Maternal-Fetal Issues in Ethics and Neurology

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• 35 year old, second pregnancy, due June 22.
• Jan 20: left frontal SAH/IPH/IVH due to AVM → hemicraniectomy
• Feb 24: rebleed with extensive IVH →
  – surgical evacuation & clipping of perinidal aneurysms.
  – Bilateral EVDs
  – By March 4, still with clamped pressures > 30; brainstem reflexes only
A quick aside about brain death

• Brain death is legally equivalent to death diagnosed by cardiorespiratory criteria
• In a non-pregnant brain dead patient, there is no obligation to continue ventilator, and thus surrogates are not asked to make a decision about it
• In a pregnant brain dead patient, decisions about ventilator depend on assessments about the fetus’ best interests
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• Fetal US Mar 4 (24 3/7 weeks):
  – 514g, 15-20\textsuperscript{th} %ile
  – Scalp edema suggests generalized fetal edema (hydrops fetalis)

• Prognosis for the fetus:
  – Survival rate 30-40%
  – Survival without mod-severe neurodevelopmental impairment: 13-14%
Decisions for the Incapacitated Patient

• Patient preference
  – Expressed directly
  – Advance directives

• Substituted judgment
  – Surrogate uses knowledge of patient preferences/values to estimate what patient would want

• Best interests
Decisions for the Never-Competent

- **Patient preference**
  - Expressed directly
  - Advance directives

- **Substituted judgment**
  - Surrogate uses knowledge of patient preferences/values to estimate what patient would want

- **Best interests**
Decisions for the Never-Competent

• Patient preference
  – Expressed directly
  – Advance directives

• Substituted judgment
  – Surrogate uses knowledge of patient preferences/values to estimate what patient would want

• Best interests
  – Heavy deference to parents’ views of best interests
  – Limited by plausibility
  – Broadly conceived
Take-Homes

Decision-making for adult women:
  – Patient preferences
  – Substituted judgment
  – Best interests

Decision-making for neonates:
  – Best interests
  – Heavy deference to parental views on what constitutes best interests
  – Limited by plausibility