DIVISION OF MEDICAL ETHICS

Faculty

Jay A. Jacobson, M.D.
Professor of Internal Medicine
Member, Division of Infectious Disease
Chief, Division of Medical Ethics

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Assistant Professor of Pediatrics
Adjunct Assistant Professor of Internal Medicine
Chair, Primary Children’s Medical Center
Bioethics Committee

Margaret P. Battin, Ph.D.
Distinguished Professor of Philosophy
Adjunct Professor of Internal Medicine

Jeffrey R. Botkin, M.D., M.P.H.
Associate Vice President for Research Integrity
Professor of Pediatrics
Adjunct Professor of Internal Medicine
Adjunct Professor of Human Genetics

Leslie P. Francis, Ph.D., J.D.
Chair, Department of Philosophy
Alfred C. Emery Professor of Law
Professor of Philosophy
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Therese Jones, Ph.D.
Associate Professor of Internal Medicine
Editor, Journal of Medical Humanities
(Faculty appointment begins July 2006)

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Susan Sample, M.F.A
Editor, Health Sciences Report
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Division Responsibilities

Chair, LDS Hospital Bioethics Committee
Major contributor to the School of Medicine’s Cultural Competency and Mutual Respect Program.

Howard Mann, M.D.
Course Director, Ethics and Research in Masters in Clinical Investigation Program.

Mark Matheson, Ph.D.
Coordinator, Student Literature and Medicine Program and Director, Medical Humanities electives.

Susan Sample, M.F.A
Facilitator for Physician Literature and Medicine Discussion Group. Developed and conducted a Medical Humanities elective on reflective writing.

Administrative Staff

Natalie Burbank
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Linda Carr-Lee, M.A.
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Evelyn Kasworm, B.S.
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Division Responsibilities

Office Coordinator

Research Associate, 4th Year Course Coordinator

Research Associate
ACKNOWLEDGEMENTS

We are grateful to the individuals and institutions that provide the financial, administrative, and in-kind support that helps us conduct our programs and advance our mission. We also thank the many expert colleagues who assist us with teaching and members of our discussion groups who graciously host some of our monthly programs in their homes.

INSTITUTIONS AND FOUNDATIONS

Deseret Foundation
ESRR Vision Trust
LDS Hospital
Primary Children’s Medical Center
University of Utah School of Medicine Dean’s Office
University of Utah David Eccles School of Business
University of Utah Department of Ophthalmology

University of Utah Department of Internal Medicine
University of Utah’s College of Humanities
University of Utah College of Law
University of Utah Medical Center
The Utah Humanities Council
University of Utah Campus Institute for Human Values and Applied Ethics

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Ann Wennhold
Frank Yanowitz
DIVISION OF MEDICAL ETHICS REPORT
JULY 2005 – JUNE 2004

MISSION

Our mission is to help physicians provide optimal patient care by increasing their awareness and knowledge of ethical issues and their skills in compassionate communication. We teach students, trainees, faculty and practitioners. We explore ethical questions that pertain to medical practice and public policy. We provide clinical consultation to providers and patients.

EXECUTIVE SUMMARY

This year included not only significant advances in ethically controversial technologies such as genomics, stem cell research, and electronically accessible medical records, but it again revisited ethical issues at the end of life about what treatments can be provided and whether physicians can assist with hastening death. The emerging and related epidemics of obesity and diabetes raised questions about personal responsibility and the public policy response. When a drug that prevents pregnancy after intercourse was licensed, some health professionals expressed conscientious objection to prescribing and dispensing the drug. Questions of justice about access to care and effective, but expensive drugs continued to spark public concern and debate. The national response was a complex prescription purchase plan that may help some Medicare beneficiaries. States explored different approaches such as importing drugs from Canada and developing a comprehensive medical reform plan that provided government incentives to employers and individuals who were responsible for health insurance. Infectious Diseases that evolve and emerge, like antibiotic-resistant bacteria and avian influenza, posed ethical challenges to professionals who must weigh the duty to treat against personal risk, and to institutions and governments who must reallocate resources and reassign priorities to actual, and even potential threats to public health. The disaster that followed Hurricane Katrina and the threat of biological weapons raised questions about the professional response to a public health emergency and possible constraints on personal freedom.

DIVISION ACCOMPLISHMENTS AND EVENTS:

Our Division provided a forum to discuss almost all of these issues in our regular Evening Ethics Discussion program (Page 16) and through special presentations to local and national audiences such as the Salt Lake City Rotary Club and the American Society for Bioethics and Humanities. Our discussions involve individuals from many different disciplines, health care providers, and public policy makers. We’ve included guests who contribute special expertise to our dialogue. Stuart Youngner M.D., a speaker at our annual Ethics Conference, led a discussion about new and controversial use of drugs to alter our memory of traumatic events. John Mauger Ph.D., the Dean of the University of Utah School of Pharmacy, hosted our discussion on conscientious objection to professional practice with drugs and procedures that affect reproduction. David Sundwall, M.D., the Executive Director of the Utah State Health Department, hosted our discussion of the proposed Massachusetts Universal Health Coverage Law. Our Annual Conference addressed some of the controversial issues that were raised in the wake of the Terri Schiavo case and the Supreme Court decisions that permitted the practice of physician-assisted suicide in Oregon and banned the prescription of marijuana for medical purposes. Stuart Youngner, M.D., Chair of the Department of Bioethics at Case Western Reserve University, and the Susan E. Watson Professor of Bioethics, helped dispel some of the confusion that surrounds the concept of brain death and demonstrated the symbolic importance of how we define and pronounce death.
Lauri Zoloth, Ph.D., Professor of Medical Ethics and Humanities at Northwestern's Feinberg School of Medicine, and of Religion in the Weinberg College of Arts and Sciences, explored the intersections of medicine, moral philosophy and religious faith at the end of life. Mette Rurup, Ph.D., brought a very different and valuable perspective to our conference and end-of-life care as she discussed new policies and practices in the Netherlands. Our conference this year provided an opportunity to help medical faculty, practicing physicians, nurses, social workers, administrators, lawyers, and interested members of the public learn about and consider the technical, emotional, ethical, and legal issues that currently attend end-of-life care and decision-making. The conference this year was thoughtfully and extensively covered in The Desert News.

Over the year, we’ve continued all of our regular programs: our newsletter, Medical Ethics in Utah, Evening Ethics Discussions, Resident Teaching Conferences, Literature and Medicine Discussion groups, Medical Student Ethics Course, Senior Medical Student Electives, and Scientific Integrity seminars. These are designed for medical students, medical residents, academic and community physicians, other health professionals, and interested members of the public. We have continued a semi-annual program of presentations and facilitated discussions about medical ethics at ophthalmology grand rounds.

Once again, we presented an outstanding Annual Intermountain Medical Ethics Conference. We also had remarkably distinguished visitors for our Max and Sarah Cowan and David Green Memorial Lectures. These were Jonathan Moreno, Ph.D., Emily Davie and Joseph S. Kornfeld Professor of Biomedical Ethics and Director of the Center for Biomedical Ethics at the University of Virginia, and Lainie Ross, M.D., Associate Professor of Pediatrics, Associate Director, MacLean Center for Clinical Medical Ethics at the University of Chicago. Our Division co-hosted with the University of Nevada School of Medicine at Reno, an annual bioethics retreat at Lake Tahoe with 115 attendees from leading Medical Ethics programs in the United States. Our Division members provide medical ethics consultation and serve on and collaborate with the LDS Hospital, CW/AV Hospitals, University of Utah Medical Center, and PCMC Bioethics Committees.

**DIVISION MEMBER UPDATES:**

Division members have 25 articles, four book chapters, and three books published or in press. We made dozens of presentations at local, state, national and international meetings. Division members are frequently invited to comment on ethical issues for local radio, television and newspaper media. Peggy Battin, Leslie Francis and Jay Jacobson, in collaboration with Dr. Charles Smith and Research Associate Linda Carr-Lee, have nearly concluded work on a book about Ethics and Infectious Disease, which has been proposed to major bioethics publishers.

Perhaps our greatest success this year, after many years of raising interest in and soliciting support for a Medical Humanities Scholar, was our successful recruitment of Professor Therese Jones, Ph.D. from the University of Texas at San Antonio and formerly of the University of Colorado. Dr. Jones was one of our distinguished visitors during the year. She presented Internal Medicine Grand Rounds: “In the Heart of the Heart of Texas: Implementing and Integrating the Medical Humanities”, facilitated a discussion with our Student Literature and Medicine Group, held a dialogue with the Women in Medicine program, and conducted a discussion of the award-winning documentary film: Complaints of a Dutiful Daughter with our Physicians Literature and Medicine Group. We encountered some unanticipated difficulties with proposed financial support from the School of Medicine’s Dean’s Office and the College of Humanities. However, Dr. John Hoidal, the Chair of the Department of Internal Medicine, recognized the value of adding a Medical Humanities Scholar to our program and the unique contribution that Dr. Jones could make to our medical school. He generously agreed to provide support for her while we actively pursue additional development funds.
LOOKING AHEAD:
Next year looks especially promising with the addition of our new and gifted Medical Humanities Scholar, Therese Jones. She will collaborate with our Program Associates and offer even more electives in medical humanities for senior students. She also plans to develop a program for 3rd year clerks in Internal Medicine to reflect on and discuss their experiences in real time. She will also bring her knowledge and teaching techniques to our other courses and conferences that involve students and medical residents. Her presence will help us extend and strengthen our interdisciplinary connections to the College of Humanities. These already include the College of Law, the College of Nursing and the School of Business.

Our greatest challenge remains sustainability and growth of our program. Our Division members and Program Associates all have major responsibilities in addition to their Division duties. Their financial compensation for Division work is at a token level or none at all. While virtue may be its own reward, it will be difficult to sustain the amount of uncompensated effort that our current colleagues provide. Also, as varied as our disciplinary training is, it would be desirable to add Division Members with partial support, who would bring us expertise in the area of health law and possibly added strength in medicine and the medical humanities. We hope to identify junior and mid level scholars at our university who would collaborate with us and ultimately commit part of their time to our Division. Also, as requests for our services and the scope of our expertise expands, we would like to evolve into a Center for Medical Ethics and Humanities that more broadly serves the School of Medicine and the University of Utah. We will turn to our Development Advisory Board to help us design a plan for additional support that this will require. We will also work with the development team in the Department of Internal Medicine to augment and implement that strategy.

We continue to work with the LDS Hospital Deseret Foundation and the University of Utah’s College of Humanities Development Office to raise awareness of our programs in the donor community and to invite participation and support. People in the academic and larger community who participate in and contribute to our programs and who host our Evening Ethics Discussions have been most generous. Their names are listed on our acknowledgements page.
from a variety of disciplines and bring their professional and personal perspectives to the
discussion. The discussions are held in the homes of division members or participants.
They serve not only as a forum for the exchange of ideas, but have also led to the formation
of task forces and public policy initiatives. Between 10 and 30 people attend these monthly
discussions. When asked to rate the information gained from the discussions last year, 93%
of respondents gave them a 4 or 5 on a 5-point scale. The topics are listed on page 16

**MEDICAL ETHICS IN UTAH NEWSLETTER**
The purpose of our monthly newsletter is to announce programs and activities related to
medical ethics. We include excerpts from topical articles drawn from the national media.
Linda Carr-Lee has provided background for and summaries of our Evening Ethics
Discussions. We also use the newsletter to keep readers abreast of our Division members’
activities. This free newsletter goes to over 600 readers throughout the state and region. An
example of our newsletter is on page 19.

**MEDICAL ETHICS COURSE FOR SENIOR STUDENTS:**
All 100 of our senior medical students take this two week required course. The curriculum
and schedule is shown on, page 9. Every day includes lectures and small group discussions
that are co-facilitated by a clinician and non-clinician. More than 20 faculty from medicine,
nursing, and philosophy participate in this program. All Students write papers for the course
about a medical ethics issue important to them. We award a cash prize for the best paper
and record the authors name on a plaque. This Year we gave two awards for the two equally
outstanding papers. We also published them in our newsletter. The awards were co-
sponsored by the Campus Institute for Human Values and Applied Ethics based at the Eccles
School of Business.

*It is a great opportunity to think about some major issues, and learn about the views of other
people. I think this is a highly educational course in a lot of ways—appreciating diversity of
thought, appreciating ethics in practice, figuring out how I feel about some issues I normally
don’t consider very often. I also appreciate the exposure to the great faculty who put so
much time into the discussions.*

*It is a great course with very stimulating discussions. The content of the course is well
thought out and put together.*

*Very good at confronting ethical issues, and very practical to clinical medicine. Also, I thought
the discussion groups were great giving us an opportunity to think about and voice how we
might act in a certain situation.*

*The topics and discussions helped me become more open-minded.*

**SCIENTIFIC INTEGRITY:**
Over 200 graduate students and fellows participate in this series of seminars. Leslie Francis
coordinates this course. Seminar topics are listed in the Appendices, page 11.

**MEDICAL HUMANITIES ELECTIVES:**
This year we offered for the second time an innovative elective for 4th year medical students.
It is called Perspectives on Medicine: The Doctor-Patient Relationship in Literature and Film.
Mark Matheson and Jay Jacobson conceived, designed, and taught the course. Its objectives
are: 1) to gain insight into the doctor-patient relationship through the analysis and discussion
of literature and film. 2) To learn more about the historical, social, and cultural contexts of
medical practice. 3) To encourage discussion of relevant topics for which students’ other
course work and clinical practice allow little time. 4) To develop the skills of observation and
interpretation, which are essential for clinical competence and professional development. 5)
To consider diverse perspectives on medicine and to help students reflect upon and articulate their own roles in the medical profession.

We offered the course in a two-week and a four-week block. The students met for three hours daily, read and discussed a variety of texts and genres, viewed several films, and wrote reflective essays about their own developing Doctor-Patient relationships. The student responses to the course were powerful and positive.

I loved the course. Mark is an amazing professor, facilitator and humanist. He worked well with our crazy schedules and even brought us over to his home. He was always very prepared, and knowledgeable about the literature and author. At the same time was very inquisitive about who we were and always went further in relating the text to our point of view of medicine and to our own lives. He made us feel at ease to discuss the pieces and often astounded us with his point of view. It was simply a joy to attend the course.

I absolutely loved the course. Everything about the month, for me, was perfect. It was such a great break, and breath of fresh air, from my medical education up to that point, yet incredibly relevant, personally and professionally. The literature and film covered was compelling, interesting and thought provoking. The discussions and required writing was even more so. It was wonderful to have the opportunity to discuss, contemplate, explore and synthesize experiences as a student, doctor and patient, as well as relationships among them, as well as my relationship with self.

This year we introduced a new version of this elective focused on reflective writing about the doctor/patient relationship taught by Susan Sample. She used fine writing, much of it by doctors as prompts to get students to begin writing in the genre of poetry, personal essay and memoir about their experiences. They responded with insightful and often very creative written work that expressed powerful emotions, both positive and negative, that attended their evolution from undergraduate to medical student to doctor. One piece was so moving it was read at graduation.

Writing is a powerful way to take the experience one has had and make them more meaningful.

This course made me want to write more. It made me want to remember the details of my patient interactions. I am also more aware of how words are used and some of the deficiencies of the way I say things. Thank you for such a wonderful opportunity!

I feel my self-awareness has increased. Not so much through imaginations and creativity, but through prompts for introspections and time to just write and think.

MASTERS IN CLINICAL INVESTIGATION PROGRAM:
A small group of physicians and fellows participate in this NIH supported program. It is designed to prepare them for careers in clinical investigation. Howard Mann teaches classes focused on Research Ethics, Clinical Trials, and the Institutional Review Board. Jeff Botkin emphasizes ethical issues in genetic research.

CLINICAL CONSULTATION:
Division members have been involved in numerous bedside consultations with patients, family and clinicians. We also participate with and assist the ethics committees in Salt Lake City Hospitals with clinical consultation. Division Members fielded phone calls from residents, nurses, physicians, and patients and families requesting advice and information. We make our extensive collection of articles and books available to these callers as well.
The Division's mission is to improve patient care by increasing awareness and knowledge of ethical issues in medicine. To accomplish this mission our efforts are focused on education, research, public policy, and clinical consultation. The Division is jointly sponsored by the LDS Hospital and the Department of Internal Medicine at the University of Utah School of Medicine.

The Division activities are updated regularly with the monthly calendar of events: Medical Ethics in Utah newsletter, Literature and Medicine Discussion Group readings; current and archived Internal Medicine Case Conferences, and Evening Ethics Discussion Group topics along with summaries of the discussions. Howard Mann’s ongoing research ethics course for clinical investigators, Responsible Conduct of Research: Human Subjects Research, has the course outline and links to readings.

Our links to various resources are plentiful. Areas of special interest are state resources that include Utah's Personal Choice and Living Will Act with printable forms for the Living Will and Special Power of Attorney for Health Care. We have a timeline of key cases and events in Medical Ethics and many links to resources on death and dying, including The Partnership to Improve End-of-Life Care in Utah and Finding our Way, a newspaper series on end-of-life care in the U.S. We also supply links to sites about stem cell research and other timely issues. In a section called, Medical Ethics in the News, we provide an ongoing list of current ethics related articles from selected journals.

Information about Division Members is also available on our web site. Our web site link is http://uuhsc.utah.edu/ethics/.
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<th>Date</th>
<th>Theme</th>
<th>Objectives</th>
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<tr>
<td>April 10</td>
<td>Introduction – Classic Cases in Medical Ethics</td>
<td>Introduction</td>
<td>J Botkin, M.D., M.P.H</td>
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<td>April 11</td>
<td>Ethical Theory and Difficult Cases</td>
<td>Understand the ethical dilemmas raised by controversial cases in bioethics.</td>
<td>M Battin, M.F.A, Ph.D.</td>
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<td>April 12</td>
<td>Informed Consent in Clinical Medicine and Research</td>
<td>Students will analyze patient participation in medical education in terms of informed consent.</td>
<td>J. Botkin, M.D., M.P.H, L. Francis, Ph.D., J.D.</td>
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<td>April 13</td>
<td>Justice-Access to Healthcare</td>
<td>Understand how basic principals of justice apply to policy decisions in health care markets.</td>
<td>L. Francis, Ph.D., J.D.</td>
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<td>April 14</td>
<td>Medical Mistakes</td>
<td>The nature of mistakes and the obligation physicians have to reveal/respond to them. How residency programs handle mistakes.</td>
<td>J. Jacobson, M.D.</td>
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<td>April 17</td>
<td>Conscientious Objection and Civil Disobedience: Claims of Conscience</td>
<td>Examine when healthcare providers may refuse to participate in particular practices and what their remaining obligations to patients are.</td>
<td>A Antommaria, M.D., Ph.D.</td>
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<td>April 18</td>
<td>Conflicts of Interest</td>
<td>Be aware of and explore the conflicts most associated with medicine.</td>
<td>J. Botkin, M.D., M.P.H, A. Antommaria, M.D., Ph.D, J. Jacobson, M.D.</td>
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<td>April 19</td>
<td>Palliative Care and End of Life Issues</td>
<td>Understand the complexity of end of life dilemmas.</td>
<td>P. Battin, M.F.A, Ph.D</td>
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<td>April 20</td>
<td>Communication in the Doctor Patient Relationship</td>
<td>Understand the ways in which giving bad news or difficult information can exacerbate or reduce tensions over ethical issues.</td>
<td>J. Botkin, M.D., M.P.H, L. Francis, Ph.D., J.D.</td>
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<td>April 21</td>
<td>What Constitutes a “Good” Doctor</td>
<td>Reflect on what it means to be a “good” doctor.</td>
<td>J. Jacobson, M.D.</td>
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FOURTH YEAR COURSE
SMALL GROUP FACILITATORS

Mark Allison, M.D.
Armand Antommaria, M.D., Ph.D.
Marc Babitz, M.D.
Phil Baese, M.D.
Peggy Battin M.F.A, Ph.D.
Bonnie Baty, M.A.
Jeffrey Botkin, M.D., M.P.H.
Karen Buchi, M.D.
Ali Choucair, M.D.
Howard Cornelli, M.D.
Perry Fine, M.D.
Leslie Francis, Ph.D., J.D.
Pat Hanna, Ph.D.
Michelle Hawes, Ph.D.
Rev. Michael Jackson, M.DIV, B.C.C.
Jay Jacobson, M.D.
Howard Mann, M.D.
Ross Milley, M.D.
George Mooney, Ph.D.
Sean Mulvihill, M.D.
Ingrid Nygaard, M.D.
Paula Peterson, A.P.R.N
Larry Reimer, M.D.
Tom Schenkenberg, Ph.D.
Joan Sheetz, M.D.
Cynthia Stark, Ph.D.
Scott Stevens, M.D.
Madolin Witte, M.D.

Guest Speaker Noel Gardner M.D.
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<td>Session 1</td>
<td>Scientific Misconduct and Responsible Conduct of Research</td>
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<td>Session 2</td>
<td>Data Collection and Management</td>
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<td>Session 3</td>
<td>Authorship, Editorial Policy, and Peer Review</td>
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<td>Session 4</td>
<td>Research with Human Subjects</td>
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<td>Research with Non-Human Animals</td>
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<td>Session 6</td>
<td>Conflicts of Interest and Intellectual Property</td>
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<td>Session 7</td>
<td>Mentoring and Collaborative Research</td>
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<td>Session 8</td>
<td>Science and Society</td>
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**Presenters and Faculty Fellows:**

- Bryan Benham (Philosophy)
- AntheaLetsou (Genetics)
- Michael Kay (Biochemistry)
- John Hurdle (IRB)
- Alessandra Angelucci (Ophthalmology)
- Jim Herron (COI)
- David Grunwald (Genetics)
- Thad Hall (Political Science)
- James Anderson (Communication)
- Leslie Francis (Philosophy and Law)
- Dennis O'Rourke (Anthropology)
- Caren Frost (Social Work)
- Kathi Mooney (Nursing)
- David Grunwald (Genetics)
- Jeff Kentor (Sociology)
- Rachel Hayes-Harb (Linguistics)
- Frank Whitby (Biochemistry, SOM)
- Tom Richmond (Chemistry)
Week 1 I. Doctors’ Perspectives

Chekhov, “A Doctor’s Visit”; Bulgakov, “The Steel Windpipe”

Williams, “The Practice” and “The Use of Force”

Thomas, “House Calls”; Abse, Poems

Week 2

Klass, “Invasions”; Ritchie, “Hospital Sketchbook”

Selzer, “Mercy” and “Imelda”

Selzer, “The Exact Location of the Soul”; Borgenicht, “Zachary”
Dr. Lou Borgenicht will join us for a discussion of this essay.

Gawande, Complications (selections)

LeBaron, “Can the Future of Medicine Be Saved from the Success of Science?” Dr. Tess Jones joined us for this discussion.

Week 3 II. Third-Party Perspectives

Fadiman, The Spirit Catches You and You Fall Down (selections)

The film “Lorenzo’s Oil” (evening session) Dr. Eliot Brinton, a physician and actor in the film, will join us for a discussion.

Woolf, Mrs. Dalloway (selections)

The film “The Doctor” (evening session)

Welty, “A Worn Path”

Week 4 III. Patients’ Perspectives

Hurston, “My Most Humiliating Jim Crow Experience”; Auden, Poems

Carver, “What the Doctor Said” and other works

Sontag, Illness as Metaphor (selections); Broyard, “Doctor, Talk to Me”

Orwell, “How the Poor Die”

Students’ in-class presentation of creative projects
Poetry

May 8  Blood & Bone: Poems by Physicians, ed. by Angela Belli, Jack Coulehan; Saying the World, Peter Peirera

May 9  “Poetry and the Mind of Concentration,” “Two Secrets” from Nine Gates: Entering the Mind of Poetry, Jane Hirshfield; What the Body Told, Rafael Campo

May 10  “A Theory of Illness Narrative” from The Healing Art: A Doctor’s Black Bag of Poetry, Rafael Campo; Sum of Accidents: New and Selected Poems, Kenneth W. Brewer

May 11 Blessing the Boats: New and Selected Poems, 1988-2000, Lucille Clifton

Personal Essay

May 12 Workshop Student Poetry; “In Bed,” by Joan Didion in The Art of the Personal Essay: An Anthology from the Classical Era to the Present, ed. by Phillip Lopate;

May 15  “On Being a Cripple” from Plaintext: Deciphering a Woman’s Life, Nancy Mairs; “Up and Down” from Mairs’ Waist-high in the World: A Life among the Nondisabled

Memoir

May 16 The Blessing, Gregory Orr; selections from The Caged Owl: New and Selected Poems, Orr

May 17 Workshop Student Essays; Kitchen Table Wisdom: Stories that Heal, Rachel Naomi Remen, M.D.; personal columns by U of U physicians (Carrie Byington, M.D., Marc Babitz, M.D., John Zone, M.D.)

May 18 Letters to a Young Doctor, Richard Selzer (“Imelda,” “Brute,” “Rounds,” “Semi-private, Female”); Letters to a Young Poet, Rainer Maria Rilke

May 19 Selected chapters (“Petting Zoo,” “the Tao of Laugh-In) from Autobiography of a Face, Lucy Grealy; “Surprised by Meaning” From Kitchen Table Wisdom, Remen
RESIDENT MEDICAL ETHICS CONFERENCES

August: Ethical and Emotional Aspects of DNAR Orders
LDSH: Jay A. Jacobson, M.D. & Bryan Benham, Ph.D.
UUMC: Jay A. Jacobson, M.D. & Margaret Battin, Ph.D.
VAMC: Armand Antommaria, M.D., Ph.D.,

September: Withholding and Withdrawing Medical Treatment: Implementing and Making the Decision
LDSH: Jeffrey Botkin, M.D., M.P.H. & Jim Orme, M.D.
VAMC: Armand Antommaria, M.D., Ph.D., & Mark Elstad, M.D.
UUMC: Jay A. Jacobson, M.D. & Terry Clemmer, M.D.

October: Medical Futility
LDSH: Jay A. Jacobson, M.D. & Amy Haddad, Ph.D.
VAMC: Leslie Francis, Ph.D., J.D.
UUMC: Jeffrey Botkin, M.D., M.P.H. & Leslie Francis, Ph.D., J.D.

November: Advanced Directives: When Do They Work and How?
LDSH: Armand Antommaria, M.D., Ph.D.
VAMC: Jeffrey Botkin, M.D., M.P.H. & Leslie Francis, Ph.D., J.D.
UUMC: Jeffrey Botkin, M.D., M.P.H.

December: Physician Impairment
LDSH: Jay Jacobson, M.D. & Therese Jones, Ph.D.
VAMC: Armand Antommaria, M.D., Ph.D.
UUMC: Jeffrey Botkin, M.D., M.P.H. & Leslie Francis, Ph.D., J.D.

January: When Clinicians Disagree
LDSH: Corwin Edwards, M.D.
VAMC: Armand Antommaria, M.D., Ph.D.
UUMC: Jeffrey Botkin, M.D., M.P.H.

February: The Difficult Patient (Non-Adherence)
LDSH: Jeffrey Botkin, M.D., M.P.H. & Pamela Grace, Ph.D.
VAMC: Leslie Francis, Ph.D., J.D., & Noel Gardner, M.D.
UUMC: Armand Antommaria, M.D., Ph.D., & Alisa VonRiotte, M.D.

March: Telling the Truth When the News is Bad
LDSH: Leslie Francis, Ph.D., J.D., & Jay A. Jacobson, M.D.
VAMC: Jay A. Jacobson, M.D.
UUMC: Jeffrey Botkin, M.D., M.P.H. & Bryan Benham, Ph.D.

April Medical Mistakes: How We Deal With Them
LDSH: Jay A. Jacobson, M.D.
VAMC: Armand Antommaria, M.D., Ph.D., & Leslie Francis, Ph.D., J.D.,
UUMC: Jeffrey Botkin, M.D., M.P.H.

May: Malpractice: How Does the Law Deal with Medical Mistakes?
LDSH: Jay A. Jacobson, M.D.
VAMC: Leslie Francis, Ph.D., J.D., & Jay A. Jacobson, M.D.
UUMC: Jeffrey Botkin, M.D., M.P.H. & Leslie Francis, Ph.D., J.D.,

June: Confidentiality: Present Meaning for Medicine
LDSH: Jay A. Jacobson, M.D.
VAMC: Leslie Francis, Ph.D., J.D., & Jay A. Jacobson, M.D.
UUMC: No Conference

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<td>Susan Sontag</td>
<td>Meg Brady</td>
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<td>Harriet Jacob</td>
<td>Brooke Hopkins</td>
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<td>Rachel Borup</td>
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<td>Lucille Clifton</td>
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<td>Virginia Woolf</td>
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<td>Doctor, If This Were Your Child, What Would You Do?</td>
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<td>Conscientious Objection in Medicine</td>
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<td>The Massachusetts Universal Health Coverage Law: Could This Be the Start of a Healthcare Revolution?</td>
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### Sixteenth Annual Intermountain Medical Ethics Conference

**Rethinking Death: A Conference on Meaning, Ethics, and Policy Issues in Death and Dying**

**Tuesday March 28, 2006**

The Officers’ Club, Fort Douglas

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| 8:00-8:30| Opening remarks: Historical tensions and current problems about death and dying  
Peggy Battin, PhD and Jay Jacobson, MD |
| 8:30-9:30| Stuart Youngner, MD  
*What Counts as Death? And Why Does It Matter?* |
| 9:30-9:45| Break |
| 9:45-11:00| Breakout Discussions:  
Jeff Botkin, MD  
*Brain Death in Kids: Salvaging Something Good From a Bad Situation*  
Leslie Francis, PhD, JD  
*Legal Standards for Brain Death: Should We Reassess?*  
Stuart Youngner, MD  
*Continuing discussion of Dr. Youngner’s presentation* |
| 11:00-12:00| Laurie Zoloth, RN, PhD  
*The Borderlands of Nightfall: New Issues in Moral Philosophy and Faith at the End of Life* |
| 12:00-1:00| Lunch |
| 1:00-2:00| Breakout Discussions:  
Armand Antommaria, MD  
*Donation After Cardiac Death: Evolution of a Policy*  
Mette Rurup MD  
*The Truth About the Netherlands*  
Laurie Zoloth, RN, PhD  
*Continuing discussion of Dr. Zoloth’s presentation* |
| 2:00-3:00| Mette Rurup, PhD  
*Death and Dying: New Issues from the Netherlands:* |
| 3:15-4:00| Leslie Francis PhD, JD  
*What the Supreme Court Has Said, Might Have Said, Could Have Said, and Might Still Say About Dying* |
| 4:00 – 4:30| Panel |
| 4:30| Adjourn |
Medical Ethics in Utah

Medical Humanities meets The Impaired Physician

“Despite all our grand societies, memberships, fellowships, specialty colleges, each with its annual dues and certificates and ceremonials, we are horribly alone. The doctor’s world is one where our feelings—particularly those of pain, and hurt—are not easily expressed, even though patients are encouraged to express them. We trust our colleagues, we show propriety and reciprocity, we have the scientific knowledge, we learn empathy, but we rarely expose our own emotions.

There is a silent but terrible collusion to cover up pain, to cover up depression; there is a fear of blushing, a machismo that destroys us. The Citadel quality to medical training, where only the fittest survive, creates the paradox of the humane, empathetic physician…who shows little humanity to himself…and so it is, when one of our colleagues is whisked away, to treatment, and the particulars emerge, the first response ’had no idea.’”

Abraham Verghese, *The Tennis Partner,* 1 p.341

Among the many and varied activities of Therese (Tess) Jones, Ph.D., during her post-Thanksgiving visit, were her contributions to LDS Hospital’s *Resident Medical Ethics Conference: Impaired Health Professionals: What to Do When Colleagues Need Help.* At this session, she recommended reading the true story, *The Tennis Partner,* 1 written by her colleague Abraham Verghese, M.D, that tells of his deep friendship with an intern who battled—and lost to—cocaine addiction. Dr. Jones is Associate Director of the Center for Medical Humanities and Ethics at the University of Texas Health Science Center in San Antonio, Texas. Dr. Verghese is Director. (He was also our 1999 Cowan Memorial Lecturer). Dr. Jones has designed and implemented a longitudinal, integrated humanities curriculum for the University of Texas School of Medicine. Those who were fortunate to meet her—at Grand Rounds, in her visits to courses, and at Physician, Student, and Women in Medicine Literature and Medicine discussion groups—were consistently impressed with her depth and breadth of ideas and insights about how and where medicine intersects with the humanities to work collaboratively on health care dilemmas. This article focuses on just one of Dr. Jones’ engagements—the Resident Conference—where she brought her medical humanities perspective to the problem of physician impairment. Dr. Jones tells us that in addition to having a personal impact, medical humanities can transform the culture of medicine and provide an intuitive cultural change for the larger community.

At Risk Doctors: Healers as Patients

At any one time, 15% of doctors will be impaired, unable to provide optimal care to patients due to physical or mental illness, including alcoholism, substance abuse, the effects of stress, and physician incompetence. 2 It is now, in the months of November, December, and January, that physicians in training historically face their greatest risk for depression.

Tess Jones argues that impaired doctors are different than impaired stockbrokers: the personality characteristics that draw people into medicine often pre-dispose them to substance abuse and depression. This is not to say that there is any one unifying personality “type” or explanation implicated in who is most at risk—although family histories of alcoholism, substance abuse, or depression suggest genetics as contributing factors in 40-60% of cases. 3 It is to suggest that the rigorous resident training that encourages sleep deprivation and lengthy work shifts pushes many doctors into work habits that injure and impair them. These habits may result in destroyed marriages and other relationships, premature death or retirement. Exhaustion and sleep deprivation may minimize effective capabilities that are then combined with maximum responsibilities—expectations of flawless performance in situations where a misdiagnosis might result in suffering or even death. Given this stressful medical training, it is not surprising that Dr. Verghese, in his experience studying doctors with addiction, found consistently that it was not *euphoria* physicians sought, but relief from the *dysphoria* of their existence. 4 Disturbing trends of suicide and depression, as well as substance abuse in the medical community have challenged educators to reform. The July 2003...
legislation that currently regulates resident work hours as a condition of a hospital’s Medicare participation is a result of advocates from OSHA, the American Medical Student Association and the Committee of Interns and Residents who were concerned about these trends. Currently, resident work hours are limited to 80 per week, there must be at least one twenty-four hour off-duty period per week, and shifts are curtailed to a maximum of 24 hours.

For those who question the wisdom of these regulations, perhaps even seek to circumvent them, I invite reflection on the work of Jerald Winakur, M.D., internist, geriatrician, and author, that Dr. Jones uses in the “Physician, Heal Thyself” section of her Medical Humanities course, “On Becoming a Doctor” for 4th year medical students. The following is an excerpt from his poem, “To the Medical Student Who Jumped From the Roof of the Hospital.”

First do no harm Hippocrates said to those who chose to follow his path. But I have always been on my own—the nights on the wards merging into the next day and the next. I watched the lights of the city ignite, then fade until the sky bled morning…

Maybe once I thought: I knew it all…an arrogant illusion that soaks into the skin like formaldehyde…

At the bedside, in the end there is only one’s self to blame…Hippocrates always looks away when another pair of lids is closed.5

Referring to this poem in his short story, “Wake-Up Call”, Joel Winakur concludes, “It is time to open doors. It is time Hippocrates ceases to glare and begins to look benevolently upon his own. And it begins with each of us.”

This beginning of benevolence includes both caring for self and caring for colleagues. Physician-ethicist Joel Frader criticizes a system-wide problem that he calls “the routinization of looking the other way,” a pattern of denial and suppression reinforced in professional training that says one is not supposed to complain or acknowledge needs and shortcomings.6 In his research on doctors suffering from addiction, Dr. Verghese notes in his research that even when doctors are suffering from addiction, there is a common feature -- “exquisite denial that allowed them to believe they could still care for patients perfectly well.” There is a pervasive hesitancy for doctors to show the same humanity to themselves that they show to patients. Tess Jones emphasizes that the move from denial to isolation is key. Intuitively or empathically there is a need to break through the isolation of the suffering for healing to occur. Today’s residents assert that they are educated and will prefer to talk with peers, then chief residents, then the attending. Friends may ask, “How is it going?” or if an incident has occurred, “What happened? Tess Jones stresses that medicine is about decoding stories, interpreting them, healing through bearing witness. It is a move from chaos to coherence, from suffering to healing, mitigating isolation. Especially when inappropriate responses in a colleague arouse a question of impairment, doctors become like patients, with a need to tell their stories. Friends listen. Medicine interprets. If one is not in a friendship relationship with the person, one might create vulnerability by showing concern, supportively and sympathetically, saying something like, “Residency is really tough for me sometimes—how is it for you?” Thirdly, be observant and get the facts. Sleep deprivation signals are vague things to look for. Is there a primary care doctor helping? Know that a red flag is self-medication, to be avoided at all times, due to its slippery slope nature. In this complex maze of humanity, voicing your concerns may save a life.

Linda S. Carr-Lee Research Associate

2See Reuben, David B., MD, Noble, Sarah. House Officer Responses to Impaired Physicians. JAMA 2-16-90 263:7, and Guestfriend, David R. MD, Physician Substance Abuse and Recovery. JAMA 3-23/30 05 293:12
3Crookston, Michael MD. VAMC Resident’s Conference: Impaired Physicians. 12-14-05.
4Verghese, Abraham, MD. Physicians and Addiction. NEJM. 5-16-02 346:20
6Frader, Joel. In “Physician, Heal Thyself”; Addiction, Depression, Professionalism.” On Becoming a Doctor, MS IV Capstone Course, Spring 2005, Therese Jones, PhD. Center for Medical Humanities and Ethics. University of Texas Health Science Center, San Antonio.
Getting to Know our Program Associates:  
This Month: Mark Matheson

Occasionally, one meets a person who has a special way with language, who catches your interest with intriguing phrases and perfect analogies, who through the seemingly magical power of words invites you to want to share your common experiences. Mark Matheson, D.Phil. is one with such a gift. About a decade ago, Mark was invited to facilitate his first Literature and Medicine discussion group for the Division of Medical Ethics. He is a natural to provide leadership in bridging real-world medical issues with more expansive social issues. As an associate professor at the University of Utah Department of English, and a native of Salt Lake City where he grew up as the son of a dentist, Mark combines an awareness of the Utah medical community with his love of Shakespeare— in which he teaches English and Honors courses. He is quick to point out that he was an American history major, not an ethicist, and delights in the works of authors such as Emily Dickinson and Walt Whitman, who “wrote during a period of history when democracy was in full flower.” In medicine and literature discussions he seeks to elicit, through the often complex process of textual interpretation, the “aesthetic in a world of the clinical.”

Medical humanities, Mark explains, looks to the terms of our condition, to the things we’ve always known, but about which we have to keep reminding ourselves because science is so powerful it can become all absorbing. (He recommends reading Samuel LeBaron’s essay Can the Future of Medicine Be Saved from the Success of Science?) Mark believes that medical humanities benefits doctors by providing a strengthening effect to the doctor-patient relationship. This, in turn, acknowledges our broader selves and our human needs, and invites doctors to take care of themselves. He encourages us not to live in a closed paradigm, but paraphrases Shakespeare: We tend to “make trifles of terrors, ensconcing ourselves into seeming knowledge when we should submit ourselves to an unknown fear.”

Mark’s other passions include Utah and the environment, particularly flyfishing, and building community. And of course his two lively sons, Lincoln and Aidan. Dr. Matheson can be found introducing poetry and leading discussions with medical students in the monthly Student Literature and Medicine elective, in the 4th year medical student Doctor-Patient Relationship course, and 3-4 times per year in the Physician’s Literature and Medicine evening discussion groups.

Max and Sara Cowan Memorial Lecture in Humanistic Medicine

We are indeed fortunate this year to have as our Cowan Memorial Lecturer Jonathan D. Moreno, Ph.D.. He is the Emily Davie and Joseph S. Kornfeld Professor of Biomedical Ethics and Director of the Center for Biomedical Ethics at the University of Virginia. Dr. Moreno is a Past President of the American Society for Bioethics and Humanities and a Fellow of the Hastings Center and the New York Academy of Medicine. He was a member of the National Human Research Protection Advisory Committee and a Senior Consultant for the National Bioethics Advisory Commission and has advised the White House Office of Science and Technology Policy. A prolific author and persuasive speaker, Dr. Moreno’s work is often quoted in the New York Times, Wall Street Journal and The Washington Post. He himself has appeared on all of the network evening news programs and NPR’s All Things Considered and Science Friday.

During his visit, he’s likely to draw upon work from his recent books: Is There an Ethicist in the House? Undue Risks: Secret State Experiments on Humans and his soon to be published book Mind Wars: National Security and the Brain. For a schedule of Dr. Moreno’s presentations, please see our calendar section.

Evening Ethics

On January 18th Dr. Jonathan Moreno will join us for a spirited discussion of his paper “Bioethics in the National Security State”. Two quotations used in his paper will give you a preview of the scope and importance of his presentations and our evening discussion.

“ Innovation within the armed forces will rest on experimentation with new approaches to warfare, strengthening joint operations, exploiting U.S. intelligence advantages, and taking full advantage of science and technology.” (George W. Bush. The National Security of the United States of America, September 17th, 2002)

“Neuroscience research presents a variety of opportunities for still more futuristic military applications. Neural receptors responsible for brain development have already been enhanced in mice, with evidence that learning is significantly improved. In the heat of battle complex instructions must be recalled under highly stressful conditions, such as target orders for fighter pilots. Substances that achieve memory enhancement prior to a mission would be very attractive under these conditions. For homeland defense, the clumsy and nonselective screening procedures now used in airports and other sensitive public places could be complemented or replaced by remote functional, magnetic resonance imaging that identified individuals with high levels of neural activity in systems associated with violence or other forms of excitability. Although such applications may seem like science fiction, we have seen that the national security state leaves no stone unturned if some tactical advantage might be lurking beneath it.” (Jonathan Moreno. Journal of Law, Medicine and Ethics, 2004;32:198-208.)

For more information call the DME.
Activities and Programs

Friday, January 6  
The Division of Medical Ethics Resident House Staff Conference will meet at 12:30 p.m. in the LDSH classroom D/E/F. The topic is “When Clinicians Disagree” The facilitator will be Jay Jacobson. *This event is approved for 1 CME credit hour through the University of Utah.

Thursday, January 12  
The Literature and Medicine Discussion Group will meet at 6:30 p.m. at the School of Medicine Administration Large Conference Room 5A275. Mark Matheson will lead a discussion on the book, Enduring Grace by Carol Lee Flinders. A light dinner will be served. *This event is approved for 1.5 CME credit hours through the University of Utah.

Wednesday, January 18  
The January Evening Ethics Discussion Group will meet at 7:30 p.m. The subject for our discussion will be “Bioethics in the National Security State”. Our Cowan Memorial Lecturer, Jonathan Moreno, Ph.D. will be our guest. Call the DME office for more information. 408-1135. *This event is approved for 1.5 CME credit hours through the University of Utah.

Thursday, January 19  
The 2006 Max and Sara Cowan Memorial Lectures in Humanistic Medicine—Jonathan Moreno, Ph.D., the Emily Davie and Joseph S. Kornfeld Professor of Biomedical Ethics and Director of the Center for Biomedical Ethics at the University of Virginia.
- “Ethical Implications of Stem Cell Research” - Internal Medicine Grand Rounds at 8:00 a.m., in the Eccles Genetics Auditorium
- “Mind Wars: Ethics, National Security and the Brain” at 4:00 p.m. in the Eccles Genetics Auditorium.

Friday, January 20  
Pamela Grace, Associate Professor of Nursing and Ethics W F Connell School of Nursing, Boston College, will begin a two day visit to the College of Nursing, LDS Hospital and the VAMC. For more information about her presentations call the DME.

The Division of Medical Ethics Resident House Staff Conference will meet at 12:30 p.m. in the VAMC Tsagaris Conference Room. The topic is “When Clinicians Disagree” The facilitators will be Jeff Botkin and our visiting Nurse Ethicist, Pamela Grace. *This event is approved for 1 CME credit hour through the University of Utah.

Wednesday, January 25  
The Division of Medical Ethics Resident House Staff Conference will meet at 12:30 p.m. in the UUMC Cartwright Conference Room. The topic is “When Clinicians Disagree” The facilitator will be Armand Antommaria and Leslie Francis. *This event is approved for 1 CME credit hour through the University of Utah.

Thursday, January 26  
Jay Jacobson will give a presentation at the ANNA Nephrology Nurse Conference titled: The Roles the Organs Play in End of Life Drama and Decisions.

CME Statements
Accreditation: The University of Utah Continuing Medical Education is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.
Designation: The University of Utah Continuing Medical Education designates this educational activity for a maximum of 1.5 category 1 credits toward the AMA Physician’s Recognition Award. Each physician should claim only those credits that he/she actually spent in the educational activity. ADA: The University of Utah complies with the Americans with Disabilities Act by providing qualified individuals with disabilities access to University programs, services and activities. A request for accommodation can be made by calling (801)408-1135. Reasonable prior notice is required.

DIVISION MEMBERS:
Jay A. Jacobson, M.D., Chief
Armand H. M. Antommaria, M.D., Ph.D.
Margaret P. Battin, M.F.A., Ph.D.
Jeffrey R. Botkin, M.D., M.P.H.
Leslie P. Francis, Ph.D., J.D.

Research Staff:
Linda Carr-Lee, M.A., Evelyn Kasworm, B.S.

Administrative Staff:
Natalie Burbank
Phone: (801) 408-1135 Fax: (801)408-5171
DISTINGUISHED SPEAKERS

Max and Sara Cowan Memorial Lectures in Humanistic Medicine
January 19, 2006

Jonathan Moreno, Ph.D.
Emily Davie and Joseph S. Kornfeld Professor of Biomedical Ethics and Director of the Center for Biomedical Ethics at the University of Virginia.
Internal Medicine Grand Rounds: The New Medicine: Ethical and Policy Issues in Human Embryonic Stem Cell Research
Public Presentation: Mind Wars: Ethics, National Security, and the Brain
Evening Ethics Discussion: “Bioethics and the National Security State

Dr. Jonathan Moreno

Intermountain Medical Ethics Conference
March 28, 2006

Stuart Youngner, M.D.
Chair of the Department of Bioethics at Case Western Reserve University, and the Susan E. Watson Professor of Bioethics.
Presentation: “What Counts as Death, and Why Does It Matter?”
Evening Ethics Discussion: “Propanalol as Prophylaxis for Post Traumatic Stress Disorder: Is it Morally Acceptable to Remove the “Sting” of Bad Memories?”

Laurie Zoloth, Ph.D.
Professor of Medical Ethics and Humanities at Northwestern's Feinberg School of Medicine, and of Religion in the Weinberg College of Arts and Sciences at the Feinberg School.
Presentation: “The Borderlands at Nightfall: New Issues in Moral Philosophy and Faith at the End of Life"

Mette Rurup, Ph.D.
Received her PhD in medical biology in September 2005 from the Department of Public and Occupational Health at the VU University Medical Center in Amsterdam
She is currently continuing her postdoctoral research at the VU University Medical Center on euthanasia, older people with a wish to die, and advance directives.
Presentation: “Death and Dying: New Issues from the Netherlands”

Dr. Stuart Youngner
Dr. Mette Rurup
Dr. Laurie Zoloth
David J. Green, M.D. Memorial Lecture
April 19-20, 2006

Lainie Ross, M.D., Ph.D.
Associate Professor of Pediatrics, Associate Director, MacLean Center for Clinical Medical Ethics. Dr Ross also serves on the American Academy of Pediatrics Committee on Bioethics.

Pediatric Grand Rounds: “Children in Medical Research, Has the Pendulum Swung Too Far?”
4th Year Medical Ethics Course: “The Science, Ethics and Politics of Stem Cells”
Evening Ethics Discussion: “Doctor if This Were Your Child, What Would You Do?”

Nursing Grand Rounds
Monday October 10, 2005

Amy M. Haddad, Ph.D., RN
Associate Director, Center for Health Policy and Ethics at Creighton University and Professor, School of Pharmacy and Health Professions
LDSH Nursing Grand Rounds: “Problematic Ethics Experiences: Stories from Nursing Practice.”
Resident Ethics Conference: “Medical Futility”

Pamela Grace, Ph.D., R.N.
Associate Professor of Nursing and Ethics at WF Connell School of Nursing, Boston College
Resident Ethics Conference: “When Clinicians Disagree”
Nursing Presentation: The Nature of Moral Responsibility in Nursing and Healthcare Professions: A Philosophical and Qualitative Exploration of the Characteristics of “Good Nurses”

Internal Medicine Grand Rounds
December 1, 2006

Therese Jones Ph.D.
Associate Professor in the Department of Medicine and Associate Director of the Center for Medical Humanities and Ethics at the University of Texas Health Science Center. She is also an Associate Faculty member in the School of Allied Health at UTHSCSA
Internal Medicine Grand Rounds: “In the Heart of the Heart of Texas: Implementing and Integrating the Medical Humanities”
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Physicians Literature and Medicine Discussion: Documentary: Complaints of a Dutiful Daughter
Resident Ethics Conference: “Physician Impairment”

Jay Jacobson, Therese Jones, John Hoidal
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