COURSE NUMBER: NURS-517/CNED-517

COURSE TITLE: Clinical Ethics: Theory and Practice

ALLOCATION OF CREDIT: 2 Semester Hours

PLACE IN CURRICULUM: Fall, Spring, and Summer

FACULTY: Carol Taylor, PhD Candidate, MSN, RN
238 Building D; (202) 687-1123 office phone. Call for appointment.

CATALOGUE DESCRIPTION: Nurses, physicians, social workers, pastoral caregivers, and clinical ethicists are in a unique position to influence health care by participating responsibly in ethical decision making at the micro (bedside) and macro (health policy) levels. In this course a lecture and case analysis format will be used to introduce a broad range of clinical ethical issues and to present the theoretical and practical knowledge that will enable practitioners to provide leadership in responding to the ethical challenges confronting the health care system today. This course will facilitate interdisciplinary collaboration and explore the strengths different health care professions bring to ethical dialogue. [Limited to 30]

COURSE OBJECTIVES: Upon completion of this course, participants will be able to:

1. Compare and contrast five contemporary approaches to bioethics: principle-based ethics, virtue-based ethics, casuistry, feminist/caring/existential ethics, and theological ethics.

2. Evaluate the claim that the character of health care professionals as moral agents is as important as their actions.

3. Differentiate ethics, law, religion, and culture as sources of moral norms.
4. Formulate an ethical framework which facilitates identification and resolution of ethical dilemmas.

5. Design a process of clinical ethical decision making that facilitates a) identification of appropriate decisionmakers, b) the process of deciding among therapeutic options, and c) prevention and resolution of ethical conflict.


**TOPICAL OVERVIEW:**

| Class 1 | Ethical Theory I  
|---------|------------------
| 01/18/95 | Levels of Ethical Analysis (Metaphysical Questions, Epistemological Questions, Normative Ethics: Action-Guiding and Character-Guiding Theories); Approaches to Ethics: Principle-Based Ethics, Virtue-Based Ethics, Casuistry, Feminist/Caring/Existentialist Theories, Theological Ethics; Relationships among Ethics, Law, Religion, Culture. |

| Class 2 | Ethical Theory II  
|---------|------------------
| 01/25/95 | Principle-Based Ethics vs the Care Perspective: Case Illustrations |

| Class 3 | Professional Ethics  
|---------|------------------
| 02/01/95 | Codes of Professional Ethics, the Health Care Professional-Patient Relationship, "Internal Morality" of a Profession, Ethical Integrity/Autonomy of Individual Professionals. |

**Assignment 1 Due**

| Class 4-5 | Clinical Ethics  
|-----------|------------------
| 02/08/95 | Models of Health Care Decisionmaking; Identifying the Appropriate Decisionmaker, Determining What is in the Patient's Best Overall Interests, Preventing/Resolving Conflict; The Ethics Case Work-Up; Institutional Ethics Committees; Case Presentation. |
| 02/15/95 | |

**Assignment 2 Due 02/15/95** [Place assignment in my box in the faculty mail room]

| Class 6 | Health Care, Economics, and Justice  
|---------|------------------
| 02/22/95 | Is Health Care a Right? Ethical Critique of Proposals for Health Care Reform; Obligations of Health Care Professionals as Members of a Moral Community; Case Presentation: Resource Availability and Resultant Ethical Dilemmas. |
| Class 7 | Law and Bioethics  
03/01/95 | Law as a source of moral norms; The Court's Role in Resolving Difficult Cases; Precedent-setting Legal Cases; Clinicians' Legal Defensiveness and Knowledge of Medical Law |
| Class 8 | Ethics and Beginning of Life Treatment Decisions  
03/15/95 | Reproductive Choice; Reproductive Technologies; Prenatal Diagnosis and Therapy; Genetic Counselling; Maternal-Fetal Conflict. |
| Class 9 | Case Consultation: Clinical Experience  
03/22/95 | N.B. We will not meet as a class on 03/22/95 in order to allow everyone clinical time to work-up a case consultation. |
| Class 10 | Ethics and HIV Infection: Public Policy Issues  
03/29/95 | AIDS testing (Patient/Health Care Provider Issues and Mandatory vs. Voluntary and Targeted vs. Universal Issues); Confidentiality; Duty to Treat; Discrimination; Advance Directives/ Surrogate Decision Makers; Suicide; Employment Issues; OSHA Guidelines  
Assignment 3 Due |
| Class 11 | Ethics and End of Life Treatment Decisions  
04/05/95 | Guest Lecturer: William E. Stempsey, S.J. Defining/Determining Terminal Illness, "Terminal Condition," Persistent Vegetative State, Locked-in-Syndrome, Death; Withholding/Withdrawing Treatment Issues; Medical Futility; "Aid-in-Dying": Assisted Suicide and Death by Lethal Injection; Feeding Issues; Advance Directives |
| Class 12 | Ethics and Genetics  
04/12/95 | Ethical Issues Related to the Human Genome Project: Discrimination/ Fairness, Privacy/Confidentiality, Personal Health/Lifestyle Testing, Resource Allocation; Ethical Issues in Genetic Counselling; Ethics and Gene Therapy  
Assignment 4 due |
| Class 13 | Ethics and Mental Health  
04/19/95 | Access Issues; Voluntary and Involuntary Hospitalization Treatment Modalities; Psychopharmacology; Use of Restraints and Other Coercive Measures; Rational Suicide; Psychiatric Considerations when Assessing Decisionmaking Capacity to Consent to and Refuse Treatment |
| Class 14 | In class examination: comprehensive review of all course material  
04/26/95 |
Class 15       Moral Competency Inventory; Critique of Class
05/03/95

TEACHING STRATEGIES: Lectures, group discussion, and case analysis

EVALUATION METHODS:

Written Assignments

1. Critique of current ethical issue. (15%)
2. Identification of the moral obligations of a select group of health care professionals. (15%)
3. Case consultation. (15%)
4. Identification of a clinical ethical problem and discussion of intervention strategy a clinical ethicist might employ to attempt resolution. (15%)

Comprehensive Examination

Attendance at each class and participation in case analysis/discussion is expected. No "extra-credit" assignments will be offered but consistent class participation [or the lack thereof] may influence the final course grade.

REQUIRED TEXTBOOKS:


RECOMMENDED TEXTBOOKS:


STUDENT ASSIGNMENTS:

Class 1. Ethical Theory I

Careful reading of either [M] pages 1-45 or [B&C] pages 44-111. *Course texts are on reserve in the KIE Bioethics Library (1st Floor, Healy Hall) and articles are on reserve in the bioethics library and Lauinger.

Class 2. Ethical Theory II

Read pages 264-276+ of [M] or chapters 3-6 of [B&C] to gain an understanding of the role principles play in bioethics.

For a critique of principlism read:

For a discussion of the care perspective in medicine and nursing read:

Prepare a two page analysis of a current ethical issue and submit 2/1/95.

Class 3. Professional Ethics

Read [P&T] chapters 8-10; reread your professional code of ethic and compare it with that of other health care professionals

Prepare a two page identification of the moral obligations of health care professionals in your profession and submit 9/28/94.

Class 4,5. Clinical Ethics

Read appropriate material from Munson text:

Class 6. Health Care, Economics, and Justice

Recommended:

Class 7. Law and Bioethics


Read:

Class 8. Ethics and Beginning of Life Treatment Decisions


Recommended:
Class 9.  Case Consultation

Select a case from your clinical practice that poses ethical challenges and prepare a typed, two-page ethical consult. See sample. Submit this 03/29/95.

Class 10.  Ethics and HIV Infection


Read:

Recommended:

Class 11.  Ethics and End of Life Treatment Decisions

Read [M] pages 142-199.

Recommended:


Research a recurrent clinical ethical problem and submit a typed, two-page report detailing strategies a clinical ethicist might use to resolve the problem on 04/12/95. Include computer search.

Class 12. Ethics and Genetics

Read [M] pages 403-454.

Recommended:


Class 14: Ethics and Mental Health Issues

*Item on reserve in Lauinger and available in bioethics library.
**Item available in bioethics library only.
Clinical Ethics: Theory and Practice

Written Assignments

1. Prepare a typed, two page analysis of an ethical issue currently in the news, e.g.,
   assisted suicide, government radiation experiments, designer babies, families "who won't
   give up" on dying patients.
   
   a. Identify the ethical issue clearly.
   
   b. Take a position and argue for it philosophically identifying and responding
ten to the chief objections to your position.
   
   c. Explain the source of your moral norms and how you claim to know what
   is right or wrong in this case.

2. Prepare a typed, two page identification of what you take to be the moral obligations of
   health care professionals within your profession. Identify essential virtues (competencies)
as well as duties. Briefly address (1) whether or not you take these to be binding on all
members of your profession and (2) how these obligations differ from those of other
health care professionals.

3. Select a case from your clinical practice that poses ethical challenges and prepare a
typed, two page ethics consult suitable for inclusion in the patient's permanent record.
See attached sample.

4. Identify a clinical ethical problem which has recurred in your practice and proven
resistant to resolution. Prepare a typed, two page discussion of intervention strategies
a clinical ethicist might employ to attempt resolution of the problem. Use the ETHX
database (accessed in the Bioethics Library) or BIOETHICSLINE database (accessed
through the National Library of Medicine's MEDLARS system and available to you in
Dahlgren Library) to computer search the problem and attach a copy of your search with
key sources highlighted. If you haven't yet visited the bioethics library, first floor Healy
building, there's no time like the present!
Clinical Ethics: Theory and Practice

Study Guide

Class 1.2. Ethical Theory

Explain the relevance of metaphysical questions [what we take to be the source of moral claims and how we know right and wrong] when developing health policy and resolving ethical conflict.

Distinguish action-guiding and character-guiding ethical theories and explain the relevance of each to clinical ethics.

Explain different ways of "doing bioethics": Principle-based approach, virtue-based approach, casuistry, feminist/caring/existentialist ethics, and theological ethics. Be prepared to illustrate these approaches when reasoning about a case and to defend the course of action you recommend.

Explain how law, religion and culture may all be the source of moral claims and be prepared to critique claims that morality is equal to what is legal, to what a religion demands, or to what society deems acceptable.

Compare and critique a justice-based approach to ethics and the care perspective. Use a case to illustrate the differences. What moral obligations for health care professionals arise from each?

Class 3. Professional Ethics

Be prepared to defend or contest the claim that there are moral obligations incumbent upon all health care professionals. What do we mean by the phrase "the internal morality of a profession?" Describe the moral obligations of caregivers and their grounding.

Describe and give examples of the moral autonomy of health care professionals.

Class 4,5. Clinical Ethics

Contrast three models of healthcare decisionmaking.

Be prepared to work-up an ethics case in which you will need to identify the appropriate decision maker, explain how treatment decisions are made, and critique strategies to prevent and resolve ethical conflict.
Demonstrate your ability when confronted with a problematic ethics case to recommend a course of action and defend it against its strongest critics.

Demonstrate the ability to perform an ethics consult and explain the functions of ethics committee.

Class 6. Health Care, Economics, and Justice

Defend or contest the claim that basic health care is a right.

Be prepared to explain the need for health care reform and to critique existing proposals - philosophically.

Explain to what extent financial considerations ought to influence treatment decisions about individual patients?

What obligations do caregivers have to advocate for patients with limited financial resources?

Class 7. Law and Bioethics

Is the legally prudent course of action always the same as the morally right course of action? If not, how can we resolve conflict among health care professionals who assign different weights to the legal repercussions of action taken or not taken? Do you believe the fear of legal litigation is underestimated, appropriate, or exaggerated?

What is the appropriate role of the courts in resolving difficult ethical cases?

Explain the role precedent-setting case law plays in clinical decisionmaking and be prepared to give examples of how these cases influence treatment decisions.

What role should attorneys play on institutional ethics committees?

Class 8. Ethics and Beginning of Life Treatment Decisions

Explain how what a caregiver believes about the moral status of a fetus can influence professional communication and practice. Identify how the lack of societal consensus on this topic influences public policy.

Describe the moral obligations of health care professionals caring for women/couples whose choices are jeopardizing the well-being of developing fetuses.

Is there such a thing as nondirective counselling when it comes to reproductive options? Ought this to be the norm/ideal?
Class 9. Ethics and End of Life Treatment Decisions

Explain why some physicians and other health care professionals are reluctant to withhold or withdraw life sustaining medical therapies. Critique common rationales for not withdrawing/withholding minimally effective or disproportionately burdensome therapies.

Describe the consensus [and lack of consensus] that exists concerning an individual's right to be self-determining in health care decisionmaking.

What is nursing's role when the patient/family/health care team are in conflict about treatment decisions.

Explain whether or not you support proposals for legalizing assisted suicide and direct voluntary euthanasia.

Describe different types of advance directives explaining the advantages and limitations of each.

Class 10. Ethics and HIV Infection

Describe an ethical framework to evaluate policies to limit the harmful effects of AIDS.

Describe whether or not you believe all caregivers should be obligated to meet the health care needs of persons with AIDS.

Class 12. Ethics and Genetics

Explain why the federal government allocated a proportion of the genome project budget to ethics.

What new ethical responsibilities are genetic information and technologies creating for health care professionals?

Should parents be judged negligent if they fail to avail themselves of all available medical resources designed to yield a healthy child?

Should genetic counselling be nondirective?

Who is entitled to genetic information? Is there any way to protect the confidentiality of this information?
Clinical Ethics

Student Evaluation

NAME: _________________________________________________________

Participation in class discussion and class case analysis

___/15 Written assignment #1
   ___/2 Identification of ethical issue
   ___/7 Philosophical reasoning
   ___/3 Explanation of source of moral norms
   ___/3 Explanation of how you know what is right/wrong

___/15 Written assignment #2
   ___/5 Essential virtues/competencies
   ___/5 Moral duties/obligations
   ___/3 Discussion of whether or not these are binding
   ___/2 Discussion of uniqueness of these obligations

___/15 Written assignment #3
   ___/2 Identification of recurrent clinical ethical problem
   ___/10 Discussion of resolution strategy(ies)
   ___/3 Computer search

___/15 Written assignment #4
   ___/2 Concise presentation of facts
   ___/10 Ethical consultation
   ___/3 Impressions

___/40 Final Examination

___/20 Case Analysis
   ___/3 Facts
   ___/2 Issue
   ___/6 Frame the issue
   ___/5 Decision
   ___/4 Critique

___/20 Short Answer Essays
   ___/4 Question 1
   ___/4 Question 2
   ___/4 Question 3
   ___/4 Question 4
   ___/4 Question 5
   ___/4 Question 6