



# A Difficult Choice

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CITY NEWS—This week, following months of unusually well-publicized preparation, the City University Department of Bioethics will convene a conference to discuss the ethics of long-term life support. For a variety of reasons, this conference is receiving more than its share of national press attention. Several senators prominent in the resurfacing national debate over health care are expected to attend. For weeks there have been rumors that key members of Congress are considering new legislation on the right-to-die issue. Speculation centers on whether one or another senator may use this conference as an opportunity to propose new legislation. Expected to attend are a wide range of health care professionals, several legal scholars, and the family members of several comatose patients. All of these people hope to influence any legislation that may make it to a vote in Congress.

In addition, the focus of discussions at the day-long conference is the fate of Mark Vorst. If the celebrity status of many of the conference’s attendees weren’t enough to draw a media blitz, the conference’s focus on Mr. Vorst’s tragic story would itself be certain to turn many heads. By now, the story of Mark Vorst is familiar to many Americans. Mr. Vorst was a rising star in the Senate and a leading advocate of health care reform back in 2006. In January of 2011, he suffered severe brain damage when his car careened off a bridge during an ice storm. Since that time, Vorst has been kept alive by surgically implanted feeding tubes and a respirator. Medical experts agree that he is in a “persistent vegetative state,” with no chance of regaining consciousness. However, his face does occasionally register a smile or a grimace, and from time to time his eyes produce tears.

Unfortunately, the health care advocate himself had neglected to fill out

either a health care proxy or a living will. As a result, Mr. Vorst’s own wishes in the event of such a catastrophe are not known. Instead, his fate has become the subject of a bitter 3-year court battle. Mr. Vorst’s parents have fought for the right to maintain their son on life support. His insurer and his wife have both been fighting for the right to remove the support. This case is almost a mirror image of the Nancy Cruzan case, settled by the Supreme Court in 1990. In that case, over the protests of Cruzan’s doctors, the family won the right to stop life support.

To date, the life-support care for Mr. Vorst has cost the U.S. taxpayers approximately \$650,000. This amount is on top of the \$200,000 in emergency and intensive care treatment Mr. Vorst received at the time of his injury. (As a member of the U.S. Senate, Mr. Vorst’s health insurance is provided by the federal government.) The court battle is now scheduled for a spring hearing before the Supreme Court. This has inspired a nationwide debate about the role of medicine and the question of setting limits in health care spending. The case may never receive a hearing before the Supreme Court if Congress chooses to legislate the issue before the court’s spring session.

At the conference, participants will be asked to join in a dialogue about the same questions that the Supreme Court or Congress may soon debate: Should Mark Vorst be left on life support? Should there be national legislation setting limits to medical care? If so, what should those limits be? What are the ethical, economic, and social implications of our answers to those questions?

Note: Mark Vorst fell into a coma after the car accident on January 1, 2011 (he has been in a coma for just over 5 years).