115104 - Cases in which it is permissible not to use resuscitation equipment

the question

I have a 5month old daughter .she iz been in the hospital since she is born .she has a unknown neurogentic disorder and she is unable to breath,eat,swallow ,blink her eyes ,close her eyelids properly, unable to move her neck properly and gain weight. she is 5 months and despite been on a very high calorie fomula she is 9 pounds . she has a teachotomy ,thru which she breaths and a gastrostomy tube through which they feed her .she has been seen by alot of doctors but noone knows why does she has thses problems . recently she has started losing weight ,multiple of infections and almost once or twice a week been pricked for blood,stool ,urine,trach and gastromy cultures..even when thses tests show infections doctors have to use the medications which they would never use in other kids cuz of their side effects .but in her case nothing is working ..she has recently put on a oxgen machine and occasionally requires ventilation and CPAP when she stops breathing .as a mother its hard to see my child conncted to so many things and being in pain all the time ..now the doctors have given us the option of DNR which mean if her heart beats stops again they would not do any other surgery or CPR to save her life as they think she will nt tolerated any kind of resusitation .they will make her life as much pain free as possible but would nt hook her up to further machines incase the needs arise .they have no hope for her and have given us a choice to refuse for all the blood tests etc to make her pain free ..under these situations is it allowed in ISLAM to sign DNR for me when doctors think this is the only best thing to do ....

Detailed answer

Praise be to Allah.

We ask Allaah to grant you patience and reward, and to decree for your daughter that which best for her and for you.

Signing a “Do Not Resuscitate” order (DNR) is not permissible except in certain cases which have

been defined by the scholars. They are as follows:

1.

If the sick person has been taken to hospital and is dead, in which case there is no need to use resuscitation equipment.

2.

If the patient’s condition is not fit for resuscitation according to the opinion of three trustworthy specialist doctors, in which case there is also no need to use resuscitation equipment.

3.

If the patient’s sickness is chronic and untreatable, and death is inevitable according to the testimony of three trustworthy specialist doctors, in which case there is no need to use resuscitation equipment.

4.

If the patient is incapacitated, or is a persistent vegetative state and chronically ill, or in the case of cancer in its advanced stages, or chronic heart and lung disease, with repeated stoppages of the heart and lungs, and three trustworthy specialist doctors have determined that, then there is no need to use resuscitation equipment.

5.

If there is any indication in the patient of brain injury that cannot be treated according to the reports of three trustworthy specialist doctors then there is no need to use resuscitation equipment, because there is no point in doing so.

6.

If reviving the heart and lungs is of no benefit and not appropriate because of a certain situation

according to the opinion of three trustworthy specialist doctors, then there is no need to use resuscitation equipment, and no attention should be paid to the opinions of the patient's next of kin concerning the use of resuscitation equipment or otherwise, because this is not their specialty. End quote.

Standing Committee for Academic Research and Issuing Fatwas

Shaykh 'Abd al-'Azeez ibn 'Abd-Allaah ibn Baaz, Shaykh 'Abd al-Razzaaq 'Afeefi.

Fataawa al-Lajnah al-Daa'imah (25/80).

In a resolution of the Islamic Fiqh Council no (5), dated 3/07/86, concerning resuscitation equipment, it says:

In the meeting of the Islamic Fiqh Council held during the third conference in 'Ammaan, the capital of the Hashemite Kingdom of Jordan from 8 to 13 Safar/11 to 16 October 1986.

Following a discussion of all aspects on the subject of resuscitation equipment and listening to extensive explanations from specialist doctors,

The following was determined:

In sharee'ah a person is considered to have died and all the rulings that result from death come into play if one of the following two signs are proven:

1.

If his heart and breathing have stopped completely and the doctors have determined that they cannot be restarted.

2.

If all brain function has ceased completely, and the specialist, expert doctors have determined that this cessation is irreversible, and his brain has started to disintegrate. In this case, removing

resuscitation equipment that is connected to the person is permissible, even though some organs such as the heart may still be functioning artificially due to the action of life support equipment.

End quote from Majallat Majma’ al-Fiqh, issue no. 3, vol. 2, p. 807.

Rushing to make such a decision out of compassion on the part of the parents, or one of them, or because the doctor wants to make the equipment available to another patient, should be avoided. Hence it is essential that there be agreement between three doctors that there is one of the reasons that make it permissible to switch off the patient’s life support.

And Allaah knows best.