THE ETHICS OF TERMINAL CARE

Department of Philosophy
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Target Audience: Graduate students philosophy, public policy, medical; upper level undergraduate.

GOALS AND REQUIREMENTS

The ethical problems of the care of the terminally ill have been among the most controversial issues in medical ethics over the past decade. This course will explore those issues combining lecture, discussion, and film. The course will not emphasize the sociological and psychological aspects of death and dying, concentrating instead on philosophical, ethical, and public policy issues.

The exam and paper schedule will be discussed on the first day of class

REQUIRED TEXTS

The primary texts for the course will be a series of articles plus two books:


The articles will be available in several forms. You should choose the form that is most appropriate for you. Many of them appear in the second edition of Ethical Issues in Death and Dying [EIDD-II]. They are also available in the library from their original sources, but many of these readings have been edited in EIDD-II to reduce their length. The edited version will always be sufficient for the course. The articles contained in this volume will be marked with EIDD-II in brackets. All articles not contained in EIDD-II will be on reserve in the library or distributed in class. Many will be in the anthologies listed below. They are identified by the anthology editors' names in brackets. Those not contained in anthologies are marked with an (*).
Anthologies Containing Required or Additional Readings for This Course


For reference you may want to consult:


Class 1: Introduction: The Concept of Death

Class 2: Definition of Death

Class 3: What to Tell the Dying Patient and Informed Consent

Class 4: Suicide and Physician-Assistance

Class 5: Videotape: "Please Let Me Die"
   The Ethics of Decisions for Competent Patients:
   1. Active killing and letting die
   2. Direct/indirect Killing
   3. Withholding and Withdrawing

Class 6: 4. Benefits and Burdens (Ordinary and Extraordinary Means)

Class 7: 5. Withholding Food, Fluids, and Medications

Class 8: Formerly Competent Patients: Living Wills/Powers of Attorney/Natural Death Acts

Class 9: MID-TERM EXAM

The Role of Surrogates (Quinlan, Saikewicz, Dinnerstein, Becker, Cruzan)

Class 10: The Role of Surrogates (continued)

Class 11: Hospital Ethics Committees

Class 12: Neonates and the Baby Doe Rule

Class 13: The Futile Care Debate

Class 15: The Social Ethics of Terminal Care

Class 16: The Social Ethics of Terminal Care/Review of Semester
Assigned Reading

January 18-25: Definition of Death


In re T.A.C.P (Baby Theresa) 609 So. 2d 588 (Fla. 1992).[EIDD-II, 47-51]


Additional Reading


Feb. 1: What to Tell the Dying Patient and Informed Consent


Ross, W.D. *The Right and the Good*. Oxford: Oxford University Press, 1939, chapter 2. [Beauchamp; Reiser; Veatch, 1989][EIDD-II, p. 87]

Additional Reading


February 8: Suicide and Physician Assistance

Aquinas, Thomas. "Whether It Is Lawful to Kill Oneself." *Summa Theologica*, II-II, Q. 64, Art. 5. [Beauchamp and Perlin] [EIDD-II, pp. 119-21]

**Additional Reading**

Quill, et al. v. Vacco et al. Docket No. 95-7028, United States Court of Appeals for the
Second Circuit.
Compassion in Dying v. Washington No. 94-35534 D.C. No. CV-94-119-BJR, United
States Court of Appeals for the Ninth Circuit.
Meier, Diane E., Carol-Ann Emmons, Sylvan Wallenstein, Timothy Quill, R. Sean
Morrison, and Christine K. Cassel. “A National Survey of Physician-assisted Suicide
and Euthanasia in The United States.” *New England Journal of Medicine* 338 (17,
Beauchamp, Tom L. “The Medical Ethics of Physician-Assisted Suicide.” *Journal of

February 15: Ethics of Decisions for Competent Patients
1. Active Killing and Letting Die
2. Direct/Indirect Killing
3. Withholding and Withdrawing

Videotape: "Please Let Me Die"

Reading

Dialogue Between Dax Cowart and Robert Burt.” Hastings Center Report 28 (1,
Supreme Court of Canada. "Sue Rodriguez v. Attorney General of Canada and Attorney
**"It's Over Debbie." Journal of the American Medical Association 259 (No. 2, January 8,
Beauchamp, Tom L., and James F. Childress. "Rachels on Active and Passive
Euthanasia." In *Ethical Issues in Death and Dying*, second edition. Prentice-Hall:
President's Commission for the Study of Ethical Problems in Medicine and Biomedical
and Behavioral Research. *Deciding to Forego Life-Sustaining Treatment: Ethical,
Brock, Dan W. "Cause of Death." *By No Extraordinary Means* Edited by Joanne Lynn.
Pellegrino, Edmund D. "Intending to Kill and the Principle of Double Effect." In *Ethical
pp. 240-42. [EIDD-II, pp. 240-42]
The Remmelink Report: Medical Practice with Regard to Euthanasia and Related
Medical Decisions in the Netherlands. In *Ethical Issues in Death and Dying*, second
(1990):229-45.[EIDD-II, pp. 175-80]

**Additional Reading**


**February 22: The Ethics of Decisions for Competent Patients (continued)**

4. Benefits and Burdens (Ordinary and Extraordinary Means)


**Additional Reading**


**February 29: The Ethics of Decisions for Competent Patients (continued)**

5. Withholding Food, Fluids, CPR, and Medications


Additional Reading


Siegler, Mark, and Alan J. Weisbard. "Against the Emerging Stream: Should Fluids


Cruzan, by Cruzan v. Harmon 76 S.W.2d 408 (Mo. banc 1988).

March 15: Formerly Competent Patients: Living Wills, Powers of Attorney, and Natural Death Acts

*Concern for Dying. "A Living Will." No date. [Beauchamp and Walters, 1982]


In re Quinlan. 70 N.J. 10, 355 A. 2d 647 (1976) [Beauchamp and Perlin; Shannon; Arras and Rhoden; Jonsen, Veatch, and Walters].


Additional Reading


Fox, Ellen, and Carol Stocking. "Ethics Consultants' Recommendations for Life-


**March 22-29: The Role of Surrogates**


*Cruzan, by Cruzan v. Harmon* 760 S.W.2d 408 (Mo. banc 1988).

*Cruzan v. Director, Missouri Dept. of Health, 110 S.Ct. 2841 (1990)* [EIDD-II, pp. 286-94; Jonsen, Veatch, and Walters] [REVIEW].


**Additional Reading**

*Cruzan v. Director, Missouri Dept. of Health, 110 S.Ct. 2841 (1990).*


April 5: Hospital Ethics Committees


Additional Reading


New Jersey Guidelines for Prognosis Committees. "Guidelines for Health Care Facilities to Implement Procedures Concerning the Care of Comatose Non-Cognitive Patients." No date.

April 12 Neonates and the Baby Doe Rule


**Additional Reading**


**April 19: The Futile Care Debate**


In the Matter of Baby K, 1993 WL 343557 (E.D. Va.).[EIDD-II, p. 376-84; Jonsen, Veatch, and Walters]
In Re The Conservatorship of Helga Wanglie, State of Minnesota, District Court, Probate Court Division, County of Hennepin, Fourth Judicial District, June 28, 1991.[EIDD-II, pp. 362-67]


**Additional Reading**


April 26-May 2: The Social Ethics of Terminal Care: Resource Allocation


Additional Reading


