
Table of Contents

Contributors	xv
Introduction	xix
PART I	GENETICS, REPRODUCTION, AND NEONATOLOGY	1
Chapter 1	Human Genome Research and the Responsible Use of New Genetic Knowledge	3
	<i>Eric T. Juengst and James D. Watson</i>	
Chapter 2	The Human Genome Initiative and Primary Care	6
	<i>S. Van McCrary and William L. Allen</i>	
	Current Practice	6
	Future Genetic Testing Technology	7
	Insurance and Employment: Implications for Patients	8
	Informed Consent and Confidentiality in Genetic Screening	9
	Conclusion	10
Chapter 3	Genetics and the Problem of Harm	12
	<i>Jeffrey P. Kahn</i>	
	The View that Genes Cause Harm	13
	Examining the Competing Views	14
	The Implications of Accepting a Harmful Conditions View of Genetics	21
	How Accepting the Notion of Genetic Harm May Impact Practice	22
	Conclusion	22

Chapter 4	Ethics in Reproductive Genetics	24
	<i>John C. Fletcher and Mark I. Evans</i>	
	Overview of Ethics in Reproductive Genetics	25
	Ethical Problems Before Prenatal Diagnosis	26
	Ethical Problems After Prenatal Diagnosis	29
	Research in Fetal Diagnosis and Therapy	35
	Sources of a Moral Obligation To Learn	36
Chapter 5	Reproductive Freedom: Its Nature, Bases, and Limits	43
	<i>Dan W. Brock</i>	
	What Is Reproductive Freedom?	43
	The Interests and Values that Ground a Moral Right to Reproductive Freedom	47
	Some Implications of the Different Grounds of Reproductive Freedom	52
	Moral Limits of Reproductive Freedom	55
	Conclusion	59
Chapter 6	Frozen Embryos and Questions of Implantation	62
	<i>Glenn C. Graber</i>	
	Davis v. Davis	62
	The Circuit Court Ruling	64
	The Tennessee Supreme Court Ruling	65
Chapter 7	Abortion: The Unexplored Middle Ground	69
	<i>Richard A. McCormick</i>	
	Elements of a Middle Ground	70
Chapter 8	Social and Ethical Issues in the Prenatal Diagnosis of Fetal Disorders	76
	<i>Diane Beeson</i>	
	Diagnostic Techniques	76
	The Promise of Prenatal Diagnosis	77
	Problems and Challenges	78
	Conclusion	84
Chapter 9	Prenatal Screening for Maternal Drug Use	87
	<i>Ray Moseley, Josepha Cheong, and Clarice Bell</i>	
PART II	ISSUES IN ADULT MEDICINE	91
Chapter 10	The Patient Self-Determination Act	93
	<i>David B. Clarke</i>	
	Background	94
	Statement of State Law	97

	"On Admission . . ."	98
	Ensuring Compliance	99
	Objection on the Basis of Conscience	100
	Nondiscrimination	100
	Emergency Admissions	101
	Psychiatric Admissions	102
	Staff Education	103
	Public Education	104
Chapter 11	Patient Concerns about Advance Directives	109
	<i>Suzanne B. Yellen, Ellen H. Elpern, and Laurel A. Burton</i>	
	Case Illustrations	109
	What Impact Does Knowledge about Advance Directives Have on Implementation by Patients?	110
	With Whom Do Patients Discuss Treatment Wishes?	112
	Providing Information about Advance Directives	113
	Do Advance Directives Promote Patient Autonomy?	114
	Conclusion	115
Chapter 12	Advance Directives: Panacea for Safeguarding Patient Autonomy or a Convenient Way of Avoiding Responsibility?	116
	<i>Erich H. Loewy</i>	
Chapter 13	Ethics and Brain Chemistry	125
	<i>Thomas D. Geraciotti, Jr.</i>	
	Brain Chemistry, Values, and Decisional Capacity	125
	Ethical Issues in the Clinical Modulation of Brain Chemistry	126
	Clinical Psychopharmacology and Psychotherapy	128
	The Future of Clinical Neurochemistry: Selected Topics	129
	Brain Chemistry and the Future of Public Health	130
	Conclusion	131
Chapter 14	The Plight of the Deinstitutionalized Chronic Schizophrenic: Ethical Considerations	133
	<i>George B. Palermo</i>	
	Historical Sketch	135
	Life, Liberty, and the Pursuit of Happiness	137
	Socioethical Considerations	138
	Statistical Data	140
	In Defense of Providing a New Type of Asylum	141
	Conclusion	142
Chapter 15	Bioethical Dilemmas in Emergency Medicine and Prehospital Care	146
	<i>Kenneth V. Iserson</i>	
	Safety Net	146
	Paternalism	147

	Using the Newly Dead for Practice and Teaching	148
	Research under Unusual Circumstances	149
	Other Troublesome Areas	149
Chapter 16	Social Systems and Professional Responsibility	151
	<i>Arlene Gruber</i>	
	A New Model of Autonomy?	151
	The Social Work Perspective	152
	A New Bioethics	154
	Conclusion	156
Chapter 17	Long-Term Care for Older People: Moral and Political Challenges of Access	158
	<i>Robert H. Binstock</i>	
	The Need for Long-Term Care	159
	Issues of Access	160
	Forces for Improving Access	162
	Lessons To Be Learned from the "Catastrophic" Catastrophe	162
	Applying the Lessons to Long-Term Care Politics	163
	Long-Term Care and Universal Health Insurance	164
Chapter 18	Treating Senility and Dementia: Ethical Challenges and Quality-of-Life Judgments	168
	<i>Stephen G. Post</i>	
	Diagnostic Disclosure	168
	Autonomy	169
	Quality of Life and Just Treatment Limitations	170
	Long-Term Care	173
	Behavior Control	175
	Other Issues	177
Chapter 19	Autonomy of the Elderly Living in Nursing Homes	179
	<i>Jeffrey L. Crabtree</i>	
	Nursing Home Governance	179
	The Physical Environment of Nursing Homes	182
	The Well-Meaning Response to Dependence	183
	Implications for the Autonomy of Nursing Home Residents	184
	Conclusion	186
Chapter 20	Ethical Pitfalls and Benefits of Disclosure of HIV-Positive Status	188
	<i>David C. Thomasma and Patricia Marshall</i>	
	The Problem	189
	Scenario 1: Business As Usual	189
	Scenario 2: Optional Disclosure	191

Scenario 3: Mandatory Disclosure	192
The Act of Disclosure	194
Conclusion	196
Chapter 21 How AIDS Activists Are Changing Research	199
<i>Loretta M. Kopelman</i>	
Protecting the Public or Unjustified Paternalism?	200
Can Research Be a Cooperative Venture?	202
Knowledge or Control?	203
Moral and Value Judgments in Research	205
Research As a Cooperative Venture	207
PART III END OF LIFE, ASSISTED SUICIDE, AND EUTHANASIA	211
Chapter 22 Advance Directives in the 1990s: Medical Care	
of the Dying and the Myth of Sisyphus	213
<i>James F. Bresnahan</i>	
The Theoretical Concern with Patient Autonomy	213
The Practical Concern with Constraining Excessive Prolongation of Dying	214
The Myth of Sisyphus	215
How To Use Advance Directives	215
Chapter 23 Ethical Issues in the Use of Fluids and Nutrition:	
When Can They Be Withdrawn?	217
<i>T. Patrick Hill</i>	
Chapter 24 Withholding CPR As Futile Therapy	226
<i>Cory Franklin</i>	
Medical Considerations	226
Legal Considerations	228
Ethical Considerations	230
Chapter 25 Medical Futility	233
<i>Steven H. Miles</i>	
Clinical Usage	233
What Is Futility?	234
Tragic Choices and Humane Justice	236
Empowering Physicians	237
The Fragility of Futility	237
Chapter 26 The Problem with Futility	241
<i>Robert D. Truog, Joel E. Frader, and Allan S. Brett</i>	
Paradigms of Futility	241
Futility and Values	242

	Futility and Statistical Uncertainty	243
	Futility and Resource Allocation	244
	Moving Beyond Futility	244
	Conclusion	246
Chapter 27	When Patients or Families Demand Too Much	249
	<i>Larry R. Churchill</i>	
Chapter 28	Care of the Hopelessly Ill: Proposed Clinical Criteria for Physician-Assisted Suicide	255
	<i>Timothy E. Quill, Christine K. Cassel, and Diane E. Meier</i>	
	Physician-Assisted Suicide	256
	A Policy Proposal	256
	Proposed Clinical Criteria for Physician-Assisted Suicide	257
	The Method	259
	Balancing Risks and Benefits	259
	Conclusion	260
Chapter 29	Euthanasia: The Way We Do It, The Way They Do It	262
	<i>Margaret P. Battin</i>	
	Introduction	262
	Dealing with Dying in the United States	262
	Dealing with Dying in the Netherlands	263
	Facing Death in Germany	265
	Objections to the Three Models of Dying	266
	The Problem: A Choice of Cultures	269
Chapter 30	“Doing the Good Thing”? Psychological Reflections on Self-Determination and Dying	273
	<i>Jurrit Bergsma</i>	
	Suffering and Active Euthanasia	273
	Life and Death	275
	Identity and Autonomy	276
	Arguments	278
	Practical Circumstances	279
PART IV	NATIONAL ISSUES IN HEALTH CARE	281
Chapter 31	Practicing Medicine, Fiduciary Trust Privacy, and Public Moral Interloping after <i>Cruzan</i>	283
	<i>Michael A. Rie</i>	
	Appendix 31-A: Durable Power of Attorney for Health Care Decisions	289

Chapter 32	Distributive Justice: Must We Say Yes When Society Says No?	295
	<i>Susan S. Braithwaite</i>	
	Access	295
	Costs	296
	Distributive Justice	296
	The Prospects for Societal Intervention To Achieve Justice	297
	How Providers Say No	297
	How Providers Say Yes	299
	Virtue Ethics, Care Ethics, and the Fair Share Obligation	300
	Conclusion	301
Chapter 33	Equality and Inequality in American Health Care	305
	<i>Charles J. Dougherty</i>	
	Inequalities, Born and Made	305
	Building Equality	306
	Justice, Prudence, and Equality	310
Chapter 34	<i>Tarasoff</i> and the Moral Duty To Protect the Vulnerable	316
	<i>John W. Douard and William J. Winslade</i>	
	Special Relationships and Special Duties	316
	Vulnerability and the Right to Equality	319
	Legal Resolution of Moral Issues	321
Chapter 35	Beneficence, Scientific Autonomy, and Self-Interest: Ethical Dilemmas in Clinical Research	325
	<i>Edmund D. Pellegrino</i>	
	The Covenantal Nature of Clinical Research	326
	The Values of Science	327
	The Values of Medicine	327
	The Investigator's Self-Interest	327
	Physician and Scientist—Can One Be Both?	329
	Scientific “Autonomy-in-Trust”	330
	Conclusion	332
Chapter 36	The Ethics of Health Care As a Business	334
	<i>Patricia H. Werhane</i>	
Chapter 37	The Ethics of Medical Entrepreneurship	342
	<i>David C. Thomasma</i>	
	Proposed Legislation	342
	The Ethical Issues	343
	Toward a Distinctive Ethics for Medicine	347
	Conclusion	348

PART V	INSTITUTIONAL AND RELATIONSHIP ISSUES	351
Chapter 38	Educating Ethics Committee Members: Programs and Networking	353
	<i>Ray Moseley and Mary Harward</i>	
	The Essentials of Clinical Ethics	353
	The Roles of Ethics Committee Members	355
	Educational Techniques	355
Chapter 39	Health Care Institutional Ethics: Broader than Clinical Ethics	358
	<i>Dennis Brodeur</i>	
	Clinical Concerns	358
	Human Resources	359
	Work and Human Resources	360
	Organizational Identity and Strategic Direction	361
	The Public Nature of the Corporation	363
	Conclusion	364
Chapter 40	Relationships in Health Care Revisited	366
	<i>Roberta Springer Loewy</i>	
	Introduction	366
	Traditional Methodological Perspectives	366
	An Alternative Methodological Perspective: Justification and Description	367
	A Critical Review of Traditional Relationship Models	368
	Autonomy As Empowerment: A Developmental Biopsychosocial Process	369
	Ramifications for Health Care: Concluding Illustrations	371
	Conclusion	372
Chapter 41	Technology, Older Persons, and the Doctor-Patient Relationship	374
	<i>Myles N. Sheehan</i>	
	Technology and Human Relationships	375
	Technology, Relationships, and Caring for the Elderly	379
	Conclusion	382
PART VI	METHODOLOGY: OLD AND NEW APPROACHES	385
Chapter 42	Getting Down to Cases: The Revival of Casuistry in Bioethics	387
	<i>John D. Arras</i>	
	The Revival of Casuistry	387
	A "Case-Driven" Method	388
	The Role of Principles in the New Casuistry	389
	Problems with the Casuistical Method	392
	Conclusion	397

Chapter 43	Discovering Challenges to Ethical Theory in Experience-Based Narratives of Nurses' Everyday Ethical Comportment	401
	<i>Patricia Benner</i>	
	Developing an Ethic of Responsiveness: "Following the Body's Lead"	403
	The Dialogue between Explanation and Understanding: A Moral Art	406
	The Role of Emotional Responses in Learning Ethical Comportment	408
	Conclusion	409
Chapter 44	Ethical Issues in Pharmacy: Questions without Answers	412
	<i>Bruce David White</i>	
	Ethical Analysis Models	413
	Ethical Concerns in Specific Situations	415
	Resolving Conflicts in Practice	418
Chapter 45	Bioethics As Social Problem Solving	419
	<i>Paul T. Durbin</i>	
	Bioethics Philosophically Construed	419
	Bioethics More Broadly Construed	423
	Pragmatic Reflections on Philosophical Bioethics	424
	Some Lessons	425
Chapter 46	Ethically Responsible Creativity: Friendship of an Understanding Heart: A Cognitively Affective Model for Bioethical Decision Making	428
	<i>John F. Monagle</i>	
	Descriptive Definition of Ethically Responsible Creativity	429
	The Cases of Nancy Beth Cruzan and Helga Wanglie	430
	The ERC Model	432
	Friendship of an Understanding Heart	434
	Conclusion	437