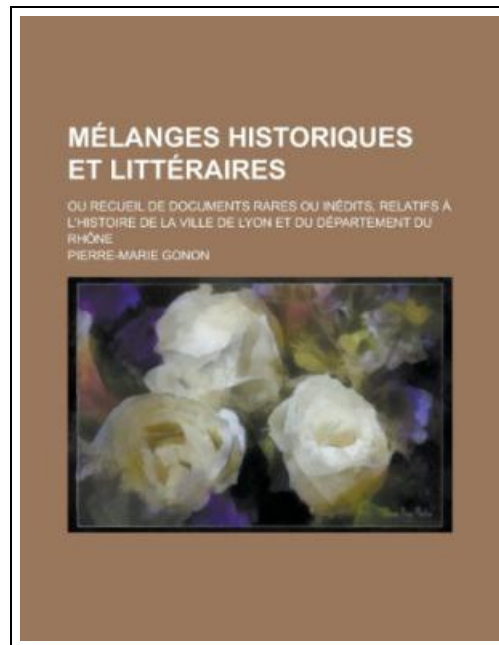


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RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 122 pages. LC Number: KF27 . G64 2005e OCLC Number: (OCoLC)62320123 Subject: People with disabilities -- Care -- Government policy -- United States. Excerpt: . . . 11 tives. The problem goes deeper than not having the proper forms. That same report goes on to say that Increasingly health care pro-viders who consider a patients quality of life too low are denying life preserving measures against the will of patients and families and the laws of most States provide no effective protection against this involuntary denial. I encourage this committee to look at and consider deficiencies that exist in Federal laws that set conditions for participation in the Medicare and Medicaid programs and how essential care such as food and fluids are being dispensed. Medicare considers the pro-vision of food and fluids through a feeding tube as a prosthetic medical intervention. Yet, the enforcement of this requirement is clearly lacking. To address this weakness, I believe it is imperative to create a substantive standard addressing when food and fluids can be with-drawn to ensure that the rights of incapacitated individuals are not violated. In my view, that standard would presume that vulnerable adults would want to be fed and given fluids unless they had ex-pressly expressed otherwise. It is important that we err on the side of providing this type of care in the absence of an explicit written directive and that the Federal standard be expressed clearly to all health providers. Our legal system is weighted very heavily toward ensuring that we do not convict the wrong person and we are improving upon this system every day, as an example with the addition of DNA evi-dence in particular. Should we not also as a society err on...

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