? How should genetic screening be used to enhance the health of an individual? Should this tool be used to enhance the general health of the community? We will discuss these issues along with questions about the ethical foundations of human subjects research, the nature and ethics of genetic screening, informed consent and the physician-patient relationship, the definition of death, and the ethics of stem cell research and cloning. Our focus will, along the way, be loosely directed towards emerging issues in *neuroethics*, ethical questions about the growing use of neuropharmacological and surgical technologies in medical contexts.

### Course Goals:

The goals of this course are threefold. First we will examine a number of particular issues in medicine order to gain a general understanding of problems and methods in biomedical ethics. Second we will evaluate these issues in the broader context of philosophical theories of ethics., e.g. utilitarian and deontological approaches to philosophical ethics. Third, good reasoning is critical to objective discussion of any topic. In this context, we will learn a little bit about standard reasoning strategies and philosophical method.

### Requirements:

- Two 3 page analysis papers of assigned topics (30%).
- One 6 page mid-term paper on an assigned topic (25%).
- One 600 word term paper abstract/précis (5%)
- One 10-12 page term paper on a topic of your choosing (40%).
- Class participation is mandatory (+/-10% of the final grade)- poor attendance negatively impact on your grade.
- Late papers will NOT be accepted!
- **Most Importantly**, some ethical issues are controversial. It is critical to the success of class discussion that we remain both open-minded and respectful of the beliefs of others at all times.

### Texts:

- *Ethical Issues in Modern Medicine*, 7<sup>th</sup> Edition, eds. Bonnie Steinbock, John D. Arras, and Alex John London (New York: McGraw Hill, 2009). (**EIMM**)
- *Neuroethics*, ed. Martha Farah (Cambridge, MA: MIT Press, 2010)
- *Bioethics and the Brain*, Walter Glannon (New York: Oxford University Press, 2007).
- Electronic resources on LYCEUM.

### **Some Miscellaneous Notes and Guidelines:**

Moral behavior is the grounds for, and the framework of, a healthy society. In this regard it is each of our responsibility as an individual within the community of our classroom to act responsibly. This includes following the rules and guidelines set out by the College for academic behavior. Plagiarism is a serious matter. It goes without saying that each of you is expected to do his or her own work and to cite EVERY text that is used to prepare a paper for this class. In general philosophy papers are NOT research papers. Your response papers should not involve any outside research and you should be able to manage your final papers using only material from the syllabus, assigned supplemental readings, and class discussion.

As a general rule, I ask that you not use the internet for your research except as assigned in class.

The two assigned papers are designed to give students a chance to stretch their legs a bit with the material and give me a chance to assess your understanding of the material. These papers should offer a philosophical defense of your take on the issue at hand. But this does not mean that they are a free forum for opinions. Make sure that your papers set out the philosophical issues germane to the question and that your responses address the relative virtues and shortcomings of theoretical positions discussed in class.

Finally, the reading list for this class is arranged in topics as opposed to individual sessions. I will announce the particular readings for each class as we go along. This will allow us some flexibility in discussion so that we can spend more time on issues of interest to the class. I will also occasionally upload supplementary materials to LYCEUM for students interested in pursuing particular issues beyond class discussion.

## **Schedule of Topics:**

### Topic 1: Health, Disease, Normal Function, Treatment, & Enhancement

Boorse	On the Distinction between Disease and Illness
Engelhart	The Disease of Masturbation
Wells	The Country of the Blind
Daniels	Justice and Health Care
Silvers	A Fatal Attraction to Normalizing
Crouch	Letting the Deaf Be Deaf
Aronson	The Sound and the Fury (Movie)
Tomblin	Developmental Constraints...Cochlear Implants
Loeb	We Made the Deaf Hear

### Topic 2: Neuroethics

Farah et al,	Neurocognitive Enhancement...What Should We Do?
President's Council	Beyond Therapy: Essential Sources of Concern
Diller	The Run on Ritalin
President's Council	Memory Blunting
Kolber	Ethical Implications of Memory Damping
Hartley & Phelps	Changing Fear: The Neurocircuitry of Emotion Regulation
*Quirk & Mueller	Neural
Flowers	Lifestyle Drugs
Elliott	Prozac as a Way of Life
Chatterjee	Cosmetic Neurology
Hovarth et al	Transcranial Magnetic Stimulation: A Historical Evaluation
Howland et al	The Emerging Use of Technology for the Treatment of Depression
*Glannon	Neurosurgery, Psychosurgery, & Psychostimulation

### Topic 3: Informed Consent & the Physician-Patient Relationship

Goldman	The Refutation of Medical Paternalism
Elger & Chevrolet	Commentary
Emanuel and Emanuel	Four Models of the Physician-Patient Relationship
Katz	Informed Consent

### Topic 4: Genetic Screening

Williams & Sobel	Neurodegenerative Genetic Conditions...Huntington Disease
Miller et al	Psychosocial Processes in...Breast Cancer
Wachbroit & Wasserman	Patient Autonomy y in Non-Directive Genetic Counseling
Hurley et al	The Individual Facing Genetic Issues

### Topic 4: Human Subjects Research

National Commission	The Belmont Report
Rothman & Rothman	The Willowbrook Hepatitis Studies
Brandt	Racism and Research
Hellman & Hellman	Of Mice But Not Men
Freedman	A Response to Purported Ethical Difficulty with Randomized Clinical Trials

### Topic 7: Definition of Death

Laureys	Death and the Unconscious Brain
President's Commission	Defining Death
Bernat	The Whole Brain Concept of Death
McMahan	An Alternative to Brain Death
Monti et al	Neuroimaging and the Vegetative State
Rosenberg	Consciousness, Coma, and Brain Death
Glannon	Brain Death

## Bibliography:

- Christopher Boorse, "On the Distinction between Disease and Illness" in eds. James Lindeman Nelson & Hilde Lindeman Nelson, *Meaning and Medicine* (New York: Routledge, 1999), 16-37.
- H. Tristram Engelhart, "The Disease of Masturbation: Values and the Concept of Disease," in eds. James Lindeman Nelson & Hilde Lindeman Nelson, *Meaning and Medicine* (New York: Routledge, 1999), 5-15.
- H. G. Wells, "The Country of the Blind," *The Country of the Blind and Other Stories* (London: T. Nelson & Sons), 537-567.
- Norman Daniels, "Justice and Health Care," in Eds. Donald Van DeVeer and Tom Regan, *Health Care Ethics: An Introduction* (Philadelphia: Temple University Press, 1987), 290-325.
- Anita Silvers, "A Fatal Attraction to Normalizing: Treating Disabilities as Deviations from 'Species Typical' Functioning," in Ed. Erik Parens, *Enhancing Human Traits: Ethical and Social Implications* (Washington D.C.: Georgetown University Press, 2000), 95-123.
- Robert Crouch, "Letting the Deaf Be Deaf," in eds. James Lindeman Nelson & Hilde Lindeman Nelson, *Meaning and Medicine* (New York: Routledge, 1999), 360-370.
- Movie: *The Sound and the Fury*, dir. Josh Aronson (2001).
- J. Bruce Tomblin, Brittan A. Barker, Sarah Hubbs, "Developmental Constraints on Language Development in Children with Cochlear Implants," *International Journal of Audiology*, 46(9), 2007: 512-523.
- \* Mary O'Leary Kane, Betty Schopmeyer, Nancy K. Mellon, Nae-Yuh Wang, John K. Niparko, "Prelinguistic Communication and Subsequent Language Acquisition in Children With Cochlear Implants," *Otolaryngology-Head and Neck Surgery* 130, 2004: 619-623.
- Gerald Loeb, "We Made the Deaf Hear. Now What?" in Eds. Theodore Berger & Dennis Glanzman, *Towards Replacement Parts for the Brain: Implantable Biomimetic Electronics as Neural Prostheses* (Cambridge, MA: MIT Press, 2005), 3-14.
- \* Theodore Berger, Roberta Brinton, Vasilis Mamarelis, Bing Sheu, & Armand Tanguay Jr., "Brain Implantable Biomimetic Electronics as Neural Prosthesis for Hippocampal Memory Function," in Eds. Theodore Berger & Dennis Glanzman, *Towards Replacement Parts for the Brain: Implantable Biomimetic Electronics as Neural Prostheses* (Cambridge, MA: MIT Press, 2005), 241-276.
- Martha J. Farah, Judy Illes, Robert Cook-Deegan, Howard Gardner, Eric Kandel, Patricia King, Eric Parens, Barbara Sahakian, and Paul Root Wolpe, "Neurocognitive Enhancement: What Can We Do and What Should We Do?" in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 30-41.
- President's Council on Bioethics, "Beyond Therapy: Essential Sources of Concern," in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 58-72.
- Lawrence H. Diller, "The Run on Ritalin: Attention Deficit Disorder and Stimulus Treatment in the 1990s," in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 42-57.
- President's Council on Bioethics, Memory Blunting: Ethical Analysis, in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 88-96.
- Adam J. Kolber, Ethical Implications of Memory Damping," in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 97-118.
- Catherine A. Hartley and Elizabeth Phelps, "Changing Fear: The Neurocircuitry of Emotion Regulation," *Neuropsychopharmacology Reviews*, 35(1), 2009: 136-146.
- \* Gregory J. Quirk and Devin Mueller, "Neural mechanisms of Extinction Learning and Retrieval," *Neuropsychopharmacology Reviews*, 33(1), 2008: 56-72.
- Rod Flower, "Lifestyle Drugs: Pharmacology and the Social Agenda," in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 19-29.
- Carl Elliott, Prozac as a Way of Life, in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 119-130.
- Anjan Chatterjee, "Cosmetic Neurology," *Journal of Medical Ethics*, 32(1), 2006: 110-113
- Walter Glannon, "Pharmacological and Psychological Interventions," in *Bioethics and the Brain* (New York: Oxford Press, 2007), 76-115.
- Walter Glannon, "Neurosurgery, Psychosurgery, and Psychostimulation, in *Bioethics and the Brain* (New York: Oxford Press, 2007), 116-147
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- Colleen K. Loo and Phillip B. Mitchell, "A Review of the Efficacy of Transcranial Magnetic Stimulation (TMS) Treatment for Depression, and Current and Future Strategies to Optimize Efficacy," *Journal of Affective Disorders* 88, 2005: 255-267.
- Alan Goldman, "The Refutation of Medical Paternalism," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 62-70.

- Bernice S. Elger and Jean-Claude Chevrolet, "Commentary," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 71-73.
- Ezekial Emanuel and Linda Emanuel, "Four Models of the Physician-Patient Relationship," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 78 - 86.
- Jay Katz, "Informed Consent-Must It Remain a Fairy Tale," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 92-100.
- Robert Wachbroit and David Wasserman, "Patient Autonomy in Non-Directive Genetic Counseling," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 563-571.
- Janet K. Williams & Susan Sobel, "Neurodegenerative Genetic Conditions: The Example of Huntington Disease," in eds. Suzanne Miller, Susan McDaniel, John Roland, & Suzanne Feetham, *Individuals, Families, and the New Era of Genetics: Biopsychosocial Perspectives* (New York: W. W. Norton, 2006), 231-247.
- Suzanne M. Miller, Mary B. Daly, Kerry A. Sherman, Linda Fleisher, Joanne S. Buzaglo, Laura Stanton, Andrew K. Godwin, and John Scarpato, "Psychosocial Processes in Genetic Risk Assessment for Breast Cancer," in eds. Suzanne Miller, Susan McDaniel, John Roland, & Suzanne Feetham, *Individuals, Families, and the New Era of Genetics: Biopsychosocial Perspectives* (New York: W. W. Norton, 2006), 274-319.
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- David J. Rothman and Sheila M. Rothman, "The Willowbrook Hepatitis Studies," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 749-753.
- Allen M. Brandt, "Racism and Research: The Case of the Tuskegee Syphilis Study," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 753-764.
- Samuel Hellman and Deborah S. Hellman, "Of Mice but not Men: Problems of the Randomized Clinical Trial," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 774-779.
- Benjamin Freedman, "A Response to Purported Ethical Difficulty with Randomized Clinical Trials Involving Cancer Patients," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 779-782.
- Steven Laureys, "Death, Unconsciousness and the Brain," in ed. Martha J. Farah, *Neuroethics: An Introduction with Readings* (Cambridge, MA: MIT Press), 302-320.
- President's Commission for the Study of Ethical Problems in Medicine and Behavioral Research, "Defining Death: A Report on the Medical, Legal, and Ethical Issues in the Determination of Death," 1981, in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 339-348.
- James L. Bernat, "The Whole Brain Concept of Death Remains Optimum Public Policy," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 348-356.
- Jeff McMahan, "An Alternative to Brain Death," in eds. Bonnie Steinbock, John D. Arras, & Alex John London *Ethical Issues in Modern Medicine*, 7<sup>th</sup> edition, (New York: McGraw Hill, 2009), 356-360.
- Martin M. Monti, Martin R. Coleman, and Adrian M. Owen, "Neuroimaging and the Vegetative State," *Disorders of Consciousness: Annals of the New York Academy of Science*, 1157, 2009: 81-89.
- Roger N. Rosenberg, "Consciousness, Coma, and Brain Death," *Journal of the American Medical Association*, 301(11), 2009: 1172-1174.
- Walter Glannon, "Brain Death," in *Bioethics and the Brain* (New York: Oxford Press, 2007), 148-177.

## Biomedical Ethics: syllabus

Date	Schedule of Readings	Assignments
01/10	Introduction	
01/12	Boorse, On the Distinction Between Disease and Illness: 16-27. <i>(LYCEUM)</i> Engelhart, The Disease of Masturbation: 5-15. <i>(LYCEUM)</i> Wells, Country of the Blind 537-568 <i>(LYCEUM)</i>	
01/17	Daniels, Justice and Health Care: 290-325. <i>(LYCEUM)</i>	
01/19	Silver, A Fatal Attraction to Normalizing: 95-123. <i>(LYCEUM)</i>	<i>A1 Topics Assigned</i>
01/24	Crouch, Letting the Deaf be Deaf: 360-371. <i>(LYCEUM)</i> Movie: The Sound and the Fury <i>(Ladd Library)</i>	
01/26	Tomblin et al, Developmental Constraints: 512-523. <i>(LYCEUM)</i> Loeb, We Made the Deaf Hear, Now What?: 3-13. <i>(LYCEUM)</i>	
01/31	Farah et al, Neurocognitive Enhancement: 30-41. <i>(F)</i> President's Council, Beyond Therapy: 58-72. <i>(F)</i> Diller, The Run on Ritalin: 42-57. <i>(F)</i>	<i>First Analysis Paper Due</i>
02/02	President's Council, Memory Blunting: 88-96. <i>(F)</i> Kolber, Ethical Implications of Memory Damping: 97-118. <i>(F)</i>	<i>MT Topics Assigned</i>
02/07	Memory Blunting (continued)	
02/09	Hartley & Phelps, Changing Fear: 1-11. <i>(LYCEUM)</i> Quirk & Mueller, Neural Mechanisms Extinction Learning: 56-72. <i>(LYCEUM)</i>	
02/14	Flowers, Lifestyle Drugs: 19-29. <i>(F)</i> Elliott, Prozac as a Way of Life: 119-130. <i>(F)</i> Chatterjee, Cosmetic Neurology: 1-10. <i>(LYCEUM)</i>	
02/16	Hovarth et al, Transcranial Magnetic Stimulation: 137-143. <i>(LYCEUM)</i> Howland et al The Emerging Use of Technology: 48-62. <i>(LYCEUM)</i> Glannon, Neurosurgery, Psychosurgery, & Psychostimulation: 116-147. <i>(G)</i>	
02/18 – 02/26	<b>WINTER BREAK</b>	
02/28	Taking stock: normativism, normal function, & neuroethics	
03/01	Goldman, The Refutation of Medical Paternalism: 62-70. <i>(EIMM)</i> Commentary: 70-73. <i>(EIMM)</i>	<i>Midterm Paper Due</i>
03/06	Emanuel and Emanuel, Four Models: 78-86. <i>(EIMM)</i> Katz, Informed Consent – Must It Remain a Fairy Tale: 89-96. <i>(EIMM)</i>	
03/08	Williams and Sobel, Huntington's: 231-247. <i>(LYCEUM)</i> Miller et Al, Breast Cancer: 374-319. <i>(LYCEUM)</i>	<i>A2 Topics Assigned</i>
03/13	Wachbroit & Wasserman, Patient Autonomy in...: pp. 563-571 <i>(LYCEUM)</i>	
03/15	Hurley et al, The Individual Facing Genetic Issues: pp. 79-117	
03/20	The Belmont Report: 764-770. <i>(EIMM)</i> Rothman and Rothman, Willowbrook: 749-753. <i>(EIMM)</i> Brandt, Racism and Research: 753-763. <i>(EIMM)</i>	<i>Second Analysis Paper Due</i>

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03/22	Hellman & Hellman, Of Mice Not Men: 774-779. <i>(EIMM)</i> Freedman, A Response to Purported Problems: 779-782. <i>(EIMM)</i>	
03/27	Laureys, Death Unconsciousness and the Brain: 302-320. <i>(F)</i> President's Council, Defining Death. 339-348. <i>(EIMM)</i>	<i>Term Paper Abstracts Due</i>
03/29	Bernat, The Whole Brain Concept: 348-356. <i>(EIMM)</i> McMahan, An Alternative to Brain Death: 356-360. <i>(EIMM)</i>	
04/03	Monti, Neuroimaging and the Vegetative State: 81-89. <i>(LYCEUM)</i> Rosenberg: Consciousness, Coma, and Brain Death: 1172-1174. <i>(LYCEUM)</i> Glannon, Brain Death: 148-177. <i>(G)</i>	
04/05	<b>NO CLASS</b>	
Exam Week	Scheduled Final Exam Period (there is no final exam)	Term Paper Due