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<p>Professor Boozang provides a legal analysis of proposals to create a futility exception to the requirement that physicians obtain informed consent prior to issuing a "Do Not Resuscitate" order. The futility exception enables a physician to unilaterally decide whether a patient should be resuscitated based upon the physician's determination that resuscitation would be futile. The Article surveys medical studies which indicate that patient self-determination is already too frequently undermined in medical decision-making and argues that a futility exception will further exacerbate the problem. Instead, the Article suggests that requiring physicians to obtain prior informed consent to CPR for hospital inpatients will ameliorate the problems of over-resuscitation and physician exclusion of patients from CPR decision-making.</p>		
WHAT HAPPENS IF ROE IS OVERRULED? EXTRATERRITORIAL REGULATION OF ABORTION BY THE STATES .....	C. Steven Bradford	87
<p>Professor Bradford examines whether, if <i>Roe v. Wade</i> were overruled, a state restricting the right to have an abortion could prohibit its resident women from traveling to other more lenient states to obtain abortions. He concludes that such an extraterritorial prohibition on abortion is consistent with current theories of criminal jurisdiction and arguably would not be unconstitutional.</p>		

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The central thesis of this Article is that general societal norms honoring the rights of parents to make decisions concerning the welfare of their minor children should govern in this context as in others. Courts are ill-equipped to make these personal and highly sensitive decisions. Absent factors that could disqualify them from making other decisions for their children as well— incompetence, conflict of interest, abuse or neglect, or disagreement between the two parents—parents who act in good faith on the grounds of confirmed medical diagnoses should be permitted to make termination-of-treatment decisions for their PVS minor children without governmental involvement. This should hold true so long as the condition arose during the child's minority, even if the child has since become an adult. To accomplish the objective, appropriate legislation is necessary.

*Notes*

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