Does the Concept “Medical Futility” Help Clinicians?

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1. Prevention
2. Consensus
3. New surrogate
4. Unilateral w/h w/d
EOL disclosures (NY, CA, MI, VT)
EOL CME
New surrogate

Substituted judgment
Best interests

~ 60% accuracy
BUT

Hassan Rasouli
Consent and Capacity Board
“If surrogate directs [LST] . . . provider that does not wish to provide . . . shall nonetheless comply . . .”
“Health care . may not be . denied if . directed by . surrogate”
“generally accepted health care standards”
<table>
<thead>
<tr>
<th></th>
<th>Futile</th>
<th>Not futile</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stop LST</td>
<td>OK</td>
<td></td>
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<tr>
<td>Continue LST</td>
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Neutral independent decision maker

Appellate review
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References


