COLLEGE OF MEDICINE
CENTRAL MICHIGAN UNIVERSITY

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2023 Saint Luke Lecture Series

Concepts of "Brain Death": Could the Medico-Legal Establishment Have been Wrong for 55 Years?

Course Overview / Description

The concept of "brain death" was introduced by the Harvard Medical School Ad Hoc Committee in 1968. This course outlines the historical development and current practice of "brain death" both in law and medicine. Case studies and pertinent scholarly literature are reviewed, with particular attention to areas of ongoing controversy.

The 2023 American Academy of Neurology Guidelines, the basis for a diagnosis of "brain death" in American hospitals, are inconsistently applied and only opinion-based. Moreover, they do not satisfy the legal requirements for a declaration of death according to the Uniform Determination of Death Act. This is a source of substantial ongoing controversy, with a proposed revision to the UDDA recently being evaluated by the Uniform Law Commission. Clinicians need to understand these issues to properly care for patients. This has both practice implications as well as ethical considerations.

Learning Objectives

- Identify the signs of death described in human beings.
- Describe the medicolegal history of "brain death."
- Describe the basic components of a "brain death" diagnosis.
- Identify areas of controversy which exist with and between the medical guidelines to diagnose "brain death" and laws pertaining to "brain death."
- Describe signs of life found in "chronically brain-dead" patients.

Speaker

Joseph Eble, MD

President, Tulsa Guild of the Catholic Medical Association

Vice President of Fidelis Radiology

Original presentation: October 26, 2023 Termination date: October 26, 2026

Sacred Heart Mercy Health Care Center

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Target Audience: Physicians, Nurses, PAs, Advanced Clinical Practitioners, Social Workers, and all healthcare professionals

Disclosure: The planners and speaker have no relevant financial relationships with ineligible companies.

Cost: None

Activity Sponsor

Sacred Heart Mercy is a health care clinic that is an apostolic outreach of the Religious Sisters of Mercy of Alma, Michigan. In their 4th vow of service, Sisters provide competent and comprehensive healthcare to help bring the mercy of God into situations of need. In seeking to serve God in their neighbor, the Sisters and staff work to provide comprehensive care to persons suffering from illnesses related to their physical, emotional and spiritual needs.

Sacred Heart Mercy Health Care Center has a relationship with Central Michigan University College of Medicine, where the Sisters serve as faculty members. CMU's medical students have had the opportunity to work with the Sisters in their primary care rotations at the clinic during their Comprehensive Community Clerkship.

Accreditation

This activity has been planned and implemented in accordance with the accreditation requirements and policies of the Accreditation Council for Continuing Medical Education (ACCME) through the joint providership of Central Michigan University College of Medicine and the Sacred Heart Mercy Health Care Center. Central Michigan University College of Medicine is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education to physicians.

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Documentation

- Biel S, Durrant J. Controversies in Brain Death Declaration: Legal and Ethical Implications in the ICU. Curr Treat Options Neurol. 2020;22(4):12. doi:10.1007/s11940-020-0618-6

- Omelianchuk A, Bernat J, Caplan A, et al. Revise the uniform determination of death act to align the law with practice through neurorespiratory criteria. Neurology. https://n.neurology.org/content/98/13/532. Published March 29, 2022. Accessed July 19, 2023.

- Parent B, Turi A. Death's troubled relationship with the law. Journal of Ethics | American Medical Association. https://journalofethics.ama-assn.org/article/deaths-troubled-relationship-law/2020-12. Published December 1, 2020. Accessed July 19, 2023.

- Robbins NM, Bernat JL. What should we do about the mismatch between legal criteria for death and how brain death is diagnosed? Journal of Ethics | American Medical Association. https://journalofethics.ama-assn.org/article/what-should-we-do-about-mismatch-between-legal-criteria-death-and-how-brain-death-diagnosed/2020-12. Published December 1, 2020. Accessed July 19, 2023.

- Verheijde JL, Rady MY, Potts M. Neuroscience and Brain Death Controversies: The Elephant in the Room. J Relig Health. 2018;57(5):1745-1763. doi:10.1007/s10943-018-0654-7

Disclosure Policy

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The information provided in this educational activity is for general medical education purposesonly and is not meant to substitute for the independent medical judgment of a physician relative to diagnostic and treatment options of a specific patient's medical condition. The viewpoints expressed in this CME activity are those of the authors/faculty. They do not represent an endorsement by Central Michigan University College of Medicine. In no event will Central Michigan University College of Medicine be liable for any decision made or action taken in reliance upon the information provided through this CME activity.

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- You must complete the post-test to obtain *AMA PRA Category 1 Credit*™
- 75% of the questions must be answered correctly
- Once you have completed viewing the video, close the video window tab to proceed to the Post Test
- Upon passing the Post Test (75%), you will automatically be taken to the evaluation
- Complete the evaluation and receive your credit
- You can either print your CME certificate, save it to your files as a pdf, or the Office of Continuing Medical Education can email it to you.

For any questions regarding content, the post-test, CME credit or matters involving continuing education in the health professions, please contact:

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