The Maryland Health Care Ethics Committee Network and the Law & Health Care Program at the University of Maryland School of Law invite you to attend

MEDICAL FUTILITY & MARYLAND LAW

Tuesday, November 30, 2010
Southern Maryland Corporation Campus Center Room 349
University of Maryland
621 W. Lombard St., Baltimore, MD
8:30 a.m. – 4:00 p.m.

In Partnership with Harbor Hospital

Support provided by The Judge Martin Greenfeld Bioethics Fund
Passed in 1993, the Maryland Health Care Decisions Act (HCDA) addresses various aspects of end-of-life medical decision-making, including when treatments may be withheld or withdrawn from patients at the end of life. Two provisions in the Act allow physicians to withhold or withdraw treatments considered “medically ineffective” or “ethically inappropriate,” as long as specified due process procedures are followed. Yet, according to a Dartmouth survey, Maryland rates among the highest for intensity of medical care for Medicare beneficiaries in the last six months of life. Debate has ensued among some lawyers, risk managers, and health care professionals in Maryland surrounding what constitutes “medically ineffective” or “ethically inappropriate” treatment, and how to proceed if a surrogate decision-maker does not agree with a physician’s determination to withhold or withdraw treatment based on these criteria.

The morning plenary sessions will define medical futility and related concepts (i.e., treatments considered “medically ineffective,” “ethically inappropriate,” or “non-beneficial”), and explore their role—and that of Maryland state law—in providing good end-of-life care that does not waste critical care resources. The afternoon sessions will include small group discussions about whether revisions should be made to Maryland’s HCDA, or whether education is needed as to how these laws should be interpreted.

THE MARYLAND HEALTHCARE ETHICS COMMITTEE NETWORK is a membership organization established by the Law and Health Care Program at the University of Maryland School of Law. Its purpose is to facilitate and enhance ethical reflection in all aspects of decision making in health care settings by supporting and providing informational and educational resources to ethics committees serving health care institutions in the state of Maryland. The Network works to achieve this goal by:

- serving as a resource to ethics committees as they investigate ethical dilemmas within their institution and as they strive to assist their institution function consistently with its mission statement;
- fostering communication and information sharing among Network members;
- providing educational programs for ethics committee members, other healthcare providers, and members of the general public on ethical issues in health care; and
- conducting research to improve the functioning of ethics committees and ultimately the care of patients in Maryland.
AGENDA

8:00 - 8:30 a.m.  Registration & Continental Breakfast

8:30 – 8:45 a.m.  Introductory Remarks
Diane E. Hoffmann, J.D., M.S.

8:45 – 9:10 a.m.  A Quick Tour of Medical Futility & Efforts to Achieve a Standard of Practice at the National, State, and Local Levels
Lawrence J. Schneiderman, M.D.

9:10 – 9:20 a.m.  Q & A

9:20 – 9:50 a.m.  Overview of State Futility Laws
Charles Sabatino, J.D.

9:50 – 10:00 a.m.  Q&A

10:00 – 10:15 a.m.  BREAK

10:15 – 10:45 a.m.  Do Futility Determinations Improve End of Life Care?
Michael D. Cantor, M.D., J.D.

10:45 – 11:00 a.m.  Q&A

11:00 – 12:15 p.m.  Pros and Cons of Modifying Maryland’s Health Care Decisions Act (panel presentation)
Moderator: Jack Schwartz, J.D.
Panelists: Eric K. Shepard, M.D., FCCM
Deborah Witt Sherman, Ph.D., CRNP, ACHPN, FAAN
Anne Studholme, Esq.

12:15 – 1:00 p.m.  LUNCH

1:00 – 1:30 p.m.  Findings from a State Survey of Hospital Counsel, Risk Managers, and ICU Physicians Regarding Maryland’s HCDA
Diane E. Hoffmann, J.D., M.S.
Anita J. Tarzian, Ph.D., R.N.

1:30 -3:00 p.m.  Round Table Discussions
Attendees will discuss possible changes to Maryland’s Health Care Decisions Act in facilitated small groups.

3:00 – 3:15 p.m.  BREAK

3:15 – 4:00 p.m.  Feedback and Next Steps
Facilitator: Diane E. Hoffmann, J.D., M.S.
SPEAKERS

Michael D. Cantor, M.D., J.D., Assistant Professor of Medicine, Tufts University School of Medicine, and Quality Medical Director for a large physician network in Boston, MA.

Diane E. Hoffmann, J.D., M.S., Associate Dean of Academic Programs, Director of the Law & Health Care Program, and Professor of Law, University of Maryland School of Law.

Charles P. Sabatino, J.D., Director of the ABA Commission on Law and Aging.

Lawrence J. Schneiderman, M.D., Professor Emeritus, Department of Family and Preventive Medicine; and Adjunct Professor, Department of Medicine, University of California, San Diego.

Jack Schwartz, J.D., Visiting Professor and Health Law & Policy Fellow, University of Maryland School of Law.

Eric K. Shepard, M.D., FCCM, Assistant Professor of Anesthesiology and Critical Care Medicine, University of Maryland School of Medicine and Medical Director of Respiratory Care Services, Kernan Orthopaedics and Rehabilitation.

Deborah Witt Sherman, Ph.D., CRNP, ACHPN, FAAN, Professor and Co-Director, Center for Excellence in Palliative Care Research, University of Maryland School of Nursing.

Anne Studholme, Esq, attorney in private practice, Princeton, NJ, served pro bono as counsel to a consortium of disability rights organizations in the recent New Jersey “futility” case of Betancourt v. Trinitas Hospital.

Anita J. Tarzian, Ph.D., R.N., Program Coordinator, Maryland Health Care Ethics Committee Network and Associate Professor, University of Maryland School of Nursing.

ROUND TABLE DISCUSSION FACILITATORS

Shahid Aziz, M.D. Chair, Ethics Committee, Harbor Hospital and independent pediatrician and ethics consultant.

Renee D. Boss, M.D., M.H.S., Assistant Professor, Division of Neonatology, Department of Pediatrics, Johns Hopkins School of Medicine.

Brian Childs, Ph.D., Director of Ethics and Spiritual Care, Shore Health System.

Evan DeRenzo, Ph.D., Bioethicist, Center for Ethics at Washington Hospital Center, MedStar Health.

Rebecca Elon M.D., M.P.H., Associate Medical Director, Gilchrist Hospice Care; Medical Director, Lorien Columbia Health Care Center; Associate Professor of Medicine, JHU-SOM.

Helen Gordon, M.D., F.A.C.P., Faculty I Medical Residency Program, Director of Medicine, and Ethics Committee Co-Chair, Greater Baltimore Medical Center.

Judith Levy, M.S.W., M.A., Chair, Ethics Committee and Director of Social Work, Kennedy Krieger Institute.

Thaddeus Mason Pope, J.D., Ph.D., Law Professor, Widener University School of Law, and runs the Medical Futility Blog at http://medicalfutility.blogspot.com/
DIRECTIONS & PARKING*

Pratt Street Garage ($13/8 hrs.*)
646 West Pratt Street
Baltimore, MD 21201
From I-95, take Rte. 395 (downtown Baltimore) and exit onto Martin Luther
King, Jr., Blvd., staying in right lane. At second traffic light, turn right onto
Pratt Street. After passing through the intersection for Penn and Pratt Streets,
turn left for the entrance to the Pratt Street Garage. Exit the garage and walk to
the front of the building.

Penn Street Garage ($13/8 hrs.*)
120 South Penn Street
Baltimore, MD 21201
From I-95, take Rte. 395 (downtown Baltimore) and exit onto Martin Luther
King, Jr., Blvd., staying in right lane. At second traffic light, turn right onto
Pratt Street. Turn left at first traffic light onto Penn Street; entrance to the Penn
Street Garage will be on the left. Walk out of the garage and take a left on Penn
Street; then go left on Lombard Street; the campus center is located on this
block on the right at 621 W. Lombard Street.

Visit http://www.parking.umaryland.edu/Garage/index.htm and click on the
Pratt or Penn Garage for exact directions from your starting point.

*Parking fees are not included in the conference registration fee. Discounted
parking rates ($7) are available at the Lexington Market Garage, 400 W.
Lexington St. (Paca & Lexington St), approximately 5 blocks from the SMC
Campus Center.

SPECIAL ACCOMMODATIONS

If you require special accommodations to attend or participate, please provide
information about your requirements to Mary Barnes at 410-706-2088 (1-800-
735-2258 TTY/Voice) at least five business days in advance of the activity.
REGISTRATION FORM
Please complete and return registration form and check to:
Mary Barnes, University of Maryland School of Law,
500 West Baltimore Street, Baltimore, MD 21201-1786
or register online at www.law.umaryland.edu/mhecn (click on “conferences”)
Please make checks payable to “University of Maryland”

Full Day Registration Fee*

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Name (please print)

Affiliation or Employer

Address

City, State, Zip Code

Daytime Telephone Number / FAX

Email Address

*UMB campus includes University of Maryland Medical Center and the Schools of Dentistry, Law, Medicine, Nursing, Pharmacy, Public Health, and Social Work. Registration is for morning and afternoon sessions, and includes continental breakfast, lunch, and break snacks. Visit the MHECN website for updates on CMEs and CEUs. Continuing Education will only be provided to paid registrants who attend the full day.

Online registration will be confirmed by email and tickets will be held at the door. You may confirm reservations sent through the mail by calling 410-706-4128 or by emailing mbarnes@law.umaryland.edu.

Afternoon sessions are open to the public, but advance registration is required by mailing this form to the above address or faxing it to (410) 706-4045, c/o Mary Barnes, or emailing mbarnes@law.umaryland.edu.

_____ Check HERE if you are registering ONLY for the AFTERNOON SESSIONS.