



Medical treatment in end of life situations

*Symposium on decision making process regarding
medical treatment in end of life situations*

STRASBOURG

30 November –
1 December 2010



COUNCIL
OF EUROPE

CONSEIL
DE L'EUROPE



In Europe, most deaths occur in health care institutions.

While advances in medicine offer us more effective treatment and increased life expectancy, more of us die in hospital than anywhere else, following increasingly lengthy periods of treatment. In end-of-life situations, in view of the possibilities for improving the patient's state of health and quality of life, an issue is whether treatment should be withheld or withdrawn. Another issue to be addressed is whether to start treatment whose main purpose is to alleviate pain but which may also have the effect of shortening the patient's life.

What criteria should be applied when deciding to begin, withhold or withdraw medical treatment in end-of-life situations? Who are the actors participating in such decision? Doctors, care teams, patients, relatives - what should be their respective role in the process? What should happen when patients are not able to express their will? And how can patient's previously expressed wishes be taken into account?

Health professionals, patients' associations, sociologists and lawyers – representatives of all these relevant sectors will attend this symposium to launch a Europe-wide debate on these issues, favouring an approach based on practical examples. The aim of the symposium will be to clarify concepts in order to dispel potential misunderstandings, and to identify points of convergence and, where they exist, divergences. The conclusions of the symposium could then be used as a basis for the elaboration of guidelines on the decision-making process concerning medical treatment in end-of-life situations.

Tuesday 30 November 2010

Morning

8.00 – 9.00 **Registration**

9.00 – 9.30 **Opening**

- Scope of the symposium
- Objectives: to clarify concepts, to remove possible misunderstanding, identify convergences and divergences with a view to the elaboration of possible guidelines on the decision making process.

Prof. Tina Garani-Papadatos (Greece), Chair of the CDBI

Introductory message

Mr Jean Leonetti (France), Member of the French National Assembly and Rapporteur for the 2005 French Law on the rights of patients in end of life situations

9.30 – 10.30 Session 1 – Introduction

Chairs:

Prof. Tina Garani-Papadatos (Greece), Chair of CDBI

Dr Dorottya Mogyorósi (Hungary), Member of the Bureau of the CDBI

**9.30 – 9.50 Medical End-of-Life Decisions:
Conceptual Clarifications and Ethical Implications**

- Medical situations relevant to the notion of end of life
- Nature of the decisions which may be taken
- Place where the person is taken care of
- Actors of the decision

Prof. Eugenijus Gefenas (Lithuania), Vice-Chair of the CDBI

**9.50 – 10.10 Evolution of the way patients in end of life situations are
cared for (in time and between countries)**

- Shared historical evolution
- International comparison

Prof. Stein Kaasa (Norway), Professor in Palliative Medicine, Trondheim University Hospital

**10.10 – 10.30 What is at stake in the symposium in relation to the principles of
the Convention on Human Rights and Biomedicine**

- Articles of the Convention directly concerned
- Definition of requirements and ethical, deontological principles applicable at the end of life
- ECHR Position

Mrs Isabelle Erny (France), Coordinator for the organisation of the Symposium, Head of Bioethics and Patient's Rights, Law, Ethics and Legal Support Division, Ministry of Health and Sports

10.30 – 11.00 Break

11.00 – 12.30 Session 2 – Nature of possible decisions in end of life situations

Chairs:

Mrs Ritva Halila (Finland), Member of the Bureau of the CDBI

Dr Javier Arias-Diaz (Spain), Member of the Bureau of the CDBI

11.00 – 11.45 1 – Withholding and withdrawing of treatment, including artificial nutrition and hydration

2 – Alleviation of pain, including palliative sedation

3 – Palliative care: A right and not an alternative

Prof. Andreas Valentin (Austria), Medical Director, General and Medical Intensive Care Unit, Hospital Rudolfstiftung, Vienna

Prof. Inez de Beaufort (The Netherlands), Full Professor of Health Care Ethics, Erasmus Medical Centre, Rotterdam

11.45 – 12.30 **Discussion**

12.30 – 14.30 **Lunch break**

Afternoon

14.30 – 16.30 **Session 3 – The person can participate in the decision**

Chairs:

Mrs Lisette Geldof van Doorn (The Netherlands), Member of the Bureau of the CDBI

Prof. Pavel Martasek (Czech Republic), Member of the Bureau of the CDBI

14.30 – 15.30 1 – The person, even though sick, is in full capacity to participate in the decision process

- Basis for the decision
- Elaboration of the decision

Prof. Dr Dr Jochen Vollmann (Germany), Psychiatrist and Specialist of ethical medicine, Institute of Ethical Medicine, Bochum University

2 – The person is in a situation that affects or limits his/her capacity to express will

- Situations concerned
- Involvement of family, close relatives/compensation of the absence of close relatives and isolation situations
- Taking into account of legal protection systems

Prof. Thérèse St Laurent Gagnon (Canada), Associate Professor of Paediatrics and Bioethics, University of Montreal

Prof. Ergun Özsunay (Turkey), Professor of Civil Comparative Law and EU Private Law, University Faculty of Law, Istanbul



- 15.30 – 16.30 **Discussion**
- 16.30 – 17.00 **Break**
- 17.00 – 18.15 **Session 4 – The person cannot participate in the decision**
Chairs:
Mrs Mary Anne Ciappara (Malta), Member of the Bureau of the CDBI
Prof. Eugenijus Gefenas (Lithuania), Vice-Chair of the CDBI
- 17.00 – 17.45 1 – Previously expressed wishes: advanced directives / living will / continuing power of attorney
Dr Irma Pahlman (Finland), Executive Director, HIV-Foundation
Prof. Pablo Simón Lorda (Spain), Lecturer on Bioethics, Department of Citizenship & Ethics, Andalusian School of Public Health, Granada
Ms Dianne Gove (Luxembourg), Information Officer, Alzheimer Europe
- 17.45 – 18.15 **Discussion**

Wednesday 1 December 2010

Morning

- 9.15 – 11.00 **(Session 4, continues – The person cannot participate in the decision)**
Chairs:
Mr Bernard Marquet (Monaco), Vice-Chairperson of the Social, Health and Family Affairs Committee of the Parliamentary Assembly of the Council of Europe
Mrs Isabelle Erny (France), Coordinator for the organisation of the Symposium, Head of Bioethics and Patient's Rights, Law, Ethics and Legal Support Division, Ministry of Health and Sports
- 9.15 – 10.15 2 – Decision process
- Situations concerned
 - Limits of the decision for a third person and the respective place of the actors

Prof. Emmanuel Agius (Malta), Dean, Faculty of Theology, University of Malta

Prof. Jane Seymour (United Kingdom), Sue Ryder Care Professor in Palliative and End of Life Studies, School of Nursing, Midwifery and Physiotherapy, University of Nottingham

Prof. Anatoly Zilber (Russian Federation), Chair of Critical and Respiratory Care Medicine, Republican Hospital of Karelia and Petrozavodsk State University

Mrs Andrée Endinger (France), Nurse specialised in palliative care, Clinique de la Toussaint, Strasbourg

Dr Cynthia Benz (United Kingdom), Volunteer within Palliative and End of Life Care, European Multiple Sclerosis Platform

10.15 – 11.00 **Discussion**

11.00 – 11.30 **Break**

11.30 – 12.00 **Conclusions**

Chair:

Prof. Tina Garani-Papadatos (Greece), Chair of the CDBI

Early conclusions (identification of possible guidelines)

Dr Régis Aubry (France), General Rapporteur of the Symposium, Head of the Department of Pain Management–Palliative Care, University Hospital of Besançon, Jean Minjot Hospital, Coordinator of the National Programme on Palliative Care Development

Co-Rapporteurs

Dr Beatrice Gabriela Ioan (Romania), Associate Professor, University of Medicine and Pharmacy “Gr.T. Popa”, Iasi

Dr Takis Vidalis (Greece), Member of the National Bioethics Commission

12.00 – 12.15 **Closing**