

# Jersey targets end-of-life issues

## Regional ethics panels, the only statewide system, aid family disputes

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Could the nasty dispute between the parents and husband of Terri Schiavo have been avoided had the still-unfolding drama involving the 41-year-old brain-damaged woman taken place in New Jersey instead of Florida?

Nothing's certain, and family members always have the right to plead their case in court, but New Jersey does have an extensive system in place to handle such disputes, while Florida has none, officials from both states said.

Through the Ombudsman for the Institutionalized Elderly, a division of New Jersey's Department of Health and Senior Services, the state has established 14 "regional long-term ethics committees" to mediate disputes among family members, or between physicians and family members, said William Isele, director of the program.

The system has handled about 100 cases since it was established in 1998. New Jersey has the only statewide network of regional ethics offices, Isele said.

"We have not had a case like the Schiavo case in New Jersey," he said, noting that in the majority of cases, family members are mostly united. In addition, he said, no one has mounted a legal challenge to a decision made by his office.

"What we try to do is educate the family members," he said. "And reasonable people armed with appropriate information usually make reasonable decisions."

About seven years ago, Patricia Celecki, who now directs the Harborview Health Care Center in Jersey City, turned to the regional ethics committees to resolve an end-of-life matter involving an advanced Alzheimer's patient.

Family members wanted a feeding tube removed to allow the patient to die, while the physician wanted to keep it attached, recalled Celecki, then the director of nursing at a Hudson County facility.

The patient did not have a living will specifying her wishes and the ombudsman's office decided to keep the tube attached.

"It was what the doctor ordered," Celecki said. "Most of the time they will go with the physician's recommendation ... I've always been grateful New Jersey has as much structure to deal with" such end-of-life disputes.

The volunteer regional committees – made up of clergy members, attorneys, physicians and 1 nursing home employees – have no specific number of members and generally meet once or twice a month, Isele said.

The members are required to take an intensive, day-and-a-half-long training session, followed by four half-day sessions, he said. Since 1998, 13 training sessions have been conducted, paid for by the Robert Wood Johnson Foundation.

The Florida Department of Elder Affairs investigates complaints about long-term residences and conducts inspections, explained Erin Geraghty, the department's communications director.

The department does not involve itself with hospice care and does not try to resolve end-of-life disputes, she said.

The New Jersey system grew out of the in-house medical ethics committees established by hospitals after the Karen Ann Quinlan case of 1976.

Eventually, Quinlan family members, who were opposed by hospital and state officials, gained the right in court to remove a respirator, and Quinlan died in June 1985.