University of Washington
School of Law
and
Department of Health Services, SPHCM

Fall Quarter 1999
Ethical Issues in Health Services
Law E 518/HSERV 518

Credits: 3*

M/W 1:30-2:50 p.m.

* 4 credits available for students interested in health services management and managed care (includes M 3:30-4:20). A separate course syllabus will be provided.

GENERAL INFORMATION AND COURSE SYLLABUS

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Summary of Course

This course presents an introduction to ethical issues that arise in public health policy and practice. The course is divided into two parts. Part I focuses on foundational issues, including approaches to and tools for understanding ethics and ethical analysis. Topics include an introduction to moral reasoning and ethical theory, public health ethics, the roles and values of health professionals, and the legacy of the Tuskegee Syphilis Study. One session will be devoted to research tools and resources in bioethics and public health. Part II explores the application of ethical theories and principles in the context of public health and health services. Topics include: prevention and treatment of disease (including vaccination, compulsory treatment of tuberculosis and HIV/AIDS; testing, reporting, and tracing of HIV/AIDS); testing and screening programs (including public health genetics and newborn screening programs); confidentiality and information access in health care delivery and public health registries; research (including human subjects research and policy, occupational, environmental and international research); and resource allocation (including national health reform, cost containment and the Oregon Health Plan, and managed care).

Course Objectives

Through lectures, class discussions, written presentation and examination, students will: develop basic skills in ethical analysis; be able to recognize, research, and analyze ethical issues arising in the context of public health and health services; and increase the competence with which they make ethical decisions as issues arise in their practice and professional training.
**Required Texts**
There is no textbook. The required Course Materials include several classic excerpts from books, recent articles and other materials of interest. They will be available at the E-wing Copy Center in the Health Sciences Building.

**Course Assignments and Grading**
Course assignments are described below. Your course grade will be based upon the following:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Weight</th>
<th>Due Date/Time</th>
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<tbody>
<tr>
<td>Critical Essay/Brief Presentation</td>
<td>20%</td>
<td>Class Discussion Date/End of Class</td>
</tr>
<tr>
<td>In-Class Quiz</td>
<td>20%</td>
<td>Oct. 20/In-Class</td>
</tr>
<tr>
<td>Research Paper</td>
<td>30%</td>
<td>Nov. 10/Beginning of Class**</td>
</tr>
<tr>
<td>Final Exam</td>
<td>30%</td>
<td>Dec. 10/2:30-4:20pm</td>
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**Note: paper topic description due October 11, beginning of class.**

**In-Class Quiz.** There will be a short (30-minute) in-class quiz on the definitions and concepts presented in Part I of the course. It will constitute 20% of your grade.

**Critical Essay and Brief Presentation.** This assignment is a short paper that critiques one of the assigned readings. In the second class, students will each select one assigned reading from Part II of the course to critique (final selection subject to instructor’s permission). The paper should not exceed 5 pages. Papers should be double spaced, typed, 12-point font, 1 inch margins. The paper should consist of a brief summary of the article followed by a critique. The paper should reflect your ability to analyze critically the data and argumentation presented by the author(s) and should reference the concepts discussed in class. No additional research is required or desired. You should plan on reading the article several times before writing your essay. The critical essay is due on the date the material is covered in class. The student is expected to make a brief (3-5 minutes) presentation of the critique to the class. As you should assume that the other students have read the material, the summary of the article should be quite brief, i.e., *the focus of the paper and presentation should be your critique.* This essay and brief presentation will constitute 20% of your grade.

**Research Paper.** The paper should present an in-depth analysis of the ethical issues arising in a current topic of interest in public health or health services. The student is expected to research the current literature on the topic and analyze the issue using the tools and approaches presented in class, in the readings, and in the library research exercise. You will be expected to show that you understand the ethical arguments on all sides of the issue(s), to take a position and provide support for that position. Grading will be based on evidence of facility with ethics literature and searching, ability to identify ethical issues related to the topic, ability to articulate and provide support for your conclusion using the terminology and approach(es) discussed in your readings and in class, and citation of literature as appropriate. The paper should be approximately 5 pages, double-spaced, 12 point font, 1 inch margins. A one-paragraph paper topic must be submitted for approval no later than the beginning of class, October 11, 1999. The paper is due at the beginning of class, November 10, 1999. The paper will constitute 30% of your grade.

*Note: Students in the 4-credit course should select a topic related to health administration or managed care. See supplemental syllabus for details.*
Final Exam. The final exam will be essay format. It will be a scheduled, closed book, cumulative examination. The exam will constitute 30% of your grade. Sample exam questions will be provided in advance.

Class Participation
In a course of this type, active participation by all is essential. While the instructor will moderate and focus the class, it is anticipated that the subject material will generate spontaneous and vigorous discussion. It is imperative that you are prepared for the class, having read the materials and thought about the issues.

Disability Accommodation
If you would like to request academic accommodations due to a disability, please contact Disabled Student Services, 448 Schmitz, 543-8924 (V/TDD). If you have a letter from Disabled Student Services indicating you have such a disability, please present the letter to the instructor so that we can discuss appropriate accommodations.

COURSE OUTLINE

PART I: FOUNDATIONS—APPROACHES AND TOOLS

A. Introduction to Course
B. Introduction to Moral Reasoning and Ethical Theory
C. Research Tools and Resources in Bioethics and Public Health
D. Bioethics and Public Health: What is Public Health Ethics?
E. The Roles and Values of Professionals
F. The Legacy of the Tuskegee Syphilis Study

PART II: APPLICATIONS

A. General Concepts
   1. Informed consent
   2. Privacy and confidentiality
   3. Relativism and cultural assumptions
B. Prevention and Treatment Programs
   1. Vaccine Policy
   2. Compulsory treatment
   3. Testing, reporting and tracing of disease
C. Testing and Screening Programs
   1. Public health genetics and “prevention”
   2. Newborn screening programs
D. Research Issues
   1. Human subjects research and policy
   2. Community-based research
   3. Occupational health research (Uranium Miners)
4. Environmental health research (The EPA and human testing of pesticides) 
5. International research 

E. Resource Allocation 
1. Health care reform 
2. Cost containment and the Oregon Health Plan 
3. Managed care 

COURSE SYLLABUS 
The following syllabus outlines the course and reading assignments, and sets forth a preliminary timetable. It is possible that the timetable and reading assignments will be amended during the course depending on our pace, and these amendments will be noted in class or on e-mail. However, this outline should serve as rough guide as you plan your reading and study schedule. Please note that the reading assignments should be read prior to our coverage of that portion of the outline in class.

PART I: FOUNDATIONS—APPROACHES AND TOOLS

Sept. 27 
Introduction to Course 
Video Presentation: 60 Minutes, Cracking Down, 5/31/98 

Sept. 29 & Oct. 4 
Introduction to Moral Reasoning and Ethical Theory 

Reading Assignment: 


Oct. 6 
Research Tools and Resources in Bioethics and Public Health 

The multidisciplinary nature of ethics demands creative researching. The Health Sciences Computer Lab has been reserved to complete the library research exercise at this Web site [http://courses.washington.edu/~hs590a/modules/15/bioethics/ethics-as15.html]. This exercise allows you to explore the diverse sources for bioethics research, focusing on on-line sources in bioethics, public health, social sciences, law and medicine. You may find the following handout particularly useful: [http://courses.washington.edu/~hs590a/modules/15/bioethics/bioethics.html]. 
In addition, you will likely find it worthwhile to explore the UW Law Library site, [http://lib.law.washington.edu/]. LegalTrac (Legal Resource Index) can be found at
Assigned Readings:

National Reference Center for Bioethics Literature. Library Classification Scheme [1 p.]

Oct 11
Bioethics and Public Health: What is Public Health Ethics?

Reading Assignment:


*** PAPER TOPICS DUE, BEGINNING OF CLASS***

Oct 13
The Roles and Values of Professionals


Oct 18
The Legacy of the Tuskegee Syphilis Study

Assigned Readings:


Oct. 20

***In Class Quiz***

Research Tools and Resources in Bioethics and Public Health: Discussion of Web-based research exercise
Laura Larsson, Reference Librarian, Dept. of Health Services, SPHCM
Nancy McMurrer, Reference Librarian, School of Law

PART II: APPLICATIONS

Oct. 25 & 27

General Concepts: Informed Consent; Privacy and Confidentiality; Relativism in Ethics and Cultural Assumptions

Assigned Readings:


**Nov 1**

**Prevention and Treatment Programs: Vaccine Policy**

*Assigned Readings:*

*Jacobson v. Massachusetts*, 197 U.S. 11 (1905)


**Nov 3**

**Prevention and Treatment Programs: Compulsory treatment**

*Assigned Readings:*


**Nov. 8**

**Prevention and Treatment Programs: Testing, Reporting and Tracing of Disease**

*Assigned Readings:*

*Bob Wood—Jack Thompson: HIV Names Reporting*

He walked through slides of progress from epi to recs to group to do mediation, where 296-4649

Bob.wood@metrokc.gov or robert.wood@metrokc.gov


Nov. 10

Testing and Screening Programs: Public Health Genetics and “Prevention”

Assigned Readings:


*** PAPERS DUE BEGINNING OF CLASS***

Nov. 15

Testing and Screening Programs: Newborn Screening Programs

Assigned Readings:


Nov. 17

Research Issues: Human Subjects Research and Policy

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Assigned Readings:


Nov. 22
Research Issues: Population/Community-Based Research

Assigned Readings:

Principles of Community-Based Research.


Nov. 24
Occupational Health Research (Uranium Miners)
Environmental Health Research (The EPA and human testing of pesticides)

Assigned Readings:


Nov. 29
Research Issues: International Research

Assigned Readings:


Dec. 1
Resource Allocation: Health Care Reform, Cost Containment and the Oregon Health Plan


Dec. 6
Resource Allocation: Managed Care

Assigned Readings:


Dec. 8
Course evaluations
Distribution of Sample Exam Questions
Assignments Returned
*****SYLLABUS FOR 4-CREDIT OPTION*****

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Law E 518/HSERV 518
Credit: 1
M 3:30-4:20 p.m.

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Summary of Course
This one-credit supplement to Ethical Issues in Health Services will build on the
3-credit course and will focus exclusively on ethics in the context of health services
management and managed care. Utilizing group discussion and case-study analysis,
issues covered will include organizational ethics, professional and organizational
guidelines for ethical decisionmaking (codes, mission statements), rationing shared
resources, incentives to contain costs and improve quality, market competition,
responsibilities to patients, and managed care for special populations.

Required Text and Readings

Baltimore: Georgetown University Press. 372 pp. Available at University Bookstore,
South Campus Center

Course Pak with additional readings, available at E-wing Copy Center ("Course Pak 2").

Course Grade
Your course grade will be based on the following:

Expanded Paper. In lieu of the 5-page paper requirement in the 3-credit course,
students will prepare a 10-page paper on a topic related to ethics in health services
management or managed care. The due date for this paper will be discussed in class.

Final Exam. Students who take this one-credit supplement will take the same
exam as the students in the three-credit course, but will be required to respond to certain
questions tailored to health services management and managed care in lieu of other
questions.
Selected Research Sources in Ethics and Health Services Management:

Textbooks:

Reference Books:
- Encyclopedia of Bioethics
- Encyclopedia of Applied Ethics

Journals:
- Cambridge Quarterly of Healthcare Ethics
- JAMA
- Journal of Clinical Ethics
- Journal of Law, Medicine and Ethics
- Hastings Center Report
- Health Matrix
- Journal of Health Politics, Policy and Law
- Kennedy Institute of Ethics Journal
- New England Journal of Medicine
See also Law Journals

Bibliographies:
- Ethical Issues in Managed Care, compiled by Martina Darragh, *Kennedy Institute of Ethics Journal* 7(4): 421-426 1997 (Dec.)
- Scope Note 31: Managed Health Care: New Ethical Issues for All, *Kennedy Institute of Ethics Journal* 6(2): 189-207 1996 (June)

Web Sites:
- University of Toronto Joint Centre for Bioethics
  http://www.utoronto.ca/jcb/organizational_ethics.htm
- University of Washington School of Medicine
  http://eduserv.hscer.washington.edu/bioethics/topics/index.html
Tentative Course Syllabus

1. Sept. 27 - Introduction to Course
   Introduction to Organization Ethics


   Mills AE, Spencer EM. 1998 (Fall). Developing an Organization's Ethical Climate: The Limits of Business Ethics. Bioethics Matters: Newsletter for the Friends of the Center for Biomedical Ethics (University of Virginia). 7(III): 3

2. Oct. 4 - Professional and Organizational Guidelines for Ethical Decisionmaking


3. Oct. 11 - Introduction to Ethical Issues in Managing Care
   Balancing Obligations to Individual Patients and the Enrolled Population

   Readings: Gervais: Introduction (pp. 1-14); Ch. 1 (pp.17-32)


   Readings: Gervais: Ch. 3 (pp. 49-65)

5. Oct. 25 - Incentives to Contain Costs and Improve Quality

   Readings: Gervais: Ch. 6 (pp. 101-117)

6. Nov. 1 - Staffing Levels

   Readings: Gervais: Ch 11 (181-197)

7. Nov. 8 - Advocating for Patients

   Readings: Gervais: Ch 13 (pp. 217-231)

8. Nov. 15 - Respecting Patients’ Cultural and Religious Beliefs

   Readings: Gervais: Ch 15 (pp. 249-264)

9. Nov. 22 - Managing Care for Vulnerable Populations (Paper Due)

   Readings: Gervais: Ch 18 (pp. 303-320)

10. Nov. 29 - Responsibilities to the Community

    Readings: Gervais: Ch. 19 (pp. 323-339)

11. Dec. 6 – In-class discussion of papers