

ETHICS GRAND ROUNDS

Tuesday, April 8, 2014 South Campus
D1.602, Noon–1:00, McDermott Plaza Lecture Hall

MEDICAL FUTILITY IN TEXAS: MYTHS AND MISCONCEPTIONS

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Ever since the enactment of Texas's Advance Directives Act in 1999, its so-called "futility provision" has been controversial. Indeed, "medical futility" is the subject of world-wide debate, from the problem of defining "futility" to the question of how best to respond to claims by physicians that a requested treatment would be futile. Texas law on this subject has attracted widespread attention because (1) it creates a time-limited process that includes (2) a mandatory consultation with a hospital ethics committee, at the end of which (3) the health care providers will probably receive complete legal immunity. The combination of these three elements is unique in American law and has led to criticisms of the Advance Directives Act on a number of grounds: theoretical, legal, and practical. This presentation considers some of the criticisms of the Texas statute and concludes that most are based upon myths about "medical futility" and misconceptions about the meaning and application of Texas law (including its recent application to a brain-dead pregnant patient in Fort Worth). It then offers some challenges in the law that are based upon the speaker's experiences with the law while serving on five hospital ethics committees over the past fifteen years.

Ethics Grand Rounds Videos are available a few days after the lecture at:
<http://repositories.tdl.org/utswmed-ir/handle/2152.5/1292>

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Target Audience: Physicians, faculty, residents, fellows, trainees, students, health care professionals. **Educational Objectives:** At the conclusion of this activity, the participant should be able to: 1) Recognize perennial and emerging bioethical problems in clinical practice, research, public health, and health policy arenas. 2) Describe competing/contrasting viewpoints concerning these bioethical problems. 3) Demonstrate increased skills in analyzing and practically handling bioethical problems in the clinical, research, public health, and health policy arenas. **Educational Method:** Lecture and question-and-answer period. **Accreditation:** The University of Texas Southwestern Medical Center is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. **Credit Designation:** The University of Texas Southwestern Medical Center designates this live activity for a maximum of 1 *AMA PRA Category 1 Credit(s)*™. Physicians should claim only the credit commensurate with the extent of their participation in the activity. The University of Texas Southwestern Medical Center designates this activity for 1 hour(s) in medical ethics and/or professional responsibility. **Conflict of Interest:** All persons in the position to control the content of an education activity are required to disclose all relevant financial relationships in any amount occurring within the past 12 months with any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on patients. A primary mechanism to resolve identified conflicts of interest is a content review that is prior to the activity. **Off-Label Uses:** Because this course is meant to educate physicians with what is currently in use and what may be available in the future, there may be "off-label" use discussed in the presentation. Speakers have been requested to inform the audience when off-label use is discussed.