

# Biomedical ethics case study assignment

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Biomedical Ethics (online class) Scott Stanton, a brilliant physicist has been in and out of mental institutions due to his bipolar disorder. He was lastly admitted again after he made death threats to his roommates and was found not criminally responsible for that offense. His physicians suggested different sorts of treatment for his illness.

Scott Stanton refused to give consent to the treatment for reason that he had a scientific research to finish and he didn't want the medications to slow him down. His physicians not finding him competent enough to critically make that kind of decision, brought the case before a medical review board, which afterwards also confirmed that Mr. Stanton was not competent enough to decide whether to reject or accept the treatment.

Mr. Stanton unhappy with the decision, applied for a review to the Ontario consent and capacity board (CB) -The Scab's mission is to fairly review/judge the different consent and capacity issues while balancing both the rights of vulnerable individuals- In his case they had to review if Mr.. Stanton had the required capacity to accept or refuse treatment based on the health care consent act.

After studying the case, the CB also agreed with the physicians that Stanton was not capable to appreciate the outcome of the administered treatment and their decision was based on the following consent: " The Ontario Health Care Consent Act permitted a person to be treated without consent on the ground of lack of capacity (the ability to make an informed choice), if it was found that they could not understand the information relevant to making a decision about treatment and could not appreciate the reasonable

foreseeable consequences of that decision. ” 2 The case was finally appealed to the supreme court of Canada for a conclusive decision.

The court agreed with the act/law that guided the decision of the board but disagreed with application of that law. The board did not consider the capacity of Mr.. Stanton to make informed decisions, but their decision was mostly based on what they believed was in his best interests. The court established that Mr.. Stanton had full capacity to make his own medical decisions and approved his request to not go through with the treatment.

The issue here becomes whether the court’s decision was the right one or if they could have come up with a different decision had the case been studied from different perspectives making the decision wrong.

Both arguments (for and against the Court’s decision) are discussed below, but I personally believe that court’s decision was the only right one to make. The decision of the Supreme Court could be considered ethically right. It was right to evoke the physicians’ decision, as it wasn’t in agreement with what the Canadian Health Care Consent act (HACK) section 26 stipulates “ A health practitioner shall not administer a treatment under section 25 if he has reasonable grounds to believe that the person, while capable and after attaining 16 years of age, expressed a wish applicable to the circumstances to refuse consent to the treatment. 3 Also, in medical ethics, it is the obligation of health care providers to allow the patients to make their own medical decisions. They should have autonomy in their decision making, that’s if hey completely comprehend all the medical diagnosis, prognosis and all outcome of treatment options. Stanton had a full understanding of his options, he was fully aware of his illness and he also knew that without

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treatment he would stay incarcerated because he would still be a danger to others (this implies that he knows that his illness won't get better without medications).

Therefore this proves that it was with full awareness of consequences that he made his decision, this also implies that he was mentally capable to make a medical decision, meaning that he had the right to make his own medical decisions. One could easily argue that it was for his best interest that his decisions were invalidated, but in this kind of medical misunderstanding, the patient's decisions are not overturned based on a best-interest standards but on the level of the patient's competency when choosing. Nevertheless, the court's decision could also be considered wrong or morally incorrect. The case should have been studied more before any decision being taken and more facts should have been considered. Bipolar disorder does not get better with time, but it instead gets worse if not treated (the episodes become more frequent and more severe, and only the treatment can reduce the severity of the disorder)<sup>6</sup>. Mr..

Stanton refused the treatment because it would slow down his thinking, which would affect his research, and according to him the success of his research is all that matters; to quote him exactly, he says that “ anything preventing him from engaging in the scientific research that gave his life a meaning is worse than death” <sup>7</sup>. From his statement, we clearly see that his decision is made in the sole hope to salvage his research, without considering that refusing treatment could equally jeopardize it.

One of the side effects of untreated bipolar disorder is triggering of attention deficit hyperactivity disorder (ADD)<sup>8</sup>, a disorder that ultimately would endanger the success of his research based on lack of focus. Even though he was mentally capable to make his own medical decisions, he wasn't considering the full picture of the situation, which is that refusing the treatment he did not could also harm his valued. Not just that, Mr.. Stanton was re-incarcerated cause he was a threat to the public; if his state of mind got to worsen, he would eventually also become a threat to himself.

We can definitely question the rightness of the decision because it would not only contribute to the failure of the research he's trying to preserve but it could also lead to his own death. In medicine there will be many cases giving rise to controversial issues, this case of Scott Stanton being one of them. Even though many people disagreed with the decision (like his mother was devastated because she thinks that her son's life is mined), Mr..