

# Law and Ethics in Rationing Access to Care in a High-Cost Global Economy

2nd Biennial Seminar  
in Health Law and Bioethics,  
Boston 2007

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## Preface

PAULA LOBATO DE FARIA

The Second Biennial Seminar in Health Law and Bioethics on “Law and Ethics in Rationing Access to Care in a High-Cost Global Economy” was held on May 30 and 31 in Boston, US. This seminar was a joint venture of the Boston University School of Public Health department of Health Law, Bioethics, and Human Rights (directed by Edward R. Utley Professor George J. Annas) and the Discipline of Health Law, Ethics, and Biolaw of the National School of Public Health of the New University of Lisbon (*Universidade Nova de Lisboa*) — Portugal.

The first seminar was held in 2005 in Lisbon and resulted in the publication of the book *The Role of Health Law, Bioethics and Human Rights to Promote a Safer and Healthier World*, a collaborative look at the issues presented at the mentioned colloquium with the same title.

These series of seminars are designed to create scientific and academic bridges between US and Portuguese institutions in the fields of health law, bioethics, and human rights.

The 2007 seminar focused specifically on issues surrounding the rationing of health care within perspectives from both sides of the Atlantic.

The United States has dealt with rationing in the past, such as the well known case, in the late 1960s, of the Seattle medical community struggling to determine which renal failure patients to give preference to for the limited availability of a new treatment called dialysis. Nevertheless, dilemmas like these are continuing not only in the scenario of global health but also in the daily practice of medical care units.

Quoting George J. Annas “unless you give everybody everything or nobody anything, you’re rationing, even if you don’t call it rationing”<sup>1</sup> and therefore society needs more than basic rules or a public process on rationing to include the human rights dimension, since this dimension will be able to provide the qualitative counterpart of a problem that tends more and more to be dealt with by economists in a quantitative perspective.

During the two days of the Second Biennial Seminar in Health Law and Bioethics 10 speakers presented US and European views on the fundamental right to healthcare, patients rights, ethics of health costs rationing, citizen’s health duties, healthcare delivery national systems and other related topics. The text that follows contains the majority of these presentations by alphabetical order.

It is also important to mention and thank the financial support of the *Calouste Gulbenkian Foundation*, the *Luso-American Foundation for the Development* and the Ministry of Health (Portugal) to the traveling of the Portuguese speakers.

We hope this book will spread the interest on the scientific developing in Health Law and Bioethics as a main contributor to a better distribution and delivery of healthcare in global and national levels, and to the understanding of the significance to humankind of the recognition of healthcare as a fundamental human right.

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<sup>1</sup> In: Nicole Laskowski, Health Care as a Human Right-US. and Portuguese professors meet for seminar on health law and bioethics, BU Today, June 6, 2007.