

University of Arizona
Mel and Enid Zuckerman College of Public Health
CPH 516: Ethics, Values and Public Health Policy
Spring 2008

TIME: Thursdays, 1-3:50 PM

LOCATION: Drachman A119

INSTRUCTOR: Christina Cutshaw, PhD

OFFICE HOURS: Mondays, 2-4 and by appointment.

A. Course Description: This course will explore ethical and legal issues in the field of public health.

B. Course Prerequisites: Graduate standing at the UA or permission of the instructor.

C. Course Learning Objectives:

1. To understand the ethical, legal and conceptual foundations of public health as a discipline, and explore critical public health issues.
2. To appreciate the role of the law in impacting the public's health.
3. To understand the ethical and legal tensions that exist for public health issues, such as the tension between safeguarding public health vs. individual rights and between the use of voluntary and coercive public health measures.
4. To learn how to identify and analyze ethical issues systematically, and to develop an awareness of how policy choices impact a variety of stakeholders.

D. Course Organization: The course will use lectures, case study examination, discussion and writing assignments to meet the learning objectives. Individuals or teams may be assigned to particular roles in a case study and asked to adopt and defend a particular ethical position.

E. Course Notes/Power Point Presentations: When power points are used, they will be made available to the class.

F. Texts and Readings: Articles and hand-outs in addition to the listed texts will be made available online via electronic reserve and/or in hard copy as needed. These readings are listed according to the week assigned and are asterisked (*).

The following texts are required reading and available at Amazon.com:

Gostin, Lawrence O. (2002). Public Health Law: Power Duty and Restraint. California: University of California Press.

Gostin, Lawrence O. (2000). (Ed.) Public Health Law and Ethics: A Reader. California: University of California Press.

Other Resources :

Beauchamp D.E. & Steinbock, B. (1999) (Eds.). New Ethics for the Public's Health. New York: Oxford University Press.

Center for Law and the Public's Health at Georgetown and Johns Hopkins University (CDC Collaborating Center Promoting Health Through Law) <http://www.publichealthlaw.net>

Bayer, R., Gostin, L.O., Jennings, B. & Steinbock, B. (2007). (Eds.). Public Health Ethics: Theory, Policy and Practice. Oxford University Press.

G. Course requirements:

1. Participation (10%)

- Description: Thoughtful and active class participation is essential to the success of this class. This does not mean being “right.” Most of the time there will be no “right” or “wrong” answers to the issues we discuss in class. I am looking for the ability to learn to think about difficult questions in a systematic, thoughtful manner.
- Grading criteria: Students will be awarded between 0-2 points per class for participation. These points will be averaged over the 14 class sessions (Sessions 2-15).

Points	Behaviors
0	Student did not attend class, or has not done reading; or does not listen to fellow students, visitors or faculty; or is disruptive or rude.
1	Student rarely contributes to the class or group discussions. Student's comments indicate a basic understanding of the material.
2	Student actively contributes to class or group discussions. Student's comments are thoughtful and indicate a more advanced understanding of the material and make a significant contribution to class.

2. Weekly Papers (40%)

- After each class please write a two-page (double-spaced, 12 point font, 1 inch margins) paper. This may be a reaction paper to the case study discussed in class or a critical analysis of one or more of the readings. Papers will be due at the beginning of the following class. The first paper will be due January 31st. The week of March 13, instead of this paper, please submit a 2 page outline of your final paper topic.
- Grading criteria:
 - Clarity: Is your paper well written and well organized? (3 points)
 - Originality/Voice: Are opinions clearly stated, original and thoughtful? (3 points). Is the paper largely descriptive? What does the paper add to knowledge?
 - Analysis: Is the reasoning solid; i.e. supported by data, literature, other sources (3 points). You should not only have an opinion, but be able to support that opinion with well reasoned arguments and evidence.
 - Grammar, spelling (1 point).
 - Note: The point is *not* to write something I or your classmates necessary agree with, but to write with sufficient clarity, originality and coherence to let other readers understand and engage your ideas.

3. Presentation (0%):

- Please prepare a 10 minute power-point presentation on your paper topic at the last class.

4. Final Paper (50%):

- The final individual writing assignment will be a paper of roughly 10-15 pages (double-spaced, 12 point font, 1" margins, etc.) that explores a specific ethical and/or legal issue related to public health. You should provide a brief description of the issue or problem, provide some background or context for the issue and then examine the issue using the framework we use in class to discuss the case studies. Ultimately, you should take a position on the issue, or make your recommendations (depending on the actual details of the issue), and explain why and how you came to your decision. Other viewpoints and their strengths and weaknesses should be presented. As with any graduate paper, the paper should not be purely descriptive, but use critical analysis and available sources to examine the issues at stake. Your reasoning and how you came to your conclusions are what is important, not the actual position you arrive at. I will provide additional guidance on topics, form and content in class. Please use APA citation style.
- Grading criteria:
 - Late papers will be penalized 5 points for each day they are late. Exceptions will require an extraordinary justification.
 - The grading criteria for the final papers are similar to the short papers, though I will expect ideas and arguments to be presented more fully.
 - Clarity: Is your paper well written and well organized? (15 points)
 - Originality/Voice: Are opinions or positions clearly stated, original and thoughtful? Is the paper largely descriptive? What does the paper add to knowledge? (15 points)
 - Analysis: Is the reasoning solid; i.e. supported by data, literature, class discussions, etc. (15 points). You should not only have an opinion, but be able to support that opinion with well reasoned arguments and evidence.
 - Grammar, spelling, references cited appropriately (5 points).

	<u>Weight</u>
• Class participation	10%
• Individual weekly papers	40%
• Final presentation	0%
• Final Paper	50%
Total:	100%

H. Syllabus changes: This is a tentative syllabus. Some readings may be added, removed or changed and course topics or case studies may change in order or substance. Students will be notified of these changes as far in advance of the changed class session as possible.

I. Academic Integrity: Students are expected to abide by the University of Arizona Code of Academic Integrity found at <http://w3.arizona.edu/~stidjibs/policies/cacaint.htm>

J. Classroom behavior: Students in this seminar will frequently discuss ethical issues which may result in differences of opinion. Students are expected to express their views with civility, courtesy, and consideration. Students are expected to be familiar with the UA Policy on Disruptive Behavior at http://hr2.hr.arizona.edu/dos/pol_disrupt.htm . Students are also

expected to be familiar with the Policy on Threatening Behavior by Students found at http://hr2.hr.arizona.edu/dos/pol_threat.htm.

K. CPH Grievance Policy: College of Public Health students who believe they have been subjected to unfair treatment in the administration of academic policies may seek resolution of their complaints through the College of Public Health Grievance Process found at: http://w3.publichealth.arizona.edu/newcoph/students/3_grievance.htm

L. Course Schedule

1) January 17, 2007:

Course Overview and Introduction

Case Study/Exercise: Legal and Ethical Implications of a Public Health Approach to Disability

2) January 24, 2008: Public Health Law, Ethics and Human Rights: Mapping the Issues

Readings:

- Text: Chapter 1: A Theory and Definition of Public Health Law
- Reader: Chapter 1: Public Health Law, Ethics and Human Rights: Mapping the Terrain
- Childress, J.F. et al. (2002). Public health ethics: mapping the terrain. *Journal of Law, Medicine & Ethics*, 30 (2), 170-182.

Case Study/Exercise: Legal and Ethical Implications of a Public Health Approach to Funding Cancer Research and Treatment

3) January 31, 2008: No class but reading assigned

Readings:

- Text: none
- Reader: Chapters 2: Public Health, the Population-based Perspective; Chapter 3: Public Health Ethics: The Communitarian Tradition; and Chapter 3: Human Rights and Public Health

4) February 7, 2008: Public Health Reasoning: Philosophy, Risk and Cost

Readings:

- Text: Chapter 4: Public Health Regulation: A Systematic Evaluation
- Reader: Chapter 5: Reasoning in Public Health: Philosophy, Risk and Cost

Case Study/Exercise: Escalating Cancer Rates: Assessing Vested Interests and the Published Literature

5) February 14, 2008: Public Health and the Constitution

Readings:

- Text: Chapter 2: PH in the Constitutional Design; Chapter 3: Constitutional Limits on the Exercise of Public Health Powers: Safeguarding Individual Rights and Freedoms
- Reader: Chapter 6: Public Health Duties and Powers; Chapter 7: Public Health and the Protection of Individual Rights

Case Study/Exercise: TBA

6) February 21, 2008: Tort Litigation for the Public's Health

Readings:

- Text: Chapter 10
- Reader: Chapter 9: Tort Litigation for the Public's Health

Case Study/Exercise: Firearm Litigation

7) February 28, 2008: Surveillance and Public Health Research: Privacy & the "Right to Know"

Readings:

- Text: Chapter 5: Public Health Information: Personal Privacy
- Reader: Chapter 10: Surveillance and Public Health Research: Privacy and the "Right to Know"
- Fairchild, A.L. & Bayer, R. (2004). Ethics and the Conduct of Public Health Surveillance. *Science*, 303 (5658), 631 - 632

Case Study/Exercise: Protecting Health Information Privacy

8) March 6, 2008: Health Promotion: Education, Persuasion, and Free Expression

Readings:

- Text: Chapter 6: Health, Communication and Behavior
- Reader: Chapter 11: Health Promotion: Education, Persuasion and Free Expression

Case Study/Exercise: Health Communication Campaigns

Final paper proposals are due in class and by email by March 13.

9) March 13, 2008: Health Promotion con't

Readings:

- Bayer, R. Moreno J. (1986). Health Promotion: Ethical and social dilemmas of governmental policy. *Health Affairs*, 15, 2, 72-85.
- Wikler, D. (1987). Who should be blamed for being sick? *Health Education Quarterly*, 14 (1), 11-25.
- Dworkin, G. (1981). Voluntary health risks and public policy. *Hastings Center Report*, 26-39
- Warner K. (1983). Bags, buckles and belts: The debate over mandatory personal restraints in automobiles. *Journal of Health Politics, Policy and Law*, 8(1), 44-75
- Leichter, H. (1986). Saving lives and protecting liberty: A comparative study of seat belt debates. *Journal of Health Politics, Policy and Law*, 11(2), 323-344.

- Leichter H. (1991). Road Safety Policy: Blaming the car or the driver? In Leichter, H. Free To Be Foolish. Princeton, NJ: Princeton University Press.

Case Study/Exercise: Seat belt laws

March 20: Spring Break, no class. Enjoy!

10) March 27, 2008: Biological Interventions to Control Infectious Disease: Immunization, Screening, and Treatment

Readings:

- Text: Chapter 7: Immunization, Testing, and Screening: Bodily Integrity
- Reader: Chapter 12: Biological Intervention in the Control of Infectious Disease: Immunization, Screening and Treatment
- Fairchild A. and Oppenheimer G. (1998). Public health nihilism vs. pragmatism: History, politics, and the control of tuberculosis. *American Journal of Public Health*, 88(7)1105-1117.
- Gangarosa, E.J. et al. (1998). Impact of anti-vaccine movements on pertussis control: The untold story. *The Lancet*, 351 (9099), 356-361.
- Fine P. and Clarkson, J. (1996). Individual versus public priorities in the determination of optimal vaccination policies. *American Journal of Epidemiology*, 124(6), 1012-1020.

Case Study/Exercise: Immunization

11) April 3, 2008: Restrictions of the Person: Civil Confinement and Criminal Punishment

Readings:

- Text: Chapter 8: Restrictions of the Person: Autonomy, Liberty, and Bodily Integrity
- Reader: Chapter 13: Restrictions of the Person: Civil Confinement and Criminal Punishment
- Bayer R. and Dupuis L. (1994). Tuberculosis, public health, and civil liberties. *Annual Review of Public Health*, 16, 307-26

Case Study/Exercise: Tuberculosis

12) April 10, 2008: Public Health and Health System Reform: Access, Priority Setting, and Allocation of Resources

Readings:

- Garland, M. & Stull, J. (2003). Public health and health system reform. In B. Jennings, J. Kahn, A. Mastroianni & L. Parker, L (Eds.), *Ethics and Public Health Model Curriculum* (241-251). Downloaded from <http://www.asph.org/document.cfm?page=782>.
- Guttman, A. (1981). For and against equal access to health care. *The Milbank Memorial Fund Quarterly. Health and Society*, 59 (4). 542-560.
- TBA

Case Study1: Multiple Claims and Commitments in a Health Care Institution

Case Study 2: Making Cuts in a Health Department Budget

13) April 17, 2008: Immigration

Readings: TBA

Case Study/Exercise: Immigration, law, ethics and public health

14) April 24, 2008: The Obesity Epidemic: Non-Communicable Diseases, Diet, and the Sedentary Lifestyle

Readings:

- Nestle M. and Jacobson, M.F. (Jan./Feb. 2000). Halting the obesity epidemic: A public health policy approach. *Public Health Reports*, 115(1),12-24.
- Mello M.M., Studdert D.M. & Brennan T.A. (2006). Obesity--the new frontier of public health law. *New Eng. Jo. Of Med.*, 354(24), 2601-10.
- Mello M.M., Pomeranz J., Moran P. (2007). The interplay of public health law and industry self-regulation: The case of sugar-sweetened beverage sales in schools. *Am J Public Health*. [Epub ahead of print]

Case Study/Exercise: Obesity

15. May 1: Last Class/Student Presentations

Student Presentations: You will give a brief (10 min) presentation on your paper topic and we will have about 10 minutes of discussion and questions and answers about each paper.