

Kisumu Learning Centre

MSc. Epidemiology and Biostatistics/ MSc Biomedical Science and Technology

HES 5111: BIOETHICS EXAMINATION

JULY 2013

ANSWER ALL QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS (20)

1. a) Discuss the important outcomes of the Belmont conference and the Helsinki Accords. (10 MARKS)

b) Describe at least five (5) bioethics principles in the *UNESCO's Universal Declaration on Bioethics and Human Rights* that are missing from Belmont report and Helsinki Declaration (10 MARKS)

2. Case description: B is a prisoner serving a 20-year sentence handed down in 2006. He was convicted of the offense of conspiring to commit mass murder, and he is considered a high-risk prisoner. In August 2011, B was referred for medical treatment after being diagnosed with testicular cancer. B was handcuffed on the way to and from the hospital for treatments. On several occasions prison officers were present at B's medical consultations and treatment despite the sensitive nature of his condition. B had an operation to remove one of his testicles. He was handcuffed when he went into surgery, and still handcuffed when he awoke from the anaesthetic. He was also handcuffed on his way back to prison. Moreover, B has allegedly been required to supply samples, including semen samples, while in the presence of prison officers. On other occasions, he allegedly had to provide semen samples with one hand handcuffed. B claims that during his various medical consultations and treatments, he felt humiliated and demeaned and suffered from pain and discomfort. His privacy was invaded at a time he was feeling vulnerable.

- A. Describe the bioethical principle(s) that apply to this case (2) MARKS
- B. Should the physician interfere in situations in which a patient is handcuffed or is unable to obtain privacy during medical treatments? (6 MARKS)
- C. How should individual rights be weighted in comparison to the need to protect society? (6 MARKS)
- D. Does being a criminal remove a person's right to respect for their dignity? (6 MARKS) MARKS

3. For each of the following scenarios, decide whether in each scenario the health care practitioner's conduct amounted to medical malpractice or professional negligence, and whether their employer can be held vicariously liable.

- A. A surgeon operates on a patient without obtaining an informed consent. (4 MARKS)
- B. A nurse at a rape crisis clinic shouts out to a patient that they 'do not do abortions on schoolgirls'. (4 MARKS)
- C. Nurses and doctors in a labour ward pinch the thighs of patients during delivery (4 marks)

- D. A doctor prescribes the wrong drug for a patient and the patient becomes severely ill.(4 MARKS)
- E. A psychiatrist does not warn the husband of a patient that his wife has threatened to kill him. (4 MARKS)

4.

(I) Case description: A patient is bleeding profusely post-operatively. He is sedated and partially unaware of his surroundings. The patient, who has strong religious convictions, informed the doctor prior to the operation that he did not want a blood transfusion under any circumstances, stating that this is a “fate worse than death” according to his religion. The doctor predicts that without blood he will die and gives three units of blood to the patient, plus multiple blood products designed to aid clotting. Three weeks later the patient is discharged with his spouse and three children, fully recovered from his operation. The patient is never informed of the transfusions given whilst he was sedated.

Discuss the following questions based on the case above:

- A. Keeping in mind that a blood transfusion is a “fate worse than death” for this patient, did the end justify the means? (5 MARKS)
- B. What is good about paternalism? (5 MARKS)
- C. What is bad about autonomy? (5 MARKS)

(II) Case description: Fifty year old psychiatrist hires a patient to clean her apartment. At the same time she is treating the patient for phobias with hypnosis after returning home in the evenings. The arrangement for her cleaning work was intended to provide a kind of ‘payment’ for the treatment she could not afford otherwise.

- A. Identify the ethical issues in the case (5 MARKS)

5. Discuss the following statements and provide arguments for a positive as well as negative reply:

- A. Every competent adult has the right to refuse unwanted medical treatment. (6 MARKS)
- B. Is this right valid in a case of a pregnant woman who is refusing medical treatment for an illness that might impact the foetus? (7 MARKS)
- C. Does a soldier have the right to refuse medical treatment that would render him/her to return to active duty? (7 MARKS)

6. There are several groups of people who are unable to exert their autonomy when making decisions about their health.

(I) How should decisions be made for the following groups of people and who should make them?

- A. A child lives in an area where polio is prevalent but her parents refuse vaccination as they believe it is poison. (4 MARKS)
- B. A 24 year old immigrant man with Guillain-Barre syndrome is trapped in his body, unable to speak or move. There is a very good chance he will improve with treatment but this will take months to years. His mother wishes to take him back to his home country as she is convinced he is going to die. However, you suspect that this country will not have the resources to provide adequate treatment. (6 MARKS)
- C. A man with longterm mental illness and has no known family is admitted to hospital

for major surgery (4 MARKS)

(II). Describe the categories of limited autonomy (patient incompetency) that the groups in A-C above belong to, and the ethical principles applied for their consenting. (6 MARKS)