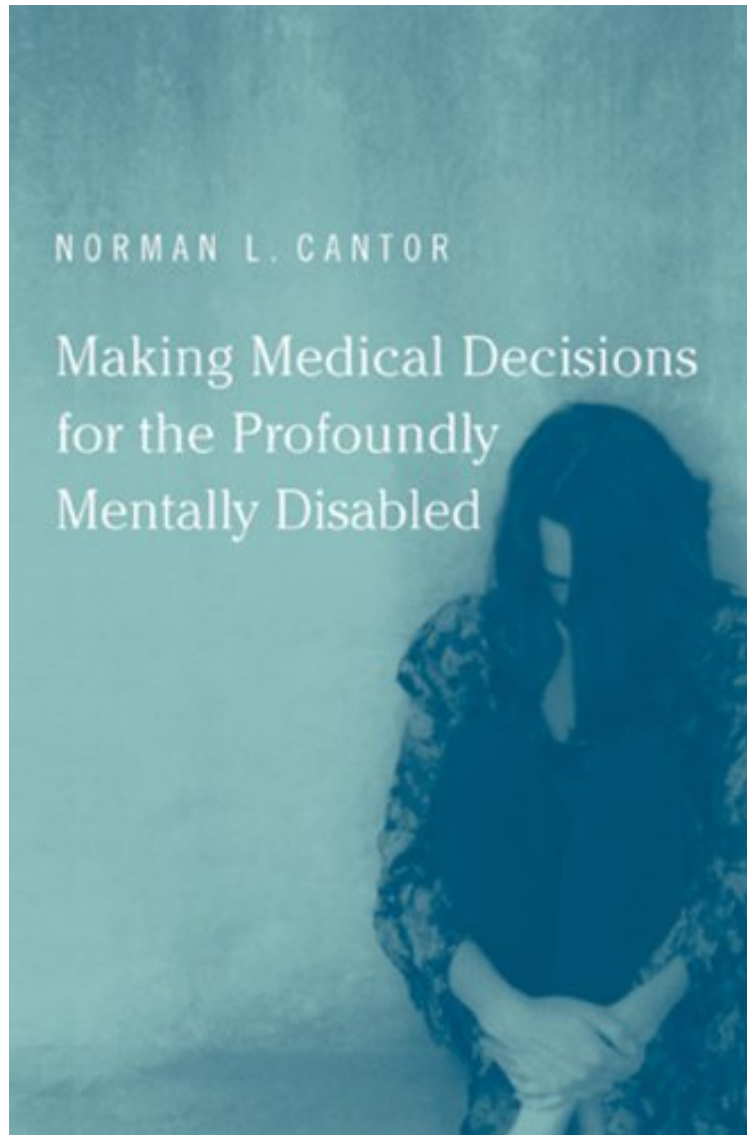


[FREE] Making Medical Decisions for the Profoundly Mentally Disabled (Basic Bioethics)

## **Making Medical Decisions for the Profoundly Mentally Disabled (Basic Bioethics)**

*Norman L. Cantor*

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**Norman L. Cantor : Making Medical Decisions for the Profoundly Mentally Disabled (Basic Bioethics)** before purchasing it in order to gage whether or not it would be worth my time, and all praised Making Medical Decisions for the Profoundly Mentally Disabled (Basic Bioethics):

A legal and moral analysis of medical decision making on behalf of those with such severe cognitive impairments that they cannot exercise self-determination. In this book, Norman Cantor analyzes the legal and moral status of people with profound mental disabilities -- those with extreme cognitive impairments that prevent their exercise of medical self-determination. He proposes a legal and moral framework for surrogate medical decision making on their behalf. The issues Cantor explores will be of interest to professionals in law, medicine, psychology, philosophy, and ethics, as well as to parents, guardians, and health care providers who face perplexing issues in the context of surrogate medical decision making. The profoundly mentally disabled are thought by some moral philosophers to lack the minimum cognitive ability for personhood. Countering this position, Cantor advances both theoretical and practical arguments for according them full legal and moral status. He also argues that the concept of intrinsic human dignity should have an integral role in shaping the bounds of surrogate decision making. Thus, he claims, while profoundly mentally disabled persons are not entitled to make their own medical decisions, respect for intrinsic human dignity dictates their right to have a conscientious surrogate make medical decisions on their behalf. Cantor discusses the criteria that bind such surrogates. He asserts, contrary to popular wisdom, that the best interests of the disabled person are not always the determinative standard: the interests of family or others can sometimes be considered. Surrogates may even, consistent with the intrinsic human dignity standard, sometimes authorize tissue donation or participation in nontherapeutic medical research by profoundly disabled persons. Intrinsic human dignity limits the occasions for such decisions and dictates close attention to the preferences and feelings of the profoundly disabled persons themselves. Cantor also analyzes the underlying philosophical rationale that makes these decision-making criteria consistent with law and morals.

Autonomy rules American bioethics, but as Norman Cantor demonstrates in this wonderfully lucid and compelling book, it is human dignity that ultimately marks the obligations of medical decision makers for the profoundly mentally impaired patient. Cantor's careful scholarship will be of tremendous help to U.S. courts (and care providers) in their ongoing effort to apply the 'best interests of the patient' standard in the context of medical care, end-of-life decisions, organ donation, and human experimentation. (George J. Annas, Boston University School of Public Health, author of *American Bioethics: Crossing Human Rights and Health Law Boundaries*) Norman L. Cantor tackles the most vexing problem of health care decision making: how to make decisions for people who cannot make them for themselves. At first glance, this issue would seem to be of interest only to bioethics and physicians. But as the decline of mental faculties concurrent with aging, serious illness, or both is something that no one can count on avoiding, this should be a matter of concern to all. After decades of wandering in the woods, there is finally an overarching approach to this problem in Cantor's work. (Alan Meisel, Professor of Law and Dickie, McCamey Chilcote Professor of Bioethics, University of Pittsburgh) Norman L. Cantor has long been one of the leading contributors to the literature on legal and ethical issues in end-of-life care. *Making Medical Decisions for the Profoundly Mentally Disabled* is the first systematic treatment of this increasingly important issue, and should contribute to improvements in medical practice and public policy. (Dan W. Brock, Frances Glessner Lee Professor of Medical Ethics, Harvard Medical School) When was the last time you opened a book and realized that what you were reading would actually help you to improve the lives of persons to whom you owe special care? Norman Cantor, a professor of law at Rutgers University, has written such a book. (Patricia Backlar *New England Journal of Medicine*) Going beyond his earlier work Cantor has produced a provocative set of general principles for surrogate decision making drawn from an extensive and critical review of American law on the subject. (Charles H. Baron, Boston College Law School) About the Author Norman L. Cantor is Professor of Law and Justice Nathan Jacobs Scholar at Rutgers University School of Law.