

# Obligations of Healthcare Workers

PHIL 334: Pandemic Ethics

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## Mask-wearing & Freedom

### Claim:

Mask-wearing Mandates makes us *more* free.

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Does Mandatory Mask-Wearing Restrict Individual Freedom?



### Question 1:

What is the argument for this claim?

### Question 2:

Do you agree with it? Why or why not?

## Productive Justice

### Claim:

In some cases, it is consistent with justice for the state to forcibly assign jobs.



### Question 1:

What is the argument for this claim?

### Question 2:

Do you agree with it? Why or why not?

## What Can We Be Forced to Do?

1. Get vaccinated
2. Wear a mask
3. Be assigned a job

## The Professional Obligations of Healthcare Workers

### The Professional Obligations of Healthcare Workers

**Udo Schuklenk** argues that healthcare professionals are under no ethical obligation to treat COVID-19 patients.



**Question 1:**  
What is the argument for this claim?

**Question 2:**  
Do you agree with it? Why or why not?

### The Professional Obligations of Healthcare Workers

**Udo Schuklenk** argues that healthcare professionals are under no ethical obligation to treat COVID-19 patients.



**Question 1:**  
What is the argument for this claim?

As of August 11, 2020:

**922** US healthcare providers caring for COVID-19 patients **have died**.

Treating COVID-19 patients can have significant costs for healthcare professionals.

## The Professional Obligations of Healthcare Workers

Udo Schuklenk argues that healthcare professionals are under no ethical obligation to treat COVID-19 patients.



Why *might* healthcare professionals have an ethical obligation to treat COVID-19 Patients?

1. Professional Oaths

## Professional Oaths

No *explicit* promise to treat COVID-19, in particular.

### The World Medical Association's Declaration of Geneva

Doesn't involve a specific promise to provide emergency care.

### The AMA's basic Code of Ethics

"A physician shall ... be free to choose whom to serve ..."

## The Professional Obligations of Healthcare Workers

Udo Schuklenk argues that healthcare professionals are under no ethical obligation to treat COVID-19 patients.



Why *might* healthcare professionals have an ethical obligation to treat COVID-19 Patients?

1. Professional Oaths
2. Implied Consent to risk-taking

## Implied Consent

Healthcare professionals should know that, by joining the profession, they accept an obligation to provide care.

Because of shortages of personal protective equipment (PPE), the risks to healthcare professionals of treating patients with COVID-19 are outside the bounds of whatever obligations they incurred by joining the profession.

## The Professional Obligations of Healthcare Workers

Udo Schuklenk argues that healthcare professionals are under no ethical obligation to treat COVID-19 patients.



Why *might* healthcare professionals have an ethical obligation to treat COVID-19 Patients?

1. **Professional Oaths**
2. **Implied Consent to risk-taking**

Neither of these considerations can justify *forcing* healthcare professionals to treat COVID-19.

## The Professional Obligations of Healthcare Workers



**Udo Schuklenk's central argument:**

"If the lack of available PPE for frontline health care professionals would have been due to a natural occurrence, one could argue that doctors should be prepared to accept a certain higher degree of risk, but in the current situation that lack of protective equipment is truly deliberate: it is by human, cost-cutting design."

"There is no reason why doctors and nurses should be seen to be professionally obliged to risk their well-being today, because we chose governments that starved them of the necessary resources to do their job safely."

## The Professional Obligations of Healthcare Workers



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**P1 If the reason healthcare workers cannot perform a job safely is that they've deliberately been deprived of the resources to do so, then they are under no obligation to perform that job.**

## The Professional Obligations of Healthcare Workers



**Udo Schuklenk's central argument:**

"There is no reason why doctors and nurses should be seen to be professionally obliged to risk their well-being today, because we chose governments that starved them of the necessary resources to do their job safely."

**P2 By electing particular governments, we've deliberately deprived healthcare workers of the resources necessary for them to do their jobs safely.**

## The Professional Obligations of Healthcare Workers



Udo Schuklenk's central argument:

- P1** If the reason healthcare workers cannot perform a job safely is that they've deliberately been deprived of the resources to do so, then they are under no obligation to perform that job.
- P2** By electing particular governments, we've deliberately deprived healthcare workers of the resources necessary for them to do their jobs safely.

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- C** By electing particular governments, we've ensured that healthcare workers are under no obligation to perform jobs (like treating COVID-19) when they lack the resources necessary for doing them safely.

## The Professional Obligations of Healthcare Workers



Udo Schuklenk's central argument:

- P1** If the reason healthcare workers cannot perform a job safely is that they've deliberately been deprived of the resources to do so, then they are under no obligation to perform that job.
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- C** By electing particular governments, we've ensured that healthcare workers are under no obligation to perform jobs (like treating COVID-19) when they lack the resources necessary for doing them safely.

Do you agree?

## The Professional Obligations of Healthcare Workers



Let's take for granted that **P2** is true.

What about **P1**? Is it true? How could you argue for it?

- P1** If the reason healthcare workers cannot perform a job safely is that they've deliberately been deprived of the resources to do so, then they are under no obligation to perform that job.
- P2** By electing particular governments, we've deliberately deprived healthcare workers of the resources necessary for them to do their jobs safely.

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- C** By electing particular governments, we've ensured that healthcare workers are under no obligation to perform jobs (like treating COVID-19) when they lack the resources necessary for doing them safely.

What Do You Think?

## The Professional Obligations of Healthcare Workers



### Udo Schuklenk's conclusion:

"We should be grateful to any health care professional willing to care for COVID-19 patients, in the absence of PPE, but we have no reason to take for granted that there will be one when we need them."

## The Professional Obligations of Healthcare Workers



### Udo Schuklenk's conclusion:

"We should be grateful to any health care professional willing to care for COVID-19 patients, in the absence of PPE, but we have no reason to take for granted that there will be one when we need them."

**Claim:** Treating COVID-19 patients is *supererogatory*.  
It would be *good* to do it,  
It wouldn't be *wrong* to fail to do it

What Do You Think?

## The Professional Obligations of Healthcare Workers

Udo Schuklenk argues that healthcare professionals are under no ethical obligation to treat COVID-19 patients.



**Question 1:**  
What is the argument for this claim?

**Question 2:**  
Do you agree with it? Why or why not?

## The Professional Obligations of Healthcare Workers

Udo Schuklenk argues that healthcare professionals are under no **ethical** obligation to treat COVID-19 patients.



Suppose it's right that healthcare workers have no *professional* obligation to treat COVID-19 patients.

Is it also the case that they have no *ethical* obligation to treat COVID-19 patients?

What Do You Think?

Questions?