

**The Texas Advanced Directives Act: Bad News for Americans with Disabilities!**  
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Ten years ago, a severely disabled woman named Terri Schiavo was starved to death – U.S. courts upheld her husband’s decision that “Terri wouldn’t want to live this way,” and so she was removed from all life supports. Many empathized with the decision stating that Terri was not mentally capable of expressing her wishes. As I sat in my wheelchair outside the hospice facility where Terri was dying, I knew it was a watershed moment that would jeopardize the lives of all Americans with disabilities.

Now a decade later, it’s happened again. And this time, the patient was, without question, totally competent. David “Chris” Dunn, a former patient at Houston Methodist Hospital, was completely cognizant and had expressed a desire to live. Houston Methodist Hospital and its ethics committee, however, deemed further efforts to sustain Dunn’s life would only prolong his suffering, informing the family that they would end life-sustaining care as allowed by the Texas Advanced Directives Act.

Chris’ family fought on his behalf, receiving extensions that provided time for him to transfer to another facility, but Chris succumbed to his illness before that was possible. And though Chris’s suffering has ended, the question as to who has the final say on end-of-life care has still yet to be properly addressed.

Opinion 9.11 of the American Medical Association’s Code of Medical Ethics states, “Ethics committees in health care institutions should be educational and advisory in purpose ... Recommendations of the ethics committee should impose no obligation for acceptance on the part of the institution, its governing board, medical staff, attending physician, or other persons. However, it should be expected that the recommendations of a dedicated ethics committee will receive serious consideration by decision makers.”

Although this is practice in hospitals throughout the U.S., the state of Texas upholds the Texas Advanced Directives Act, which allows healthcare providers to remove life-sustaining treatment from a patient even when doing so overrides the patient’s desire and right to live — therefore no longer making an ethics committee’s conclusions a “recommendation” but rather an imposed decision.

What happened to Terri Schiavo has opened a flood gate of abuse against the weakest and most vulnerable in our nation. What disability advocates feared ten years ago has come to pass. Although Chris Dunn was able to make known his wishes to stay alive, the hospital had none of it.

I believe this hostile climate can be laid at the feet of the Affordable Care Act (Obamacare). Hospitals, in order to protect themselves against federal penalties for “wasteful treatment,” are shielding themselves with new laws that protect their interests, and not the patients.

For decades, patient “autonomy” or self-determination has been at the core of all medical decision-making in the United States. It means that patients have the right and ability to make their own choices and decisions about medical care and treatment they receive, as long as those decisions are within the boundaries of law. But now, hospitals have found a way to erode patient right-of-autonomy through laws like the Texas Advanced Directives Act.

Is *this* the kind of healthcare system we want? Whatever happened to defending the rights of the weak and infirmed? We must safeguard the rights of the medically fragile; not nullify them in order to destroy a sick patient. Life is worth living, and if a person expresses a desire to live, then our hospitals should respect that wish.

God is the giver of life, and He is the only one who should have the power to take it. He gave human beings the ability to develop medicine for human good, to help reverse the effects of a fallen world. Allowing hospitals to kill patients destroys the moral fabric of a compassionate healthcare system.

Americans who are medically fragile need your voice. If an American with a disability wants to live, then his right to life should be respected!

***Joni Eareckson Tada is an author, disability advocate and the founder of [Joni and Friends International Disability Center](#), whose [Christian Institute on Disability](#) aggressively promotes life, human dignity and the value of all individuals – despite their disabling condition – from a biblical perspective. Injured in a diving accident in 1967, Tada is one of the longest living quadriplegics on record. She asks those who share her concern on this issue to mail a letter to Texas Governor Greg Abbott on behalf Chris Dunn’s life, or send the Governor a Twitter message, asking that every effort be made to defend the wishes and rights of disabled and critically ill patients. Governor Abbott’s twitter address is [@GregAbbott\\_TX](#).***