# Foundations in Bioethics

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Program Goals
At the conclusion of the Foundations in Bioethics program, participants will be able to:

1. Explain and discuss the strengths of, and objections to, major ethical theories;
2. Define and discuss the main principles, concepts, and common terms in bioethics;
3. Identify and understand methods, frameworks, and arguments commonly used in bioethics, and apply them to current ethical dilemmas.

Learning Objectives
At the conclusion of this four-day program, participants will have gained exposure to:

- An introduction to ethical theory;
- The history, strengths, and objections to utilitarian, deontological, virtue, natural law, and feminist and care ethics;
- Normative ethics, moral personhood, pluralism, social contract theory, and Rawls’ theory of justice;
- The history of bioethics and its relation to the history of medical ethics;
- Main principles, frameworks, and common terms within bioethics;
- Principlism and casuistry (case-based theory);
- Common bioethical arguments, including slippery slope, the distinction between foreseeing and intending, and distinction between doing and allowing.
- The major branches of bioethics, including research ethics, clinical ethics, law, policy, and public health;
- Federalism and the role of states in U.S. bioethics;
- The capability theory of justice.
- A wide range of current bioethical dilemmas, from racial inequity in healthcare to ethics of dementia care and ethical distribution of scarce medical resources.

Learning Objectives by Day

<table>
<thead>
<tr>
<th>Date</th>
<th>Course Objectives</th>
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<tr>
<td>June 29, 2021</td>
<td>Introduction to Ethical Theory; Utilitarianism, Deontology, and Virtue Ethics</td>
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<tr>
<td>June 30, 2021</td>
<td>Care Ethics, Pluralism, and Social Contract Theory</td>
</tr>
<tr>
<td>July 1, 2021</td>
<td>A History of Bioethics; Branches of Bioethics; Principlism and Casuistry</td>
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<tr>
<td>July 2, 2021</td>
<td>Common Arguments in Bioethics</td>
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Methods

The program consists of four days of a core curriculum which is provided through asynchronous lectures and discussion boards on the Canvas educational portal. All asynchronous lectures will be available for participants to complete at their own schedule during each of the four days, and access to the lectures will be available approximately one week in advance. Discussion boards will open over the course of the four days. The core curriculum is led by Stephen Latham, JD, PhD, Director of Yale’s Interdisciplinary Center for Bioethics, and Dan Tigard, PhD, a philosopher and Senior Research Associate in the Institute for History & Ethics of Medicine at the Technical University of Munich. Discussion boards will be moderated by Stephen Latham, Dan Tigard, and Lori Bruce, Program Director.

The core curriculum is complemented by live lectures over Zoom. The Zoom link will be distributed one week before the start of the program. After these events, the lectures will be uploaded to Canvas.

Live Events Schedule

The following live lectures will be offered over Zoom.

<table>
<thead>
<tr>
<th>Dates</th>
<th>Times (ET)</th>
<th>Title</th>
<th>Lecturer</th>
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<tbody>
<tr>
<td>Tuesday</td>
<td>10 - 11 am</td>
<td>Ethical Theory Part 1: Utilitarianism, Deontology, and Virtue Ethics</td>
<td>Daniel Tigard, PhD</td>
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<tr>
<td>June 29</td>
<td>11:15 - 12:30</td>
<td>Historical Perspectives on The Tuskegee Syphilis Study and Its Legacies</td>
<td>John Warner, PhD</td>
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<td></td>
<td>1 - 2:30 pm</td>
<td>Advancing Social Justice, Health Equity, &amp; Community</td>
<td>Patrick Smith, PhD</td>
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<td></td>
<td>3-4:30 pm</td>
<td>Migrant Care Workers &amp; Justice</td>
<td>Lisa Eckenwiler, PhD</td>
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<tr>
<td>Wednesday</td>
<td>10 - 11 am</td>
<td>Ethical Theory Part 2: Care Ethics, Pluralism, and Social Contract Theory</td>
<td>Daniel Tigard, PhD</td>
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<tr>
<td>June 30</td>
<td>1:30 - 2:30 pm</td>
<td>Disorders of Consciousness</td>
<td>Joseph Fins, MD</td>
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<td></td>
<td>2:30 - 3:30 pm</td>
<td>Covert Consciousness and Civil Rights: Rethinking Old Presumptions of Brain Injury</td>
<td>Joseph Fins, MD, MACP, FRCP</td>
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<tr>
<td>Thursday</td>
<td>10 - 11 am</td>
<td>A History of Bioethics</td>
<td>Stephen Latham, JD, PhD</td>
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<td>July 1</td>
<td>1 - 2:30 pm</td>
<td>Death and the Meaning of Mortality</td>
<td>Shelly Kagan, PhD</td>
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<td></td>
<td>3 - 4:30 pm</td>
<td>Ethics of Dementia Care</td>
<td>Nancy Berlinger, PhD</td>
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<tr>
<td>Friday</td>
<td>10 - 11 am</td>
<td>Common Arguments in Bioethics</td>
<td>Stephen Latham, JD, PhD</td>
</tr>
<tr>
<td>July 2</td>
<td>1 - 2:30 pm</td>
<td>Research on the Recently Dead: Ethical Considerations of Recent Porcine &amp; Human Studies</td>
<td>Stephen Latham, JD, PhD</td>
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<tr>
<td></td>
<td>3 - 4:30 pm</td>
<td>Justice and Pluralism within Triage of Critical Care Resources</td>
<td>Lynette Reid, PhD</td>
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Faculty

Stephen Latham, JD, PhD
Director, Yale Interdisciplinary Center for Bioethics
Senior Research Scientist in Political Science
Chair of the Human Subjects Committee
Co-Chair of the Embryonic Stem Cell Research Oversight Committee
Yale University;
Lecturer, Yale Law School

Steve has been Director of the Bioethics Center since 2011, having served as Deputy Director since 2008. For the previous nine years, he was Professor of Law and Director of the Center for Health Law & Policy at Quinnipiac University School of Law. Before entering academia full-time, he served as Director of Ethics Standards at the American Medical Association and as secretary to its Council on Ethical and Judicial Affairs. He was for several years a member of Connecticut’s Stem Cell Research Advisory Committee and served for three years on the board of the American Society for Bioethics and Humanities, which gave him its distinguished service award. He has done clinical ethics consultation with the Pediatric Ethics Committee of Yale-New Haven’s Children’s Hospital; currently chairs Yale’s Human Subjects Committee (its social/behavioral IRB); and serves on the Medical Review Board of Connecticut’s Department of Children and Families. This past year, Steve was one of the authors of the COVID-19 triage protocol at Yale New Haven Health System.

His 100+ publications on health law and bioethics have appeared in journals and law reviews including JAMA, NEJM, the American Journal of Law and Medicine, the Journal of Law, Medicine and Ethics, and the Journal of Legal Medicine. He has been book review editor of the American Journal of Bioethics and is currently a contributing editor for the Hastings Center Report. His co-edited book, The American Medical Ethics Revolution (Johns Hopkins Univ. Press) was selected by Choice as one of the “top academic books of 2000.”

Lori Bruce, MA, MBE, HEC-C
Director, Sherwin B. Nuland Summer Institute in Bioethics
Co-Director, Adult Ethics Committee, Yale-New Haven Hospital
Director, Community Bioethics Forum, Program for Biomedical Ethics, Yale School of Medicine
Associate Director, Yale Interdisciplinary Center for Bioethics

Lori is the Director of the Center’s Summer Institute in Bioethics and an Associate Director at the Interdisciplinary Center for Bioethics. She has authored policy recommendations on allocation of scarce resources during COVID-19, pediatric organ donation after cardiac death, palliative sedation, unconsented intimate exams, and infant safe haven laws. Lori is the co-chair of the Adult Ethics Committee and serves on the Pediatric Ethics Committee at Yale-New Haven Hospital, is a member of Yale’s Repository IRB, and provides ethics consulting to Yale’s Gender Clinic. Lori has served on state health department steering
committees for Medical Orders on Life-Sustaining Treatment ("MOLST") and advisory boards for vulnerable populations. She has consulted for a member of President Obama’s Commission on Bioethics and has lectured worldwide including such places as Walter Reed National Military Medical Center, the Centre for Values, Ethics and Law in Medicine at the University of Sydney, the Centre for Faith, Ethics and Society at University of Notre Dame Australia, the University of Tokyo, and Harvard University. She directs the Community Bioethics Forum at the Program for Biomedical Ethics at Yale School of Medicine which accepts consult requests from policymakers to amplify the voices and values of community members in health and medical policies such as invasive pediatric procedures by physicians-in-training, end-of-life options for the developmentally disabled, and brain death.

Lori has a Master of Bioethics from the Icahn School of Medicine at Mount Sinai in New York and a Masters in Neuroimaging from Boston University School of Medicine. She is Adjunct Faculty in the Bioethics Program at Mount Sinai School of Medicine and her writing appears in the Huffington Post, the Journal of Medical Ethics, The American Journal of Bioethics, the Journal of Clinical Ethics, The Hastings Center Report, HEC Forum, and neuroscience journals. She is a Contributing Editor for the Hastings Center Report.

Daniel Tigard, PhD  
_Senior Research Associate, Institute for History & Ethics of Medicine, Technical University of Munich_

Daniel studied philosophy for his BA at the University of Washington–Seattle, MA at Brandeis University, and PhD at Tulane University. His work centers around moral responsibility in emerging technology. Along with issues concerning responsibility and moral conflicts, his writings address topics such as clinical research ethics and moral distress among healthcare professionals. Daniel resides in Vienna, Austria, with his family.

Shelly Kagan, PhD  
_Clark Professor of Philosophy, Yale University_

Shelly Kagan is the Clark Professor of Philosophy at Yale University. Kagan’s main research interests lie in moral philosophy, and in particular, normative ethics. Much of his work centers on the debate between
consequentialist and deontological moral theories, with publications on the nature of well-being, moral desert, utopia, and the connections between Kantianism and consequentialism.

John H. Warner, PhD  
*Avalon Professor in the History of Medicine and Professor of American Studies and of History, Yale University*  
*Chair, History of Medicine Yale School of Medicine*

John Harley Warner, a historian who focuses on the transnational history of medicine and science, received his Ph.D. in 1984 from Harvard University (History of Science), and from 1984-1986 was a Postdoctoral Fellow at the Wellcome Institute for the History of Medicine in London.

In 1986 he joined the Yale faculty with a primary appointment in the School of Medicine, where he is now Avalon Professor and Chair of the Section of the History of Medicine with a fully split faculty appointment in the Department of History. He is a professor and core faculty member in the Yale University Program in the History of Medicine and Science and professor of American Studies.

His research interests include the cultural and social history of medicine in the United States from the early 19th century to the present, and transnational and transcultural comparison. He is particularly interested in the history of medical education, professional identity, clinical practice, and the visual cultures of medicine. Current projects include *Bedside Stories: Clinical Narrative and the Grounding of Modern Medicine*, and *The Death of James Jackson, Jr. and the Birth of the American Clinic*.

Joseph Fins, MD, MACP, FRCP  
*Visiting Professor of Law at Yale Law School*  
*Dwight H. Terry Visiting Scholar in Bioethics, Yale University*  
*E. William Davis, Jr., M.D. Professor of Medical Ethics, Professor of Medicine, Professor of Public Health, and Professor of Medicine in Psychiatry, Weill Cornell Medical College*  
*Director of Medical Ethics & Attending Physician, New York Presbyterian Hospital–Weill Cornell Medical Center*  
*Co-Director of the Consortium for the Advanced Study of Brain Injury, Weill Cornell & Rockefeller University*

The author of over 250 publications, his most recent book is *A Palliative Ethic of Care: Clinical Wisdom at Life’s End* (Jones and Bartlett, 2006). His current scholarly interests include ethical and policy issues in brain injury and disorders of consciousness, palliative care, research ethics in neurology and psychiatry, medical education, and methods of ethics case consultation. He is a co-author of the landmark 2007

Dr. Fins is President of the American Society for Bioethics and Humanities and is a member of the Hastings Center Board of Trustees where he is Chair of the Fellows’ Council. He has served as a trustee of Wesleyan University and the American College of Physicians Foundation. A former Governor of the American College of Physicians, he has been honored with the College’s Laureate Award.

Dr. Fins is a Master of the American College of Physicians. He is also a Fellow of The New York Academy of Medicine and The Hastings Center and was appointed to the Council of the Europeanists Akademie (Germany). He is an elected member of the American Clinical and Climatological Association and *Alpha Omega Alpha*.

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Nancy Berlinger, PhD
*Hastings Center Research Scholar*

Nancy Berlinger is a Hastings Center research scholar whose work focuses on two major themes: ethical and societal challenges arising from population aging, and the role of health practitioners, systems, and policymakers in the care and well-being of migrants. These themes reflect her longstanding interests in decision-making and care concerning serious illness and near the end of life; safety and harm in health systems; and the moral dimensions of care work. She publishes, presents, and speaks to the media frequently on topics within these themes. She is the lead author of The Hastings Center’s *Ethical Framework for Health Care Institutions Responding to Covid-19* and of related pandemic guidance for professionals, organizations, and policymakers.

Nancy Berlinger’s aging-focused projects include “Dementia and the Ethics of Choosing When to Die”; “Living Alone at Home with Dementia: Ethical Considerations for Inclusion,” and “Bioethics for Aging Societies: Informing Policy and Practice.” Her current migration-focused work includes “Creating Systems of Safety for Immigrant Health” and related collaborations with clinician-investigators, and the Undocumented Patients public database and resources. She served on the Planning Committee for the 2018 National Academy of Medicine Workshop on Physician-Assisted Death. She directed the revision of The Hastings Center’s landmark *Guidelines* on treatment decision-making and end-of-life care and collaborated with the Society of Hospital Medicine to develop a primary palliative care pathway for serious illness communication. With colleagues at the National University of Singapore and the University of Oxford, she co-developed the open-access Singapore Bioethics Casebook. She was a 2018 resident at the Bellagio Center of the Rockefeller Foundation for a book project on migration and urbanism. She serves on the Bioethics Committee of Montefiore Medical Center (Bronx, NY) and on
Montefiore’s Ethics Review Committees on hospice access for patients alone, and teaches at Lehman College, City University of New York.

Nancy Berlinger is a graduate of Smith College and received a doctorate in English literature from the University of Glasgow and a master of divinity, with a focus on ethics, from Union Theological Seminary.

Lisa Eckenwiler is Associate Professor in the Department of Philosophy and the Department of Health Administration and Policy, George Mason University. She is currently the faculty director for the Global Health Fellows Program, a joint program of the Departments of Philosophy and Global Affairs. Her research focuses on global health inequities, refugees, migrants and other vulnerable populations, and humanitarian health ethics.

Dr. Eckenwiler is also carrying out research and writing on the relationship between place and health justice. Current projects focus on the understanding and operationalization of "vulnerability" in the work of humanitarian health organizations, the integration of migrants and refugees with disabilities and health justice, the ethics of closing humanitarian projects, and "ethical place-making" and health justice for the chronically displaced.

Professor Eckenwiler has published widely on research ethics, especially on issues concerning vulnerable populations and the process of ethical review. She is the author of Long Term Care, Globalization, and Justice (Johns Hopkins University Press, 2012) and has also written on: the ethical implications of initiatives in biodefense and emergency preparedness, the ethics of the international recruitment of health workers, access to health care for undocumented care workers, and access to AIDS care for the homeless. Her first book, The Ethics of Bioethics: Mapping the Moral Landscape (co-edited with Felicia Cohn and published by Johns Hopkins University Press in 2007) is now a staple in the field, widely used by scholars and graduate students.

Professor Eckenwiler earned her B.A. from the University of Wisconsin-Madison and her Ph.D. in philosophy with a concentration in bioethics from the University of Tennessee-Knoxville. Prior to joining the faculty at George Mason University she was Associate Professor of Philosophy and Co Director of the Institute for Ethics and Public Affairs at Old Dominion University. From 2002-2003, she served as Director for the Consortium to Examine Clinical Research Ethics at the Center for the Study of Medical Ethics and Humanities at Duke University. In 2006 she was a Visiting Fellow at the Center for American
Progress in Washington, D.C. The Universite de Montreal’s Centre de Recherche en Ethique hosted her in the summer of 2008 as a Visiting Senior Fellow. Professor Eckenwiler is an active member of the American Philosophical Association, the American Society for Bioethics and Humanities, the American Public Health Association, the International Association of Bioethics, and the International Network for Feminist Approaches to Bioethics (FAB). She serves on the advisory board for FAB as well as on the editorial board of the International Journal of Feminist Approaches to Bioethics. She is also the US Representative for FAB and the Coordinator of Country Representatives.

Patrick T. Smith PhD
Associate Research Professor of Theological Ethics and Bioethics; Senior Fellow, Kenan Institute for Ethics at Duke University

Professor Smith was named a 2016-17 Henry Luce III Fellow in Theology and was the recipient of the 2019 Paul Ramsey Award for Excellence in Bioethics. Along with his work at the Divinity school, he is the director of bioethics for the Trent Center for Bioethics, Humanities, and History of Medicine and associate professor in population health sciences, Department of Health Sciences, Duke University Medical School. He has served as a member of the board of directors for the American Society of Bioethics and Humanities. His current research and writing are in the areas of moral philosophy, bioethics, theological ethics, end-of-life care, and the religious social ethics of Martin Luther King Jr.

Professor Smith served as a lecturer at Harvard Medical School in the Department of Global Health and Social Medicine. He served as core faculty for the Master of Bioethics program offered through Harvard’s Center for Bioethics. He also was a principal faculty member for the Initiative on Health, Religion, and Spirituality, an interfaculty initiative across Harvard University that aims to be a research catalyst for an integrated model of spirituality, public health, and patient care in dialogue with spiritual communities. Professor Smith also worked professionally for eight years as the ethics coordinator for Angela Hospice Care Center in Livonia, Mich. During some of that time he served on the Ethics Advisory Council for the National Hospice and Palliative Care Organization and as a board member for the Hospice Palliative Care Association of Michigan.

He has served on the board of directors of organizations working for the common good and more equitable social arrangements such as YW Boston, which aims to empower women and eliminate racism. He also contributed thought leadership by serving on the board of a community development corporation that supports local communities through building affordable housing, engaging in advocacy work, and providing education on housing policies and practices.
Dr. Reid’s work is at the intersection of public health ethics, clinical ethics in primary care, and social and political philosophy of health systems. Recent publications include an analysis of the distributional nature of population health and a discussion of the implications of Piketty and colleagues’ work on economic inequality for bioethics and health equity. Her current projects lie in two distinct areas. One involves questions in ethics and in philosophy of medicine that arise in current cancer screening controversies. The other involves normative and empirical challenges to systems of universal health coverage. In this second project, she continues the theme of the value of health equity in an era of widening social inequality in health.