

# Valuing Lives Impartially

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- What matters is **relative gain**.
- Distinction is useful for analytical purposes only.

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- Example: health benefits to the elderly.
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- Example: differences in life expectancy between the sexes.
- Example: health benefits to the elderly.
- Age and sex are characteristics that affect the relative quality and expectation of life.

In the absence of distinguishing relevant and irrelevant personal characteristics, **any** use of effectiveness considerations leads to unfair discrimination.

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*A severely disabled person will have a much lower QALY ranking than a person in full health and therefore each year they live will have a lower (normative) quality of life ranking. But does this mean that the former person's life is less worth living than the latter's; is it thus worth less? This goes against a profound belief, both spiritual and secular, that all lives are equally valuable. (Phillips, 2006)*

# The veil of ignorance argument

Choice behind the veil of ignorance satisfies **impartiality**.

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**Question:** What distribution method would maximize your interests given that you do not end up the person who is not saved?

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- Rational to give preference to saving life when it is most in the interests of the person whose life is saved: disregard how the person who is not saved would fare.
- Quality adjusted measures would be accepted as outcome measure for CEA.

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### Life-saving setting

- If you end up the patient who is not saved, no further harm can come to you.
- These considerations do not apply to any other setting.

# Impartiality in evaluation

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- impartiality applies to evaluation in some **respect  $R$** ;
- not being influenced by characteristics which are **irrelevant** with respect to  $R$ ;
- being influenced by characteristics which are **relevant** with respect to  $R$ ;
- respect/sphere/activity determines what is relevant.

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**Problem:** does not explain distinguishing patients with respect to direct health benefits.

**Explanation:** the economic value of life is **irrelevant** with respect to allocating health resources.

Unfairness is due to the decision not being based on an impartial appraisal of the interests of *A* and *B*.

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- Dependent disability is relevant to impartial evaluation;
- Independent disability is irrelevant.

### Hip replacement

- One of the patients is blind (independent disability);
- One patient has BMI > 30 (dependent disability).

## Prior disability: a tentative proposal

If the prior disability that contributes to a person's diminished capacity to benefit is independent of the condition to be treated, it would lead to unfair discrimination to take it into account.

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**Narrow objection:** the discrimination arising from the use of CEA is unfair against people with disabilities if it is due to independent prior disabilities.

## Prior disability: practical problems

- Difficulties with determining whether co-disabilities are independent;
  - (Unclear causes, multiple causation, etc.)
- Difficulties with identifying effects of individual disabilities.
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- The less difficult it is to establish the independence of co-disabilities, the more confident we can be that taking into account the effects of the prior disability would lead to unfair discrimination, and hence it should be considered irrelevant.
- The more difficult it is to establish independence, the more confident we might be that the effects of the prior disability are relevant to determining a person's capacity to benefit.

## Prior disability and the burden of disease

### DALYS

- Disability weights are assigned to individual conditions.
- If the composite disability weights assigned to co-disabilities were smaller than the sum of the weights of the individual disabilities, co-disabilities would contribute **less** to the burden of disease.

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- In effect, treating all co-disabilities as if they were independent:
  - all prior disabilities are treated as irrelevant.

Empirical simplification and to err on the side of caution:  
in measuring population health, treating all co-disabilities this way  
reduces the scope for unfair disability discrimination.