

Allied Health Medical Law & Ethics



7/26/2016

Module E.2 Part B: Death and Dying



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Criteria for Death



- Absence of heartbeat
- Significant drop in body temperature
- No pupil response to light
- Loss of body color
- No response to pain
- Rigor mortis (stiffness)

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Cardiac Death



- Heart has stopped functioning
 - Irreversible loss of all cardiac function
- Lack of pulse or respiratory activity
- Considered a legal death

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Brain-Oriented Death

- Irreversible cessation of all brain function
- Persistent vegetative state (PVS)
- Most states accept this definition of death

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- Unreceptive and unresponsive
 - total unawareness of externally applied and painful stimuli
 - No spontaneous movements or breathing, absence of response to pain, touch, sound, or light
 - No reflexes, with fixed dilated pupils, lack of eye movement, and lack of deep tendon reflexes
- Testing includes an electroencephalogram (EEG)

Harvard Criteria for Definition of Irreversible Coma



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Uniform Determination of Death Act

- Individual is considered dead if a person has sustained either:
 1. Irreversible cessation of circulatory and respiratory functions, or
 2. Irreversible cessation of all functions of the entire brain, including the brain stem

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Active Euthanasia Versus Passive Euthanasia



- **Active euthanasia**
 - Intentional killing of the terminally ill
- **Physician-assisted suicide (PAS)**
 - Physician provides patient with medical know-how or means to end own life
- **Passive euthanasia**
 - Allowing patient to die naturally

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Arguments in favor of Euthanasia



- Respect for patient self-determination
- Harvest viable organs for transplant
- Relief for the family
- End to patient suffering

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Arguments Against Euthanasia



- No certainty regarding death
- May find a cure
- Indiscriminate use
- Value and dignity of human life
- Erosion of ethical base for healthcare professions

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Direct Versus Indirect Killing

- **Direct**
 - Death is result of another person's intended action or inaction
- **Indirect**
 - Death is result of unintentional action of another person

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Ordinary Versus Extraordinary Means

- **Ordinary**
 - Treatment or procedures that are morally required, such as supplying fluids and comfort measures
- **Extraordinary**
 - Procedures and treatment that are morally expendable, such as chemotherapy, tube feedings, CPR, and mechanical breathing

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Stages of Dying

- Denial
- Anger
- Bargaining
- Depression
- Acceptance

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Quality-of-Life Issues

- Measures include:
 - General health
 - Physical functioning
 - Role limitations
 - Bodily pain
 - Social function
 - Vitality
 - Mental health

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Hospice Care

- Designed to provide care and supportive services to terminally ill patients and their families
 - Comfort measures
 - emotional support
 - pain-free as possible

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Palliative Care

- Total care of patients whose disease is no longer responsive to curative care
- Provides relief of pain and suffering so patient can die with dignity
- Opposite of curative care

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Suggested Reference



Fremgen, B.F., Medical Law and Ethics, 5th edition (2016). Pearson Education, Inc. ISBN 978-0-13-399898-6

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