

# Medical futility



**ASSIGN  
BUSTER**

Baby K case is a court case that took place in the court of the United States in October 13 1992 and ended in April 5, 1995. Baby K, known as Stephanie Keene who was an anencephalic baby was born in the hospital of Fairfax, Virginia district in the U. S. Anencephaly is a brain disorder, which occurs due to the defect of a neural tube in the cephalic or head. Usually, this condition occurs as an outcome of failure of the neural tube to close, and it mostly occurs during the pregnancy day of 23rd to 26th. This results in brain absence and most children of this kind lack the forebrain, which is the major brain of the cerebral hemispheres that helps in cognition process. Children of this kind do not survive mostly during birth period. In case the brain lacks, it becomes an ethical and a legal issue.

The Baby K case resulted due to poor care provided to Baby K. The medical practitioners of the Fairfax hospital filed an action in the U. S court for the guardian appointment and a declaratory action of Baby K for a palliative care (Schneiderman, Jecker and Jonsen, 2001). However, the appointed guardian argued that the aggressive treatment for Baby K should be stopped. The action of the hospital for declaratory decision of holding ventilator care based on the belief that such denial would not infringe the Virginia Medical Malpractice Act or the Emergency Medical Treatment and Labor Act (EMTALA). The Fairfax hospital agreed for emergency of respiratory distress to take place. However, they agreed under the interpretations that the EMTALA should take into consideration, and interpret the treatment of the qualified physicians that deemed as futile (Veatch and Spicer, 2002). The court disagreed with the decisions made by the Fairfax hospital that it was legally compelled to give a ventilator care to Baby K. therefore, the hospital

appealed the ruling of the juries in the court of Appellate of the United States, the hospital argued that an anencephaly, but not a respiratory distress was an emergency issue of medical care. Thus, they declared that any care apart from palliative was futile; hence they should not be provided as a life prolonging support.

### Positive and negative aspects of the dilemma

The positive aspects of the dilemma can be argued basing on the ethical side, and the negative side can base on the unethical side. In this case, the nurses decided to make ethical opinions of trying to save the life of Baby K despite the fact that her condition was critical. It is the role of the nurses to help patients of all kinds despite their critical conditions. Thereore, the health care providers made a decision of helping Baby K by transferring her to pediatric Intensive Care Unit whereby she received emergency care. They tried to help her through inducing pain and sufferings until the time she died. However, the negative side of the dilemma is that the nurses told her mother to terminate the pregnancy when they discovered that Baby K had a brain problem. This is unethical because it is the role of nurses to ensure that better health care is provided to pregnancy mothers.

### Stakeholders

The stakeholders involved in the case of Baby K involved the mother of Baby K, the medical health care practitioners of the Fairfax hospital, the appointed guardian of Baby K by the federal court and the judges from federal court of the United States.

## Rationale for selection of Babe K dilemma

The underlying principle of selecting of this dilemma is to clarify the justification behind the ethical dilemma for the case of Baby K. Many cases do occur in various hospitals when it comes to making decisions between ethical and unethical. Hence, Babe K is a critical case that calls for careful decision making. This is because anencephalic disease is a condition that is dangerous, and most kids suffering from it have low chances of surviving. Hence, it becomes difficult for nurses to make proper decision, thus causing moral distress (Veatch and Spicer, 2002). This is because whether the treatment given would improve or prolong life, it is considered unworthy. Mostly, the court cases that are related to futility are of two kinds. This includes the need for the family to withdraw life prolonging treatment. Another one is the wish to continue providing treatment by transferring the patient to another hospital, which has well equipped facilities for providing emergency care.

## Ethical decision-making model

One of the ethical decision-making models is the ethical model of beneficence. Beneficence is the model that requires doing well to others and avoiding evil. It calls for better measures to be taken so as to support other people's well being. This model was developed by Tom Beauchamp and it is mostly applied in the biomedical ethics. It is the core principle of healthcare ethics and it is mostly applied in medical field by nurses or care providers. It is one of the major fundamental principles used in medical ethics. The model has been used in various medical field such as in areas of euthanasia, which

involves mass killing. This is whereby nurses in some countries had avoided it because their wish is to provide the goodness for all but not to do evil. The beneficence model works through whereby nurses decides to provide services that induce pain of the suffering patients until they die on without too much pain and sufferings. Thus, in the case of Baby K, the beneficence principle was used in decision making on the treatment given to Bay K. This is whereby the nurses made the decision to provide pediatric emergency care in order to induce the pain of Baby K. they ignored the ruling of the court which authorized them to reduce and stop providing stabilizing treatment (Veatch and Spicer, 2002).

#### Moral distress in the case of Baby K

Moral distress is a critical issue in nursing. It occurs due to physical and emotional stress that contributes to emotional stress on the side of nurses for integrity loss and dissatisfaction in their working environment. According to Heffernan and Heilig (2000), moral stress contributes to nurse quitting their working environment or profession. This is because it affects the relationships of patient to nurse and it can lead to nursing care costs. The moral distress occurs especially when nurses understand the appropriate ethical action to take but they are unable to take those actions. This is when nurses work against their medical ethos, which undermines their honesty and authenticity. In the case of By K, the moral distress is revealed when the nurses were unable to provide care in the Fairfax hospital, hence decided to transfer Baby K to another hospital, which had equipped facilities. However, the issue of moral distress resulted due to the ethical dilemma problem

whereby the nurse new that the Baby K would not survive but they were unable to terminate her life.

Implications of the issue from an advanced practice nurse perspective

The implication from the advanced practice nurse perspective is that nurses may choose to create ethical consultation services, which are composed of varied clinical ethicists. In hospital, nurses provide their ethical assistance most of the time through use of individual ethical consultant model.

Moreover, nurses do collaborate and work as a team in order to ensure that they have provided better services to their clients. Even, though, the case of Baby are had ethical dilemma, nurses tried their best in inducing the pain of the child until the time when she died. The advance nurses made sure that Baby K had received better care services. The work of nurse is to save people's lives; thus Baby K was transferred to another hospital with improved facilities in order to help her.