



**AMREF INTERNATIONAL UNIVERSITY**  
**SCHOOL OF PUBLIC HEALTH**  
**DEPARTMENT OF HEALTH SYSTEMS MANAGEMENT AND DEVELOPMENT**  
**MASTER OF SCIENCE IN BIOETHICS**  
**END OF SEMESTER EXAMINATION MAY-AUGUST 2026**

**UNIT CODE:** MBE 713      **UNIT NAME** Law and Bioethics  
**DATE:** 5<sup>TH</sup> August, 2026  
**TIME:** Three Hours      **Start:** 5:30 PM      **Finish** 8: 30 PM

**INSTRUCTIONS**

1. This exam is marked out of 100 marks
2. This Examination comprises TWO Sections  
**Section A:** Compulsory Question (25 marks)  
**Section B:** Long Answer Questions (75 marks)

**SECTION A: COMPULSORY (25 Marks)**

**Short Answer Questions**

1. Distinguish legal obligations from ethical obligations in healthcare settings. (5 marks)
2. Identify two Kenyan constitutional values relevant to health. (5 marks)
3. Explain the legal significance of informed consent in medical interventions. (5 marks)
4. State two elements required to establish medical decision-making capacity. (5 marks)
5. Explain what is meant by an "ethical gap" within an existing legal framework. (5 marks)

**SECTION B (75 MARKS)**

**Answer any THREE (3) questions from this section. Each question carries twenty-five (25) marks.**

6. A clinician strongly believes a specific medical intervention is ethically right and in the best interest of a critically ill patient. However, the hospital's legal department formally

warns the clinical team that executing this action may create severe legal exposure for the institution.

(a) Discuss three ethical issues in the conflict between legal liability and clinical ethical duties as presented in this scenario (15 marks)

(b) Propose two administrative strategies a healthcare professional should deploy to safely navigate this institutional impasse. (10 marks)

7. (a) Evaluate three legal and two ethical issues that a research institutional review board (IRB) must address before approving a study involving adolescents and sensitive health information. (15 marks)

(b) Evaluate two distinct regulatory safeguards required to protect adolescent participants from psychological or social harms during such research. (10 marks)

8. (a) Discuss three legal and two ethical concerns raised when a digital health platform collects patient data concurrently for (i) clinical care, (ii) academic research, and (iii) commercial analytics. (15 marks)

(b) Propose two robust data-governance policies that a digital health startup must implement in order to remain ethical (10 marks)

9. (a) Discuss three ways in which statutory law can either (i) promote or (ii) systematically undermine bioethical decision-making within Kenyan healthcare institutions. (15 marks)

(b) Formulate two recommendations for legislative reform in Kenya to better align clinical jurisprudence with contemporary bioethical principles. (10 marks)

10. (a) Recommend three alternative mechanisms that should be used to respond to emerging bioethical challenges when formal legislation lags behind biotechnology, AI, and genomic medicine. (15 marks)

(b) Evaluate two risks that arise when healthcare professionals rely solely on incomplete or unclear laws to guide revolutionary biotechnological applications. (10 marks)