Why hasten death

Dyspnea
Pain
Paralysis
Nausea
Loss of control
Anxiety
Delirium
Hopelessness

Benefit
Burden

self-defined
QOL

Pt own assessment
Pt own values
Pt own preferences

Palliative Care

Prevent and relieve suffering
physical
psychosocial
spiritual
Exit options
least to most
controversial

Accelerate opioids
Stop LSMT
VSED / VRFF
PSU
PAD
Euthanasia

PAD
v
VAE

Final overt act
Withdraw
Withhold
LSMT
> 50% die in healthcare institutions

> 70% after decision to forgo

Patients with capacity

My Health Proxy

Patients without capacity
Not an option for those not dependent on LSMT

High dose opioids

Double effect doctrine
1. Action good in itself (not immoral)
2. Intend the good effect (foresee but not intend bad effect)
3. Bad effect not necessary for good effect
4. Proportionality (sufficiently grave reason to risk bad effect)

Suffering **refractory** to other palliative interventions

Existential suffering
Physical suffering
Terminally ill

NYT 12/26/09

PSU
<table>
<thead>
<tr>
<th></th>
<th>Palliative Sedation</th>
<th>Euthanasia</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intent</strong></td>
<td>Sedate</td>
<td>Kill</td>
</tr>
<tr>
<td><strong>Process</strong></td>
<td>Administer drug doses, titrated to effect</td>
<td>Administer lethal drug dose</td>
</tr>
<tr>
<td><strong>Outcome</strong></td>
<td>Decreased consciousness</td>
<td>Death</td>
</tr>
</tbody>
</table>

PSU makes Pt dependent on CANH

Typically Pt **refuses** CANH

\[
1 + 1 = 3
\]

**HARGETT v. VITAS**

This groundbreaking action alleges failure to inform dying cancer patient of end-of-life option of palliative sedation was elder abuse & far outside standard of care.

California Right to Know End-of-Life Options Act

AB 2747 (2008)
Cal. H&S 442
**VSED**

**VRFF**

<table>
<thead>
<tr>
<th>VSED</th>
<th>Voluntarily stopping eating &amp; drinking</th>
</tr>
</thead>
<tbody>
<tr>
<td>VRFF</td>
<td>Voluntary refusal of food &amp; fluid</td>
</tr>
<tr>
<td>PRNH</td>
<td>Patient refusal of nutrition &amp; hydration</td>
</tr>
<tr>
<td>STED</td>
<td>Stopping eating &amp; drinking</td>
</tr>
<tr>
<td>VTD</td>
<td>Voluntary terminal dehydration</td>
</tr>
</tbody>
</table>

**Able** to take food & fluid by mouth

**Deliberate** decision to stop

**Death** from dehydration (7-14 days)

Michael Miller
80yo retired surgeon
End-stage cancer
Not voluntary
Not complete
Not controlled

Peaceful
Comfortable

Legal
“chill”
Disclosure Support

Legal fears ungrounded

Force feeding is a battery

Undermining vs. Confirming VSED decision
VSED is not assisted suicide

VSED is not abuse / neglect
Perceptions matter more (than actual risks)

CA Right to Know End-of-Life Options Act
AB 2747 (2008)
Cal. H&S 442

NY Palliative Care Information Act
N.Y. Laws ch. 331 (2010)
N.Y. Pub. Health L. 2997-c
Thank You

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