

COURSE SYLLABUS

ID251: ETHICAL BASIS OF THE PRACTICE OF PUBLIC HEALTH: HEALTH CARE DELIVERY

SUMMER 1, 2006

INSTRUCTORS:

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MEETING TIME, PLACE:

SECTION 1: M, T, W, Th, F 10:30 am - 12:15 pm, FXB G13

SECTION 2: M, T, W, Th, F 3:30 pm – 5:15 pm, FXB G13

COURSE REQUIREMENTS/GRADING:

1. **FINAL EXAMINATION:** The exam will consist of short-answer and essay questions. It will cover material presented in class as well as the readings. You will have a 72-hour period in which to complete a take-home exam. The exam will be designed to be completed by most students within 6 hours. The exam will be handed out at 5:15 on the last Tuesday (7/25) of the course and will be due at 3:30 on the last Friday (7/28). Your answers will be restricted to 10 double-spaced pages.
2. **HOMEWORK:** A homework assignment will be distributed at the end of the second week of class (July 14). It will present several short questions, of which you will choose one, and your response should present an ethical analysis of an issue in public health in no more than 5 double-spaced pages. The homework will be due in class on Wednesday, July 19.
3. **CLASS PARTICIPATION:** Class participation consists of 3 elements: (1) attendance; (2) evidence of preparation; and (3) making thoughtful, relevant contributions to class discussions. If you must miss a class session, we invite you to attend that lecture in the other section of the course.

Course grade calculation: Initial score = weighted average of exam score (70%) and homework score (30%). Class participation is then taken into account qualitatively to move students who are near the grade cutoff points and have good class participation up to the next-highest grade.

POLICY ON COLLABORATIVE WORK:

Please make sure you understand the following rules regarding collaboration on assignments and academic integrity. If anything about these policies is unclear, it is your responsibility to ask the instructors for clarification.

HOMEWORK QUESTIONS: Your responses to the homework questions must represent your own work only. This is not a collaborative project. You should generate ideas for your answers and write your answers on your own. You may consult your notes and all course materials in preparing your homework answers.

- *Acknowledging sources:* “Whenever ideas or facts are derived from a student’s reading and research the sources must be indicated. The term ‘sources’ includes not only published primary and secondary material, but also information and opinions gained directly from other people.... Quotations must be placed within quotation marks, and the source must be credited. All paraphrased material also must be completely acknowledged.” It is not necessary to reference course lectures.

FINAL EXAM: Final exams must be completed independently. You may, of course, prepare for the exam in conjunction with other students. However, once the exam has been

handed out, you may not talk with others about the exam or course material for the entire exam period. You may consult your notes and all course materials in preparing your exam answers.

COURSE MATERIALS:

Required readings are compiled in a coursepak available from the HPM Academic Support Center.

The following materials (on reserve at Countway Library) are recommended references for those who desire more background information about foundational issues in the course:

Moral philosophy: WILL KYMLICKA, CONTEMPORARY POLITICAL PHILOSOPHY: AN INTRODUCTION (1990)

Principles of medical ethics: TOM BEAUCHAMP & JAMES CHILDRESS, PRINCIPLES OF BIOMEDICAL ETHICS (5th ed. 2001).

Structure of the U.S. health care system: DAVID CALKINS ET AL., HEALTH CARE POLICY (1995).

Historical evolution of the U.S. health care system: PAUL STARR, THE SOCIAL TRANSFORMATION OF AMERICAN MEDICINE (1982).

COURSE COMMUNICATIONS:

Course announcements, instructors' lecture overheads, the final exam, and additional materials and information will be available on the course website, which can be accessed from the HSPH website. A Harvard PIN is required. We will also make period communications by email. We recommend that you check the website and your email daily.

LECTURE SCHEDULE:

DATE		SECTION 1 (10:30AM-12:15PM)	SECTION 2 (3:30PM-5:15PM)
Thurs 7/6	Wikler	Moral reasoning	Moral reasoning
Fri 7/7	Wikler	Meta-ethics: thinking about morality	Meta-ethics: thinking about morality
Mon 7/10	Wikler	Ethical theory I	Ethical theory I
Tues 7/11	Studdert	Ethical theory II	Ethical theory II
Wed 7/12	Studdert	Public health practice	Research ethics – international
Thurs 7/13	Wikler	Research ethics – international	Public health practice
Fri 7/14	Studdert	Informed consent	Informed consent
Mon 7/17	Studdert	Managed care	Managed care
Tues 7/18	Gawande	Physician involvement in capital punishment	Physician involvement in capital punishment
Wed 7/19	Studdert	Confidentiality	Confidentiality
Thurs 7/20	Joffe	Conflicts of interest	Conflicts of interest
Fri 7/21	Studdert	Rights and access – US health system	Rights and access – US health system
Mon 7/24	Yamin	Right to health - international perspectives	Right to health - international perspectives
Tues 7/25	Yamin	Implementing a right to health: Case study of maternal mortality in Macondo	Implementing a right to health: Case study of maternal mortality in Macondo
Wed 7/26	Yamin	Health professional participation in ethical and human rights abuses	Health professional participation in ethical and human rights abuses
Thurs 7/27		Day off to work on exam prep	Day off to work on exam prep
Fri 7/28	Studdert	Mock hospital ethics committee	Mock hospital ethics committee

Moral Reasoning

Instructor: Wikler

Readings: Wikler D. *Daniel, Bioethics in Health Policy: What Methodology?* in E. Bittar and N. Bittar, eds., *PRINCIPLES OF MEDICAL BIOLOGY* (1994).

Meta-Ethics: Thinking about Morality

Instructor: Wikler

Readings: Williams B. *The Amoralist, Subjectivism, and Relativism* in *MORALITY: AN INTRODUCTION TO ETHICS* (1972).

Ethical Theory I

Instructor: Wikler

Readings: Kymlicka W. *Utilitarianism* (pp.9-49) in *CONTEMPORARY POLITICAL PHILOSOPHY: AN INTRODUCTION* (1990).

Ethical Theory II

Instructor: Studdert

Readings: SOLOMON RC. *INTRODUCING PHILOSOPHY* (2001), pp. 607-615.
Roberts MJ, Reich MJ. *Ethical Analysis in Public Health* 359 *LANCET* 1055-59 (2002).
Nozick R. *ANARCHY, STATE, AND UTOPIA* (1974), pp.160-164.
Sandel MJ. *LIBERALISM AND THE LIMITS OF JUSTICE* (1982), pp.167-168, 171-173.
Emanuel EJ. *THE ENDS OF HUMAN LIFE* (1991), pp.156-162.

Public Health Practice

Instructor: Studdert

Readings: *Jacobson v. Massachusetts*, 197 US 11 (1905)

Kerpelman LC, Connell DB, Gunn WJ. *Effect of a monetary sanction on immunization rates of recipients of aid to families with dependent children.* JAMA. 2000;284:53-9.

Hemenway D, Kennedy BP, Kawachi I, Putnam RD. *Firearm prevalence and social capital.* Ann Epidemiol. 2001;11:484-90.

Daniels N, Kennedy B, Kawachi I. *Justice is good for our health.* In: GOSTIN LO. PUBLIC HEALTH LAW AND ETHICS (2002), pp. 82-93.

International Research Ethics

Instructor: Wikler

Readings: Wikler D, Brock DW. *Ethics in research and new product development*, in DISEASE CONTROL PRIORITIES IN DEVELOPING COUNTRIES (2006), pp.259-270.

Alexander L. Medical science under dictatorship. N Engl J Med 1949;241:39-47

Harkness J, Lederer SE, Wikler D. Harkness Laying ethical foundations for clinical research. Bull World Health Organ. 2001;79(4):365-6.

Beecher HK. Ethics and clinical research. N Engl J Med. 1966; 274:1354-1360

Informed Consent

Instructor: Studdert

Readings: BRENNAN TA. JUST DOCTORING: MEDICAL ETHICS IN THE LIBERAL STATE (1991), Chapter 5.

Capron AM. *Duty, Truth, and Whole Human Beings*, 23 HASTINGS CENTER REPORT 13-14 (1993).

Johnson v Kokemoor, 1999 Wis.2d 615 (1996)

Managed Care

Instructor: Studdert

Readings: Hall MA, Berenson RA. *Ethical practice in managed care: A dose of realism.* 128 ANN. INTERN. MED. 395-402 (1998).

Mariner WK. *Business vs. medical ethics: Conflicting standards for managed care.* 23 J. LAW, MED. & ETHICS 236-46 (1995).

Fox case summary (1 page)

Physician Involvement in Capital Punishment

Guest: Gawande

Readings: Morales v. Hickman, No. C 06 219 JF (Dist. Ct. Nth Dist. of Cal. February 14, 2006).

Gawande A. When law and ethics collide—why physicians participate in executions. N Engl J Med 2006;354:1221-1229.

Confidentiality

Instructor: Studdert

Readings: FURROW, JOHNSON, JOST, SCHWARTZ. HEALTH LAW (2d ed. 1989), pp.302-08.

Doe v Medlantic, 814 A.2d 939 (2003)

Tarasoff v. Regents of University of California, 551 P.2d 339 (1976).

Osmond DH, Bindman AB, Vranizan K, et al. *Name-based surveillance and public health interventions for persons with HIV infection.* ANN INTERN MED. 1999;131:775-79.

Conflicts of Interest

Guest: Joffe

Readings: Thompson DF. *Understanding financial conflicts of interest*, 329 NEW ENGL. J. MED 573-76 (1993).

Bodenheimer T. *Uneasy alliance: Clinical investigators and the pharmaceutical industry*. 342 NEW ENGL. J. MED. 1539-44 (2000).

Brennan TA, Rothman DJ, Blank L, Blumenthal D, Chimonas SC, Cohen JJ, et al. Health industry practices that create conflicts of interest: a policy proposal for academic medical centers. *JAMA* 2006;295(4):429-33.

Bekelman JE, Li Y, Gross CP. Scope and impact of financial conflicts of interest in biomedical research: a systematic review. *JAMA* 2003;289(4):454-65.

[Optional: Als-Nielsen B, Chen W, Gluud C, Kjaergard LL. Association of funding and conclusions in randomized drug trials: a reflection of treatment effect or adverse events? *JAMA* 2003;290(7):921-8.]

Rights and Access To Health Care – United States

Instructor: Studdert

Readings: *Owens v Nacogdoches County Hospital District*, 741 F.Supp 1269 (1990)

EPSTEIN RC. MORTAL PERIL: OUR INALIENABLE RIGHT TO HEALTH CARE? (1997), pp. 81-105.

Right To Health – International Perspectives

Instructor: Yamin

Readings: Audrey Chapman, “Core Obligations Related to the Right to Health” in Audrey Chapman and Sage Russell eds, *Core Obligations: Building a Framework for Economic, Social and Cultural rights* (NY: Hart/Intersentia; 2002) pp. 185-97.

Lawrence Brown, Comparing Health Systems in Four Countries: Lessons for the United States. *Am. J. Pub. Health.* 93; 2003: 52-56.

George Annas, The Right to Health and the Nevirapine Case in South Africa. *New England J. Med.* 348; 2003: 750-54.

Implementing a Right To Health: Case Study of Maternal Health in Macondo

Instructor: Yamin

Readings: Case in coursepak.

Health Care Professionals' Participation in Human Rights Abuses

Instructor: Yamin

Readings: Chen Reis, Ameena Ahmed, Lynn Amowitz, Adam Kushner, Maryann Elaho, Vincent Iacopino. Physician participation in human rights abuses in Southern Iraq. *JAMA* 291; 2004: 1480-1486.

Leonard Rubenstein, Christian Pross, Frank Davidoff, Vincent Iacopino. Coercive US interrogation policies: A challenge to medical ethics. *JAMA* 294;2005:1544-1549.

Brian Smedley, Adrienne Stith, Alan Nelson, eds., *Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care*. Washington, DC: Institute of Medicine. National Academies Press. 2002. pp. 160-79. (**Please read pp. 175-79; skim pp. 160-174 if you can**).

Activity: Mock Hospital Ethics Committee

Instructor: Studdert

Readings: David Ozar, Jessica Berg, et al., *Organizational Ethics in Healthcare: Toward a Model for Ethical Decision-making by Provider Organizations* (Chicago: American Medical Association, 2000), pp. 4-14 (OK to skim pp. 4-8).

The Case of Ibrahim Silla