

Ethics and Health Care

Who should have access to assisted reproductive technologies? Which one of many seriously ill patients should be offered the next available transplant organ? When may a surrogate decision-maker decide to withdraw life-prolonging measures from an unconscious patient? Questions like these feature prominently in the field of health care ethics and in the education of health care professionals. This book provides a concise introduction to the major concepts, principles, and issues in health care ethics, using case studies throughout to illustrate and analyze challenging ethical issues in contemporary health care. Topics range widely, from confidentiality and truthfulness to end-of-life care and research on human subjects. *Ethics and Health Care* will be a vital resource for students of applied ethics, bioethics, professional ethics, health law, and medical sociology, as well as students of medicine, nursing, and other health care professions.

JOHN C. MOSKOP is Professor of Internal Medicine and Wallace and Mona Wu Chair in Biomedical Ethics at the Wake Forest School of Medicine in Winston-Salem, North Carolina. He chairs the Clinical Ethics Committee at Wake Forest Baptist Medical Center and serves on the Ethics Committee of the American College of Emergency Physicians. He is the author of more than 100 articles and book chapters on a broad range of topics in bioethics.

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An Introduction

JOHN C. MOSKOP

Wake Forest School of Medicine



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For Ruth, with love and thanks

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Preface

My goal for this book is to provide an engaging and concise introduction to the expanding field of health care ethics. The volume is designed to be accessible to university undergraduates, but detailed enough for graduate and professional school students and health care professionals in practice. Because it is an introduction to health care ethics, I have avoided stating and defending my own position on controversial moral issues and complex case examples. Rather, I have attempted to provide essential conceptual and factual information about the issues discussed, a fair statement of commonly held positions, and a review of central moral arguments. This approach, I hope, will enable readers to understand why the issues and cases are challenging, to engage in careful moral reasoning and deliberation about them, and to formulate and defend their own conclusions.

The book is divided into four parts. The five chapters of Part I offer basic information about health care ethics. These chapters provide an account of the role of ethics in health care, a brief history of health care ethics and clinical ethics consultation in the United States, a review of leading methods of moral reasoning in health care, and an examination of the relationships between law and ethics and between culture and ethics in health care. Part II examines the moral foundations of the therapeutic relationship between patients and health care professionals. Each of the six chapters in this part focuses on a central moral feature of that relationship, including privacy and confidentiality, truthfulness, informed consent to treatment, surrogate decision-making for patients who lack decision-making capacity, respect for professional boundaries, and responsible stewardship of health care resources. Part III is devoted to ethical issues in health care at the beginning and at the end of life. The seven chapters in this part explore the topics of assisted reproductive technologies, abortion, maternal-fetal conflict, advance care planning and advance directives, moral conflicts in

end-of-life care, medical futility, and aid in dying. The three chapters of Part IV examine three additional areas of major interest and attention in health care ethics: biomedical research on human subjects, human genetics, and organ transplantation. Each of the four parts of the book begins with a brief introduction that includes a summary of the content of its individual chapters.

The twenty-one chapters of the book share a common format. Each chapter begins with a case example that poses a moral question or problem for the stakeholders in that situation. Many of these cases are drawn from the literature of medicine and bioethics; others are adapted from my experiences as a clinical ethics consultant and from experiences shared with me by clinical colleagues. The chapter then addresses its topic in various ways, including examination of key concepts and facts, description of major positions or approaches, and review of relevant moral considerations. Each chapter concludes with a case analysis that brings the content of the chapter to bear on the case example and invites readers to use that content to choose and defend a course of action for that case.

My primary focus in the book is on ethical issues in the provision of health care for individual patients, not on issues in public and population health. I do, however, address legal and health policy issues that guide personal health care throughout the volume, and I examine moral issues in biomedical research on human subjects in Chapters 19 and 20.

In addition to the references contained within each chapter, the Further Reading section at the end of the book offers suggestions for readers seeking additional information about the topics discussed in each chapter. This list includes both classic sources and notable recent publications on these topics.

Finally, just a few words about the grammatical and linguistic conventions I have adopted for this volume. I use single quotation marks to indicate that I am referring to a term, not using the concept signified by that term, and to indicate a quotation within another quotation. I use double quotation marks for direct quotations, for short titles, and as “scare quotes” to indicate the use of a term in a special or questionable way. I use italics for the case examples that begin each chapter, for book titles, for foreign words, and for special emphasis on a term. Some authors stipulate a distinction between the terms ‘ethical’ and ‘moral’, but I view those terms as roughly synonymous and use them interchangeably.

Acknowledgments

This volume is a product of many years devoted to teaching, scholarship, and professional service in the field of health care ethics. I am most grateful to the institutions that have given me the opportunity to serve on their faculties, the Brody School of Medicine at East Carolina University and the Wake Forest School of Medicine. My faculty colleagues in bioethics and medicine at those institutions have been invaluable mentors, instructors, and collaborators throughout my career. I could not have written this book without them, and I owe them a great debt of gratitude. My students over the past thirty-five years have been a continuing source of encouragement and inspiration; their interest and their commitment to learning and practicing the ethics of health care give meaning and worth to my endeavors. I am also grateful for financial support at different stages of my research from the Kulynych Family Foundation and from the Wake Forest University Center for Bioethics, Health, and Society.

I owe heartfelt thanks to Hilary Gaskin and Rosemary Crawley, my editors at Cambridge University Press, for their expert guidance, and especially for their patience with this overcommitted professor! My colleague Gerardo Maradiaga and my wife Ruth Moskop have read the entire book in manuscript. I am deeply grateful for their many valuable suggestions and for their steadfast support and encouragement throughout this project. Many thanks, Ruth, for graciously tolerating my spending so many weekends at the office writing – I hope that you will be happy to see me more often on Saturday and Sunday!