**Ethics Work-up 1**

Due: Wednesday, October 19 by 4pm class time; upload to Canvas

under “Assignments” in .doc or .pdf format

**Instructions for Work-up 1**

1. Read Case Study A below and complete the Ethics Work-up.
2. Download the Complete Ethics Work-up guide found at the bottom of “Assignments and Grading” on the digital syllabus.
3. Copy each step of the rubric into your document (.doc or .pdf).
4. Place all your responses in bullet point lists under each rubric step, rather than paragraphs
5. Upload to Canvas under “Assignments” by 10/19 by class time

You will find the grading rubric immediately following the case study below

**Case Study A: Confidentiality/Privacy**

You are a family physician for a 36-year-old unmarried man, Mr. G. You also care for his girlfriend, Ms. A. You have recently seen Ms. A, who is now three months pregnant with Mr. G’s child, for her prenatal care. Her pregnancy has been proceeding without complication. At his most recent office visit, Mr. G reported to you that he thinks he might have become exposed to the AIDS virus from prostitutes whose services he purchases during his frequent business trips.

You obtain a blood sample for analysis and tell Mr. G when he comes in for the results that he is HIV+. You counsel Mr. G about the nature of HIV seropositivity[[1]](#footnote-1) and treatments. Mr. G tells you that he has not told his girlfriend about the prostitutes and he will not tell her about his diagnosis.

You raise with Mr. G the issue of possible transmission of HIV to both his girlfriend and their future child. You also tell Mr. G about new drug therapy to prevent vertical transmission of HIV, explaining that it can reduce the risk of transmission of HIV during pregnancy from up to 30% to less than 5%. Mr. G adamantly refuses to let you tell his girlfriend about the HIV diagnosis and makes it clear that he has no intention of “making a mess of things” by telling his girlfriend himself. He says that because he doesn’t have symptoms, his girlfriend will not find out that he is HIV+.

California law *permits*, but does not require, a physician to disclose a patient’s HIV+ status to a patient’s spouse, sexual partner, or needle-sharing partner/s so long as the diagnosed patient’s identity is kept confidential. If a physician opts to disclose, the physician must first: 1) discuss the result with the patient and offer counseling, 2) attempt to get the patient’s consent to notify potentially affected persons, and 3) inform patient of intent to notify affected persons. Physicians may also opt for a local health officer or agency staff to conduct partner notifications to the same persons named above without disclosing identity of diagnosed patient.

Background: This is an actual case from the Cleveland area hospital that occurred in 2008. Some facts have been changed or omitted to preserve anonymity. Source: Baylor College of Medicine.

**Ethics Work-up 1 Grading Rubric (60 points total)**

*For this Work-up, please copy each step into your document and put all your responses in bullet point lists under that step, rather than paragraphs. Upload completed file (.doc, .pdf). Do not put your answers into the below rubric as that is just the chart for grading.*

*Please see details on each appeal can be found in the Complete Ethics Work-up Guide (*at the bottom of “Assignments and Grading” on the digital syllabus*).*

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| **Task** | **Points possible** | **Points earned** | **Notes/Feedback** |
| **Step 1.** Identify relevant facts of the case and any additional information you want to know. | **8** |  |  |
| **Step 2.** Identify the available alternate courses of action. *\*You are welcome to number/letter your alternate actions; however, please describe the options substantively when evaluating with appeals. If you only use “option A” when evaluating, I quickly lose the meaning.* | **4** |  |  |
| **Step 3.** Assess each available alternative from the perspective of the relevant ethical appeals.*Directions: You will now evaluate each of your alternate actions using Appeals A-F below. For each appeal (except Appeal A), include a bullet point list with (1) specific content of that appeal relevant to your proposed action AND (2) normative ethical theories (and particular concepts/commitments of those theories) that inform your analysis.**Also, try to use as many bioethical terms (beneficence, paternalism, external constraint, among several others) in your analysis.* |  |  |  |
| A. Appeal to established legal and professional standards *\*no normative theories needed for this appeal. Since we are not actively studying laws or medical policy, please just include legal and professional standards as noted in a case, or in our readings, that apply.* | **4** |  |  |
| B. Appeal to autonomy (a) decision-making autonomy, and (b) fundamental rights to confidentiality, honesty, control over one’s health/body, be free of interference, etc. | **8** |  |  |
| C. Appeal to consequences (serious and far-reaching, irreversible, probable) | **8** |  |  |
| D. Appeal to virtues;Name/explain at least 2 (compassion, respect, integrity, self-sacrifice, courage, honesty, or others)  | **4** |  |  |
| E. Appeal to justice (social/political or economic as discussed in class).  | **8** |  |  |
| F. Appeal to special obligations Name/explain at least 2(to vulnerable patients, to those lacking decision-making capacity, for patient’s family’s decisions, moral/religious constraints, for legitimate self- interest and professional integrity).  | **6** |  |  |
| **Step 4.** Make a considered decision with the first three steps (minimum) s you would attempt* state clear reasons based on your assessment of appeals for assigning priority to one course of action over another.
* state a critique of your decision and respond to that critique
* ensure you note which two normative theories inform your judgment most with a brief explanation of why
 | **8** |  |  |
| **Step 5.** Identify steps that might have been taken to prevent the ethical challenge(s) that arose in this case.  | **2** |  |  |

1. “seropositivity” is having blood serum that tests positive for a given pathogen, especially HIV. [↑](#footnote-ref-1)