Brain Death in Medical Ethics

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### Case study 1: Marlise Muñoz
- Marlise Muñoz: 14 weeks pregnant, brain dead and placed on life support
- State laws mandated she stay on life support to protect the fetus
- Fetus was nonviable; family members protested
- Physicians eventually removed life support, allowing both Muñoz and her baby to die fully

### Case study 2: Robyn Benson
- Robyn Benson: 22 weeks pregnant, brain dead and placed on life support
- Benson's child delivered successfully at 34 weeks, and Benson died fully the following day

### Definition of death
Brain death is defined as no receptivity, responsivity, movements, breathing, or reflexes, and a flat electroencephalogram.

### Responsibilities to the dead
- We have a moral responsibility to honor:
  - Their bodies
  - Their narratives
  - Their values, and
  - Their wishes in life
- We also must respect the family's wishes
- We harm the deceased by thwarting their interests and spreading falsehoods
- In application, we can't perfuse a corpse if doing so violates these responsibilities

### Medical principlism
- Autonomy, non-maleficence, beneficence, and justice guide medical ethics
- Autonomy: patients having the ability to self-govern
- Non-maleficence: not to inflict evil or harm
- Beneficence: to prevent and remove evil and harm and instead to do and promote good
- Justice: fair, equitable, and appropriate treatment in light of what is due or owed to the patient

### Conclusions
- **Case study 1:**
  - Texas law mandated Muñoz be kept on life support against her own wishes, against the wishes of her family, and despite the baby's terminally ill condition
  - Violates both moral obligation to the deceased and medical principlism
  - Law should be changed to allow for patient autonomy and other factors that will vary between cases
- **Case study 2:**
  - Patient autonomy preserved; moral responsibilities kept to deceased
  - Practical example of proper brain death medical ethic

**Application:**
With proper consent from both the deceased mother and her family, with respect for the body of the deceased, and without the baby being terminally ill, it is morally permissible to put on life support the body of a brain dead woman carrying an unborn child to allow the baby to develop until viable outside the womb.

### References