



Last Rites/Rights for a Dying Patient

Author(s)

Julita Ramirez

Year

2000

Description

Cells from a dying patient are used to create a multi-billion-dollar drug.

Body

A researcher developed a new cancer treatment using cells provided by her doctor friend from a dying cancer patient. The patient's consent to use his cancer cells "for research and related purposes" had been secured in writing before the cells were used. However, the patient died shortly after the cells were collected. The researcher's new development was made possible only through the use of these particular cells, since they had unique genetic mutations and properties. After the drug was developed, the researcher sold the rights to her findings to a large drug company, who produced the drug and made billions off its sale. The family of the dead cancer patient found out that development of this new drug was possible only by using their relative's cells, and sued the drug company and the researcher for compensation. They argued that consent was given only to use the cells for research purposes.

Questions:

1. Who do you think will win? Why?

2. Who do you think SHOULD win? Why?

Notes

Author: Julita Ramirez, (UPR Chemistry REU 2000).

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Rights

Use of Materials on the OEC

Resource Type

Case Study / Scenario

Mini-case

Parent Collection

Discussion Cases from the Center for Ethics in the Professions at the University of Puerto Rico Mayagüez

Topics

Intellectual Property and Patents

Human Subjects Research

Informed Consent

Discipline(s)

Life and Environmental Sciences

Research Ethics

Pharmacology

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