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3 **RESOLUTION 61-09A**
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5 **Title: Death by Neurological Criteria**
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7 **Introduced by: Stephen N. Dallas, MD, for the Kalamazoo County Delegation**
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9 **Original Author: David E. Randolph, MD**
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11 **Referred to: Reference Committee E**
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13 **House Action: Adopted as Amended**
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16 **Whereas, it is considered unethical to mechanically ventilate an individual**
17 **who has been determined to have suffered brain death, with the exception of the**
18 **process of mutually agreed upon organ donation, and**
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20 **Whereas, there are established criteria for the definition of brain death,**
21 **and**
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23 **Whereas, there can be significant emotional stress associated with the**
24 **removal of mechanical ventilation from an individual determined to be "brain**
25 **dead," for the family and other loved ones, and**
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27 **Whereas, there is no Michigan law protecting physicians from liability**
28 **when removing individuals from mechanical ventilation who are determined to**
29 **be "brain dead," by established criteria; therefore be it**
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31 **RESOLVED: That MSMS work with the Michigan legislature and other**
32 **concerned organizations to craft legislation to protect Michigan physicians from**
33 **liability when removing "brain dead" individuals from mechanical ventilation.**
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36 **WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE**