Philip Bielby

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# Competence and Vulnerability in Biomedical Research



Springer

Iven Klineberg, Diana Kingston

Competence and Vulnerability in Biomedical Research Philip Bielby, 2008-09-16 Enhanced knowledge of the nature and causes of mental disorder have led increasingly to a need for the recruitment of cognitively vulnerable participants in biomedical research These individuals often fall into the grey area between obvious decisional competence and obvious decisional incompetence and as a result may not be recognised as having the legal capacity to make such decisions themselves At the core of the ethical debate surrounding the participation of cognitively vulnerable individuals in research is when if at all we should judge them decisionally and legally competent to consent to or refuse research participation on their own behalf and when they should be judged incompetent in this respect In this book the author develops a novel justificatory framework for making judgments of decisional competence to consent to biomedical research with reference to five groups of cognitively vulnerable individuals older children and adolescents adults with intellectual disabilities adults with depression adults with schizophrenia and adults with dementia including Alzheimer's disease Using this framework the author argues that we can make morally defensible judgments about the competence or incompetence of a potential participant to give contemporaneous consent to research by having regard to whether a judgment of competence would be more harmful to the generic rights of the potential participant than a judgment of incompetence The argument is also used to justify an account of supported decision making in research and applied to evaluate the extent to which this approach is evident in existing ethical guidelines and legal provisions. The book will be of interest to bioethicists as well as psychiatrists and academic medical lawyers interested in normative questions raised by the concepts of competence and capacity **Competence and Vulnerability in Biomedical Research (2008).** *Ethics and Neuromarketing* Andrew R. Thomas, Nicolae Alexandru Pop, Ana Maria Iorga, Cristian Ducu, 2016-10-19 This book addresses the emerging field of neuromarketing which at its core aims to better understand the impact of marketing stimuli by observing and interpreting human emotions It includes contributions from leading researchers and practitioners venturing beyond the tactics and strategies of neuromarketing to consider the ethical implications of applying powerful tools for data collection The rationale behind neuromarketing is that human decision making is not primarily a conscious process Instead there is increasing evidence that the willingness to buy products and services is an emotional process where the brain uses short cuts to accelerate the decision making process At the intersection of economics neuroscience consumer behavior and cognitive psychology neuromarketing focuses on which emotions are relevant in human decision making and uses this knowledge to make marketing more effective The knowledge is applied in product design enhancing promotions and advertising pricing professional services and store design and improving the consumer experience as a whole The foundation for all of this activity is data gathering and analysis Like many new processes and innovations much of neuromarketing is operating far ahead of current governmental compliance and regulation and thus current practices are raising ethical issues For example facial recognition software used to monitor and

detect a wide range of micro expressions has been tested at several airports under the guise of security and counterterrorism To what extent is it acceptable to screen the entire population using these powerful and intrusive techniques without getting passengers consent Citing numerous examples from the public and private sectors the editors and contributing authors argue that while the United States has catalyzed technological advancements European companies and governments are more progressive when it comes to defining ethical parameters and developing policies This book details many of those efforts and offers rational constructive approaches to laying an ethical foundation for neuromarketing efforts Cambridge Handbook of Health Research Regulation Graeme Laurie, Edward Dove, Agomoni Ganguli-Mitra, Catriona McMillan, Emily Postan, Nayha Sethi, Annie Sorbie, 2021-06-09 The definitive reference guide to designing scientifically sound and ethically robust medical research considering legal ethical and practical issues The Limits of Consent Oonagh Corrigan, John McMillan, Kathleen Liddell, Martin Richards, Charles Weijer, 2009-01-29 Since its inception as an international requirement to protect patients and healthy volunteers taking part in medical research informed consent has become the primary consideration in research ethics Despite the ubiquity of consent however scholars have begun to question its adequacy for contemporary biomedical research The Limits of Consent explores this issue reviewing the application of consent to genetic research clinical trials and research involving vulnerable populations For example in genetic research information obtained from an autonomous research participant may have significant bearing on the interests of family members who have not consented to the study This casts doubt on the adequacy of consent for such studies The Limits of Consent also questions the assumptions that informed consent is essential and that it satisfactorily protects the principle of individual autonomy It reviews recent empirical studies that challenge the possibility of truly informed consent and highlights the extent to which consent is governed by social norms and expectations It also investigates how consent might be of secondary importance in some circumstances for example when a research project appears to protect a public or community interest Building on these observations the authors make bold attempts to outline constructive solutions to the problems identified with perspectives from medicine law philosophy and sociology This fascinating and provocative exploration of the limits of informed consent will appeal to ethicists social scientists health lawyers clinical researchers research ethics committee members policy makers and others with an interest in bioethics Law Through the Life Course Jonathan Herring, 2021-05-03 This book is the first to explore the interactions of the law with the life course in order to understand the complex life journey as a whole Jonathan Herring reveals how the law privileges middle age to the detriment of the whole life story and explains why an understanding of the life course is important for lawyers The Clinical and Ethical Practice of Neuromodulation - Deep Brain Stimulation and Beyond Markus Christen, Sabine Müller, 2018-01-15 Neuromodulation is among the fastest growing areas of medicine involving many diverse specialties and affecting hundreds of thousands of patients with numerous disorders worldwide It can briefly be described as the science of how electrical

chemical and mechanical interventions can modulate the nervous system function A prominent example of neuromodulation is deep brain stimulation DBS an intervention that reflects a fundamental shift in the understanding of neurological and psychiatric diseases namely as resulting from a dysfunctional activity pattern in a defined neuronal network that can be normalized by targeted stimulation The application of DBS has grown remarkably and more than 130 000 patients worldwide have obtained a DBS intervention in the past 30 years most of them for treating movement disorders This Frontiers Research Topics provides an overview on the current discussion beyond basic research in DBS and other brain stimulation technologies Researchers from various disciplines who are working on broader clinical ethical and social issues related to DBS and related neuromodulation technologies have contributed to this research topic **Ethics in Biomedical Research** ,2007-01-01 This book deals with the international assessment and regulation of biomedical research In its chapters some of the leading figures in today s bioethics address questions centred on global development scientific advances and vulnerability The series Values In Bioethics makes available original philosophical books in all areas of bioethics including medical and nursing ethics health care ethics research ethics environmental ethics and global bioethics Revisiting Landmark Cases in Medical Law Shaun D. Pattinson, 2018-09-27 Is it lawful for a doctor to give a patient life shortening pain relief Can treatment be lawfully provided to a child under 16 on the basis of her consent alone Is it lawful to remove food and water provided by tube to a patient in a vegetative state Is a woman's refusal of a caesarean section recommended for the benefit of the fetus legally decisive These questions were central to the four focal cases revisited in this book This book revisits nine landmark cases For each a new leading judgment is attributed to an imagined judge Athena who operates within the constraints of the legal system of England and Wales Her judgments accord with an innovative legal theory referred to as modified law as integrity and are linked as a line of precedent The result is a re spinning of extant judicial threads into a web of legal principles with a greater claim to coherence and defensibility than those in the original cases The book will be of great interest to scholars and students of medical law criminal law bioethics legal theory and moral philosophy Gewirthian **Perspectives on Human Rights** Per Bauhn, 2016-03-22 Gewirth s theory of human rights has made a major contribution to philosophy In this edited collection contributors from a broad range of disciplines discuss the theoretical and practical application of Gewirthian theory to current world issues Case studies highlight mental health the LGBT community intellectual disabilities global economic inequality and market instability to provide a truly interdisciplinary study This important contribution to human rights scholarship provides a platform for further discussion of Gewirthian theory It will be of interest to those researching moral legal and political philosophy as well as policy makers social workers and medical staff

**The Law and Ethics of Dementia** Charles Foster, Jonathan Herring, Israel Doron, 2014-12-01 Dementia is a topic of enormous human medical economic legal and ethical importance Its importance grows as more of us live longer The legal and ethical problems it raises are complex intertwined and under discussed This book brings together contributions from

clinicians lawyers and ethicists all of them world leaders in the field of dementia and is a comprehensive scholarly yet accessible library of all the main and many of the fringe perspectives It begins with the medical facts what is dementia Who gets it What are the current and future therapeutic and palliative options What are the main challenges for medical and nursing care The story is then taken up by the ethicists who grapple with questions such as is it legitimate to lie to dementia patients if that is a kind thing to do Who is the person whose memory preferences and personality have all been transformed by their disease Should any constraints be placed on the sexual activity of patients Are GPS tracking devices an unpardonable interference with the patient's freedom These issues and many more are then examined through legal lenses The book closes with accounts from dementia sufferers and their carers It is the first and only book of its kind and the authoritative text This title is included in Bloomsbury Professional's Family Law online service The SAGE Handbook of Health Care Ethics Ruth Chadwick, Henk ten Have, Eric M. Meslin, 2011-01-18 The SAGE Handbook of Health Care Ethics is an influential collection of work by leading scholars on the fundamental and emerging themes which define health care ethics Combining international and interdisciplinary perspectives the Handbook provides a cutting edge account of debates in five key areas health care ethics in an era of globalization beginning and end of life vulnerable populations research ethics and technologies public health and human rights This authoritative Handbook brings together experts with backgrounds in philosophy sociology law public policy and the health professions and reflects the increasing impact of globalisation and the dynamic advances in the fields of bioscience and genetics which keep ethics at the centre of debates about the future direction of healthcare It is an invaluable resource for all students practitioners academics and researchers investigating ethical issues in relation to healthcare Using Naturally Occurring Data in Qualitative Health Research Nikki Kiyimba, Jessica Nina Lester, Michelle O'Reilly, 2018-11-10 This highly practical resource brings new dimensions to the utility of qualitative data in health research by focusing on naturally occurring data It examines how naturally occurring data complement interviews and other sources of researcher generated health data and takes readers through the steps of identifying collecting analyzing and disseminating these findings in ethical research with real world relevance The authors acknowledge the critical importance of evidence based practice in today s healthcare landscape and argue for naturally occurring data as a form of practice based evidence making valued contributions to the field And chapters evaluate frequently overlooked avenues for naturally occurring data including media and social media sources health policy and forensic health contexts and digital communications Included in the coverage Exploring the benefits and limitations of using naturally occurring data in health research Considering qualitative approaches that may benefit from using naturally occurring data Utilizing computer mediated communications and social media in health Using naturally occurring data to research vulnerable groups Reviewing empirical examples of health research using naturally occurring data Using Naturally Occurring Data in Qualitative Health Research makes concepts methods and rationales accessible and applicable for readers

in the health and mental health fields among them health administrators professionals in research methodology psychology researchers and practicing and trainee clinicians Religion, Medicine and the Law Clayton Ó Néill, 2018-11-08 Is the legal protection that is given to the expression of Abrahamic religious belief adequate or appropriate in the context of English medical law This is the central question that is explored in this book which develops a framework to support judges in the resolution of contentious cases that involve dissension between religious belief and medical law developed from Alan Gewirth s Principle of Generic Consistency PGC This framework is applied to a number of medical law case studies the principle of double effect ritual male circumcision female genital mutilation Jehovah s Witnesses adults and children who refuse blood transfusions and conscientious objection of healthcare professionals to abortion The book also examines the legal and religious contexts in which these contentious cases are arbitrated It demonstrates how human rights law and the proposed framework can provide a gauge to measure competing rights and apply legitimate limits to the expression of religious belief where appropriate The book concludes with a stance of principled pragmatism which finds that some aspects of current legal protections in English medical law require amendment Bioethics Marcus Düwell,2012-11-27 This book is a philosophically oriented introduction to bioethics It offers the reader an overview of key debates in bioethics relevant to various areas including organ retrieval stem cell research justice in healthcare and issues in environmental ethics including issues surrounding food and agriculture The book also seeks to go beyond simply describing the issues in order to provide the reader with the methodological and theoretical tools for a more comprehensive understanding of current bioethical debates The aim of the book is to present bioethics as an interdisciplinary field to explore its close relation to other disciplines such as law life sciences theology and philosophy and to discuss the conditions under which bioethics can serve as an academically legitimate discipline that is at the same time relevant to society As a systematic and methodologically rigorous overview Bioethics Methods Theories and Principles will be of particular interest to academics and students in the disciplines of Law Medicine Ethics and Philosophy This is a book that embraces neither a single ethical theory nor a pragmatic melange of just so principles It is a thoughtful and engaging analysis of diverse theoretical foundations in Bioethics It is also an enormous step towards conceptual and philosophical clarity in this fascinating area Professor Christian Illies Chair for Practical Philosophy at the Otto Friedrich University Bamberg Germany **Clinical Trials in Vulnerable Populations** Milica Prostran, 2018-05-09 This book Clinical Trials in Vulnerable Populations has 12 chapters divided into 4 sections Minority Patients Women Medically Compromised Patients and Clinical Trials Contributing authors came from several countries from Serbia to Turkey The book was edited by Professor Milica Prostran MD Ph D specialist in Clinical Pharmacology The potential reader is shown a modern approach to clinical trials in vulnerable populations from different points of view The chapters deal at length and clarity with their topics Finally I believe that this book I edited and reviewed with dedication will capture the attention of many readers from medical students to practicing doctors and pharmacists All of whom must consider this very important field of medicine clinical trials in vulnerable patients Ethical Competence in Nursing Practice Catherine Robichaux, PhD, RN, CCRN, CNS, 2016-09-07 This is a unique innovative professional nursing ethics textbook designed specifically for all practicing nurses and to meet the educational needs of all nursing students including RN to BSN and RN to MSN students Written by experts in the field it discusses ethical concepts relevant to the registered nurse who has practiced for several years but is learning higher level concepts and applications This text addresses different areas of professional practice and is rich with case studies illustrating the need for ethical competence and decision making The book fulfills the necessary criteria for the AACN Essentials for Baccalaureate Education and the QSEN and IOM competencies It also integrates relevant provisions and statements from the revised Code for Nurses ANA 2015 Clear and concise the text relates content to the nurse's current practice and introduces a framework for the development of ethical competence from recognition of an ethical situation to implementation of a justifiable action A decision making model that includes elements of care and virtue ethics is also included Essential communication and conflict skills are addressed in addition to the role of the ethics committee and ethics consultation The book discusses common ethical issues likely to be encountered how to recognize and address moral distress and ethical practice as it relates to research quality and safety Case studies that incorporate evidence informed research provide the opportunity to develop ethical skills and apply decisionmaking principles Relevant QSEN competencies and provisions and statements from the ANA s revised Code for Nurses 2015 are featured in each chapter Interactive exercises and questions and PowerPoints provide further opportunity for critical thinking KEY FEATURES Addresses the specific needs of practicing nurses and students in the RN to BSN and RN to MSN courses Fulfills AACN Essentials IOM competencies and QSEN KSAs Integrates relevant provisions and statements from the revised Code for Nurses ANA 2015 Builds upon previous practice experience Discusses ethical competence in a variety of practice environments Includes case studies to apply ethical competencies Oral Rehabilitation Iven Klineberg, Diana Kingston, 2012-04-23 This book provides its readers with a structured approach to decision making and case management in oral rehabilitation It is built around actual patient cases from simple prosthodontics to complex full mouth reconstructions demonstrating a formal process by which a diagnosis and treatment plan is reached Grounded firmly in evidence based principles the book also includes a chapter on literature searching in dentistry which is critical for acquiring a knowledge base for informed decisions in clinical treatment Featuring an approach to prosthodontics and oral rehabilitation that is both instructional and practical Oral Rehabilitation A Case Based Approach will help clinicians to develop the necessary skills to make consistent evidence based clinical decisions KEY FEATURES Presents a case based process showing how diagnosis and treatment is achieved Covers a range of clinical scenarios from simple to complex presentations Illustrates each case fully with stages documented by colour photographs Emphasises interdisciplinary management in prosthodontics Accompanied by a website containing illustrative video clips Ethical

Decision Making in School Mental Health James C. Raines,Nic T. Dibble,2010-09-30 Ethical predicaments are endemic for mental health professionals working in a host setting like schools New interventions evolving technologies and a patchwork of ethical guidelines and legal codes create a constant stream of new ethical dilemmas Quick answers and simple solutions are rare but with the seven stage model presented here readers will learn to apply an ethical decision making process that minimizes their liability while better protecting their students Beginning with an introduction to the moral legal and clinical foundations that undergird ethical practice the authors outline an ethical decision making process to handle conundrums that includes seven major steps know yourself analyze the dilemma seek consultation identify courses of action manage the clinical concerns enact the decision and reflect on the process Each chapter describes these steps in detail provides case examples to illustrate their application and presents exercises that encourage readers to integrate them into their everyday practice This handy guide is written for the school social workers school psychologists school nurses and school counselors who are responsible for acting in their students best interests as well as post secondary students studying to enter one of these professions It will be a trusted resource for school services professionals seeking clear but nuanced guidance in resolving thorny ethical issues

Index Medicus, 2004

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