

THE ETIOLOGY OF BIOETHICS

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FIDUCIARY DUTY

- **Legally Duty Explained**
As: (COLAN)
 - ➔ **Care**
 - ➔ **Obedience**
 - ➔ **Loyalty**
 - ➔ **Accounting**
 - ➔ **Notice**

FIDUCIARY DUTY

→ Medically Explained As:

**→ Hippocratic Oath-
Ancient**

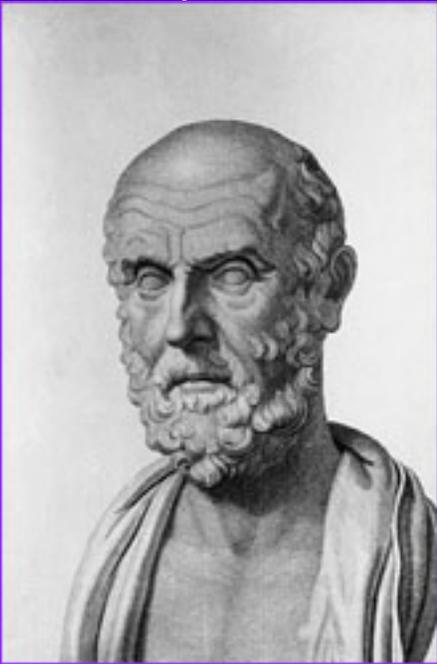
**→ Hippocratic Oath-
Modern**

→ Prayer of Maimonides

→ Medical Principles

HIPPOCRATIC OATH

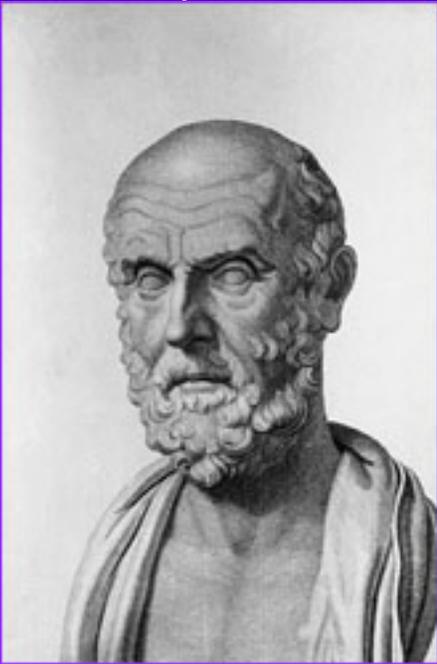
(Ancient-400 B.C.)



Swear by Apollo Physician and Asclepius and Hygieia and Panaceaia and all the gods and goddesses, making them my witnesses, that I will fulfil according to my ability and judgment this oath and this covenant:

HIPPOCRATIC OATH

(Ancient-400 B.C.)

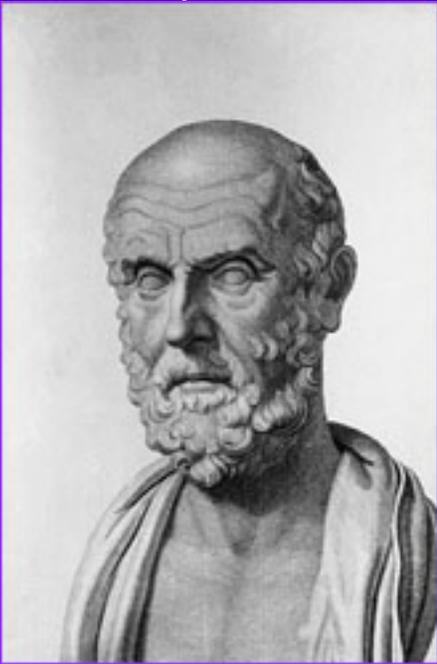


To hold him who has taught me this art as equal to my parents and to live my life in partnership with him, and if he is in need of money to give him a share of mine, and to regard his offspring as equal to my brothers in male lineage and to teach them this art

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HIPPOCRATIC OATH

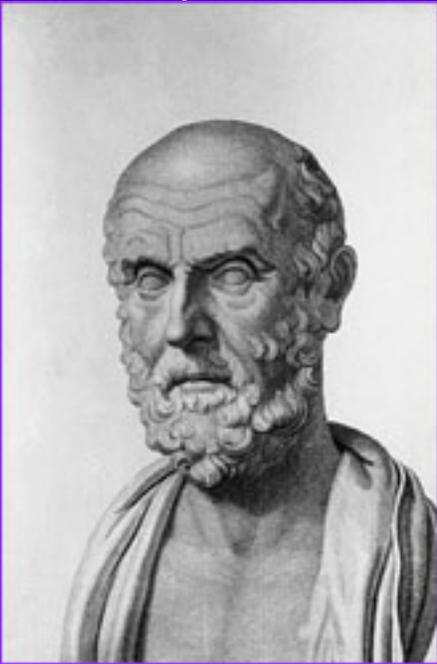
(Ancient-400 B.C.)



- if they desire to learn it - without fee and covenant; to give a share of precepts and oral instruction and all the other learning to my sons and to the sons of him who has instructed me and to pupils who have signed the covenant and have taken an oath according to the medical law, but no one else.

HIPPOCRATIC OATH

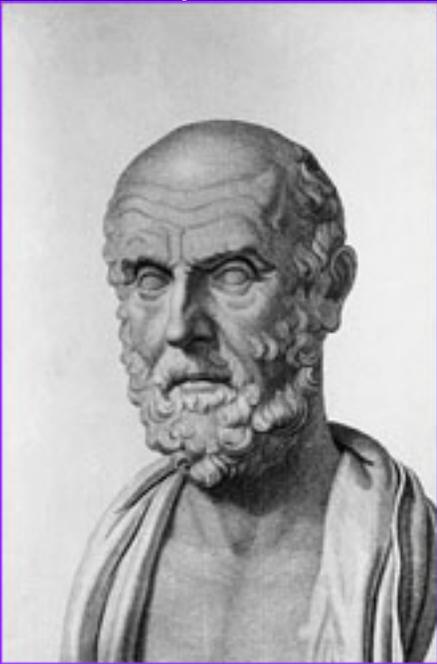
(Ancient-400 B.C.)



I will apply dietetic measures for the benefit of the sick according to my ability and judgment; I will keep them from harm and injustice.

HIPPOCRATIC OATH

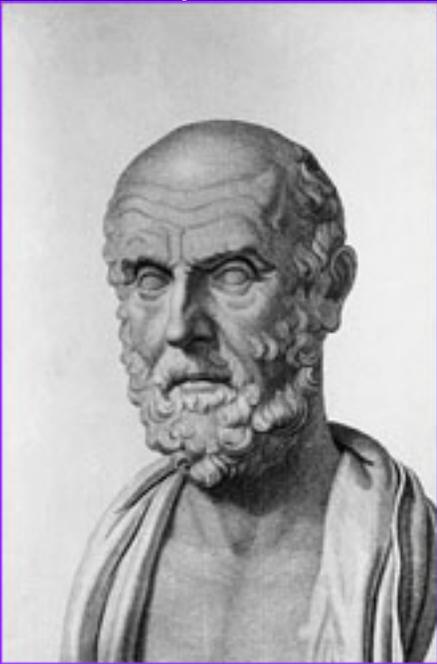
(Ancient-400 B.C.)



I will neither give a deadly drug to anybody who asked for it, nor will I make a suggestion to this effect. Similarly I will not give to a woman an abortive remedy. In purity and holiness I will guard my life and my art.

HIPPOCRATIC OATH

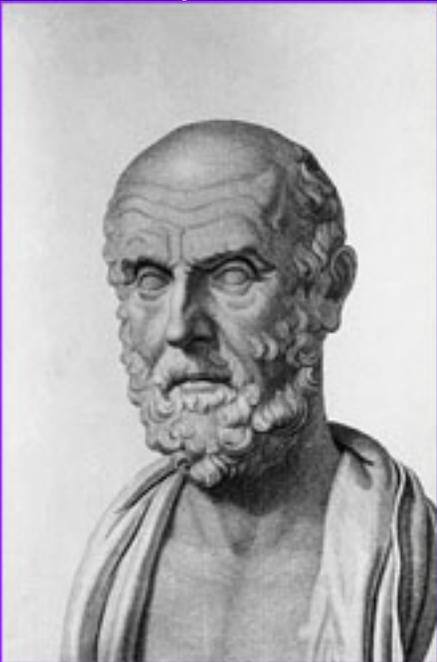
(Ancient-400 B.C.)



I will not use the knife, not even on sufferers from stone, but will withdraw in favor of such men as are engaged in this work.

HIPPOCRATIC OATH

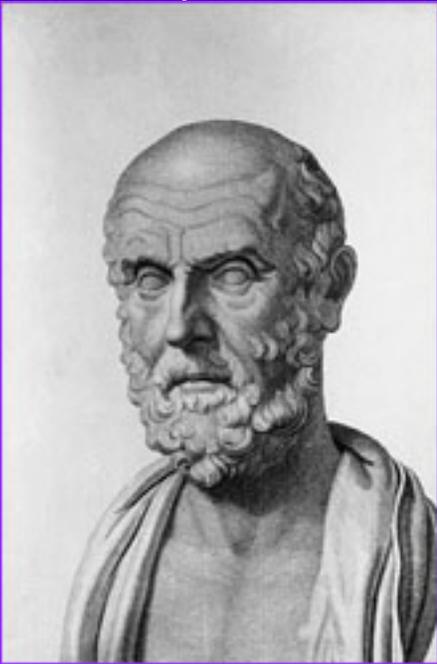
(Ancient-400 B.C.)



Whatever houses I may visit, I
will come for the benefit of the
sick, remaining free of all
intentional injustice, of all
mischief and in particular of
sexual relations with both
female and male persons, be
they free or slaves.

HIPPOCRATIC OATH

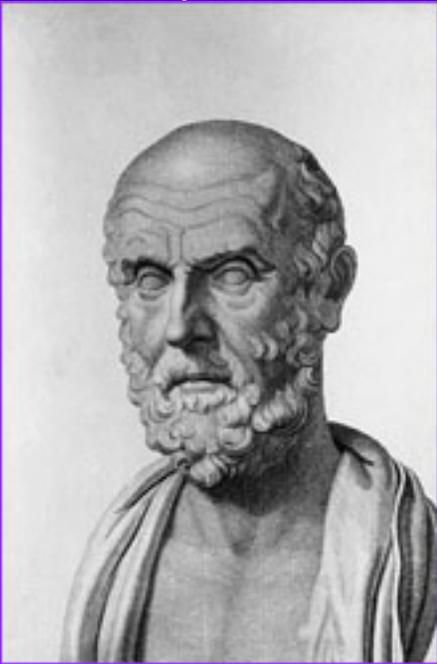
(Ancient-400 B.C.)



What I may see or hear in the course of the treatment or even outside of the treatment in regard to the life of men, which on no account one must spread abroad, I will keep to myself, holding such things shameful to be spoken about.

HIPPOCRATIC OATH

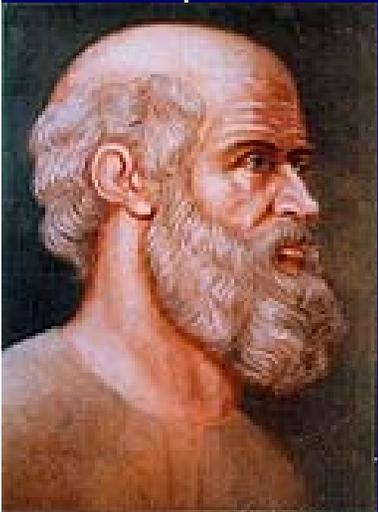
(Ancient-400 B.C.)



If I fulfil this oath and do not violate it, may it be granted to me to enjoy life and art, being honored with fame among all men for all time to come; if I transgress it and swear falsely, may the opposite of all this be my lot.

HIPPOCRATIC OATH

(Modern)

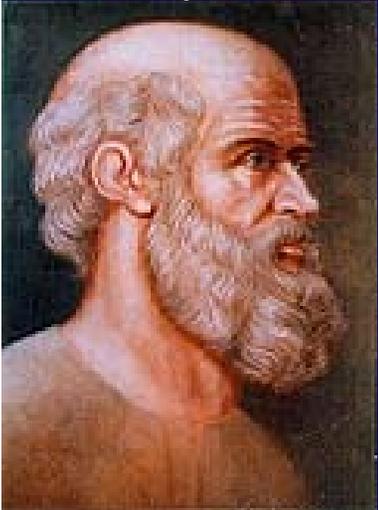


I swear to fulfill, to the best of my ability and judgment, this covenant:

I will respect the hard-won scientific gains of those physicians in whose steps I walk, and gladly share such knowledge as is mine with those who are to follow.

HIPPOCRATIC OATH

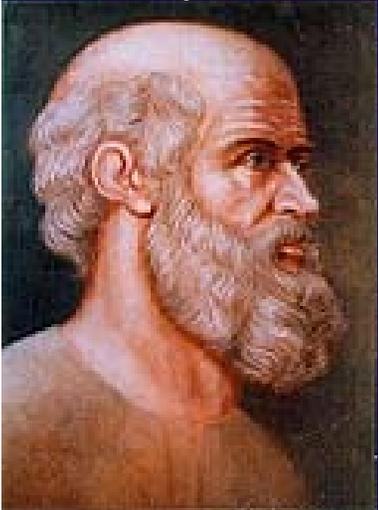
(Modern)



I will apply, for the benefit of the sick, all measures which are required, avoiding those twin traps of over-treatment and therapeutic nihilism.

HIPPOCRATIC OATH

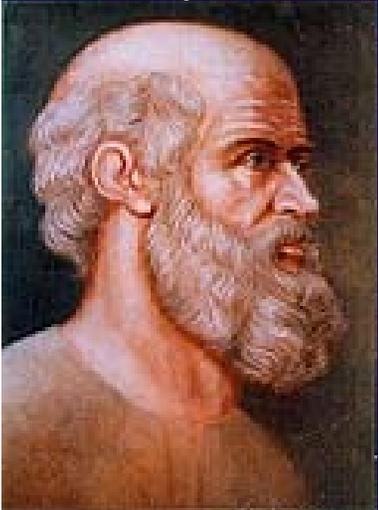
(Modern)



I will remember that there is art to medicine as well as science, and that warmth, sympathy, and understanding may outweigh the surgeon's knife or the chemist's drug.

HIPPOCRATIC OATH

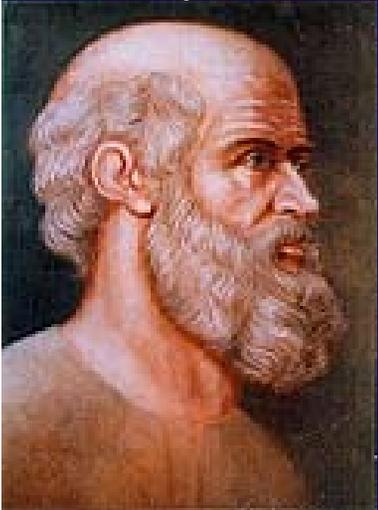
(Modern)



I will not be ashamed to say "I know not," nor will I fail to call in my colleagues when the skills of another are needed for a patient's recovery.

HIPPOCRATIC OATH

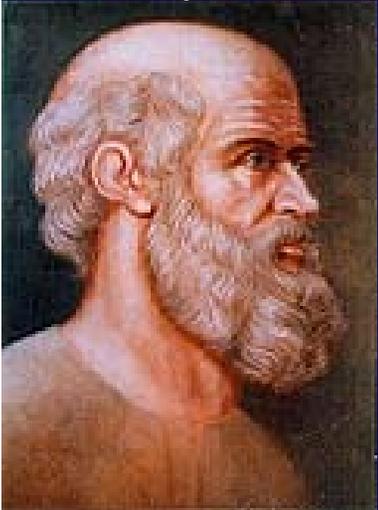
(Modern)



I will respect the privacy of my patients, for their problems are not disclosed to me that the world may know. Most especially must I tread with care in matters of life and death.

HIPPOCRATIC OATH

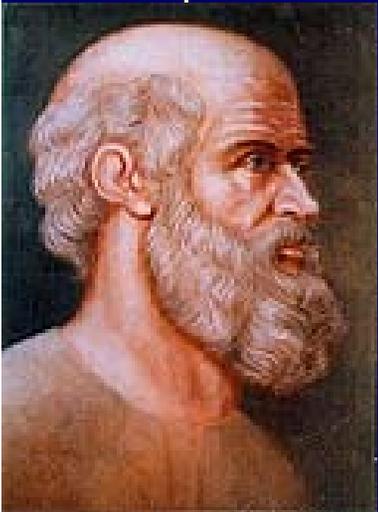
(Modern)



If it is given me to save a life, all thanks. But it may also be within my power to take a life; this awesome responsibility must be faced with great humbleness and awareness of my own frailty. Above all, I must not play at God.

HIPPOCRATIC OATH

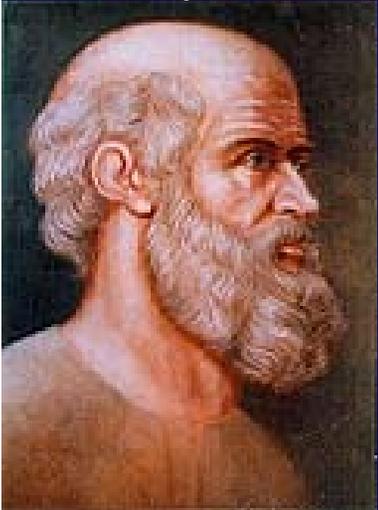
(Modern)



I will remember that I do not
treat a fever chart, a
cancerous growth, but a sick
human being, whose illness
may affect the person's family
and economic stability. My
responsibility includes these
related problems, if I am to
care adequately for the sick.

HIPPOCRATIC OATH

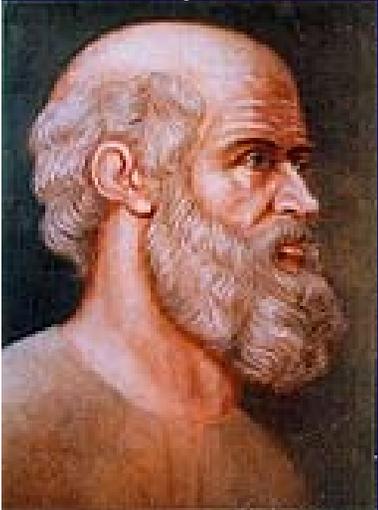
(Modern)



I will prevent disease
whenever I can, for prevention
is preferable to cure.

HIPPOCRATIC OATH

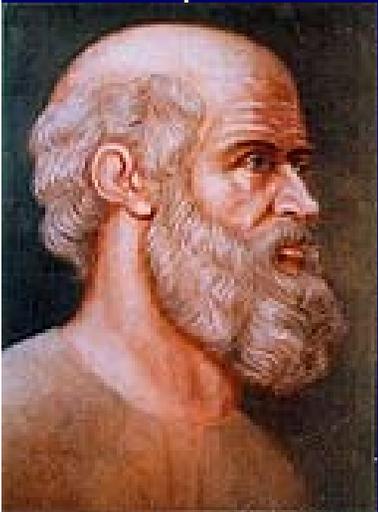
(Modern)



I will remember that I remain a member of society, with special obligations to all my fellow human beings, those sound of mind and body as well as the infirm.

HIPPOCRATIC OATH

(Modern)



If I do not violate this oath, may I enjoy life and art, respected while I live and remembered with affection thereafter. May I always act so as to preserve the finest traditions of my calling and may I long experience the joy of healing those who seek my help.

PRAAYER OF MOSES MAIMONIDES (1135)



Almighty God, Thou has created the human body with infinite wisdom. Ten thousand times ten thousand organs hast Thou combined in it that act unceasingly and harmoniously to preserve the whole in all its beauty the body which is the envelope of the immortal soul. They are ever acting in perfect order, agreement and accord.

PRAAYER OF MOSES MAIMONIDES (1135)



Yet, when the frailty of matter or the unbridling of passions deranges this order or interrupts this accord, then forces clash and the body crumbles into the primal dust from which it came. Thou sendest to man diseases as beneficent messengers to foretell approaching danger and to urge him to avert it.

PRAYER OF MOSES

MAIMONIDES



Thou has blest Thine earth, Thy rivers and Thy mountains with healing substances; they enable Thy creatures to alleviate their sufferings and to heal their illnesses.

PRAAYER OF MOSES

MAIMONIDES



Thou hast endowed man with the wisdom to relieve the suffering of his brother, to recognize his disorders, to extract the healing substances, to discover their powers and to prepare and to apply them to suit every ill.

PRAAYER OF MOSES

MAIMONIDES



In Thine Eternal Providence Thou hast chosen me to watch over the life and health of Thy creatures. I am now about to apply myself to the duties of my profession. Support me, Almighty God, in these great labors that they may benefit mankind, for without Thy help not even the least thing will succeed.

PRAAYER OF MOSES

MAIMONIDES



Inspire me with love for my art and for Thy creatures. Do not allow thirst for profit, ambition for renown and admiration, to interfere with my profession, for these are the enemies of truth and of love for mankind and they can lead astray in the great task of attending to the welfare of Thy creatures.

PRAAYER OF MOSES

MAIMONIDES



Preserve the strength of my body
and of my soul that they ever be
ready to cheerfully help and support
rich and poor, good and bad, enemy
as well as friend. In the sufferer let
me see only the human being.
Illumine my mind that it recognize
what presents itself and that it may
comprehend what is absent or
hidden.

PRAYER OF MOSES MAIMONIDES



Let it not fail to see what is visible,
but do not permit it to arrogate to
itself the power to see what cannot
be seen, for delicate and indefinite
are the bounds of the great art of
caring for the lives and health of
Thy creatures. Let me never be
absent- minded.

PRAAYER OF MOSES

MAIMONIDES



Let me never be absent- minded. May no strange thoughts divert my attention at the bedside of the sick, or disturb my mind in its silent labors, for great and sacred are the thoughtful deliberations required to preserve the lives and health of Thy creatures.

PRAYER OF MOSES MAIMONIDES



Grant that my patients have confidence in me and my art and follow my directions and my counsel. Remove from their midst all charlatans and the whole host of officious relatives and know-all nurses, cruel people who arrogantly frustrate the wisest purposes of our art and often lead Thy creatures to their death.

PRAYER OF MOSES

MAIMONIDES



Should those who are wiser than I wish to improve and instruct me, let my soul gratefully follow their guidance; for vast is the extent of our art. Should conceited fools, however, censure me, then let love for my profession steel me against them, so that I remain steadfast without regard for age, for reputation, or for honor, because surrender would bring to Thy creatures sickness and death.

PRAYER OF MOSES MAIMONIDES



Imbue my soul with gentleness and calmness when older colleagues, proud of their age, wish to displace me or to scorn me or disdainfully to teach me. May even this be of advantage to me, for they know many things of which I am ignorant, but let not their arrogance give me pain. For they are old and old age is not master of the passions. I also hope to attain old age upon this earth, before Thee, Almighty God!

PRAAYER OF MOSES

MAIMONIDES



Let me be contented in everything except in the great science of my profession. Never allow the thought to arise in me that I have attained to sufficient knowledge, but vouchsafe to me the strength, the leisure and the ambition ever to extend my knowledge. For art is great, but the mind of man is ever expanding.

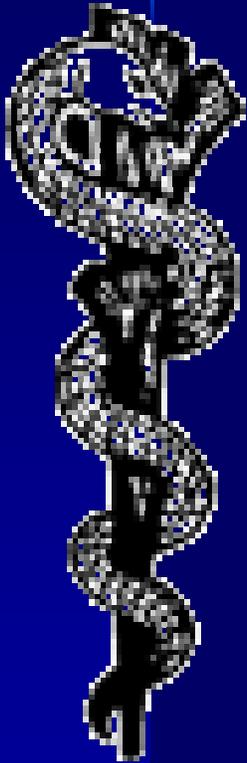
PRAYER OF MOSES MAIMONIDES



Almighty God! Thou hast chosen me in Thy mercy to watch over the life and death of Thy creatures. I now apply myself to my profession. Support me in this great task so that it may benefit mankind, for without Thy help not even the least thing will succeed.

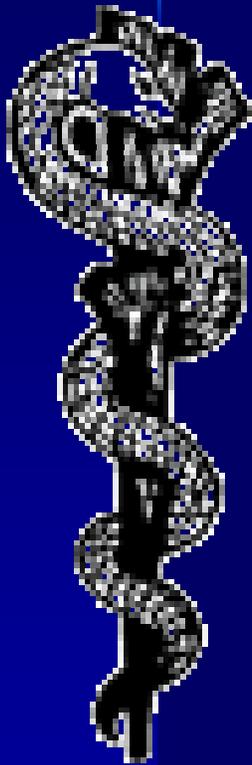
OSTEOPATHIC OATH

I will be mindful always of my great responsibility to preserve the health and the life of my patients, to retain their confidence and respect both as a physician and a friend who will guard their secrets with scrupulous honor and fidelity, to perform faithfully my professional duties, to employ only those recognized methods of treatment consistent with good judgment and with my skill and ability, keeping in mind always nature's laws and the body's inherent capacity for recovery.



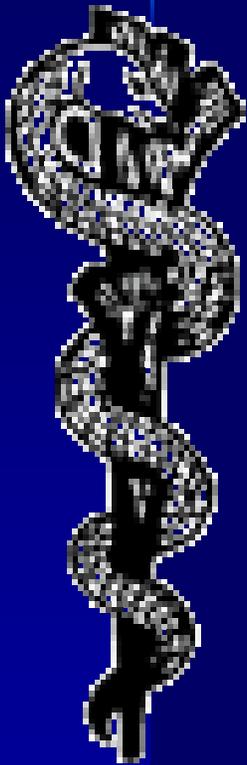
OSTEOPATHIC OATH

I will be ever vigilant in aiding in the general welfare of the community, sustaining its laws and institutions, not engaging in those practices, which will in any way, bring shame or discredit upon my profession or myself. I will give no drugs for deadly purposes to any person, though it may be asked of me.



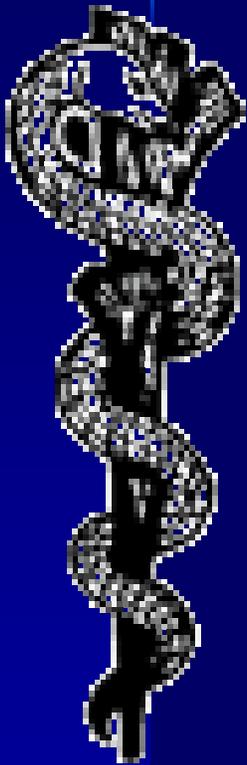
OSTEOPATHIC OATH

I will endeavor to work in accord with my colleagues in a spirit of progressive cooperation and never by word or by act cast imputations upon them or their rightful practices.



OSTEOPATHIC OATH

I will look with respect and esteem upon all those who have taught me my art. To my college I will be loyal and strive always for its best interests and for the interests of the students who will come after me. I will be ever alert to further the application of basic biologic truths to the healing arts and to develop the principles of osteopathy, which were first enunciated by Andrew Taylor Still.



FLORENCE NIGHTINGALE PLEDGE

Named in honor of Florence Nightingale, this standard pledge for nurses was first used for a graduating nurses' class in Detroit Michigan in 1893. The Nightingale Pledge for nurses was drawn up at the old Harper Hospital in Detroit, Michigan. The pledge, adaptation of the Hippocratic Oath taken by physicians, was arranged by Mrs. Lystra E. Gretter and a Committee for the Farrand Training School for Nurses, Detroit.



FLORENCE NIGHTINGALE PLEDGE

I solemnly pledge myself before God and in the presence of this assembly, to pass my life in purity and to practice my profession faithfully.

I will abstain from whatever is deleterious and mischievous, and will not take or knowingly administer any harmful drug.



FLORENCE NIGHTINGALE PLEDGE



I will do all in my power to maintain and elevate the standard of my profession, and will hold in confidence all personal matters committed to my keeping and all family affairs coming to my knowledge in the practice of my calling. With loyalty will I endeavor to aid the physician, in his work, and devote myself to the welfare of those committed to my care.

PRINCIPLES OF MEDICAL ETHICS

→ BENEFICENCE

→ Acting For The Benefit Of The patient

→ NON-MALEFICENCE

→ Do No Harm

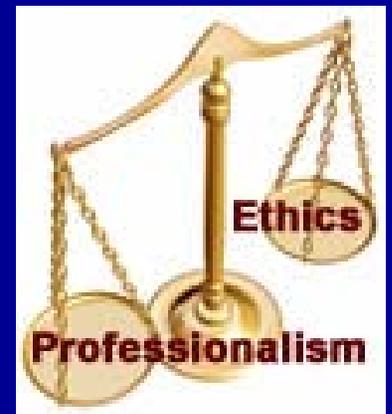
→ AUTONOMY

→ Informed Consent

→ Decision Making Capacity

→ JUSTICE

→ Benefit Society



EXPERIMENTATION

Smallpox Vaccine

English Physician Edward Jenner in 1789



→ Inoculated his one year old son with swinepox with the hope that the disease which affected pigs would prevent him from developing smallpox

→ His son caught smallpox anyway

→ A few months later, he inoculated a neighbor's child with cowpox. One week later, he injected the boy with smallpox.

→ The child did not develop smallpox

EXPERIMENTATION

Rabies Vaccine

French Physician Louis Pasteur (1822-1895)



Developed a potential antidote for rabies and did multiple tests on dogs. However, he refused to provide the antidote on humans.

When confronted with a nine year old whose death appeared inevitable, successfully provided the antidote only after consulting two medical colleagues. (July 6, 1885)

EXPERIMENTATION

Yellow Fever

American Physician Walter Reed (1851-1902)

→ Sought soldiers who for \$100 would allow themselves to be bitten by mosquitoes to determine if this was the source of yellow fever.



→ Offered an additional \$100 if they caught yellow fever.

→ Told them that they would inevitably catch yellow fever anyway.

→ This was not true.

→ Failed to tell them that yellow fever could be fatal.

EXPERIMENTATION

Harvard Medical School

Arthur Wentworth, M.D. (1896)



- Performed lumbar punctures on 29 hospitalized infants and children to perfect the technique.
- All of the procedures were non-therapeutic and were done solely to elicit painful responses from the children

EXPERIMENTATION

Hebrew Infant Asylum

Alfred E. Hess, Medical Director (1914)



- Experiments on Scurvy and Rickets using infants who were institutionalized.
- Physicians withheld orange juice and other nutrients until the children showed lesions suggesting scurvy.
- Utilized children in the institution because “conditions which are insisted on in considering the course of experimental infection among laboratory animals, but which can rarely be controlled in a study of infection of man.”

EXPERIMENTATION

Tuskegee Syphilis Experiment (1932-1972)



- Targeted 600 poor and illiterate African American Males (399 with syphilis and 201 without)
- Told they were being treated for “bad blood”
- Followed their progress without providing penicillin which was a known antidote as of 1943.

EXPERIMENTATION

Tuskegee Syphilis Experiment (1932-1972)



- Conducted painful lumbar punctures under the fraudulent precept of “free treatment” to test the progression without providing any benefit to the researchees.
- Provided no beneficial treatment and admittedly shortened the lives of the researchees.
- 29 men died directly from syphilis and 100 others died of illnesses related to syphilis

EXPERIMENTATION

World War II Research

- Hypothermia Experiments-Subfreezing Water Immersion
- Sun Lamp
- Internal Irrigation
- Oxygen Deprivation-Study of Endurance
- Injection of Lethal Organisms
- Sexual Sterilizations
- Dr. Josef Mengele's Sadistic Experimentation of Twins
- infecting prisoners and patients in hospitals with Malaria

**Occurred in the United States by
the Military**



ETHICAL CODES

NUREMBERG CODE

→ Developed in October of 1946 for the Nuremberg Military Tribunal as standards by which to judge Nazi based human experimentation



→ Initiated the basic principles of Research Ethics involving Human Subjects



ETHICAL CODES

NUREMBERG CODE

(1946)

- “The voluntary consent of the human subject is absolutely essential”
- Research Subjects “should be so situated as to be able to exercise free power of choice”
- Research Subjects “should have sufficient knowledge and comprehension of the elements of the subject matter involved as to make an understanding and enlightened decision”



ETHICAL CODES

NUREMBERG CODE

(August 19, 1947)

10 Rules for “Permissible Medical Experiments”

- 1) voluntary consent without coercion
- 2) results must benefit society and must only use human subjects when there is no alternative
- 3) should be based upon non-human studies with justifiable expected results
- 4) avoidance of all unnecessary physical and mental suffering
- 5) no experimentation where death or serious disability is foreseen unless performed on the medical provider as a subject



ETHICAL CODES

NUREMBERG CODE

(August 19, 1947)

10 Rules for “Permissible Medical Experiments”

- 6) degree of risk less than potential benefit
- 7) proper preparations must be made to minimize injury
- 8) experiment should be conducted by only scientifically qualified person
- 9) subjects can cease their participation at any time
- 10) experimentor must stop if it is believed it will result in death or serious disability



“POST-AWARENESS” RESEARCH

Harold Blauer

(New York 1952)

- civilian tennis pro in excellent health that sought treatment for situational depression following a divorce
- consented to the first injection which he understood to be related to the treatment of depression
 - was actually injected on five occasions with three different mescaline derivatives (LSD)
 - true purpose of intent was to study the effects of chemical warfare

“POST-AWARENESS” RESEARCH

Harold Blauer

(New York 1952)

- received four subsequent injections
- objected to each injection following the first
 - was told he would be sent to Bellevue to be institutionalized if he did not follow the protocol
 - fifth injection was 16 times stronger than the fourth
 - died as a direct result of the last injection

**covered up by the government for 36 years
resulting in a total payment of \$18,000**

POST-AWARENESS RESEARCH

Cincinnati Radiation Experiment (1960-1972)

- Mostly African American cancer patients with lower than average intelligence were exposed to large doses of whole-body radiation
- None of the patients consented to the experiment or had any idea of the potential effects
 - They were told they were receiving treatment for their cancer
- This experiment was sponsored by the United States Military
- Subjects experienced severe nausea and vomiting, radiation burns and some died prematurely as a direct result of the experiment

A lawsuit was finally settled in 1988 with the United States Government accepting no responsibility

POST-AWARENESS RESEARCH

Jewish Chronic Disease Hospital (New York 1963)

- 22 chronically ill and debilitated non-cancer patients were injected with live human cancer cells
- patients were not told of the cancer injection because the physicians “did not wish to stir up any unnecessary anxieties in the patients”
- hospital covered up the lack of consent and tried to fraudulently obtain consent after the fact

2 years after the investigation, the American Cancer Society appointed the principle investigator as a Vice President

POST-AWARENESS RESEARCH

Willowbrook State Hospital

(New York 1964-1971)

- Parents were not allowed to admit their severely retarded children in this facility after 1964 unless they “consented” to an injection of the Hepatitis virus
- The consent form implied the children would receive an antidote to the Hepatitis virus when they really received a “subclinical” infection antidote
- The physicians rationalized that the children had a 70% chance of receiving the Hepatitis virus anyway from the facility due to the severity of their retardation and the patients lack of sanitary acumen

ETHICAL CODES

WORLD MEDICAL ASSOCIATION

DECLARATION OF HELSINKI

(1964-Present)

- 1) Physicians responsibility to protect the life, health, privacy and dignity of the human subject
- 2) Research must follow accepted scientific guidelines
- 3) The welfare of the environment and animals must be respected
- 4) A protocol must be submitted to an ethical review committee
 - ethical considerations must be explained
 - prediction of risks, burdens and benefits should be enunciated

ETHICAL CODES

WORLD MEDICAL ASSOCIATION

DECLARATION OF HELSINKI

(1964-Present)

- 5) Conducted only by scientifically qualified persons
- 6) Each potential subject must be informed, understand and consent after being told of all material facts
- 7) Consent must be given without coercion
 - Legal guardians must provide consent for those that cannot
 - Minors must assent to the research
- 8) Researchers must utilize scientific integrity in reporting

ETHICAL CODES

National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research (1974)

- Instituted by the 1974 *National Research Act*
- Required INSTITUTIONAL REVIEW BOARDS (IRBs)
- 45 CFR 46
 - Title 45 of the Code of Federal Regulations:
Chapter 46

ETHICAL CODES

THE BELMONT REPORT

Department of Health, Education and Welfare
(April 18, 1978)

- **Respect for Persons (Autonomy)**
 - **Informed Consent**
- **Beneficence/Non-Maleficence**
 - **Assessment of Potential Risks and Benefits**
- **Justice**
 - **Fair Selection of Participants**

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO



A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO

→ 12/03/63

Terri Schindler (Schiaivo) was born

→ 11/10/84

Terry Schiavo married Michael Schiavo

→ 02/25/90

Terry Schiavo suffered a cardiac arrest involving brain damage from anoxia

→ 06/18/90

Court appointed Michael Schiavo as the Terri's Guardian without objection from the Schindlers



A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 08/92 Terri Schiavo received \$250,000 in an out-of-court settlement with a physician for alleged malpractice
 - Does not take into account attorneys' fees and costs
- 11/02 A jury returned a verdict in excess of \$1,000,000
 - After attorneys' fees and costs, a trust fund is set up with \$750,000 for medical care
 - Michael Schiavo receives \$300,000 for loss of consortium



A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)



- 02/93 Michael Schiavo and the Schindlers had a falling out over the course of therapy
- 07/93 Schindlers attempted to have Michael Schiavo removed as Terri's Guardian
- 03/94 Guardian *Ad Litem* reports that Michael Schiavo had acted appropriately

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)



- 05/98 Michael Schiavo filed a petition with t
have the PEG tube removed
 - Schindlers opposed the petition
 - Court appointed a second *Guardian Ad Litem*
- 12/98 Second *Guardian Ad Litem* files his report
 - Found Terri was in a persistent vegetative state
 - Questioned the motivation of Michael Schiavo as someone who would inherit the *res* of the estate
- 02/00 After a trial, Judge determined Terri would have wanted the PEG tube removed and orders it removed

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)



- 03/00 Court denied Schindler's petition to have a swallow test performed
 - Limited the Schindler's visitation and barred them from photographing Terri
 - Ordered a Stay until all appeals are concluded
- 01/01 Florida Court of Appeals denies the Schindlers' appeal
- 04/01 Florida Supreme Court denied to hear the Schindlers' appeal

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 04/20/01 Federal District Court granted stay until an exhaustion of all appeals
- 04/23/01 US Supreme Court refused to hear the appeal
- 04/24/01 **PEG tube was removed**
- 04/26/01 Schindlers filed for a new trial based on “newly discovered” evidence that Michael Schiavo lied about Terri’s wishes
 - **Court denied the Motion**
- 04/26/01 Schindlers file a civil lawsuit alleging Michael Schindler committed perjury
 - **New Judge ordered the PEG tube be reinserted**

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 10/03/01 Florida Court of Appeals ordered an indefinite stay in removing the PEG tube
- 10/17/01 Florida Court of Appeals ordered 5 doctors examine Terri Schiavo
 - 2 doctors chosen by Michael Schiavo
 - 2 doctors chosen by the Schindlers
 - 1 doctor appointed by the Court
- 10/22/02 Court had a 2 week trial to determine Terri's medical status



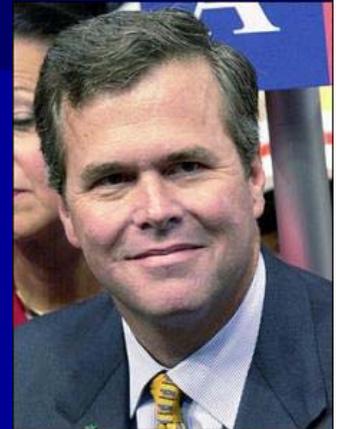
A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 11/15/02 Schindlers filed a motion to have Michael Schiavo removed as Guardian
 - Alleged he caused her condition through abuse
- 11/22/02 Judge denied the Schindlers' motion to remove Michael Schiavo and ordered the PEG tube removed
- 12/13/02 Judge ordered a Stay on the PEG tube removal until the Court of Appeals ruled
- 06/06/03 Florida Court of Appeals affirmed the Trial Court decision and ordered removal of the PEG tube
- 08/22/03 Florida Supreme Court refuses to hear the appeal

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)



- 08/30/03 Schindlers filed a federal lawsuit
- 10/07/03 Florida Governor Jeb Bush filed a federal brief in support of the Schindlers lawsuit
- 10/15/03 **PEG tube was removed for the second time**
- 10/20/03 Florida Legislature passed “Terri’s Law” that allowed the Governor to issue a one-time stay
- 10/21/03 Florida Governor Jeb Bush issued an Executive Order to reinsert the PEG tube
- 10/21/03 **PEG tube is reinserted for the second time**

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 10/28/03 President George W. Bush praises the way Jeb Bush handled this case

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

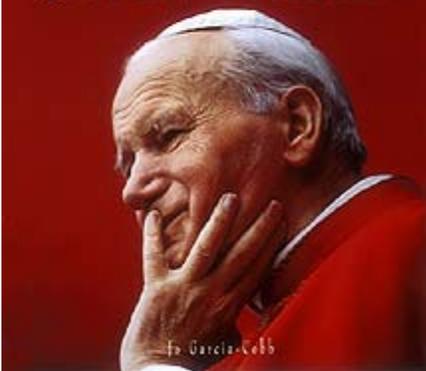
- 10/29/03 Michael Schiavo filed a Motion to have “Terri’s Law” found unconstitutional
- 10/31/03 Third Guardian *Ad Litem* was appointed
 - Guardian *Ad Litem* had a medical and law degree and is a public health professor
- 11/04/03 Governor Bush requested Schiavo’s Motion to have “Terri’s Law” found unconstitutional be dismissed
- 11/08/03 Judge denied Governor Bush’s request
- 11/10/03 Governor Bush appeals the denial

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 12/01/03 Third Guardian *Ad Litem* reported that Terri was in a persistent vegetative state
- 03/20/04 Pope John Paul II took a “Sanctity of Life” position when he addressed the World Federation of Catholic Medical Associations and Pontifical Academy for Life Congress on “Life-Sustaining Treatments and Vegetative State: Scientific Advances and Ethical Dilemmas.”

JOHN PAUL II



A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)



- 05/06/04 Court found that “Terri’s Law” was unconstitutional
- 06/01/04 Florida Court of Appeals sent the case directly to the Florida Supreme Court
- 07/19/04 Schindlers filed a motion that it would violate Terri’s free exercise of religious beliefs based upon Pope John Paul II’s speech
- 09/23/04 Florida Supreme Court unanimously held that “Terri’s Law” was unconstitutional

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

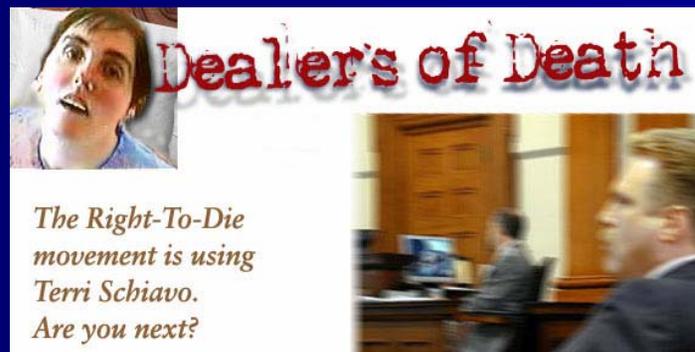
THERESA SCHIAVO (continued)

- 12/03/04 Governor Bush filed an appeal to the US Supreme Court
- 01/24/05 US Supreme Court refused to hear the appeal that “Terri’s Law” was unconstitutional
- 03/16/05 US House Of Representatives passed a Bill entitled “The Incapacitated Persons' Legal Protection Act”
 - **Authorized removal to federal court**
- 03/17/05 Florida Supreme House of Representatives passed a bill requiring a living will
 - **Florida Senate votes down the bill**

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 03/17/05 Schindlers filed a petition with the US Supreme Court
- 03/17/05 US Supreme Court refused to hear the appeal
- 03/18/05 US House Of Representatives Committee on Government Reform requested the US Supreme Court hear the appeal
- 03/18/05 **PEG tube was removed for the third time**



A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT



THERESA SCHIAVO (continued)

- 03/20/05 US Senate suspended Easter Recess to pass S.686
 - Applied solely to Terri Schiavo allowing the Schindlers to file another lawsuit alleging Terri's rights had been violated
- 03/21/05 US House of Representatives passed S.686 after suspending its Easter Recess
- 03/21/05 President Bush signed S.686



A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 03/22/05 Federal Judge refused to reinsert PEG tube
- 03/22/05 Schindlers filed an appeal with the US Court of Appeals
- 03/23/05 US Court of Appeals refused to overturn the District Court's ruling
- 03/23/05 Schindlers filed an appeal with the US Supreme Court
- 03/24/05 US Supreme Court refused to hear the appeal
- 03/25/05 Schindlers filed another appeal to the US Court of Appeals which was denied
- 03/26/05 Schindlers filed an Appeal with the Florida Supreme Court which was denied

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 03/25/05 A man in North Carolina offered \$250,000 for the death of Michael Schiavo and \$50,000 for the death of the Trial Court Judge
- 03/29/05 Reverend Jesse Jackson held a vigil prayer outside the hospice and denounced the removal of the PEG tube
- 03/29/05 Schindlers filed an appeal with the US Court of Appeals and ask for a hearing *En Banc*
- 03/30/05 The whole panel of the US Court of Appeals denied the Schindlers' appeal
- 03/30/05 US Supreme Court refused to hear the appeal

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 03/31/05 Terri Schiavo "DIED"
- 03/15/05 Judge Ordered release of findings of Schindlers' 89 complaints of abuse against Michael Schiavo finding no validity to any complaint
- 06/15/05 Medical Examiner released findings revealing Terri Schiavo was in a non-reversible vegetative state and there was no evidence of abuse
- 06/17/05 Governor Bush requested the State Prosecutor investigate Michael Schiavo's role in Terri's cardiac arrest in 1990

A CONTEMPORARY ETHICAL DILEMMA RE: REFUSAL OF LIFE-SUSTAINING TREATMENT

THERESA SCHIAVO (continued)

- 06/27/05 State Prosecutor finds “no wrong doing” on behalf of Michael Schiavo
- 01/26/06 Michael Schiavo marries his girlfriend with whom he has two children