

Bioethics Notes

July 2005

" A little philosophy inclineth man's mind to atheism, but depth in philosophy bringeth mens' minds about to religion."

Sir Francis Bacon (1561-1626)

Consult Services

We would like to remind you that the Bioethics Review and Advisory Committee in Danville provides ethics consultation services. We have an alphanumeric pager (2229). Anyone can request an ethics consultation. Page directly by phone, or leave a text message using the Infoweb Phone Directory. Enter "2229" in the Directory Search and then click on the "Quick Page" button.

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Case Study

Joan Smith, a 43 year old woman, is scheduled for mitral valve surgery to repair a leak due to a prolapsed posterior leaflet. She is a Jehovah's Witness; she forthrightly refuses any blood product transfusions based upon her religious beliefs. What are your rights and responsibilities in caring for this patient?

The [Jehovah's Witness Society](#) is the most rapidly growing religious organization in the western world with over 5 million baptized members. Increasingly, Geisinger Health System will be caring for patients with these beliefs, in concert with the active Blood Conservation Program. It is our intent to discuss the interface of these beliefs and bioethical principles, with only limited discussion of legal aspects and no discussion of medical practices to avoid blood transfusions.

The firm **refusal of blood transfusion** treatment by Jehovah's Witnesses may cause discomfort for health care providers. It is useful to understand, at least partially, the roots of these convictions. The Witnesses, like many others, believe in a literal interpretation of the Bible; the belief that the Bible is the true word of God.

"In the Bible, blood represents the life of the being, and as such, it is too sacred ([Genesis 9:4](#)). The Biblical law regarding blood originated long before the birth of the Hebrew nation, and for this reason, it is applicable to all mankind. In Hebrew liturgy, sacrificial blood holds atoning, purifying and sanctifying value. The ancient alliance was stipulated with blood. It was not permitted for any Israelite or foreign resident among them to feed on blood, a law that carried the death penalty in cases of disobedience ([Leviticus 17:10-14](#)). In Christianity, this law is repeated and the sacredness of blood is further highlighted, attributing to Christ's blood the power of redemption, atonement, purification and sanctification. The Council of Jerusalem, held in the presence of the apostles, sanctions the law against eating blood, even for believers of non-Hebrew origin ([Acts 15:28-29](#)). First century CE extra-biblical literature indicates that those who professed this faith were willing to die of hunger rather than nourish themselves with blood."

(Sarteschi L [Transplantation Proceedings 36: 499-501, 2004](#)).

Thus, the Witness's belief is based on the belief that transfused blood is a nutrient.

Ethically, **respect for autonomy** emphasizes the value of supporting an individual's beliefs both for administering and withholding care. Thus, supporting the beliefs of Jehovah's Witnesses is well founded. It is no different from supporting the belief of a pregnant woman with cancer who refuses treatment that might cause a miscarriage. However, it should be emphasized that respect for the ethical values of an individual health care provider allow that provider to withdraw from caring for Jehovah's Witness patients if such care conflicts with his/her own beliefs about life, provided that alternative care givers can be identified.

Events

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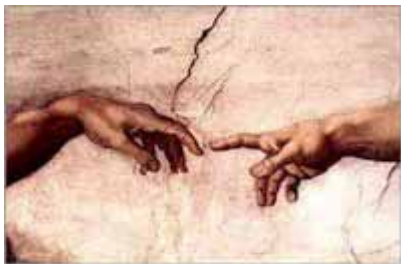
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Whereas adhering to the values of consenting adults in refusing blood is well supported, refusal of blood transfusions by parents of children has not been sustained ethically, since it is uncertain what beliefs that child might develop as an adult. Similarly, *Prince v. Massachusetts* set out the reigning legal principle: "Parents may be free to become martyrs themselves. But it does not follow that they are free, in identical circumstances, to make martyrs of their children..." ([Prince v Massachusetts \(1944\) 321 US 158](#)). This and subsequent cases have emphasized three main points: "the child's interests and those of the state outweigh parental rights to refuse medical treatment, parental rights do not give parents life and death authority over their children and parents do not have an absolute right to refuse medical treatment for their children based on their religious beliefs" (Wooley S, [Arch Dis Child 90:715-719, 2005](#)). However, Wooley adds there is no worldwide consensus on the legal position of adolescents refusing blood transfusions.

The principle of **beneficence** regarding blood therapy has been supported to a great degree by the beliefs of Jehovah's Witnesses. The risks of blood transfusion therapy and blood supply limitations have led to blood conservation therapies as standard medical practice. Many of the practices which have been developed to limit blood transfusions and research for alternatives to blood transfusions initially have been developed for or investigated in Jehovah's witness patients. Thus, the beliefs and practices of Jehovah's witnesses have led to benefits for all patients.

On the other hand, the principle of **justice**, brings into question the extent to which disproportional care can be supported ethically for individual Jehovah's witness patients. As noted, Jehovah's witness patients may refuse blood transfusions. However, this does not necessarily obligate special care as an alternative to blood transfusions. For example, it is not clear that a Jehovah's witness patient could ethically demand prolonged care in an Intensive Care Unit in a chemical coma to reduce oxygen demand and to receive hyperbaric oxygen therapy to increase oxygen supply—all at the costs of hundreds of thousands of dollars.

In summary, ethical principles firmly support the autonomy of Jehovah's witness patients to refuse blood transfusion. Such care should be provided to Mrs. Smith by all caregivers whose own beliefs do not preclude such practice.

Respectfully submitted,
Joel Berberich

For more information see:

Seminars to Improve Relations Between Doctors and Jehovah's Witnesses
Available here: http://www.watchtower.org/library/g/1995/3/22/article_01.htm

The Bioethics Review and Advisory Committee gratefully acknowledges *The Degenstein Foundation*, whose funding helps support the educational activities of our committee. Feel free to forward *Bioethics Notes* to anyone interested. They can join by using the link below.

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