

Fetal Life & Withdrawal of Life Sustaining Equipment

You are a local pastor on an Institutional Review Board (IRB) at a local hospital.¹ An emergency meeting has been called. Marlise, A 33 year old woman was admitted to the hospital unconscious. Testing revealed that brain activity met the criteria for brain 'death,' in Texas where Marlise resided. It was also determined that Marlise was 14 weeks pregnant. The IRB was charged with the task of deciding whether to remove life-sustaining equipment, which would certainly lead to the death both of Marlise and her child, who was named "Nicole" by Marlise's husband. If Marlise is kept on the machines the hospital is likely to be able to keep Marlise's body alive long enough for the fetus to develop to viability. There is some indication that the fetus has some abnormalities but little, as yet, is known about that. In Texas there is a law that prevents life-support equipment from being removed in the case of pregnant patients.

The IRB is divided. In fact, the vote is tied. You are the last person to cast a vote in this case.

What will you decide to do?

Questions

1. Is there enough information in this description for you to make an informed decision about whether Marlise should be removed from life support? If not, what further information would you need?
2. Is Marlise dead? What does "death" mean? How do you know if someone is dead? Is her classification as dead or alive morally relevant as you think through this situation?
3. Notice that the narrative calls the entity Marlise is carrying both a "child" and a "fetus." How should we think about this entity? Is it human? Is it living? Is it a person? (It apparently has a name... is that relevant?)
4. What role should Texas law play in your decision? Is ethics the same as the law? Can you make a legally correct decision and still be acting immorally? (and *vice versa*)
5. You're a pastor. Is that "role" relevant to your moral reasoning? Do you have a particular idea of what pastors think about subjects like this? Does the pastor being religious give him/her more authority in this discussion? Why or why not?
6. Should the husband (Erick) be the one to decide the fate of Marlise and Nicole rather than the IRB? Does he play a special role that might give him this right and responsibility?
7. Marlise was a paramedic. Assume she'd casually told her husband that she wouldn't want extraordinary means used to keep her alive if she showed up like some of her clients. Assume, however, no 'advanced directive' had been signed by Marlise concerning what to do if she were kept alive in this way. Should we assume we know what Marlise would want us to do?

¹ An IRB, or "Institutional Review Board" is responsible for evaluating clinical and research related proposals from an ethics and policy perspective. For example, a research team may submit a proposal to test a new cancer drug. The committee might notice that the proposal does not adequately provide for obtaining informed consent from prospective subjects.