
History

- Karen Quinlan

- 1976 – Parents wanting to remove a ventilator
- NJSC – “The right to die”

- Nancy Cruzan

- 1990 – Parents wanting to remove feeding tube
 - “self-determination”
 - “clear and convincing evidence”
 - “err on the side of life”
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Terri's Law

- Only to the patient who met criteria on 10/15/03
 - No written advanced directive
 - The court has found patient to be in PVS
 - Nutrition and hydration have been withheld
 - Member of the patient's family objects to the withholding of nutrition and hydration
 - Gave Gov. Jeb Bush the authority to reinsert feeding tube
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Schiavo

- Cardiac arrest 1990
 - 1998 – Husband seeks to remove feeding tube
 - Clear and convincing evidence re: wishes
 - Parents disagree with Prognosis of PVS
 - New therapies to reverse brain injury
 - Terri's Law
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Sanctity of Life vs. Quality of Life

- “Right to Die”
 - Euthanasia
 - Ending life or Prolonging Death
 - Do no harm
 - Hippocratic Oath
 - Feeding
 - Is it a treatment? Or essential care?
 - Artificial feeding
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Defining the Terms

- Advanced Directive or Living Will
 - Health Care Proxy
 - Power of Attorney for Health Care Decisions
 - Surrogate
 - DNR
 - Do Not Resuscitate
 - Palliative Care
 - Comfort Care
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Advanced Directive

- A.k.a. Living Wills

A document which represents your wishes and desires about health care in the event you are unable to communicate these wishes.

Short Fall:

Often fail to anticipate circumstances surrounding the end of life, or fails to represent the context in which these terms apply.

Health Care Proxy

A.k.a. Legal Power of Attorney for Health Care decisions

Often a person appointed in a Living Will or Proxy form.

This person is empowered to articulate your wishes as you would if you were able.

NOT SUBSTITUTE JUDGEMENT

Surrogate

- Not a proxy but next of kin
 - Sequences:
 - Spouse, Adult Children, Parents, Siblings
 - Adult Children, Parents, Siblings, Cousins
 - Parents, Siblings, Cousins, Nearest friend
 - Must document a current relationship and present “clear and convincing evidence” regarding the person’s wishes.
 - Ethics Committees
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DNR = Do Not Resuscitate

- Does not = DO NOT TREAT
 - Cardiopulmonary resuscitation
 - Restoring an adequate heart rhythm with a pulse providing for adequate circulation to sustain vital organs and supplementing ventilation and oxygen administration
 - Does not typically pertain to medicines, nutrition, dialysis
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Palliative Care

- Inclusive of Comfort Measures
 - How do we define comfort?
 - Often involves decisions about...
 - Nutrition and hydration
 - Medicines and therapies
 - Dialysis, ventilators, radiation therapy
 - Relief of pain and/or discomfort
 - NOT Physician assisted suicide
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