



AMERICAN SOCIETY FOR
BIOETHICS + HUMANITIES



ASBH 27TH

ANNUAL CONFERENCE PORTLAND, OREGON
OCTOBER 22-25, 2025

Legal Update 2025

Top 10 Legal Developments
in Bioethics & Public Health

Thaddeus Pope

Thaddeus Mason Pope, JD, PhD, HEC-C

ASBH Annual Meeting

Portland, Oregon

October 23, 2025

nothing

to disclose



6

updates

update

1

brain
death

problematic
apart from
transplantation

more conflict

more court cases

1 of 7 big
problems

UDDA

determine

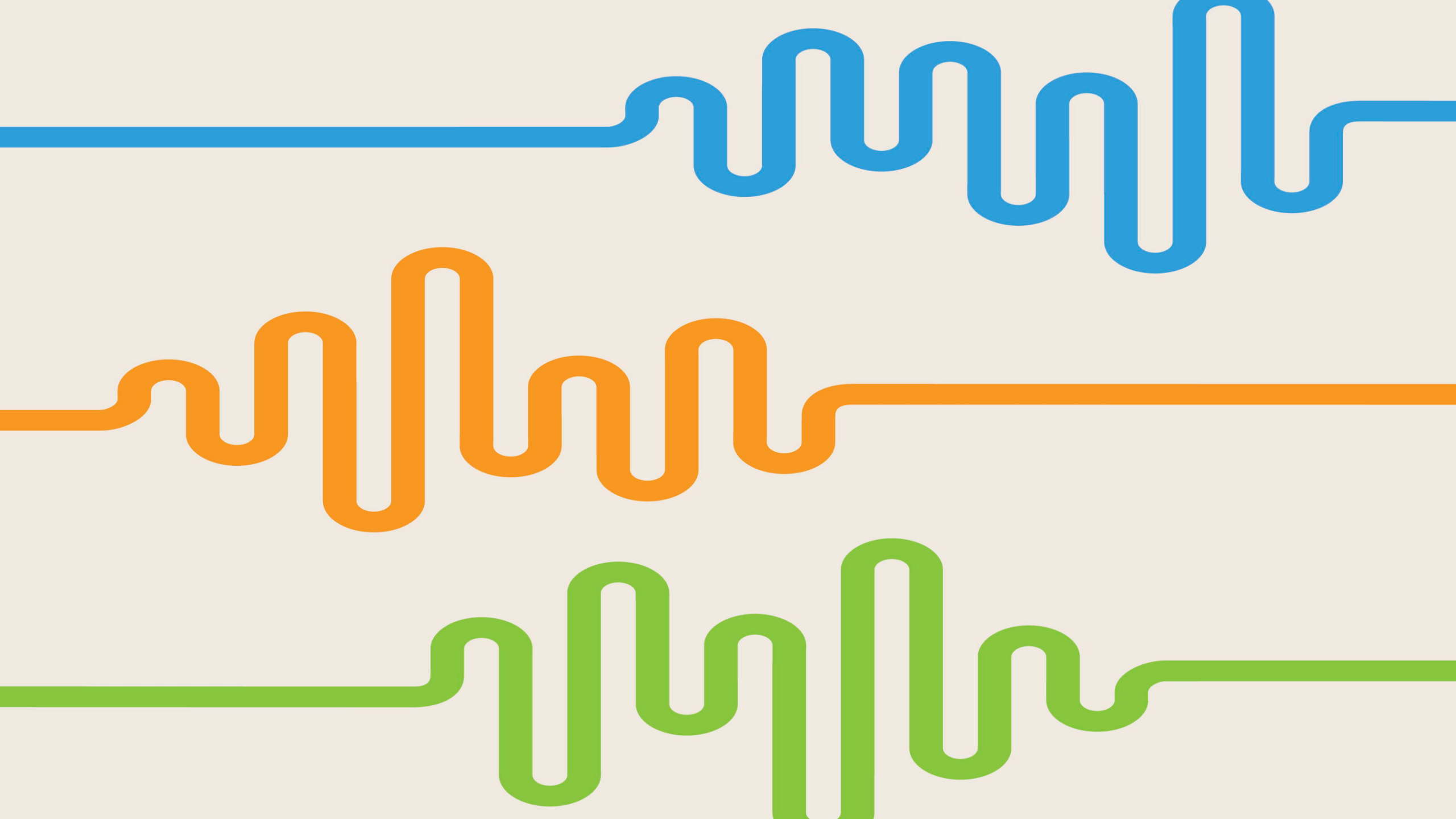
BD/DNC

in **accord**

**“accepted
medical
standards”**

but

which medical
standards are
accepted?





~~**“accepted
medical
standards”**~~



AAN

AAP





**Department
of Health**

NJ Health

An orange outline of the state of New Jersey is positioned over the 'N' and 'J' of the word 'NJ' in the logo.

New Jersey Department of Health

Advocacy for State Acknowledgment of the 2023 Brain Death/Death by Neurologic Criteria Guidelines as the Accepted Medical Standards

Ariane Lewis , Dylan Landau, Matthew P. Kirschen , and David Matthew Greer 

Neurology[®]

October 21, 2025 issue • 105 (8) • <https://doi.org/10.1212/WNL.00000000000214100>



now **7** states



AAN

AAP

2 of 7 big
problems

duty to

accommodate



LAW

ENFORCED

JERMAINE C SPENCE, in his own right, AND
JERMAINE C SPENCE as **ADMINISTRATOR**
OF THE ESTATE OF PAMELA WRIGHT

PLAINTIFFS

V.

HACKENSACK MERIDIAN HEALTH, INC.
AND HACKENSACK UNIVERSITY MEDICAL
HOSPITAL

DEFENDANTS

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

CIVIL PART

DOCKET NO.

CIVIL ACTION

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

XI CHEN, as an individual, and as Guardian
Ad Litem and mother of Kugleman Szeto,

Plaintiff,

vs.

UCLA MATTEL CHILDREN'S HOSPITAL;
DR. CLAUDIA WANG; and DOES 1 to 100,
inclusive,

Defendants,

Case No. 25 SMCN/03314

COMPLAINT FOR: AM

1. **Personal Injuries**
2. **Medical Malpractice**
3. **Unruh Civil Rights Act (California Civil Code Section 51)**
4. **Tortious Interference With Remains (California Health & Safety Code §§ 7100–7113)**
5. **Fraud**

that's update 1

brain death

update

2

**supported
decision making**

Pts who **seem**
incapacitated
often are **not**

can make
own decisions
with **support**

supported

decision

making

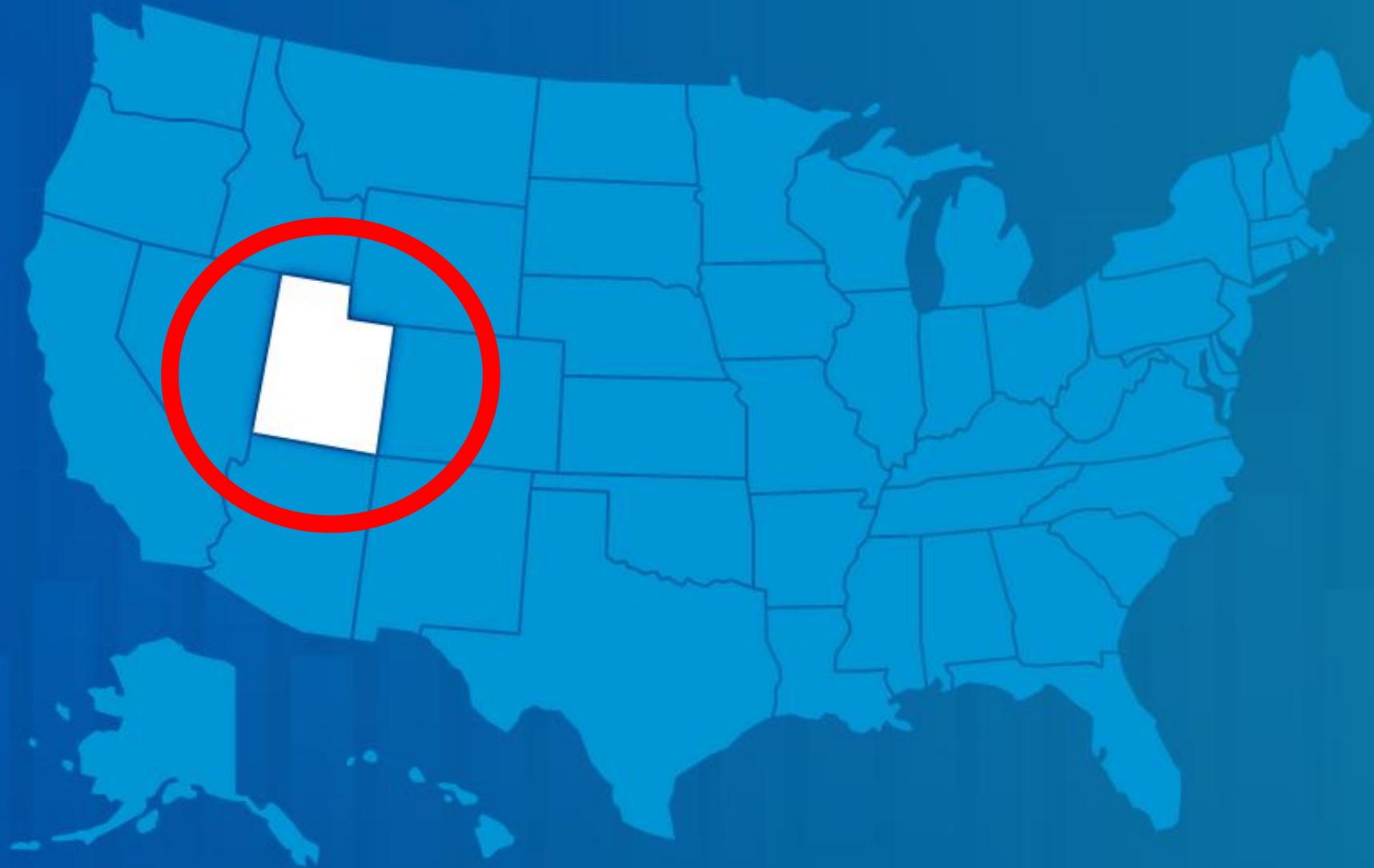
30 states

2025

HAWAII



UTAH



CONNECTICUT



NEW YORK





UHCDA

redefine

capacity

Pt **has** capacity

even if they cannot
decide independently

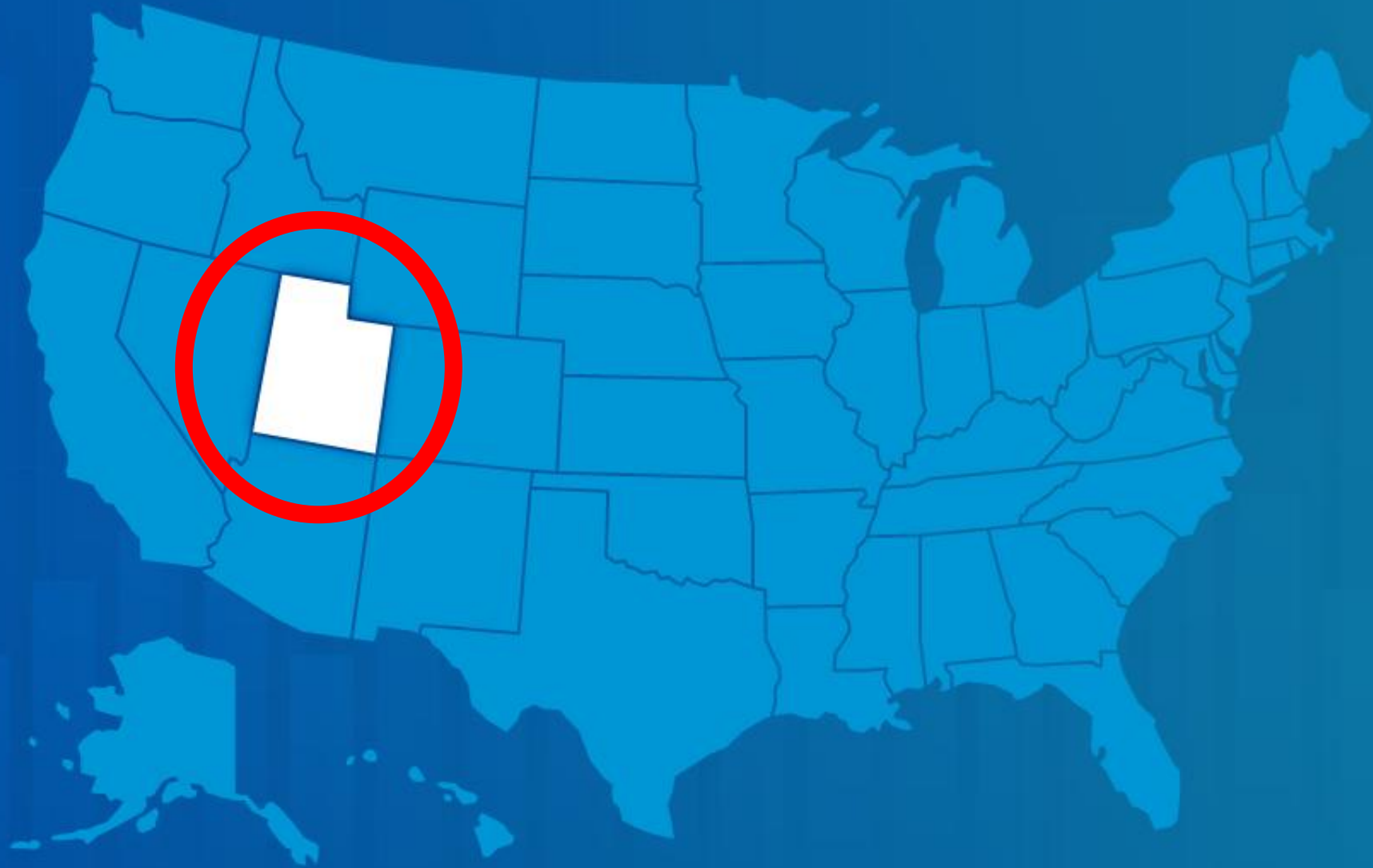
so long as they can --

with a supporter

DELAWARE



UTAH



COMING UP
NEXT

HAWAII



NEVADA



that's update 2

supported DM

update

3

supplanting
surrogates

make decisions
in **accord** with

Pt preferences,
goals, values





YOU'RE FIRED!

3

new

cases

case

1





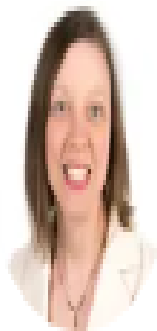
Linda
Polk

faked advance directive

direct withdraw LST

to obtain property

Clinton Township caretaker to stand trial for murder after taking man off life support



Christina Hall

Detroit Free Press

Updated Sept. 3, 2025, 8:41 a.m. ET

case

2



LOS ANGELES

TORRANCE
LONG BEACH

HUNTINGTON
BEACH

PASADENA
GLENDALE

ANAHEIM
SANTA ANA

BARBARA
Ventura
OXNARD

Santa Monica

Burbank

San Clemente

Oceanside



Priscilla

1967



Presley, Wife Priscilla Divorced; He Gives Her Kiss, \$1.5 Million



Associated Press Wirephoto

Elvis Presley, Wife Leave Court

SANTA MONICA, Calif. (AP) — Singer Elvis Presley and his 28-year-old wife Priscilla have ended their marriage with a friendly kiss and a property settlement making her a millionaire.

Presley, 38, was granted his divorce Tuesday in Los Angeles County Superior Court. The couple, married six years, agreed on a modified property settlement involving \$1.5 million.

In seeking the divorce, the singer cited irreconcilable differences because of pressure from constant traveling. The hearing was public.

The divorce was finalized in L.A. in 1967. Presley's cash settlement was \$1.5 million.

1973

KING

**ELVIS
DEAD**



Photo: Getty Images **ELVIS PRESLEY**, the rock 'n' roll king who thrilled millions, died alone yesterday aged 42.

He was killed by a massive heart attack... and died by his own hand before help could reach him.

A massive
heart attack



**Lisa
Marie**

July

2023

A close-up portrait of Lisa Marie Presley with long, wavy brown hair, wearing a white collared shirt under a dark jacket. She is looking slightly to the left with a serious expression.

LISA MARIE PRESLEY

1968-2023

Fans and celebrities gather at Graceland to eulogize Lisa Marie Presley

JANUARY 23, 2023 · 5:53 AM ET

By The Associated Press



September

2025

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

BRIGITTE KRUSE, an Individual; KEVIN
FIALKO, an Individual; PRISCILLA PRESLEY
PARTNERS LLC, a Delaware Limited Liability
Company; PBPBK2, LLC, a Delaware Limited
Liability Company; VIRTUAL RECOLLECTIONS
OF PRISCILLA PRESLEY LLC, a Delaware
Limited Liability Company; RECOLLECTIONS OF
PRISCILLA PRESELY LLC, a Delaware Limited
Liability Company,

Plaintiffs,

vs.

PRISCILLA PRESLEY, an Individual;
KEYA MORGAN, an Individual; and
DOES 1 through 10, inclusive.

Defendants.

Case No.: 25SMCV04129

FIRST AMENDED COMPLAINT

- (1) FRAUD IN THE INDUCEMENT
- (2) COMMON COUNT: GOODS AND
SERVICES RENDERED
- (3) CONVERSION
- (4) CONVERSION
- (5) CONVERSION
- (6) BREACH OF CONTRACT
- (7) BREACH OF CONTRACT
- (8) BREACH OF CONTRACT
- (9) BREACH OF CONTRACT
- (10) BREACH OF CONTRACT
- (11) INTENTIONAL INTERFERENCE
WITH CONTRACT
- (12) MISAPPROPRIATION OF NAME AND
LIKENESS
- (13) MISAPPROPRIATION OF NAME AND
LIKENESS



**PULLED
THE PLUG?**

“pulled Lisa Marie off ...
life support

despite clear directives
from Lisa stating
otherwise”



Lisa Marie about
to **remove**
Priscilla as trustee

Advance Health Care Directive
(California Probate Code Section 4701)
of Lisa Marie Presley

5.4 Signature: Sign and date the form here:

Dated: January 01, 2010

(Sign your name)

Lisa Marie Presley

(Printed name)

WR 010

Choice to Prolong Life—I want my life to be

prolonged as long as possible within the limits of generally

accepted health care standards.

MS



September 29, 2025

People



Priscilla,
Lisa Marie
and Elvis
in 1970



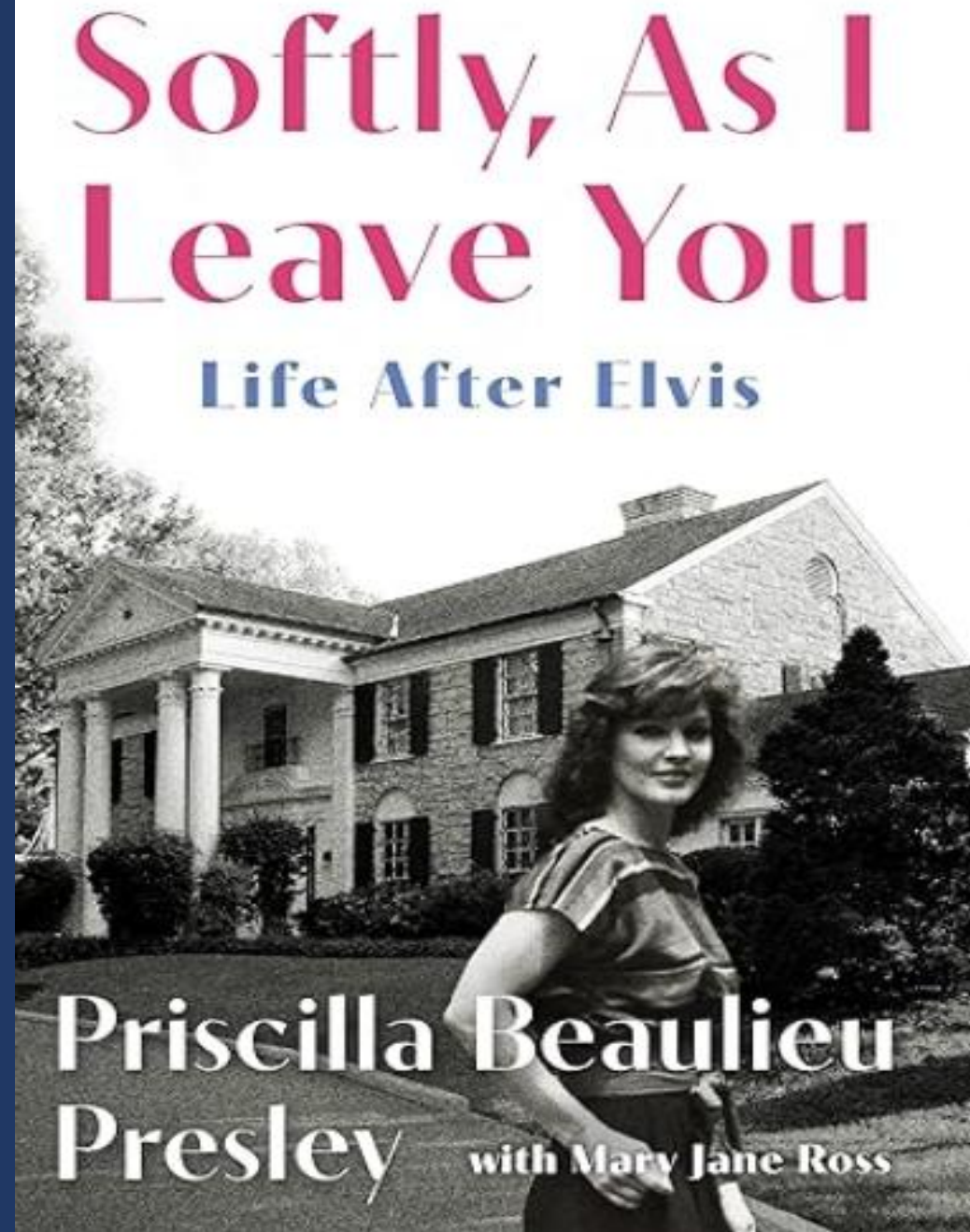
Lisa Marie
and Priscilla
in 2022

**PRISCILLA
PRESLEY**

Healing After Tragedy

**REVEALING NEW MEMOIR
AFTER LISA MARIE'S DEATH**

The famous matriarch, 80, opens up
about her daughter's heartbreaking final days,
loving and losing Elvis and her relationship
with granddaughter Riley Keough now



Softly, As I Leave You

Life After Elvis



**Priscilla Beaulieu
Presley** with Mary Jane Ross

case

3





Wallis
Annenberg

86yo

billionaire

philanthropist



2023

Advance Health Care Directive Kit

**My
Health Care
Wishes**



1. APPOINTMENT OF HEALTH CARE AGENT

☒ OPTIONAL: I, WALLIS ANNENBERG July 15, 1939, wish to appoint a health care agent.

(Print your full name and date of birth)

I hereby appoint as my agent to make health care decisions for me:

Name (agent's name):

VIKKI LEVINE

Address:

Century Woods Dr.

Email:

gmail.com

City:

Los Angeles

State:

CA

Zip:

90067



Vikki
Levine



JUL

2025

dying of
lung cancer



overmedicated with
narcotics & opioids

Pt **rejected** when lucid

isolated Pt from
family & staff

forbad nurses from
medication record

“She’s like a
cockroach

She won’t die”

So...

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES, CENTRAL DISTRICT

25STPB07914

In re the Advance Health Care Directive of

WALLIS ANNENBERG

Case No.

**PETITION TO REMOVE AND
REPLACE VIKKI LEVINE AS
HEALTH CARE AGENT OR,
ALTERNATIVELY, TO INSTRUCT
HEALTH CARE AGENT**

[Prob. Code § 4766]

West's
ANNOTATED
CALIFORNIA
CODES

West's
ANNOTATED
CALIFORNIA
CODES

West's
ANNOTATED
CALIFORNIA
CODES

West's
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CALIFORNIA
CODES

West's
ANNOTATED
CALIFORNIA
CODES

West's
ANNOTATED
CALIFORNIA
CODES

Cal. Prob. Code
§ 4766(d)

“petition may be
filed ... declaring ...
authority of an agent
... **terminated**”

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Probate Division

Stanley Mosk Dept. - 2D

25STPB07914

In re: Annenberg, Wallis - In the matter of

July 22, 2025

9:30 AM

Honorable Gus T. May, Judge

C. Prung, Judicial Assistant

Nanci Grube (#3446), Court Reporter

“Court finds good cause to
suspend Vikki Levine from
serving as agent”



RECAP

can & should

replace “bad”

surrogates

that's update 3

supplanting

surrogates

update

4

**unrepresented
patients**

Pts who **seem**
unrepresented
usually are **not**

diligent

search

case

1

NEW YORK



Myriam
Hoyos
de Baldrich



H treated as
unrepresented

could have **easily**
identified Pt &
found family

Alberto Anaya, Plaintiff, v. NEW YORK CITY HEALTH AND HOSPITALS CORPORATION LIVEONNY FOUNDATION KERVENS LOUISSANT NEW YORK UNIVERSITY LANGONE HOSPITALS

Supreme Court, New York County, New York.

Alberto Anaya, Plaintiff, v. City of New York, NEW YORK CITY HEALTH AND HOSPITALS CORPORATION, LIVEONNY FOUNDATION, KERVENS LOUISSANT, NEW YORK UNIVERSITY LANGONE HOSPITALS, Defendant.

Index No. 154130 /2023

Decided: May 21, 2025

case

2



Uniform Law Commission

clarify due diligence

before deeming Pt

unrepresented



RECAP

make sure Pt

actually

unrepresented

some Pts **truly**
unrepresented

how

make Tx
decisions

2025

NORTH DAKOTA



expanded default

surrogates to add

interdisciplinary team

when no other surrogate

reasonably available

NEW JERSEY



expanded when
courts can
appoint **special**
medical guardian

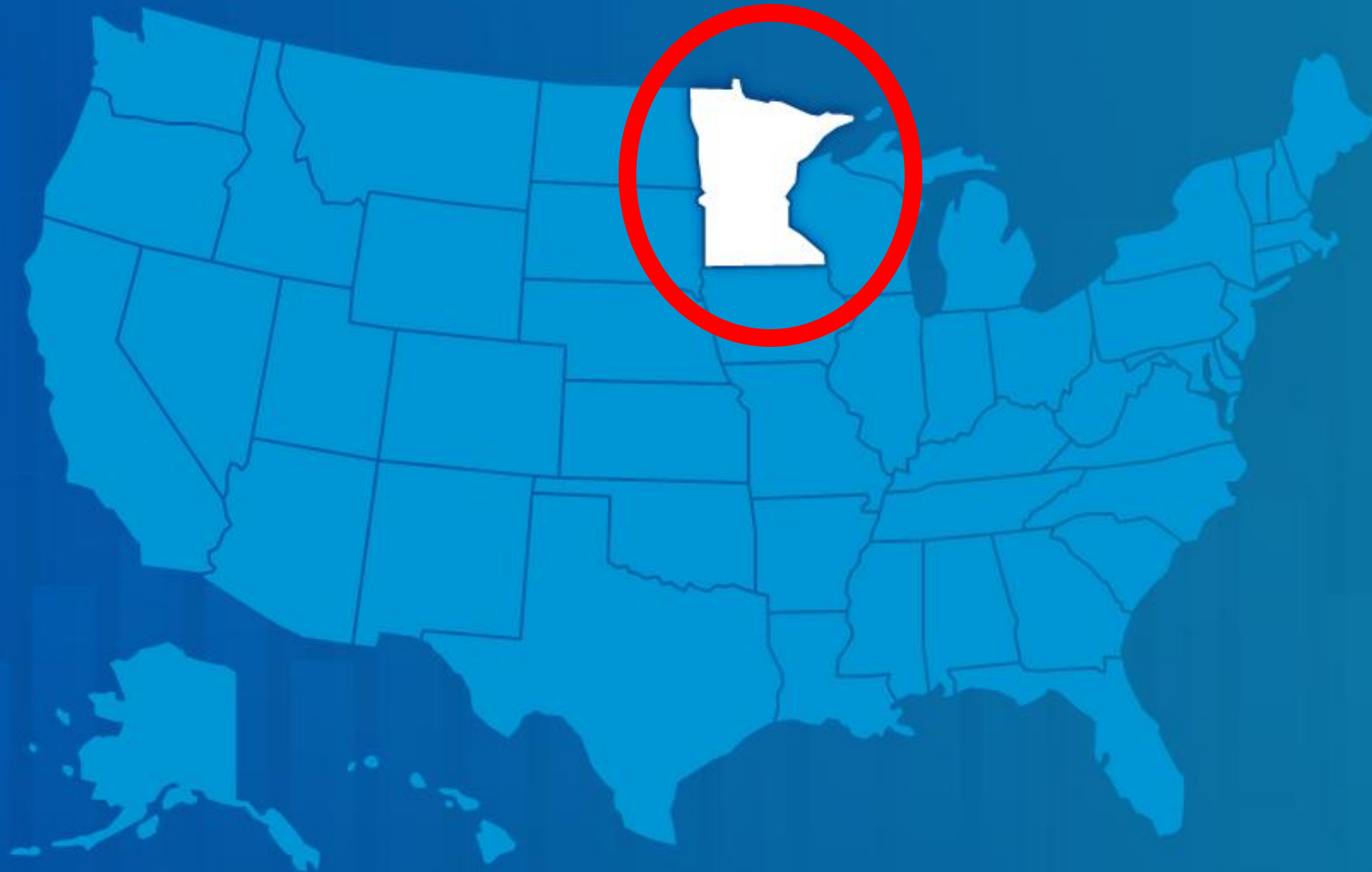
but



MASSACHUSETTS



MINNESOTA



no default



more

unrepresented

that's update 4

unrepresented
patients

update

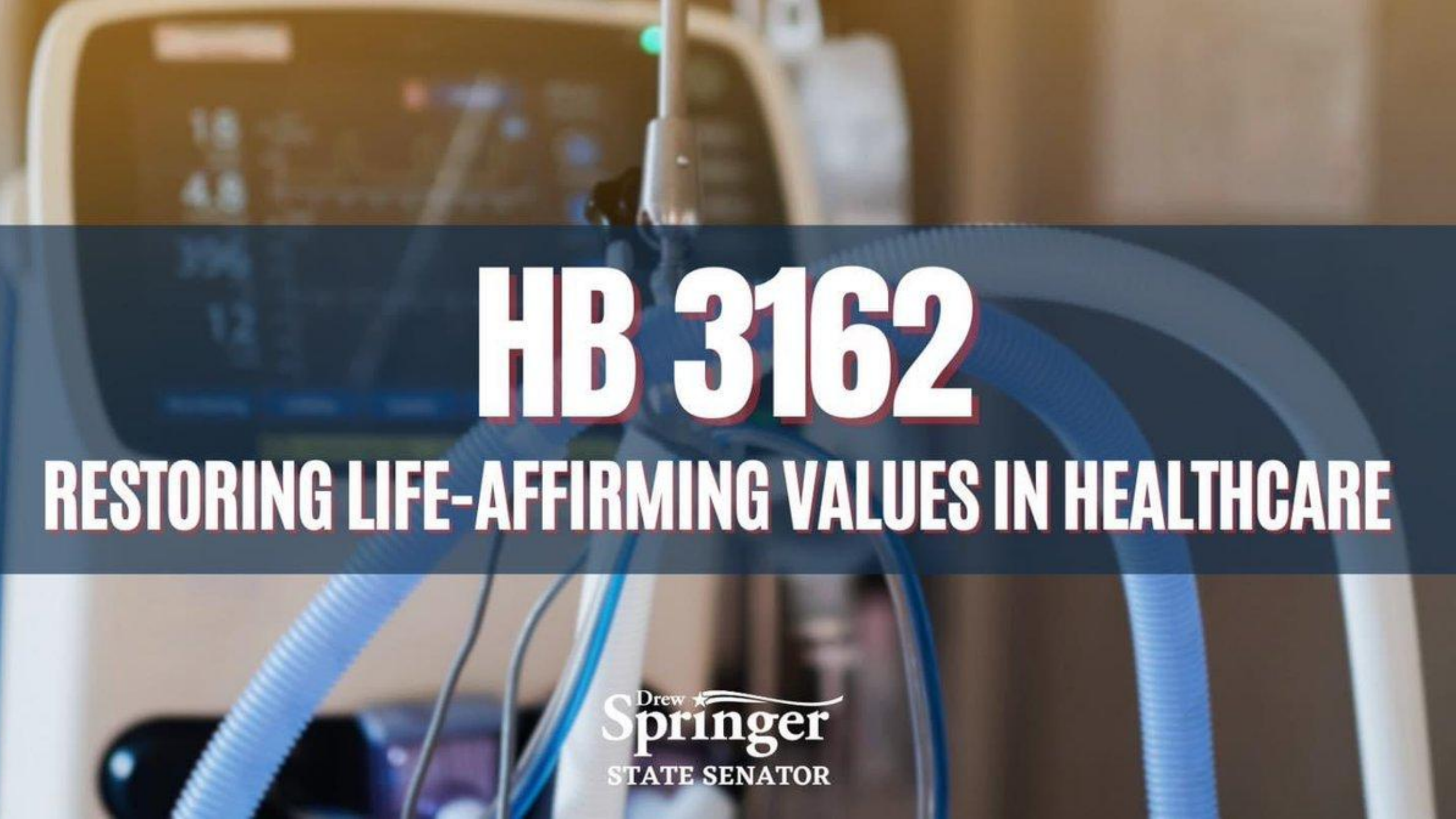
5

medical
futility

TEXAS



2023

The background of the image is a blurred photograph of medical equipment, likely a patient monitor or ventilator. It features blue corrugated tubing, white cables, and a screen in the upper left corner displaying some numbers like '18' and '4.8'.

HB 3162

RESTORING LIFE-AFFIRMING VALUES IN HEALTHCARE

Drew ★
Springer
STATE SENATOR

Medical Ethics Committee Reporting

**As Required by
Texas Health and Safety Code Chapter
166, Subchapter B, Section 166.054
House Bill 3162, 88th Legislature,
Regular Session, 2023
(Article II, HHSC, Rider 87)**

**Texas Health and Human Services
April 2025**



TEXAS

Texas



UHCDA

duty to transfer

“time limited”

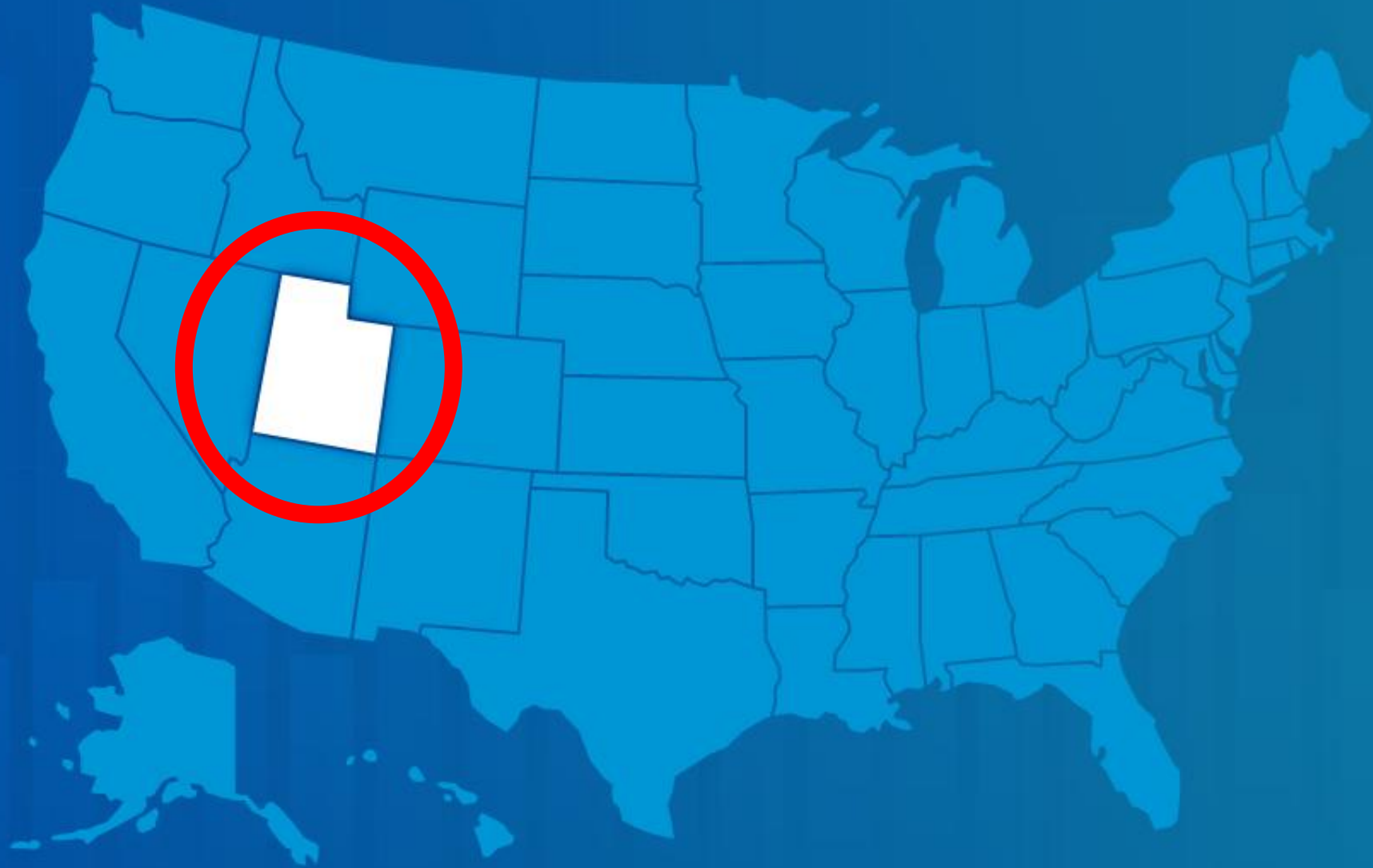
provide LST until a
transfer **or** until
___ days after H
determines transfer
cannot be made

DELAWARE



15d

UTAH



10d



GraceSchara.com

Grace
2002 - 2021



5-PEAT



Arkansas
Children's

TX



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-24-00423-CV

Art TONTIPLAPHOL, M.D.; Bongsun “Sunny” Rich; and Methodist Healthcare System of San Antonio, Ltd., L.L.P. d/b/a Methodist Hospital,
Appellants

v.

Melba Ortiz URDIALES, as Personal Representative of the Estate of Graciela Urdiales, Deceased; Ricardo Urdiales; Ricardo Miguel Urdiales; Melba Ortiz Urdiales; and Gerardo

IN THE
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION

ANTHONY CZESAK and
BOGUSLAW CZESAK,
Plaintiffs,

v.

RAVINDRA KASHYAP, MD, AIYUB
PATEL, MD, "JOHN DOE," and THE
METHODIST MEDICAL CENTER OF
ILLINOIS,
Defendants.

Case No. 1:24-cv-01006-JEH

IL

Eric Arthur **LAGESON**, Appellant,

v.

Dr. Ahmed JARADAT, M.D.; Dr. Nader
Eldris, M.D.; RN Gretel Fontana; and Desert
Springs Hospital Medical Center, Respondents.

No. 88968-COA

|

NV

Filed April 14, 2025

COMING UP
NEXT



Cedars
Sindai

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 54

23STCV09073

April 30, 2025

SIAMAK PISHVAEE, et al. vs CEDARS-SINAI HEALTH
SYSTEM, et al.

9:00 AM

Michael Hickson



United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

September 18, 2025

No. 24-50956 Hickson v. St. David's
USDC No. 1:21-CV-514

Dear Counsel:

The above referenced case has been scheduled for oral argument on 11/03/2025. It will be held in New Orleans - En Banc

disability

discrimination

laws

that's update 5

medical

futility

update

6

conscience

based refusals

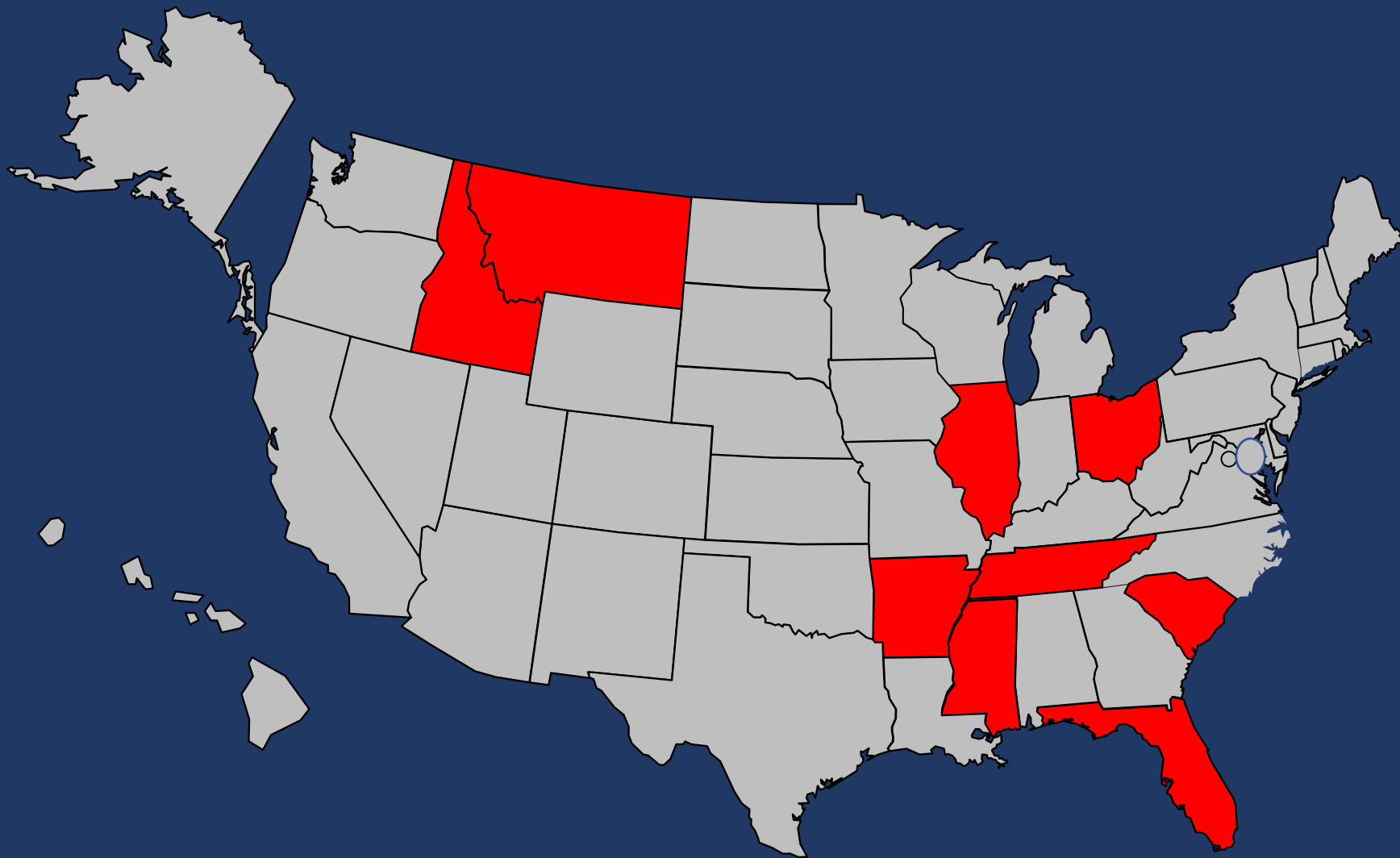
NO!



MAID

HCD A

but



plenary

& total

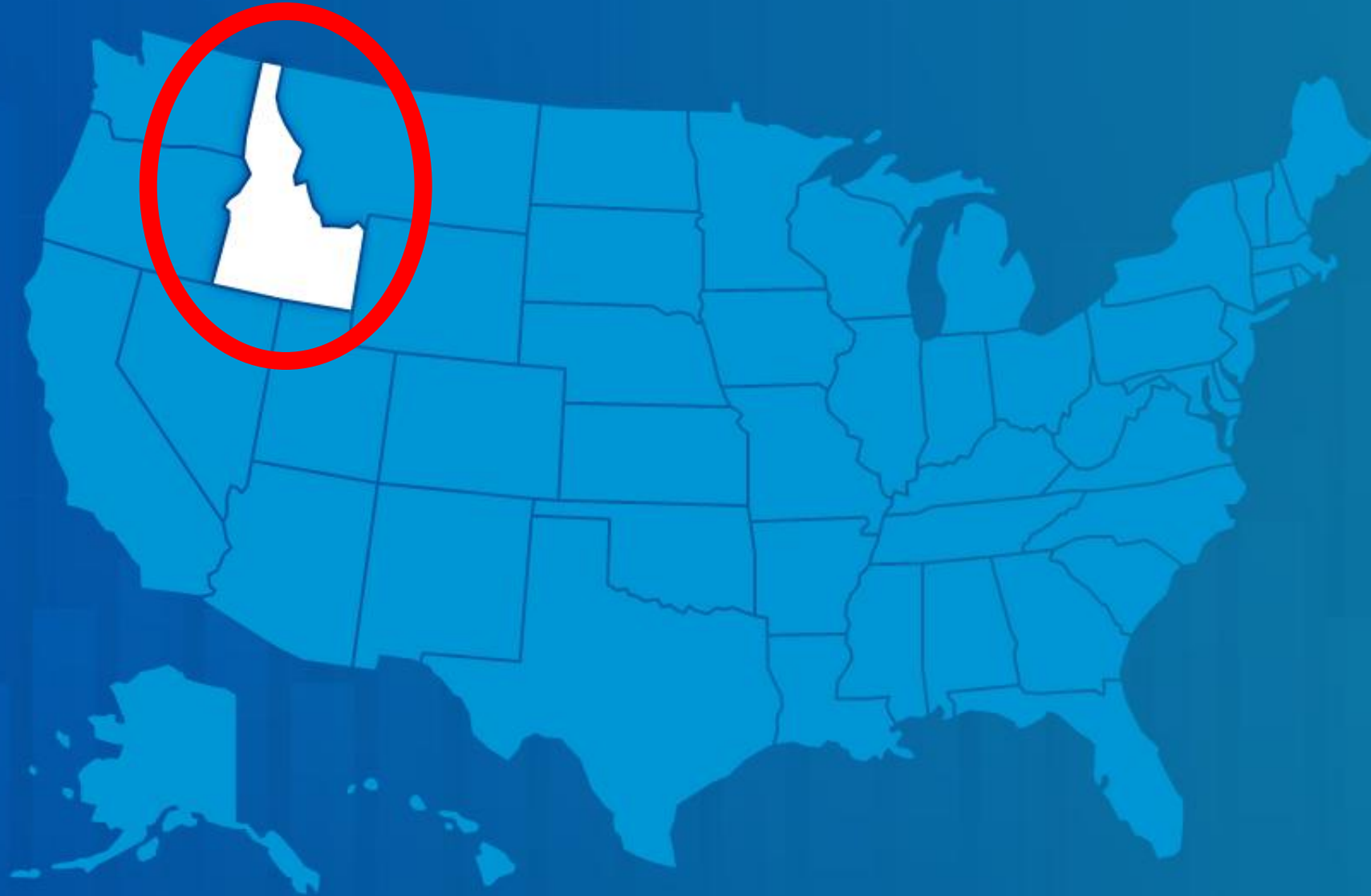
permission to refuse
participating in
anything that would
violate religious, moral,
or ethical beliefs

2025

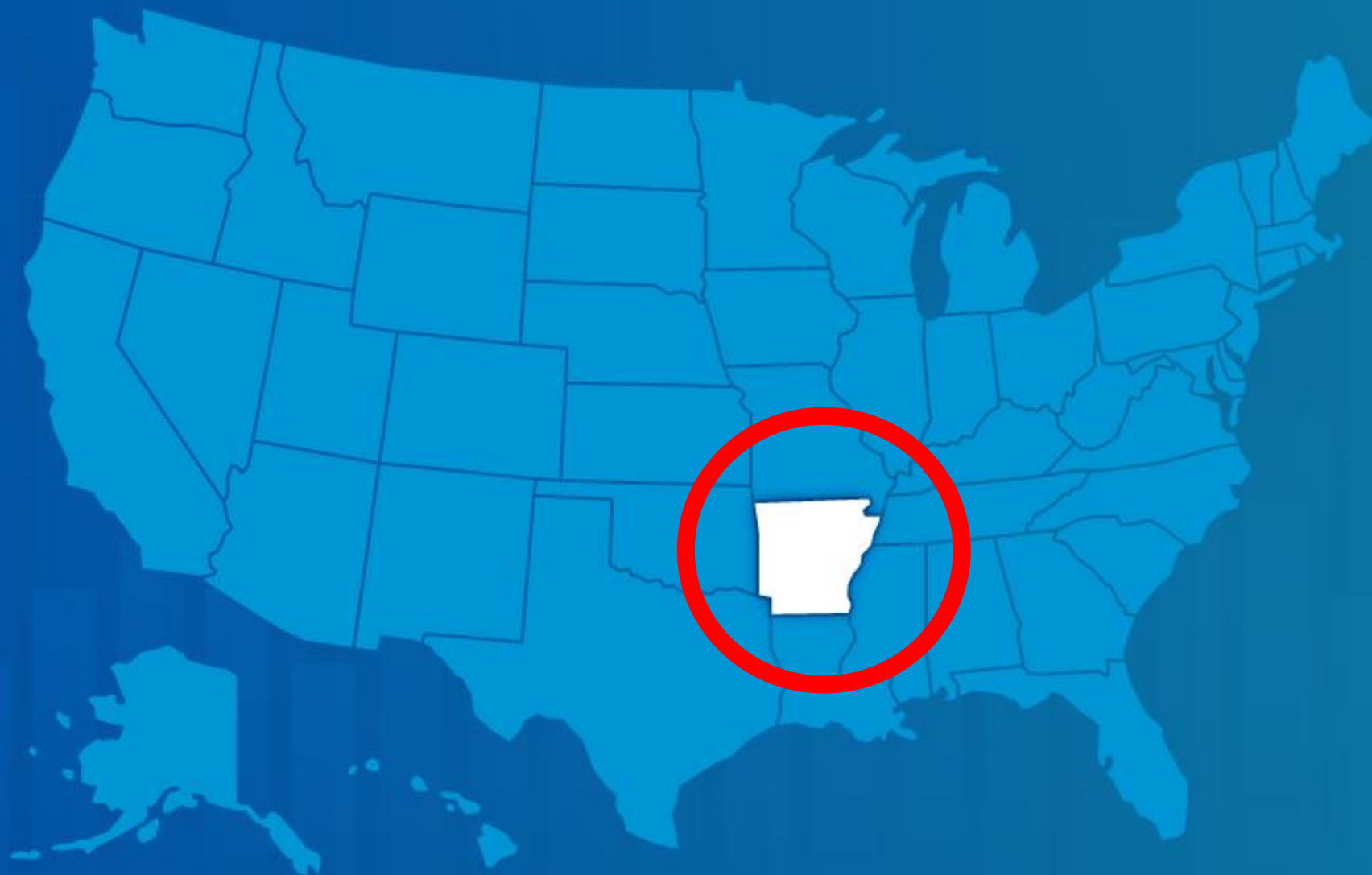
TENNESSEE



IDAHO



ARKANSAS





U.S. Department of
Health and Human
Services



Office for Civil Rights

most cases

abortion

gender affirming care

vaccines

OCR also protects
conscience rights in
“**any other** lawful
health service”



↖ PRESIDENTIAL ACTIONS

ESTABLISHMENT OF THE RELIGIOUS LIBERTY COMMISSION

Executive Orders

May 1, 2025

charged with examining
“threats to ... conscience
protections in ... **health
care field**”



Texas Lieutenant Governor Dan Patrick

Religious Liberty Commission Hearing, June 16, 2025

that's update 6

CBO

6

updates

brain death

supported DM

supplanting surrogates

unrepresented Pts

medical futility

CBO/CBR

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Mitchell Hamline School of Law

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Saint Paul, Minnesota 55105

T 651-695-7661

C 310-270-3618

E Thaddeus.Pope@mitchellhamline.edu

W www.thaddeuspope.com

B medicalfutility.blogspot.com