

Beat: Miscellaneous

Texas judge orders brain-dead pregnant woman off life support

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USPA News - A U.S. judge on Friday ordered a Texas hospital to pronounce a pregnant, brain-dead woman deceased and remove her body from all 'life-sustaining' treatment within three days. It comes after the hospital acknowledged that her fetus is not viable.

Tarrant County District Judge R. H. Wallace, Jr. gave John Peter Smith Hospital in Fort Worth until 5 p.m. local time on Monday to disconnect 33-year-old Marlise Munoz from her ventilator and cease all other life-sustaining treatment. The ruling came after a January 14 lawsuit filed by her husband Erick, who has demanded Marlise to be allowed to die since November. The hospital, represented by the Tarrant County District Attorney's Office, had argued that, even though Marlise has been brain dead since November 28, withdrawing life support would "cause the death of the unborn baby." They also referred to a state law that prevents withdrawing life support from a pregnant woman to "protect the unborn child," causing national controversy. But just hours before Friday's ruling, John Peter Smith Hospital acknowledged in court documents that "the fetus gestating inside Mrs. Munoz is not viable." Nonetheless, the document added that John Peter Smith Hospital was still refusing to withdraw life support because of state law that makes it illegal to withhold life-sustaining treatment from a pregnant patient. But the judge ruled that the law does not apply because, when applying standards used in determining death, Marlise is dead. "It is therefore ordered that [Plaintiff's Motion] is granted and that the Defendants are ordered to pronounce Mrs. Munoz dead and remove the ventilator and all other 'life-sustaining' treatment from the body of Marlise Munoz no later than 5:00 p.m., Monday, January 27th," Wallace said in his ruling. It was not immediately clear if the hospital would appeal Friday's ruling. "JPS Health Network appreciates the potential impact of the consequences of the order on all parties involved and will be consulting with the Tarrant County District Attorney's Office," hospital spokeswoman Jill J.R. Labbe said in a statement. Heather King, an attorney for the Munoz family, welcomed Friday's ruling that will allow the withdrawal of life support. "There's nothing happy about today. It's a sad situation all the way around. We are relieved that Erick Munoz can move forward with the process of burying his wife," she said, as quoted by NBC News. Marlise collapsed at her home on November 26 and was found not breathing by her husband, who resuscitated her and called 911. The woman was alive upon arrival at John Peter Smith Hospital but in cardiac arrest with respiratory failure, causing doctors to put her on a ventilator. Although Marlise would now have been 22 weeks pregnant, she was only 14 weeks into her pregnancy when she was declared brain dead on November 28. A fetus less than 22 weeks old generally has no chance of survival, and Marlise would still have had the option of an abortion if she had wished to do so.

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Editorial program service of General News Agency:

UPA United Press Agency LTD

483 Green Lanes

UK, London N13NV 4BS

contact (at) unitedpressagency.com

