

BIOETHICS: DISTRIBUTIONAL QUESTIONS IN HEALTH CARE

*University of Bayreuth
Winter Semester 2012/13
Tuesday, 10.00-12.00*

For BA students, 3rd, 5th, 7th semester

Course overview

The course aims to investigate a not so often discussed area of bioethics: the ethics of health care distribution. We all are in need, at certain points in our lives, of health care. In many Western European countries the receipt of such services is taken, in most cases, to be granted, very often without payment in return. However, from an ethical perspective, this is far from obviously so the right thing to do. It is in itself a question whether the state has an obligation to provide health care to its citizens; and if it does have such an obligation, it is still an open question whether in the particular situation, given limited resources, the individual should in fact receive such care.

Accordingly, the course will be structured into two major areas of discussion. In the first, our primary question will concern the above mentioned obligation; whether, in particular, there exists a right to health care and what this right consists in. If this question is answered in the positive, there still needs to be discussed if in concrete health care systems, in concrete situations, particular individuals should receive health care. This is the second area: the topic of so-called macro-allocation. In both areas of discussion we will discuss the major approaches – consequentialist, communitarian, libertarian, and egalitarian – with the help of country case studies for further illustration.

Course requirements and evaluation

The course can be taken either for 2 ungraded credits, or for 6 graded credits. In the former case, students will be required to give a presentation that will be based on a short position paper (2-3 pages long, 12 points, Times New Roman, double spaced, default margins). In the latter case, in addition to the presentation and the position paper, students will be required to submit a final paper for the course (10-20 pages long, formal requirements as above). In each case, attendance as well as active participation in seminars are required. The final grade will be composed of three parts: seminar participation and attendance (15%), seminar presentation and position paper (25%), final paper (60%).

Registration and course materials

Registration for the course will be done using Google Forms.

COURSE SCHEDULE: *BIOETHICS: DISTRIBUTIONAL QUESTIONS IN HEALTH CARE*

(Note: the list below indicates the order of discussion and the material to be discussed. The exact seminar structure might, however, change, in the course of the semester.)

1. Overview: main concepts.

Beauchamp and Childress, *Principles of Biomedical Ethics*, Chapter 4

2. The right to health care.

Beauchamp, "The Right to Health Care in a Capitalistic Democracy", in. Bole and Bondeson (eds.), *Rights to Health Care*

3. Libertarianism I

Buchanan, "Rights, Obligations, and the Special Importance of Health Care", in. Bole and Bondeson (eds.), *Rights to Health Care*

4. Libertarianism II

Buchanan, "Managed Care: Rationing without Justice, but not Unjustly", in. Buchanan, *Justice and Health Care*

5. Utilitarianism I

Gibbard, "Health Care and the Prospective Pareto Principle", in. *Ethics*

6. Utilitarianism II

Lockwood, "Quality of Life and Resource Allocation", in. Singer and Kuhse (eds.), *Bioethics*

7. Egalitarianism I

Daniels, *Just Health Care*, Chapters 2 and 3

8. Egalitarianism II

Dworkin, "Justice in the Distribution of Health Care", in. *McGill Law Journal*

9. Communitarianism I

Emanuel, *The Ends of Human Life*, Chapter 4

10. Communitarianism II

Emanuel, *The Ends of Human Life*, Chapter 6

11. Fair procedures

Daniels and Sabin, "Limits to Health Care", in. *Philosophy and Public Affairs*

12. Health vs. health care I

Brock, "Broadening the Bioethics Agenda", in. *Kennedy Institute of Ethics Journal*

13. Health vs. health care II

Segall, "Is Health Care (Still) Special?", in. *The Journal of Political Philosophy*

14. Global health care

Buchanan, "Specifying the Content of the Human Right to Health Care", in. Buchanan, *Justice and Health Care*