Community Health 106: Health, Ethics, and Policy
Fall 2015

574 Boston Ave. Rm 404; Mondays and Wednesdays: 10:30-11:45 AM

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Teaching Assistant: Alexis Daniels, M.S.
Office Hours: By appointment, on Mondays or Wednesdays 12:00-1:00 pm
REACH Lab (Suite 118G)
Email: alexisgdaniels@gmail.com
Note: Please allow 24 hours for a response for emails sent after 9:00 pm.

Course Description

Ethical analysis has become an increasingly integral part of health policy and public health. A foundation in normative ethics and political philosophy is central to policy and medical decision-making because at the core of many policy and medical debates lie questions of distributive justice. This course will focus on evaluating how values, ethical approaches, and evidence should inform policy making, clinical medicine, and public health practice. How should scarce resources, such as organs for transplantation or hospital beds, be allocated? How much personal responsibility do people have and how accountable should they be for their own health and health behaviors? How should public health effectively balance equity and efficiency? Should medicine or public health be specifically concerned with the health of vulnerable or marginalized populations?

This course aims to provide students with the skills necessary for analyzing and contributing meaningfully to current debates in health policy and medicine from an ethics perspective. This course will be taught using a case-method approach. Students will be required to prepare the cases and participate actively in class discussions. Together, we will consider the ethical dimensions of a range of leading issues in public health and health policy, including: organ transplantation, use of cost-effectiveness and comparative effectiveness in coverage decisions,
resource allocation for vulnerable populations, personal responsibility for health, and the “right”
to health care. Our time together will be spent primarily in discussion and debate, guided by
myself and by student discussants that will be leading the ethical analysis of various cases.
Students should come to class alert and prepared to engage thoughtfully in case discussions.
These experiences will provide insights and practice conducting ethical analysis, and will serve
as the basis for exams. Due to this, attendance is mandatory. Readings are categorized as either
required or recommended. Required readings will serve as the basis for our class discussions.
Recommended readings are intended to provide a more in depth view, and can serve as a guide
for students presenting the cases or those who are seeking more background. Unannounced
quizzes may be given on required readings only.

Course Aims and Objectives

At the end of this course, students should be able to:
   1. Identify the ethical dimensions of health policy, medical, and public health debates
   2. Describe several important cases and controversies in public health and leading ethical
      approaches
   3. Critically examine the implications of ethical theories and frameworks for public health
      and health policy problems
   4. Craft a strong and balanced ethical argument both orally and in writing
   5. Conduct ethical analysis incorporating normative theories and empirical evidence,
      presenting logical and defensible resolutions to thorny debates in health policy

Readings

One text is required for this course: Justice by Michael J. Sandel. Other required readings are
accessible online, available on the Trunk website, or on reserve at the library.

The following texts are recommended for this course and will be on reserve at the library. We
may draw on these resources at times throughout the course to clarify normative theories or to
provide more applied examples of how ethical considerations affect public health practice. These
books provide more background for those interested in learning more about moral and political
philosophy, bioethics, and health policy.

Dawson, Angus (Ed.) Public Health Ethics: Key Concepts and Issues in Policy and Practice.


Tom L. Beauchamp and James F. Childress. Principles of Biomedical Ethics (Seventh Edition).
Assignments and Grading

Cases

Memo (Due by Nov. 24 at NOON) 15%
Presentation 15%
Midterm (October 28) 25%
Participation (quizzes and class discussions) 10%
Final (Assigned Dec. 8, DUE AT NOON DEC. 15) 35%

Note: For students who show significant improvement and consistent effort throughout the course, scores on the final may be more heavily weighted. For example, if a student shows significant improvement between midterm, memo, and final, the final may be more heavily weighted to reflect improvement.

Course Policies and Expectations

Class participation: Research and learning are collaborative processes. Students will be asked to present cases and launch class discussions for certain weeks and to enrich the discourse by contributing regularly. These contributions are invaluable to the learning process and are an integral to success in this course. We look forward to learning from your unique perspectives.

Absences: In fairness to classmates and group members, attendance at all classes is required. Please email the professor and the TF as soon as possible in the case of an anticipated absence. Unexcused absences may negatively impact your grade.

Academic Integrity: Tufts holds its students strictly accountable for adherence to academic integrity. The consequences for violations can be severe. It is critical that you understand the requirements of ethical behavior and academic work as described in Tufts’ Academic Integrity handbook. If you ever have a question about the expectations concerning a particular assignment or project in this course, be sure to ask me for clarification. The Faculty of the School of Arts and Sciences and the School of Engineering are required to report suspected cases of academic integrity violations to the Dean of Student Affairs Office. If there is any suspicion that you have cheated or plagiarized in this class, it will be reported to the dean.

Late Assignments: Given the sequential nature of the assignments, late assignments will not be accepted. All exceptions must be requested by email to me at least 48 hours in advance.

Laptop Policy: Out of respect for all students, we remind you that laptops are only allowed for academic purposes. Misuse of laptops during class for purposes other than academic is distracting and disrespectful to other students.

Incompletes: As a general rule, incompletes will not be granted for this class.
**Accommodations for students with disabilities:** Students needing academic adjustments or accommodations because of a documented disability must present documentation from the Academic Resource Center and speak with the professor by the end of the second week of the term, September 18th. All discussions will remain confidential.

**Additional Resources**

- *Tisch Library:* For research assistance- [http://www.library.tufts.edu/tisch/subjectLib.html](http://www.library.tufts.edu/tisch/subjectLib.html)
- *Academic Resource Center (ARC):* For writing and other academic assistance: [http://uss.tufts.edu/arc/](http://uss.tufts.edu/arc/)
- *The Tufts University Counseling and Mental Health Service (CMHS).* For personal and academic concerns- Sawyer House at 120 Curtis Street. 617.627.3360. [http://ase.tufts.edu/counseling/](http://ase.tufts.edu/counseling/)
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<tr>
<th>Class Date</th>
<th>Topics and Activities</th>
<th>Cases</th>
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<td>(1) Sep 9</td>
<td>Introduction to Ethics and Health Policy</td>
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<td>(2) Sep 14</td>
<td>Bioethics vs. Public Health: Aims and Approaches</td>
<td>Jacobson v Massachusetts (Ladin)</td>
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<td>(3) Sep 16</td>
<td>Ethical Theory &amp; Reasoning: Utilitarianism, Libertarianism</td>
<td>Trolley Problem (Ladin)</td>
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<td>(4) Sep 21</td>
<td>Ethical Theory &amp; Reasoning: Free markets, Liberalism</td>
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<td>(5) Sep 23*</td>
<td>Special Importance of Health?</td>
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<td>(6) Sep 28</td>
<td>Constructing an Ethical Argument: Workshop 1</td>
<td>Obamacare and the Ethics of the Individual Mandate</td>
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<td>(7) Sep 30</td>
<td>Right to Health Care and Access to Care Guest Speaker: Adriane Gelpi, PhD,MPH</td>
<td>Colombia Case</td>
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<td>(8) Oct 5</td>
<td>Workshop 2</td>
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<td>(9) Oct 7</td>
<td>Measuring and Valuing Health</td>
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<td>Oct 12</td>
<td>NO CLASS- COLUMBUS DAY</td>
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<tr>
<td>(10) Oct 14</td>
<td>Rationing and CEA</td>
<td>Oregon CEA case</td>
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<td>(11) Oct 19</td>
<td>CEA Distributive Issues</td>
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<td>(12) Oct 21</td>
<td>Scarcity and Rationing</td>
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<td>(14) Oct 26</td>
<td>Priority-Setting in Health Care</td>
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<td>(15) Oct 28</td>
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<td>(16) Nov 2</td>
<td>Disparities: Health Inequity vs. Health Inequality</td>
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<td>(17) Nov 4</td>
<td>SES and workplace disparities</td>
<td>Discussion of Hep C treatment</td>
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<td>(18) Nov 9</td>
<td>Geographic stressors</td>
<td>Health and Place exercise</td>
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<td>(19) Nov 10*</td>
<td>Race and Gender Disparities Guest Speaker: Margie Skeer, ScD, MPH, MSW</td>
<td>Racial disparities in incarceration rates for drug offenses</td>
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<td>(20) Nov 16</td>
<td>Quality of Care: Health care disparities</td>
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<td>(21) Nov 18</td>
<td>Personal Responsibility for Health</td>
<td>Case: Medicaid Program</td>
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<td>(22) Nov 23</td>
<td>Personal Responsibility for Health</td>
<td>Obesity and smoking taxes</td>
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<td>Nov 25</td>
<td>NO CLASS-THANKSGIVING</td>
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<td>(23) Nov 30</td>
<td>Global Justice</td>
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<td>(24) Dec 2</td>
<td>Obligations to distant people: prevention vs. rule of rescue</td>
<td>Haitian Earthquake</td>
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Class Date | Topics and Activities | Cases
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(25) Dec 7 | Immigrants and Health Care Entitlements | Are immigrants entitled to publicly funded care?
(26) Dec 9 | Research Ethics | Community Ethics Board: Transplant and Developmental Disability

### September 9th: Introduction to Ethics and Health Policy

**Main points:**
- Course goals and expectations
- Case study method

**Readings:**
1. World Health Organization Definition of Health
   [http://www.who.int/about/definition/en/print.html](http://www.who.int/about/definition/en/print.html)
2. Sandel, MJ. *Justice*. Chapter 1

### September 14th: Principles of Bioethics vs. Principles of Public Health Ethics

**Main Points:**
- Public health priorities vs. bioethics priorities
- Goals of public health approach and synthesis with Jacobson case
- How to balance individual vs. public interests?
- Overview of normative approaches

**CASE:** *Jacobson v Massachusetts 197 US 11(1905)*

**Readings:**
1. Sandel, MJ. *Justice*. Chapter 2
   [http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449222/](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449222/) (Skim this paper –it is an overview for the next two).


**Recommended Readings:**


2. Gostin, LO. *Tradition, Profession, and Values in Public Health*. In “Ethics and Public Health Model Curriculum” (Eds. Jennings et al.). 2003. Read Pgs 13-36 ([online](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449223/)). *(NOTE: This is a helpful basic overview of a public health approach. It outlines some of the goals of public health ethics and ways of evaluating potential solutions.)*

**September 16th: Ethical Theory and Reasoning I**

**Main points:**

- What theories can guide our deliberations about public health ethics?
  - Utilitarianism
  - Libertarianism


**Readings:**

1. Sandel, MJ. *Justice*. Chapters 3 and 4
2. Darwall, SL. “Chapter 2: Theories of Ethics” in *A Companion to Applied Ethics* (Frey RG and CH Wellman, Eds). ([online](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2636453/))

**Recommended Readings:**


**September 21st: Ethical Theory and Reasoning II**

**Main points:**

- What theories can guide our deliberations about public health ethics?
  - Free Markets
 Liberalism (Liberal Egalitarianism)
- Theories of Justice

**Readings:**

**Recommended Readings:**

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**September 25th: Special Importance of Health**

**NOTE:** Class will meet Friday, September 25th due to the Holiday

**Main Points:**
- Is health of special importance?
- Review of normative theories

**Readings:**

**Recommended Readings:**
CASE: PPACA and the universal mandate
- Should everyone be guaranteed access to affordable health care?
- What ethical arguments can be made for and against mandating health insurance?
- Nuts and bolts of health insurance

WORKSHOP

Main points:
- How to conduct a balanced analysis while making a strong argument
- Don’t tear down a straw man, be thoughtful about addressing objections

CASE: The PPACA (Obamacare): Should we mandate universal coverage?

Readings:

2. The Heritage Foundation. The Case Against Obamacare. Read pgs 1-9; 31-35; 61-63.  
   http://www.heritage.org/research/projects/the-case-against-obamacare
   http://content.healthaffairs.org/content/28/5/w909.long

Recommended Readings:

September 30th: Right to Health Care and Access to Care

GUEST LECTURER: Adriane Gelpi, Ph.D., MPH, University of Miami

Main Points:
- Is there a right to health care?
- At what cost should health care be provided to all? How much care?
- What are reasonable constraints on health care provision?
- How should resource allocation be prioritized?

CASE: EQUITABLE HEALTH REFORM IN COLOMBIA

Readings:
1. Daniels, N. and Gelpi, A. (2009a) Achieving Equitable Health Reform in Colombia: Colombia’s Constitutional Court Order to the Ministry of Social Protection. (Unpublished). (This reading is under the “Cases” folder. This will serve as the basis for the case discussion - online)

Recommended Readings:

October 5th: Workshop 2: Ethical Analysis
Crafting an Argument II

WORKSHOP: Alexis Daniels, MSc

Main Points:
- Identifying an ethical argument
- The importance of using supporting evidence for argumentation
- Difference between argument and analysis
- Critiquing literature

Readings:


### October 7th: Measuring and Valuing Health

**Main points:**
- Given various definitions of health, how should we measure it?
- Depends on valuation
- Strengths and weaknesses of different measures (QALY, DALY, vignettes, others)


**Readings:**


2. Institute of Medicine (2006). *Valuing Health*: CEA in Regulatory Settings. (Ch 4). (This is a very cursory overview of the ethical issues in CEA and CBA).


**Recommended Readings:**


**October 12th NO CLASS – COLUMBUS DAY**

**October 14th: Rationing and CEA I- Lessons From the Oregon Health Plan**

**Main Points:**
- How do rationing decisions get made in practice?
- Potential pitfalls of using CEA

**CASE: Oregon Health Plan (from Ethics and Public Health Model Curriculum)**

**Readings:**

3. Garland M, Stull J. Public health and health system reform: access, priority setting, and allocation of resources. ASPH: Ethics and Public Health Model Curriculum, 2003: 244 -251. (online) *This chapter presents a framework for conducting the ethical analysis in this case.*

**Recommended Readings:**
October 19th: Scarcity and Rationing: CEA and Distributive Justice Concerns

Main points:
- How should we prioritize health resources?
- Ethical considerations for the use of CEA/CBA and comparative effectiveness
- Should we count indirect benefits or costs in CEA?

CASE: Oregon case continued

Readings:
3. Oberlander, J. Health reform interrupted: The unraveling of the Oregon Health Plan. Health Affairs. 2007;26:w96-w105. [http://content.healthaffairs.org/content/26/1/w96.full]
4. Four Unsolved Rationing Problems

October 21st: Scarcity and Rationing I: Allocating treatment for Ebola

Main Points:
- Debating fair chances vs. best outcomes
- Review of rationing problems
- Natural vs. artificial scarcity

CASE: Allocating Ebola treatment during the 2014 Ebola outbreak

Readings:


**Recommended Readings:**


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**October 26th: Scarcity and Rationing II: Priority-Setting in Health**

**Main Points:**
• How should a naturally scarce resource be allocated?
• Priority for worst-off, best outcome, deservingness
• Balancing equity and efficiency

**CASE:** *Murnaghan v. Sebelius*

**Readings:**

3. Harvey SG. Comment response from the plaintiff’s lawyer. (see link above)

**Recommended Readings:**


**October 25th: MIDTERM**

No reading for this class- Good luck on the exam! 😊

**November 2nd: Disparities: When is a Health Inequity a Health Inequality?**

**Main Points:**

• Definition of health inequity versus health inequality
• When is a health inequality unjust?
• Is every variation in health unjust?

**Readings:**

Recommended Readings:


November 4th: Disparities: Socioeconomic Status and Class Disparities

Main Points:

- Is there evidence for well-established SES disparities?
- Do mechanisms impart moral relevance?
- Define absolute versus relative deprivation

CASE DISCUSSION: Treatment of Hepatitis C and Opioid use


Readings: (most are very brief)

**Recommended Readings:** (more broadly about socioeconomic disparities)

3. [http://www.nature.com/aig/journal/v106/n10/abs/aig2011219a.html](http://www.nature.com/aig/journal/v106/n10/abs/aig2011219a.html) (abstract)
November 9th: Environmental, Workplace, and Social Stressors

Main Points:

- Is there evidence for well-established SES disparities?
- Do mechanisms matter?
- What environmental and contextual factors negatively impact health? Are they modifiable? Chosen?

CASE: Health and Place exercise

Readings:

1. Why Place Matters: Building A Movement for Healthy Communities, PolicyLink
   [http://www.policylink.org/sites/default/files/WHYPLACEMATTERS_FINAL.PDF](http://www.policylink.org/sites/default/files/WHYPLACEMATTERS_FINAL.PDF)

Recommended Readings:


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**November 10th: Racial Disparities**

*Note: Class meets on Tuesday the 10th, not Wednesday*

**Guest Speaker:** Margie Skeer, ScD, MSW, Tufts University School of Medicine

**Main Points:**

- Is there evidence for well-established racial/SES disparities?
- How do historical patterns of social disadvantage relate to the current distribution of health, wealth, and opportunity for different groups of people?
- Would health differences persist with equal treatment? Would they be morally questionable?

**CASE: RACIAL DISPARITIES IN INCARCERATION RATES FOR DRUG OFFENSES**

*Note: Readings for the case and the case description will be assigned shortly.*

**Readings:**


**Recommended Readings:**


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### November 16th: Healthcare Disparities

**Main points:**

- Are all patients treated fairly?
- Statistical discrimination
- Cultural competence

**Readings:**


**Recommended Readings:**


Main points:
- How responsible are people for their own health/health behaviors/utilization?
- Are people who make bad decisions that lead poor outcomes more morally culpable than those who have poor outcomes do to chance?
- Is it ethical to incentivize certain groups towards preferred behaviors?

CASE: West Virginia Medicaid Incentives (online)


Readings:


Recommended Readings:

   c. Santora M. East meets west, adding pounds and peril. NY Times, Jan 12, 2006. Access online.
Main points:

- What is “libertarian paternalism”? What is a “nudge”?
- Is libertarian paternalism an oxymoron?
- Does libertarian paternalism emerge from new scientific research findings? Which?

CASE: Obesity taxes and workplace wellness initiatives: the nanny state?

Readings:

   [Link](https://www.bostonfed.org/economic/conf/conf48/papers/thaler.pdf)
   [Link](http://www.newyorker.com/arts/critics/books/2009/07/20/090720crbo_books_kolbert)
   [Link](http://opinionator.blogs.nytimes.com/2012/12/25/stop-subsidizing-obesity/?emc=eta1)

Recommended reading:

   [Link](http://www.yaleruddcenter.org/resources/upload/docs/what/industry/SodaTaxNEJMApr09.pdf)

November 30th: Global Justice

Main Points:
What is global justice in the context of global health?
Do we have moral obligations to improve health for people living outside of our borders?
  o Why and at what cost?

Readings:


Recommended Readings:


**December 2nd: Obligations to distant people—Prevention vs. Rule of Rescue**

Main points:
- If we do have obligations to distant people, how can we decide how and where to assist?
- Does the rule of rescue trump prevention?
How does this relate to statistical versus identified victims?

**CASE: Haiti Earthquake crisis**

**Readings:**


**Recommended Readings:**


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| December 7th: Immigrants and Health Care Entitlements |

**Main points:**

This week will discuss the implications of global movement of peoples, and the moral relevance of borders, as it relates to the provision of health care. We will focus on examining the treatment of immigrants in the Patient Protection and Affordable Care Act (PPACA). The public debate over whether immigrants deserve entitlements has shaped the way health care benefits have been allocated in the United States, most recently through PPACA. Though there are political barriers to expanding coverage to immigrants (for many reasons), the question of whether immigrants should have rights to health care and other social services is a normative one.

- Do immigrants have a right to public programs to which they contribute through taxes? (ex. Medicare and Social Security)
- Is the right contingent upon legal status?
• Who should pay for health care for this population? Should financing of health care for immigrants be separate from health care for other vulnerable populations who cannot afford care?
• We will aim to address these questions, and also grapple with the rights of immigrants in the larger context of the rights of people to migrate and the role of nations in protecting and preserving their borders.

Readings:

   http://kaiserfamilyfoundation.files.wordpress.com/2013/01/health-coverage-for-immigrants-fact-sheet.pdf (skim)


   (https://books.google.com/books?id=vUa2BQAAQBAJ&pg=PA459&lpg=PA459&dq=Daniels+N+and+K+Ladin.+%22Immigration+and+Access+to+Health+Care%22.+In+Routledge+Companion+to+Bioethics.+source=bl&ots=f0ZeWL74T9&sig=DsP8NeiZVZMHdX00liK07pd3nGI&hl=en&sa=X&ved=0CC4Q6AEwAmoVChMI_Y2nh4PmxwIVAxs-Ch2VjQXz#v=onepage&q=Ladin&f=false, go to page 56)

Recommended Readings:

   http://www.uky.edu/AS/PoliSci/Peffley/QIPSR%20files/Massey-understanding.immigration.crisis.aps.pdf (skim)


   http://www.nafsa.org/uploadedFiles/CRS%20analysis%20re%20noncitizens.pdf


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<th>December 9th: Research Ethics and Course Conclusion</th>
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<tr>
<td><strong>Main points:</strong></td>
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<tr>
<td>• How can we protect research participants?</td>
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<td>• Should all research be allowed? How can we evaluate the costs and benefits?</td>
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<td>• At what point is placebo-control unethical?</td>
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<td>• How can we advance ethical research and take into account stakeholders?</td>
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**CASE:** Developmental Disabilities in Transplantation- Community Ethics Board

**Readings:**