FREEDOM OF CHOICE AT THE END OF LIFE: PATIENTS’ RIGHTS IN A SHIFTING LEGAL AND POLITICAL LANDSCAPE

The Diane Abbey Law Center for Children and Families,
The Justice Action Center at New York Law School,
and The New York Law School Law Review present:

Co-sponsors:
Compassion & Choices of New York,
Collaborative for Palliative Care, Westchester/ NYS Southern Region,
National Academy of Elder Law Attorneys (NAELA),
Elder Law Section of the New York State Bar Association,
and Commission on Law and Aging- American Bar Association

November 16th, 2012
New York Law School

Continuing Legal Education
Six Credits in Professional Practice
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SCHEDULE OF EVENTS
All events take place in the Event Center, New York Law School

8:15a.m. – 9:00 a.m.
Check-in for pre-registered guests
Continental breakfast will be available in the Event Center.

9:00 a.m. - 9:45 a.m.
Welcome
- Peter J. Strauss, Symposium Chair, Adjunct Professor, New York Law School
- Kathryn L. Tucker, JD., Director of Legal Affairs, Compassion & Choices, Adjunct Professor of Law, Loyola Law School/Los Angeles

9:45 a.m. – 11:00 a.m.
Panel I: Taking Control and Preserving Autonomy
This panel will discuss the need for advance planning and one’s rights to do so, available advance directive tools: health care proxies, living wills, POLST (MOLST); enforcement of patient rights and emerging issues, trends and new legislation.
Attendees at this panel are eligible for 1 CLE credit in professional practice

- Moderator: Peter J. Strauss, Symposium Chair, Adjunct Professor, New York Law School
- Nadia N. Sawicki, Assistant Professor, Beazley Institute for Health Law & Policy, Loyola University Chicago School of Law
- Lisa Comeau, Attorney, Appellate Counsel
- David C. Leven, Executive Director, Compassion and Choices of New York
- Mary Beth Morrissey, Esq., Ph.D., M.P.H.; President, Collaborative for Palliative Care, Westchester/NYS Southern Region

11:00a.m.-11:15a.m.
Break

11:15 a.m. - 1:00 p.m.
Panel II: Real Time Critical Issues
This panel will explore best practices in End of Life Care: palliative care, pain management, the “double effect”, hospice and transitional care. In addition, the panel will discuss the conflict between family and physician over medically ineffective treatment (“futility”) and the ethics of decision making for persons with dementia.
Attendees at this panel are eligible for 2 CLE credits in professional practice

- Moderator: Carlin Meyer, Director, the Diane Abbey Law Center for Children and Families, Professor, New York Law School
- David Muller, M.D., Professor of Medicine and Dean for Medical Education, Mt. Sinai School of Medicine, New York; Staff Physician, Visiting Doctors Program
- Gabrielle Goldberg, M.D., Assistant Professor, Department of Geriatric and Palliative Medicine and Department of Internal Medicine, Mt. Sinai School of Medicine, New York; Medical Director of The Wiener Family Palliative Care Unit
- Thaddeus M. Pope, JD, Ph.D., Director, Health Law Institute at Hamline University, Adjunct Associate Professor, Albany Medical College
- Bonnie Steinbock, Ph.D., Professor of Philosophy, University at Albany/SUNY
- Paul T. Menzel, Professor of Philosophy Emeritus, Pacific Lutheran University
1:00 p.m. – 2:15 p.m.
Lunch and Keynote Speaker:
Attendees at this panel are eligible for 1 CLE credit in professional practice

- Introduction: Peter J. Strauss, Symposium Chair, Adjunct Professor, New York Law School
- Honorable Sol Wachtler, former Chief Judge, New York State Court of Appeals

2:15p.m. – 4:15 p.m.
Panel III: Special People - Special Issues
This panel will discuss the issues of concern for people with disabilities and the conflict between organizations dedicated to protecting their rights and end-of-life advocates. The panel will discuss the views of some of the major religion and whether conservative theological values can co-exist with patient choice. Finally, the panel will conclude with a discussion of the quality of medical care provided to prisoners and how their end of life choices are treated.
Attendees at this panel are eligible for 2 CLE credit in professional practice

- Moderator: Sue D. Porter, Masters of Bioethics, NY; Masters in Business, CA; Compassion and Choices of Oregon - Implementation of Death With Dignity Law.
- Alicia Ouellette, Associate Dean for Student Affairs and Professor of Law, Albany Law School; Professor of Bioethics at Union Graduate College/Mt. Sinai School of Medicine Program in Bioethics
- Rev. Dr. Martha R. Jacobs, BCC, Adjunct Professor, New York Theological Seminary; Chaplain, New York Presbyterian Hospital - Columbia Campus; Author, A Clergy Guide to End of Life Issues; Blogger: Huffington Post
- Honorable Brian Fischer, Commissioner, New York State Department of Corrections
- Carl J. Koenigsmann, M.D., Deputy Commissioner and Chief Medical Officer, New York State Department of Corrections and Community Supervision

4:15 p.m. – 4:45 p.m.
Plenary Session- How the Media Affects Policy and Individual Rights- From Schiavo to Death Squads

- Sherrie Dulworth, R.N., Healthcare Management Consultant and Freelance Reporter

4:45p.m.-5:00 p.m.
Closing Remarks

Reception to follow
ABOUT THE SPONSORS

The Diane Abbey Law Center for Children and Families was founded in 2009 to ensure that children, and the families who care for them, receive the legal assistance necessary to ensure their safety, security and well-being. To that end, the Law Center’s dual goals are to promote policies that empower families and to facilitate our students’ entrance into family law practice and policy. The Law Center offers students a comprehensive, interdisciplinary curriculum aimed at creating excellent practitioners able to represent children and families in all aspects of family law. Students apply in their second semester of law school to become Center Associates, who will engage in volunteer externships, connect with alumni and other mentors, and complete capstone projects that make concrete contributions to the lives of families in need. Already, student interns are working in the Family Courts, with Sanctuary for Families, New York Legal Assistance Group, the Center for Family Representation, the Family Law Center, in private law offices, and with judges in the Family and Supreme Courts. For more information on the Center, please visit www.nyls.edu/abbeylawcenter.

The Justice Action Center brings together New York Law School faculty and students in an ongoing critical evaluation of public interest lawyering. Through scholarship and fieldwork, the Center seeks to evaluate the efficacy of law as an agent of change and social betterment. The Center fosters collaborative efforts by faculty and students to engage the specific problems presented in the fields of anti-discrimination law, civil liberties, criminal law, economic justice: legal advocacy and economic development, education law, environmental law, family law, immigration law, international human rights law, labor and employment law, mental disability law, and social change advocacy. In addition to a focused curriculum, symposia, and research opportunities, students have the opportunity to gain direct exposure to the field of cause lawyering through externships, clinics, and workshops. For more information on the Center, please visit www.nyls.edu/jac.

The New York Law School Law Review is a journal of legal scholarship edited and published by students at New York Law School four times a year. The Law Review publishes articles, notes, comments, essays, book reviews, and speeches on many areas of legal scholarship. It also hosts symposia and events that are developed by the Law Review’s editorial staff in collaboration with the New York Law School faculty and academic centers, and in partnership with other organizations. The Law Review has both a scholarly and an educational mission. It serves as an academic forum for legal scholarship, and is intended to provide effective research materials for judges, attorneys, and students of the law. The Law Review also offers its students an important learning experience, providing opportunities for members to develop their own editing and writing skills, as well as other critical skills that are relevant to successful law practice, including among others: communication, organizational, project management, and editing skills. Indeed, the Law Review’s educational purpose is as important as its scholarly purpose. For more information on the Law Review, please visit www.nylslawreview.com.
MORNING KEYNOTE SPEAKER

**Kathryn L. Tucker**, a graduate of Georgetown University Law School and Hampshire College, is director of legal affairs for Compassion & Choices, the nation’s largest and oldest nonprofit organization working to improve care and expand choice at the end of life. Ms. Tucker practiced law with the Seattle-based law firm Perkins Coie, where her pro bono work for Washington Citizens for Death with Dignity led her to the aid-in-dying movement. She is currently also an adjunct professor of law at Loyola Law School, Los Angeles, teaching in the areas of law, medicine and ethics, with a focus on the end of life. She has previously been adjunct professor of law at the University of Washington, Seattle University and Lewis & Clark Schools of Law.

Kathryn served as lead counsel representing patients and physicians in two landmark federal cases decided by the United States Supreme Court, *Washington v. Glucksberg* and *Vacco v. Quill*, asserting that mentally competent terminally ill patients have a constitutional right to choose aid in dying. These cases are widely acknowledged to have prompted nationwide effort and much-needed attention to improving care of the dying, and to have established a federal constitutional right to aggressive pain management.

Ms. Tucker also handles state constitutional litigation asserting claims of a similar nature, including *Baxter v. Montana*, in which the lower court recognized that aid in dying is a fundamental right protected by the Montana State Constitution. The Montana Supreme Court did not reach the constitutional issues, but upheld the right of terminally ill Montanans to choose aid in dying. She successfully defended the Oregon Death with Dignity Act from attack by the United States Department of Justice in *Oregon v. Gonzales* and was involved in the development of, and successful campaign to pass, the Washington Death with Dignity Act (2008).

Ms. Tucker is recognized as a national leader in spearheading creative and effective efforts to promote improved care for seriously ill and dying patients. She served as co-counsel in the first case in the nation to assert that failure to treat pain adequately constitutes elder abuse, which resulted in a finding of liability and a jury verdict award of $1.5 million to the patient’s family against the involved physician. She has been principal author of various state legislative measures, which serve as models for other states, to ensure physician education in pain management and provision of information to terminally ill patients about end-of-life care options. She also defends physicians facing adverse consequences for treating pain attentively and aggressively.
Kathryn is listed in the prestigious directory *Who’s Who in American Law* and was recognized as **Lawyer of the Year, Runner-Up** by the *National Law Journal*. She appears frequently on television and radio discussing end-of-life care, decision-making and physician-assisted dying. Media appearances include *Crossfire*, the *NewsHour with Jim Lehrer, Larry King* and CNN. Her work has been profiled in the *National Law Journal, American Lawyer, Journal of the American Bar Association, Legal Times*, and the magazines *George, Vogue, Time, People* and *Health*, among others.

She is an invited speaker at educational programs on the subjects of improving care at the end of life, end-of-life decision-making, and aid in dying. She has presented to the *American Bar Association*, the *Association of American Law Schools*, the *American Society of Law, Medicine and Ethics*, the *National Conference of State Legislatures*, the *National Academy of Elder Law Attorneys*, the *American Pain Society*, the *American Academy of Pain Management*, the *Federation of State Medical Boards*, and the *American College of Legal Medicine*. She is also the mother of two and a White-Lotus trained yoga instructor.
Honorable Sol Wachtler began his career in government service as Town Councilman and later a Supervisor in Nassau County, New York (1965-1967). He served as a Justice of the New York Supreme Court (1968-1972) and Judge of New York’s highest court, The New York Court Of Appeals (1973-1992). In 1985 he was appointed Chief Judge of that court and Chief Judge of the State of New York. He was a member of the Board of Directors of the Conference of Chief Justices and a co-chairman of the National State/Federal Judicial Council.

An honor graduate of Washington and Lee University and its law school, he served in the US Army during the Korean conflict in charge of the Courts and Boards Section of the Provost Marshal General Center. He authored the 3rd Army manual: “The Preparation and Trial of Summary and Special Courts Martial.”

He has been awarded thirteen honorary Doctor of Law Degrees and has been a scholar in residence at several law schools as well as lecturer abroad on behalf of the United States Information Service. He was New York State Chairman of the Bicentennial Commission celebrating the U.S. Constitution. He authored the book After the Madness (Random House), co-author of the novel Blood Brothers (New Millennium) was a critic at large for New Yorker magazine and authored a section in the book: Serving Mentally Ill Offenders(Springer).

In 2002 he was presented with the President’s Award by the Mental Health Association of New York and a 25th Anniversary Award from the Coalition of Mental Health Associations of the City of New York. In 2004 and 2008 he was presented with the annual Achievement Award by National Alliance of the Mentally Ill (NAMI). He is presently the Chairman of the Board of the Law and Psychiatry Institute of the North Shore- Long Island Jewish Health System and a contributor and member of the Advisory Board of the Community Health Report (Civic Research Institute, New York University). He is currently a Professor of Constitutional Law at Touro Law School.

He has served on the Board of Trustees of the Albany Law School, Long Island University, The Rockefeller Institute and the Judicial College of the University of Nevada. He currently serves as a member of the Board of Governors of The Touro Law School, a member of the International Board of Governors of Bar Ilan University in Israel and is a Life Trustee of the North Shore Long Island Jewish Health System.
The Judge Sol Wachtler Chair in Legal Aid at Bar Ilan University in Israel founded in 1987 is currently the heart of the legal aid system in Israel with 97 stations providing legal programs throughout the State of Israel.

In 1993 an article in the Harvard Law Review noted: “Chief Judge Wachtler is a Constitutional Law Scholar. He was not a ‘good judge’ he was a ‘great judge.’”

In the 2003 issue of the Syracuse Law Review there appeared a compendium of Judge Wachtler’s opinions while on the New York State Court of Appeals. The article concluded with the following: “Judge Wachtler’s role in shaping New York law puts him in select company in the state’s rich judicial history. Wachtler showed imagination when needed, restraint where called for, and a clear sense of expression always.” Judge Wachtler is married. He and his wife, Joan, a social worker, have four adult children and eight grandchildren.
PARTICIPANT PROFILES

Lisa M. Comeau is a graduate of Hofstra University School of Law and St. John’s University in New York. Her 25-year legal career principally has centered on tort litigation, with a heavy concentration in appellate practice in the areas of medical malpractice and professional liability, construction/workplace accidents, premises and vehicular related negligence, and insurance policy and coverage issues. She recently litigated a case of first impression in New York that involved a hospital’s failure to honor a terminally ill patient’s directives not to resuscitate him, and whether damages in tort were available for such conduct.

Sherrie Dulworth is a national consultant with executive expertise in health care best practices, focusing on efficiency and quality improvement. Her clients include professional associations, insurers, employers, hospitals and integrated delivery systems, and external quality agencies. Her work has spanned both domestic and international projects. She has published in the areas of clinical best practices, evidence-based medicine, international healthcare, healthcare quality, risk management, and managed care. She has been a frequent guest lecturer. She is a Master’s candidate at the Columbia University Graduate School of Journalism.

Brian Fischer began his career at the New York State Department of Corrections and Community Supervision in 1975 and was appointed Commissioner in 2007. He is presently responsible for about 57,000 offenders confined in sixty correctional facilities, including a 916-bed Drug Treatment Campus, three Parole Violator Treatment Centers, five Regional Medical Units, and two Residential Mental Health Units. Throughout his career, Commissioner Fischer has championed several non-traditional inmate programs, offering inmates courses in theater, domestic violence and parenting skills. He also implemented a comprehensive transitional pre-release program for inmates with serious mental health needs. Mr. Fischer has been an adjunct professor at both John Jay College of Criminal Justice and Pace University. He is a member of the Standards Committee of the American Correctional Association, the New York State Permanent Sentencing Commission, and the Criminal Justice Advisory Board at St. Aquinas College.
Dr. Gabrielle Goldberg completed her residency in Internal Medicine and fellowship in Hematology and Medical Oncology at Mount Sinai School of Medicine, where she also served as a chief fellow. She is board certified in Internal Medicine, Hematology, Medical Oncology, and Hospice and Palliative Medicine. Dr. Goldberg served as the Education Director of the Lilian and Benjamin Hertzberg Palliative Care Institute of the Brookdale Department of Geriatrics and Palliative Medicine from 2006-2012 and is currently Medical Director of the Inpatient Palliative Care Unit which opened at the Mount Sinai Hospital in 2011. She has presented nationally at the American Society of Clinical Oncology Annual Meeting (ASCO), American Academy of Hospice and Palliative Medicine (AAHPM), and the American Association of Medical Colleges (AAMC). She has published in the Journal of Clinical Oncology and the Journal of the American Geriatrics Society.

The Rev. Dr. Martha R. Jacobs, BCC, is the author of *A Clergy Guide to End of Life Issues*, a comprehensive collection of resources to help clergy guide congregants through issues surrounding death and dying. Her book has been hailed a “must-read” not only for seminarians, but for seasoned clergy as well. She speaks nationally, leading workshops on Advance Directives and her Prayerful Discernment Process. She also lectures on death, dying and bereavement for physician assistant programs. An ordained minister of The United Church of Christ and a Board Certified Chaplain with the Association of Professional Chaplains, Dr. Jacobs is currently working for the Department of Pastoral Care and Education at New York Presbyterian Hospital-Columbia Campus in New York City, while also serving as sabbatical pastor for the Briarcliff Congregational Church in Briarcliff Manor, New York. She is an adjunct professor at New York Theological Seminary, where she is the coordinator for the Doctor of Ministry in Pastoral Care.
Dr. Carl Koenigsmann is the Deputy Commissioner and Chief Medical Officer for the New York State Department of Corrections and Community Supervision. He oversees health care in sixty correctional facilities with an offender population of approximately 55,000 and a health services staff of approximately 1,700. Prior to becoming Deputy Commissioner, Dr. Koenigsmann served as the Regional Medical Director to the Department, supervising medical services for a Hub of fourteen facilities. He also served the Department as Facility Health Services Director at Green Haven Correctional Facility in Dutchess County, servicing a maximum security population of 2,200 offenders. Before joining the Department, Dr. Koenigsmann had a successful private practice career in the Hudson Valley area of New York. Dr. Koenigsmann is board certified in Internal Medicine and graduated from New York Medical College.

David C. Leven has been the Executive Director of Compassion & Choices of New York since 2002, working to improve care and expand choice at the end-of-life. Mr. Leven has played a leadership role in having legislation introduced and enacted in New York to improve pain management and palliative care including the Palliative Care Education and Training Act of 2007 and the Palliative Care Information Act of 2010, which requires that terminally ill patients be offered information and counseling on their palliative care and end-of-life options. Mr. Leven lectures frequently to diverse professional groups and citizens on palliative care and end-of-life issues.

Paul T. Menzel is Professor of Philosophy Emeritus at Pacific Lutheran University, where he taught courses in philosophy and bioethics, including Biomedical Ethics, Human Identity and Bioethics, Health and Social Justice, Business Ethics, Human Rights and The Nature of Human Well-Being. He has published scholarly work on health care ethics, including two books on moral questions in health care economics and numerous articles on health care reform and health care structure. He has recently co-authored Prevention vs. Treatment: What’s the Right Balance? (Oxford University Press, 2012), a volume of original papers on the tension between treatment and prevention in health policy.
Paul Menzel and Bonnie Steinbock were scholarly residents at the Brocher Foundation on Lake Geneva, Switzerland, in April 2012, where they worked on the article that is the basis of their presentation.

**Carlin Meyer** is Professor of Law at New York Law School and Director of the Diane Abbey Law Center for Children and Families, founded in 2009. She has taught and written on matters ranging from feminist jurisprudence to separation of powers under the U.S. Constitution. Her most recent work focuses on the definition and role of family in today’s society.

Previously, Professor Meyer was bureau chief for labor in the New York State Attorney General’s Office, served as assistant attorney general in the Civil Rights Division of that office, served as assistant general counsel to District Council 37 of the American Federation of State, County and Municipal Employees, and was a partner in the firm of Gladstein, Meyer and Reif (currently Gladstein, Reif & Meginniss). She is a member of the Society of American Law Teachers and of the Law & Society Association, and she is a former president of the New York City Chapter of the National Lawyers Guild.

**Mary Beth Morrissey, Ph.D., MPH,** has a statewide and national presence as a health care attorney and social science researcher affiliated with Fordham University, concentrating her practice to areas of health law and policy, social work, and ethics. Dr. Morrissey serves as a founder and the president of the Collaborative for Palliative Care, Inc. She holds her B.A., J.D., and Ph.D. from Fordham University, where she was a May 2011 recipient of the Langenfeld Research Award and her MPH from the New York Medical College School of Public Health.

Dr. Morrissey lectures and writes on health and mental health policy, public health law, health care decisionmaking, pain and suffering, palliative and end-of-life care, and phenomenology and bioethics. Her research focuses on vulnerable persons including individuals suffering from chronic pain, serious illness or serious mental illness, older adults, nursing home residents and aging prisoners. She is lead editor of and a contributing author in *Partners in Palliative Care: Enhancing Ethics at the End of Life* (2012) and was lead editor of the 2012 Spring Special Issue of the New York State Bar Association Health Law Journal on public health law and ethics. She was recently appointed to Governor Cuomo’s New York
Health Benefit Exchange Regional Advisory Committee (NYC/Metro) and serves on the NYC Bar Association Bioethics Committee.

David Muller, M.D., received his B.A. from Johns Hopkins University and his M.D. from New York University School of Medicine. He completed his Internship and Residency in Internal Medicine at the Mount Sinai Medical Center, where he spent an additional year as Chief Resident. Dr. Muller co-founded and directed the Mount Sinai Visiting Doctors Program, now the largest academic physician home visiting program in the country. In 2005, Dr. Muller was appointed Dean for Medical Education and Chair of the Department of Medical Education. His recent honors include the Founder’s Award, Mount Sinai Visiting Doctors, Departments of Medicine and Geriatrics (2010), the AMA Pride in the Profession Award (2009), Department of Medicine’s Ruth Abramson Humanism in Medicine Award (2005), and the Alexander Richman Commemorative Award for Humanism in Medicine (2005). Dr. Muller is Associate Professor of Medicine and Medical Education and is a Fellow of the New York Academy of Medicine.

Ann Neumann has written about religion and end-of-life issues for *The Nation, Religion Dispatches* and other publications and has appeared on NY1 News and WBAI radio. Ms. Neumann is editor of *The Revealer*, a publication of New York University’s Center for Religion and Media. In spring 2010 she was a visiting scholar with NYU’s Religious Study Program. She is a current recipient of a Knight Grant for Reporting on Religion and American Public Life from the Annenberg School for Journalism at the University of Southern California and is conducting research on end-of-life issues. Her areas of investigation include denominational health care, prison hospice programs, and the legalization of aid in dying. Ms. Neumann is a hospice volunteer and is currently working on a non-fiction manuscript about how Americans die. She authors the blog *Otherspoon* about end-of-life issues.
Alicia Ouellette is an Associate Dean and Professor of Law at Albany Law School and a Professor of Bioethics in the Union Mt. Sinai School of Medicine Bioethics Program. At the law school, Professor Ouellette teaches Constitutional Law and seminars in Bioethics and Human Reproduction. She is a widely published author and has written on end-of-life decisionmaking, pediatric ethics, disparities in healthcare, and medical informatics. Her book, *Disability and Bioethics*, was published in 2011 by Cambridge University Press.

Thaddeus Pope is the Director of the Health Law Institute at Hamline University School of Law. His research focuses on medical futility, internal dispute resolution, tort law, and public health law. He authors a blog on medical futility (medicalfutility.blogspot.com), reporting and discussing legislative, judicial, regulatory, medical, and other developments concerning end-of-life medical treatment. Prior to joining academia, he practiced at Arnold & Porter LLP and clerked on the U.S. Court of Appeals for the Seventh Circuit. Professor Pope earned a J.D. and Ph.D. in philosophy and bioethics from Georgetown University.

Sue Dessayer Porter has stewarded terminally ill patients through Oregon’s “Death With Dignity” law (DWD) since 2001; she qualifies or disqualifies people according to legal restrictions; counsels people on various end-of-life choices; explains the DWD medical process; guides families and caretakers; and is with the person if and when they choose to die peacefully using legal medication. Sue was a participant in “How to Die in Oregon,” the documentary which won Sundance (2011). She serves on the board of Compassion & Choices of Oregon and is also a board member for Compassion & Choices National. Ms. Porter has a Masters of Science in Bioethics and a Masters in Business Administration.
Nadia Sawicki has been a professor at Loyola University Chicago since 2009. Her primary fields of expertise are bioethics and health law. Professor Sawicki has published scholarship on a variety of topics, including rights of conscientious objection, communication methods in informed consent, professional discipline by state medical boards, the use of tort law as an incentive for appropriate medical treatment in end-of-life and reproductive care, and the medical community's role in supporting social goals. Professor Sawicki regularly presents her work at law faculty workshops throughout the country, and at the annual conferences of the American Society for Law, Medicine, and Ethics and the American Society for Bioethics and the Humanities. She serves as a member of the editorial board for the MIT Press "Basic Bioethics" Series. Professor Sawicki received a B.A. from Brown University in 2000 and both a J.D. and a Masters in Bioethics from the University of Pennsylvania. She clerked for the Honorable J. Curtis Joyner of the U.S. District Court for the Eastern District of Pennsylvania, and practiced at Wolf, Block, Schorr & Solis-Cohen in Philadelphia. She was the inaugural George Sharswood Fellow at the University of Pennsylvania Law School, where she taught bioethics and public health law.

Bonnie Steinbock is Professor of Philosophy at the University at Albany and specializes in biomedical ethics, particularly reproduction and genetics. She is a Fellow of the Hastings Center, a past member of the Ethics Committee of the American Society for Reproduction and Medicine (ASRM), and she has served on a number of working groups in the United States and Europe. Recent articles have been on wrongful life and procreative decisions, reproductive cloning, defining parenthood, moral status, and embryonic stem cell research. She is the author of Life Before Birth: The Moral and Legal Status of Embryos and Fetuses (1992, 2011). She is the area editor in Fertility and Reproduction for the Encyclopedia of Bioethics (2004). She has edited and co-edited several books on issues relating to medical ethics. She teaches undergraduate and graduate courses in ethics, bioethics, and philosophy of law, and graduate courses in public policy and public health. She is the director of the interdisciplinary minor in bioethics. She received her Ph.D. from the University of California, Berkeley.

Bonnie Steinbock and Paul Menzel were scholarly residents at the Brocher Foundation on Lake Geneva, Switzerland, in April 2012, where they worked on the article that is the basis of their presentation.
Peter J. Strauss, Symposium Chair, is co-director and founder of the Elder Law Clinic at New York Law School, serves as court evaluator in guardianship proceedings and teaches Elder Law. He has been an adjunct professor at New York Law School since 1992 and was named distinguished practitioner in residence in the fall semester 2003. Professor Strauss is nationally recognized as one of the first attorneys in the country to focus in the field of elder law. His special expertise lies in the legal problems of the aging and persons with disabilities. He is a co-founder of the National Academy of Elder Law Attorneys and the National Association of Professional Geriatric Care Managers and is currently a partner in the law firm Epstein Becker & Green, P.C., where his practice area is personal planning and his areas of focus are elder law, guardianship, estate planning, and trusts and estates law. Professor Strauss has served on the faculty of the Heckerling Institute on Estate Planning of the University of Miami School of Law and was an adjunct faculty member of the school’s Masters Program in Estate Planning from 1993 to 2000. He is a frequent lecturer on advance planning for older persons and persons with disabilities. He has written extensively on elder law and is the co-author of Aging and the Law. Professor Strauss earned his A.B. in 1957 from Bowdoin College and his J.D. in 1961 from New York University.