

ETHICAL ISSUES IN PUBLIC HEALTH
HS 249L
Winter Quarter 2006
Tuesdays and Thursdays, 1-3 PM
Room 61-269 CHS

Professor Patricia Ganz and Professor Miriam Laugesen

Purpose: The aims of this course are (1) to acquaint students with ethical aspects of public health, health policy, and management of health services, as distinguished from the ethical aspects of the individual doctor-patient relationship; (2) to explore the impact of legislation and policy decisions on the scope of ethical decision-making; and (3) to develop the ability of students to analyze ethical issues in support of public health policies.

Methods: The course will be conducted through a combination of lecture, case discussions and debates, as well as class discussion.

Course requirements:

- 1) Mid-term examination: Thursday, February 14, 2006, 1-3PM.
- 2) Class participation, case discussion and debates.
- 3) An issue paper (8-10 pages) on an issue in health care, setting forth an ethical problem in health policy or management, providing differing points of view, options for solution, and your recommendation and reasons, including references. This should be stimulated by a current article in the press/media. You should meet with one of the faculty no later than February 18 to discuss the topic you have selected and obtain approval.

This paper is due March 16 by 5PM. The papers will be presented and discussed in the last 4 sessions of class.

Textbooks: Reader available at Course Reader Material, 1137 Westwood Blvd., Los Angeles, CA 90024, phone 310-443-3303.

Grading and evaluation:	Mid-Term	30%
	Class participation	30%
	Paper	30%
	Presentation of paper	10%

**Description of Class Sessions and Speakers
Winter, 2006**

Introduction

Session 1: Tues, Jan 10	Introduction to the course Framework for Ethical Issues & Public Health	P. Ganz
Session 2: Thurs, Jan 12	A Primer on Ethical Philosophies	B. Herman
Session 3: Tues, Jan 17	Rawls and Distributive Justice	T. Rice

Ethical Issues Primarily Related to Policy

Session 4: Thurs, Jan 19	Ethical Issues related to Access to Care Vulnerable Populations	N. Ponce
Session 5: Tues, Jan 24	Student Case Discussions	M. Laugesen
Session 6: Thurs, Jan 26	Ethical Issues related to research	P. Ganz
Session 7: Tues, Jan 31	Privacy/confidentiality and health care research	K. Atchison
Session 8: Thurs, Feb 2	Ethical Issues and the Pharmaceutical Industry	J. Hoffman
Session 9: Tues, Feb 7	Attacks on Science: The risks to Evidence-based	L. Rosenstock
Session 10: Thurs, Feb 9	Ethical Aspects of the Genetics Revolution	M. Scheuner
Session 11: Tues, Feb 14	Mid-Term Examination	

Ethical Issues Primarily Related to Management

Session 12: Thurs, Feb 16	Ethical Issues in Health Administration	P. Parkerton
Session 13: Tues, Feb 21	Student Case Discussions	P. Parkerton
Session 14: Thurs, Feb 23	Hospital Ethics Committees	N. Wenger
Session 15: Tues, Feb 28	Values and Ethical Decisions in Health Care: Lessons From Abroad Debate: Can we afford universal health care for all?	M. Laugesen
Session 16: Thurs, Mar 2	Ethical Dilemmas in Managed Care	J. Kozakowski
Session 17: Tues, Mar 7	Student Presentations	
Session 18: Thurs, Mar 9	Student Presentations	
Session 19: Tues, Mar 14	Student Presentations	
Session 20: Thurs, Mar 16	Student Presentations	

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Bibliography for Course Reader – Required Readings

Session 1

January 10, 2006 FRAMEWORK FOR ETHICAL ISSUES & PUBLIC HEALTH

Kass NE. Public Health Ethics: From Foundations and Frameworks to Justice and Global Public Health. *J of Law, Medicine & Ethics* 32:232-242, 2004.

Callahan D, Jennings B. Ethics and Public Health. *Am J Pub health* 92:169-176, 2002.

Levin BW, Fleischman AR. Public Health and Bioethics. *Am J Pub Health* 92:165-167, 2002.

Roberts MJ, Reich MR. Ethical Analysis in Public Health. *The Lancet* 359:1055-59, 2002.

Session 2

January 12, 2006 A PRIMER ON ETHICAL PHILOSOPHIES

Beauchamp TL, Walters L (ed). Ethical theory and bioethics (Chapter 1). Contemporary Issues in Bioethics 1:1-32, Belmont, CA, Wadsworth Publishing Company, 1999

Callahan D. Ends and means: the goals of health care (Chapter 1), in Danis M, Clancy C, Churchill LR (ed): Ethical Dimensions of Health Policy 1:3-18, Oxford University Press, 2002

Daniels N, Kennedy BP, Kawachi I. Justice, health and health policy (Chapter 2), in Danis M, Clancy C, Churchill LR (ed): Ethical Dimensions of Health Policy 2:19-47, Oxford University Press, 2002

Calman KC, Downie RS. Ethical principles and ethical issues in public health, in Detels R, Holland WW, et al (ed): Oxford Textbook of Public Health – The Scope of Public Health V1 23:391-402, Oxford University Press, 1997

Session 3

January 17, 2006 RAWLS AND DISTRIBUTIVE JUSTICE

Selected Readings from John Rawls

Selected Readings from Robert Nozick *Anarchy, State, and Utopia*, Basic Books, 1974.

Roemer JE. Equality and Responsibility. *Boston Review* April/May 1995.

Session 4

January 19, 2006 ETHICAL ISSUES RELATED TO ACCESS TO CARE; VULNERABLE POPULATIONS

Mullen K, Curtice L. The disadvantaged - their health needs and public health initiatives. Oxford Textbook of Public Health – Third Edition - The Practice of Public Health V5 25:1517-1535, Oxford Medical Publications, 1997

Bindman AB, Grumbach K, Osmond D, et al. Preventable hospitalizations and access to health care. JAMA 1995;274(4):305-311

Starfield, B. Access – perceived or real, and to what? JAMA 1995;274(4):346-347

Grumbach, K. Insuring the uninsured. Time to end the aura of invisibility. JAMA 2000;284(16):2114-2116

Danis M, Patrick DL. Health policy, vulnerability, and vulnerable populations (Chapter 16), in Danis M, Clancy C, Churchill LR (ed): Ethical Dimensions in Health Policy 16:310-334, Oxford University Press, 2002

Krieger N. Stormy weather: race, gene expression, and the science of health disparities. Am J Public Health. 2005 Dec;95(12):2155-60.

Session 5

January 24, 2006

STUDENT CASE DISCUSSIONS AND DEBATE

Materials to be distributed in class.

Session 6

January 26, 2006

ETHICAL ISSUES RELATED TO RESEARCH

Lo B. Values in research: picking research priorities ethically (Chapter 17), in Danis M, Clancy C, Churchill LR (ed): Ethical Dimensions in Health Policy 17:337-354, Oxford University Press, 2002

Kolata G, Eichenwald K. Business thrives on unproven care, leaving science behind. The New York Times October 3, 1999

Emanuel EJ, Wendler D, Grady C. What makes clinical research ethical? JAMA 283(20):2701-2711, 2000.

Lurie P, Wolfe S. Unethical trials of interventions to reduce perinatal transmission of the immunodeficiency virus in developing countries. New England Journal of Medicine 337:853-856, 1997.

Varmus, H, Satcher D. Ethical complexities of conducting research in developing countries. New England Journal of Medicine 337:1003-1005, 1997

Session 7

January 31, 2006

PRIVACY/CONFIDENTIALITY AND HEALTH CARE RESEARCH

Gostin LO. National Health Information Privacy Regulations under the Health Insurance Portability and Accountability Act. JAMA 285:3015-3021, 2001.

Kass NE, Natowicz MR, Chandros Hull S, Faden RR, Platinga L, Gostin LO, Slutsmann J. The use of medical records in research: what do patients want? J of Law, Medicine & Ethics. 31.3(Fall2003): p429 (7).

Verity C, Nicoll A. Consent, confidentiality, and the threat to public health surveillance. BMJ 324:1210-3, 2002.

Session 8

February 2, 2006 ETHICAL ISSUES AND THE PHARMACEUTICAL INDUSTRY

Wilkes MS, Doblin BH, Shapiro MF. Pharmaceutical Advertising in leading medical journals: experts' assessments. *Ann Intern Med* 116:912-9, 1992.

Stryer D, Bero LA. Characteristics of materials distributed by drug companies. An Evaluation of Appropriateness. *J Gen Intern Med* 11:575-583, 1996

Wazana A. Physicians and the pharmaceutical industry – Is a gift ever just a gift? *JAMA* 2000;283(3):373-380

Stelfox HT, Chua G, O'Rourke K, et al. Conflict of interest in the debate over calcium-channel antagonists. *New England Journal of Medicine* 1998;338(2):101-106

Bodenheimer, T. Uneasy Alliance – Clinical investigators and the pharmaceutical industry. *New England Journal of Medicine* 2000;342(20):1539-1544

Hannigan JE. Direct drug advertising to consumers: When pharma plays doctor. *Journal of Clinical Oncology* 2003;21(17):3375

Hoffman JR, Cooper RJ. Efforts to ban direct-to-consumer advertising in New Zealand: a call to action. *Br J Gen Pract* 53:267-9, 2003

Session 9

February 7, 2006 ATTACKS ON SCIENCE: THE RISKS TO EVIDENCE-BASED POLICY

Rosenstock L, Lee LJ. Attacks on science: The risks of evidence-based policy. *Ethics and Public Health* 92(1):14-18, 2002

Yach D, Bialous SA. Junking science to promote tobacco. *American Journal of Public Health* 91(11):1745-1748, 2001.

Dickersin K, Rennie D. Registering Clinical Trials. *JAMA* 290:516-523, 2003.

Steinbrook R. Disparities in health Care—From Politics to Policy. *N Engl J Med* 350:1486-88, 2004.

Session 10

February 9, 2006 ETHICAL ASPECTS OF THE GENETICS REVOLUTION

Clayton EW. Ethical, legal, and social implications of genomic medicine. *New England Journal of Medicine* 2003;349(6):562-569

Annas GJ. The Icelandic healthcare database and informed consent. *New England Journal of Medicine* 2000;342(24):1827-1833

Cooper RS, Kaufman JS, Ward R. Race and genomics. *New England Journal of Medicine* 2003;348(12):1166-1170

Winickoff DE, Winickoff RN. The charitable trust as a model for genomic biobanks. *New England Journal of Medicine* 2003;349(12):1180-1184

Hall MA, Rich SS. Patients' fear of genetic discrimination by health insurers: the impact of legal protections. *Genet Med* 2000;2(4):214-221.

Miller PS. Genetic discrimination in the workplace. *Genet Med* 2001;3(3):165-166.

Rothstein MA, Anderlik MR. What is genetic discrimination, and when and how can it be prevented? *Genet Med* 2001;3(5):354-358.

Greely HT. Banning genetic discrimination. *New Engl J Med* 2005;353(9):865-867.

Session 11

February 14, 2006

MID-TERM EXAMINATION

Session 12

February 16, 2006

ETHICAL ISSUES IN HEALTH ADMINISTRATION

Higgins W. Ethical guidance in the era of managed care: An analysis of the American College of Healthcare Executives' Code of Ethics. *Journal of Healthcare Management* 2000;45(1):32-42

Meslin EM, Lemieux-Charles L, Wortley JT. An ethics framework for assisting clinician-managers in resource allocation decision making. *Hospital and Health Services Administration* 1997;42(1):33-48

Driscoll DM, Hoffman WM, Murphy JE. Business ethics and compliance: What management is doing and why? (Chapter 1) Organizational Effects in the Compliance Context 1:32-58, Waltham, MA, John Abbott Worthley Health Administration Press, 1999

Cotler MP. Ethical issues in risk-based contracting (Chapter 29) in Boland P (ed): The Capitation Sourcebook – A practical guide to managing at-risk arrangements 29:567-584, Berkeley, CA, Boland Healthcare, 1996

Session 13

February 21, 2006

STUDENT CASE DISCUSSIONS

Materials to be distributed in class.

Session 14

February 23, 2006

HOSPITAL ETHICS COMMITTEES

Darr K. Organizational responses to ethical problems (Chapter 5). Ethics in Health Services Management – Third Edition 5:75-95, Baltimore, MD, Health Professions Press, 1997

Schneiderman LJ, Gilmer T, Teetzel HD, et al. Effect of ethics consultations on nonbeneficial life-sustaining treatments in the intensive care setting – A randomized controlled trial. *JAMA* 2003;290(9):1166-1172

Lo B. Answers and questions about ethics consultations. *JAMA* 2003;290(9):1208-1210

Session 15

February 28, 2006 VALUES AND ETHICAL DECISIONS IN HEALTH CARE: LESSONS FROM ABROAD

Blendon RJ, Benson JM. 2001. American's Views On Health Policy: A Fifty-Year Historical Perspective. *Health Affairs* 20 (2) March-April: 33-46.

Bodenheimer T. 2005. The Political Divide in Health Care: A Liberal Perspective. *Health Affairs* 24 6 November-December: 1426-1435.

Daniels N, Light DW, Caplan RL. 1996. *Benchmarks of Fairness for Health Care Reform*. Chapter 2: "American Values and the Fairness of Health Care Reform." New York: Oxford University Press.

Session 16

March 2, 2006 ETHICAL DILEMMAS IN MANAGED CARE

Rodwin MA. Conflicts of Interest and Accountability in Managed Care: The Aging of Medical Ethics. *JAGS* 46:338-341, 1998.

Povar GJ, Blumen H, Daniel J, et al. Ethics in Practice: Managed Care and the Changing Health Care Environment. *Ann Intern Med* 141:131-136, 2004.