

DON'T LET THEM

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During the November, 1995, NAELA Institute - Suite 810, Hyatt Regency Hotel Center, Denver, Colorado, 5:00 a.m. - asleep, my right shoulder itches, half awake, can't get my hand inside my pajama to scratch myself, frustrating and very uncomfortable - fully awake, I scratch my right shoulder with my left hand, immediate satisfaction, what a relief!

I'm thirsty, I get up and get a drink - immediate satisfaction, what a relief! Why?

Anytime - all the time - any nursing home resident already awake, or awakens - shoulder itches, resident cannot scratch it, resident cannot get help, resident suffers. **RESIDENT SUFFERS - WHY?**

Any nursing home resident already awake, or awakens - something in the resident's stomach area hurts, and hurts, and continues to hurt. The resident cannot get help. Even if someone is there, the resident cannot tell what is wrong, where she hurts, why she hurts. The resident is helpless, the resident suffers, and she cannot understand why she is being tortured - the resident suffers in silent pain, the resident screams, yells, seeks help - the resident is given one or two minutes of attention - the resident suffers, and the caregiver is exasperated with the same problems every day. The resident is ungrateful, the resident is neglected, and the resident suffers. Why?

The picture: the resident is tied in bed, the resident's hands are tied or are boxing gloves so that she cannot hurt herself. She cannot scratch herself, she cannot pull out the tube again. The resident gets pneumonia, she is taken by ambulance to the hospital where she is given shots, she has tubes shoved down her nose or throat, and the resident suffers. Why? - **Why ask Why?**

Case Study: The Family Pet

King, the family's golden retriever has been a part of the family for years. King has given pleasure. King is old now. King is incontinent. King's hips have deteriorated and he pulls himself around with his front feet. King probably has some pain. The family suffers, seeing their once healthy, lively, playful pet in this terrible situation. King is not able to eat, or won't eat very much food, and is losing weight.

King is taken to the veterinarian. He is a wonderful doctor. He has treated King for years. The vet is smart. He is a doctor. He says to the family: (*Dialogue*)

Vet: King is a very sick dog.

Family: We know that, that's why he is here.

Vet: King is not getting enough food and liquids.

Family: We know that, that's why he is here.

Vet: King is probably in pain.

Family: Oh, dear (*thinking* - Do we want that? Would King want that?).

Vet: You don't want him to die from starvation, do you?

Family: No.

Vet: Leave King here with me and I will treat King so he won't die of starvation. I will call you tomorrow.

Next Day - Vet calls family; family goes to vet's office.

Family: What did you do?

Vet: As you know, I am smart and well trained. I have treated King so he won't have to die of starvation. I put a feeding tube directly into his stomach. All you have to do is pour some liquid food into his tube three times a day, and that will nourish King. King won't die from starvation.

Family: What is this leather and steel vest/neck brace on King?

Vet: That is what we call a "TB" (short for torture brace). It keeps King from being able to reach the tube with his mouth. If he could, King would bite or lick the tube and pull it out. We can't let King do that. That would hurt, plus cost more vet bills to put it back in. I realize it really restricts King's movements, but he wasn't moving well anyway. This will keep King alive. I'm a wonderful vet, I know how to keep your loved pet alive. King won't die from starvation. Watch the tube carefully because often there an infection occurs where the tube is inserted. But don't worry. If there is an infection, bring him back and I will use some wonderful antibiotics to treat the infection. King doesn't have to die from an infection, we can cure the infection.

Family: Oh my! What if we can't take the time, etc., to properly care for King?

Vet: Don't worry. I just opened the "Loved Pet Nursing Home". You can put King in there, and we will take care of him. We have a full-time staff of well-trained licensed practical dog nurses. King's physical needs will be taken care of. We encourage you to visit King and pet him. If anything goes wrong, the dog nurse will call me and I will do what I can to keep King from dying.

Family: We are not sure this is a good plan.

Vet: You do love King, don't you?

Family: Absolutely! He is one of the family.

Vet: You don't want to be responsible for King starving to death do you?

Family: Well, no.

Vet: I know this is difficult for you, but keep in mind that I am well-trained, and, with modern medicines, we can keep King alive. You don't have to feel guilty about letting your loved pet die.

Family: Oh, doctor, thank you for your help. It is a real joy and comfort to know that King can be put in the "Loved Pet Nursing Home" where he can be fed through that gastro-intestinal feeding tube and be cared for by the well-trained practical dog nurses. We know that King does not like to have on the torture brace, but it is necessary to keep King alive. After all, death is final, and now King won't have to die.

Author's comment: King will die - but he will have to suffer for days, months or years before he gets to die. The family will suffer watching helpless, suffering King. Often, the feeding tube is an instrument that is wonderful; **IF** the patient can recover and enjoy life, use it. But if all it

does is extend the dying process and cause suffering for the loved one and the family, don't use it. If it has already been inserted, and it would be a blessing if the patient died, use the feeding tube only for administering pain relief. If death is a blessing, do not allow the opposite - i.e., do not let the patient be damned or cursed by the feeding tube.

We, as attorneys, need to help our clients be in *CONTROL* of their dying process. The Durable Health Care Power of Attorney does not do that. It is only a tool. The attorneys-in-fact must be taught *by you* to know how to be in control. Teach them well.

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