

PREVENTING PRENATAL HARM

Should the State
Intervene?

Second Edition

DEBORAH MATHIEU

Preventing Prenatal Harm Should The State Intervene

Erin Nelson



Preventing Prenatal Harm Should The State Intervene:

Preventing Prenatal Harm D. Mathieu, E. Haavi Morreim, 2007-08-26 The issues explored in this book have unfortunately come to be known as maternal fetal conflicts The phrase is unsatisfactory because it is misleading It places the emphasis on the well being of the fetus instead of on the born child who will bear the burden of any harm done prenatally it assumes a conflict between a pregnant woman and her offspring while the issue is usually more complex and more broadly based and it incorrectly implies that all pregnant women are appropriately regarded as mothers For these reasons I have chosen to avoid the phrase maternal fetal conflict altogether and will instead speak in terms of preventable prenatal harm I mention this at the outset for those of you familiar with maternal fetal conflicts who might be wondering if I am addressing the same issues Yes But I am trying to look at them in a new and I hope more fruitful way I would like to thank the other participants in the Hastings Center's maternal fetal project especially those who disagreed with me for being so thought provoking And I owe a lasting debt of gratitude to Henry Ruth and Allen Buchanan for their invaluable counsel *Preventing Prenatal Harm* Deborah Mathieu, 1995-11-01 Arguing that the state must meet strict conditions to justify interfering in at risk pregnancies Deborah Mathieu examines the legal and ethical concerns that arise when governments mandate the behavior of pregnant women She explores both the pregnant woman's right to decide what happens to her body and the future child's right to be protected from avoidable damage Mathieu addresses such topics as reproductive hazards in the workplace mandated fetal therapy forced lifestyle changes for pregnant women and the future child's right to sue for lack of prenatal care The controversy raises key issues of rights duties and the scope of legitimate state action thus posing fundamental challenges to the fields of medicine biomedical ethics law and public policy This edition has been completely updated and expanded Mathieu presents new arguments for acceptable types of state intervention and provides specific examples This edition also incorporates recent court decisions especially cases involving substance abuse The book includes both an updated bibliography and an updated reference list of relevant court cases *Ethical Issues in Maternal-Fetal Medicine* Donna Dickenson, 2002-02-07 This book addresses the ethical problems in maternal fetal medicine which impact directly on clinical practice **Readings in Health Care Ethics** Elisabeth Boetzkes, Wilfrid J. Waluchow, 2000-05-29 *Readings in Health Care Ethics* provides a wide ranging selection of important and engaging contributions to the field of health care ethics Designed as a course text for undergraduate use the anthology includes fifty six selections grouped into ten sections Included are a wide range of the most important essays both on long standing issues in biomedical ethics such as consent euthanasia and research involving human subjects and on issues that have particularly come to the fore in recent years such as the allocation of scarce medical resources and genetic alteration An extensive introduction provides an accessible general overview of ethical theory for those without previous familiarity with philosophical concepts **Politics and Public Policy in Arizona** Zachary A. Smith, 2002-10-30 This completely revised third edition of Smith's classic text on Arizona politics and public policy

brings its examination up to date through the most recent election cycle Intended for courses on state and local politics and policy the text provides an introduction to and analysis of the political process in the State of Arizona and the policies that process has produced The new edition includes contributions from experts on Arizona law politics criminal justice and sociology and retains the first edition s two pronged analysis of Arizona s political institutions the courts legislature governor s office etc and the current policy issues facing the state the environment water health care immigration and land use among others The complete text for courses in public policy and politics

Global Governance and the Quest for Justice -

Volume IV Roger Brownsword,2004-12-31 This book one in the four volume set Global Governance and the Quest for Justice focuses on human rights in the context of globalisation together with the principle of respect for human rights and human dignity viewed as one of the foundational commitments of a legitimate scheme of global governance The first part of the book deals with the ways in which globalisation impacts on established commitments to respect human rights When human rights are set against or alongside potentially competing priorities such as security or economy how well do they fare Does it make any difference whether human rights commitments are expressed in dedicated free standing instruments or incorporated as side constraints or collaterally in larger multi functional instruments In this light does it make sense to view a trade centred community such as the EU as a prospective regional model for human rights The second part of the book debates the coherence of a global order committed to respect for human rights and human dignity as one of its founding principles If globalisation aspires to export and spread respect for human rights the thrust of the papers in this volume is that it could do better that legitimate global governance demands that it does a great deal better and that lawyers face a considerable challenge in developing a coherent jurisprudence of fundamental values as the basis for a just global order

License to

Do That Jass Richards,2014-04-01 What if people had to become licensed before becoming parents Rev and Dylan whom we meet in THE ROAD TRIP DIALOGUES have returned from their BLASPHEMY TOUR to discover that Canada has adopted the Parent Licence Act people who wish to become parents must apply for and meet certain requirements before being granted a licence What if After all we require hairdressers and plumbers to be licensed Dylan freelance journalist investigates interviews and observes Rev loose cannon solves an illegal fertilization mystery They both occasionally get stoned and silly and deal with a baby wolf who has adopted them Jass Richards makes you laugh and think at the same time I m very much intrigued by the issues raised in this narrative I also enjoy the author s voice which is unapologetically combative but also funny and engaging A S I love Froot Loup You make me laugh out loud all the time Celeste M A thought provoking premise and a wonderful cast of characters H W

Coercive Care Torbjorn Tannsjo,2002-01-22 Coercive Care asks probing and

challenging questions regarding the use of coercion in health care and the social services The book combines philosophical analysis with comparative studies of social policy and law in a large number of industrialized countries [National Library of Medicine Current Catalog](#) National Library of Medicine (U.S.),1992

Law, Policy and Reproductive Autonomy Erin

Nelson, 2014-07-18 Reproductive choices are at once the most private and intimate decisions we make in our lives and undeniably also among the most public Reproductive decision making takes place in a web of overlapping concerns political and ideological socio economic health and health care all of which engage the public and involve strongly held opinions and attitudes about appropriate conduct on the part of individuals and the state Law Policy and Reproductive Autonomy examines the idea of reproductive autonomy noting that in attempting to look closely at the contours of the concept we begin to see some uncertainty about its meaning and legal implications about how to understand reproductive autonomy and how to value it Both mainstream and feminist literature about autonomy contribute valuable insights into the meaning and implications of reproductive autonomy The developing feminist literature on relational autonomy provides a useful starting point for a contextualised conception of reproductive autonomy that creates the opportunity for meaningful exercise of reproductive choice With a contextualised approach to reproductive autonomy as a backdrop the book traces aspects of the regulation of reproduction in Canadian English US and Australian law and policy arguing that not all reproductive decisions necessarily demand the same level of deference in law and policy and making recommendations for reform *A Companion to Gender Studies* Philomena Essed, David Theo Goldberg, Audrey Kobayashi, 2009-03-16 *A Companion to Gender Studies* presents a unified and comprehensive vision of its field and its new directions It is designed to demonstrate in action the rich interplay between gender and other markers of social position and disadvantage such as race class ethnicity and nationality Presents a unified and comprehensive vision of gender studies and its new directions injecting a much needed infusion of new ideas into the field Organized thematically and written in a lucid and lively fashion each chapter gives insightful consideration to the differing views on its topic and also clarifies each contributor's own position Features original contributions from an international panel of leading experts in the field and is co edited by the well known and internationally respected David Theo Goldberg Informed Consent Stephen Wear, 1998-11-01 Wear develops an efficient and flexible model of informed consent that accommodates both clinical realities and legal and ethical imperatives In this second edition he has expanded his examination of the larger process within which informed consent takes place and his discussion of the clinician's need for a wide range of discretion **Making Sense of Advance Directives** Nancy M.P. King, 1996-02-01 Advance directives such as living wills and health care proxies are documents intended to declare and preserve the health care choices of patients if they become unable to make their own decisions This book provides a comprehensive overview of advance directives and clear practical directions for writing and interpreting them Nancy M P King provides a legal philosophical and historical analysis of the moral and legal force of advance directives She explains the types and models of advance directives currently in use and offers guidelines for individuals seeking to write read and use directives to promote individuals health care choices within the laws of their own states King emphasizes that advance directives are not orders given by patients to their doctors instead they are documents that invite conversation between doctors and patients about health care decisions of great importance

The purpose of advance directives is to support patients health care choices and the book promotes a thoughtful use of advance directives that is best calculated to achieve that purpose whatever form individual advance directives may take This new edition has been updated to reflect the many changes in advance directive statutes since 1991 including expanded discussions of health care proxy statutes the impact of the Patient Self Determination Act and the Supreme Court s Cruzan decision King also has extended her analysis of the implications for advance directives of managed care resource allocation resource scarcity and the debate over futile treatment at the end of life Making Sense of Advance Directives is a valuable handbook for patients health care providers and administrators patient counselors lawyers policymakers and any individual interested in advance directives

The Patient Self-Determination Act Lawrence P. Ulrich, 2001-07-18 The Patient Self Determination Act of 1990 required medical facilities to provide patients with written notification of their right to refuse or consent to medical treatment Using this Act as an important vehicle for improving the health care decisionmaking process Lawrence P Ulrich explains the social legal and ethical background to the Act by focusing on well known cases such as those of Karen Quinlan and Nancy Cruzan and he explores ways in which physicians and other caregivers can help patients face the complex issues in contemporary health care practices According to Ulrich health care facilities often address the letter of the law in a merely perfunctory way even though the Act integrates all the major ethical issues in health care today Ulrich argues that well designed conversations between clinicians and patients or their surrogates will not only assist in preserving patient dignity which is at the heart of the Act but will also help institutions to manage the liability issues that the Act may have introduced He particularly emphasizes developing effective advance directives Ulrich examines related issues such as the negative effect of managed care on patient self determination and concludes with a seldom discussed issue the importance of being a responsible patient Showing how the Patient Self Determination Act can be a linchpin of more meaningful and effective communication between patient and caregiver this book provides concrete guidance to health care professionals medical ethicists and patient rights advocates

Ethical Issues in Health Care on the Frontiers of the Twenty-First Century S. Wear, J.J. Bono, G. Logue, A. McEvoy, 2006-04-11 of UB s medical school that UB developed its School of Arts and Sciences and thus assumed its place among the other institutions of higher education Had Fillmore lived throughout UB s first seventy years he would probably have been elated by the success of his university and he should have been satisfied and pleased that UB remained intrinsically bonded to its community while at the same time engrafting the values and standards important to higher education s mission in the region UB and its medical school have undergone many challenging transitions since 1846 Included among them were 1 the completion of an academic campus in the far northeast comer of the City of Buffalo while leaving its medical dental and law schools firmly situated in the core of downtown Buffalo 2 the eventual relocation after the second world war of the law school to the newer campus in Amherst and the medical and dental school to the original academic campus and 3 the merger with the State University of New York System in 1962

Despite these significant transitions any one of which could have changed the intrinsic integrity of UB and disrupted the bonding between community and university that did not happen To this day the ties between community and academe persist Fillmore and White should celebrate their success and important contribution to Buffalo and Western New York

Balancing Act E. Haavi Morreim, 2007-08-20 A thoughtful discussion of the implications of the changing economics of medicine for the obligations of physicians patients toward one another toward society as a whole an excellent book Mary Ann Baily The Journal of Clinical Ethics *Human Rights* Laura Westra, 2011-11-01 International law has evolved to protect human rights But what are human rights Does the term have the same meaning in a world being transformed by climate change and globalized trade Are existing laws sufficient to ensure humanity's survival Drawing on case law and practice and examples from philosophy law and ecology Laura Westra argues that the current system is not adequate international law privileges individual over collective rights permitting multinational corporations to overlook the collectivity and the environment in their quest for wealth and power Unless policy makers redefine human rights and reformulate environmental law and policies to protect the preconditions for life itself water food clean air and biodiversity humankind faces the complete loss of the ecological commons the preservation of which is one of our most basic human rights A new kind of cosmopolitanism one centred on the United Nations offers the best hope for preserving our common heritage and the survival of future generations **Allocating Scarce Medical Resources** H. Tristram Engelhardt Jr., Mark J.

Cherry, 2002-05-20 Roman Catholic moral theology is the point of departure for this multifaceted exploration of the challenge of allocating scarce medical resources The volume begins its exploration of discerning moral limits to modern high technology medicine with a consensus statement born of the conversations among its contributors The seventeen essays use the example of critical care because it offers one of the few areas in medicine where there are good clinical predictive measures regarding the likelihood of survival As a result the health care industry can with increasing accuracy predict the probability of saving lives and at what cost Because critical care involves hard choices in the face of finitude it invites profound questions about the meaning of life the nature of a good death and distributive justice For those who identify the prize of human life as immortality the question arises as to how much effort should be invested in marginally postponing death In a secular culture that presumes that individuals live only once and briefly there is an often unacknowledged moral imperative to employ any means necessary to postpone death The conflict between the free choice of individuals and various aspirations to equality compounds the challenge of controlling medical costs while also offering high tech care to those who want its possible benefits It forces society to confront anew notions of ordinary versus extraordinary and proportionate versus disproportionate treatment in a highly technologically structured social context This cluster of discussions is enriched by five essays from Jewish Orthodox Christian and Protestant perspectives Written by premier scholars from the United States and abroad these essays will be valuable reading for students and scholars of bioethics and Christian moral theology

Human Rights and Biomedicine George P. Smith II, 2021-08-04 The eight chapters within this volume are structured around an exploration of the fundamental issues in the field of biomedical human rights dignity and autonomy in not only procreative liberties but throughout the complete cycle of life and death the freedom of scientific inquiry into the new biotechnological methods of collaborative reproduction the right to genetic integrity at birth and throughout life and the equitable right to health or access to health care benefits during life and old age All these central issues are tested of necessity but utilitarian principles which in turn force the templates for decision making evaluate the gravity of harm deriving from a particular human right and its recognition and enforcement measured against the utility of the social economic or cultural good accruing from recognition of such a right in the first instance Ultimately cultural relativism will be seen more often than universality as the determinative point of balance This volume not only informs the ongoing debate on the role of human rights in biomedicine but will also provide enlightened responses to the troublesome issues presented in this new age of biotechnology *Mutating Concepts, Evolving Disciplines: Genetics, Medicine, and Society* L.S.

Parker, Rachel A. Ankeny, 2012-12-06 Advances in genetics such as the Human Genome Project's successful mapping of the human genome and the discovery of ever more sites of disease related mutations invite re examination of basic concepts underlying our fundamental social practices and institutions Having children assigning responsibility identifying causes using social and scientific resources to improve human well being among other concepts will never be the same Our concepts of moral and legal responsibility cause and effect disease prevention health disability enhancement personal identity and reproductive autonomy and responsibility are all subtly changing in response to developments in genetics Biology law medicine and other disciplines are also evolving in response to mutating concepts in genetics itself for example dominance causation behavior gene expression and gene The selections in this volume employ philosophical and historical perspectives to shed light on classic social ethical and philosophical issues raised with renewed urgency against the backdrop of the mapping of the human genome

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