

Volume 2 Number 1 Summer 1976

# American Journal of Law & Medicine

### **Foreword**

Reverend David F. Noonan

### **Articles**

☐ Diagnosis of Death in Comatose Patients Under Resuscitation Treatment: A Critical Review of the Harvard Report

H. A. H. van Till—d'Aulnis de Bourouill, D. Jur.

- ☐ Euthanasia Legislation: A Survey and A Model Act

  Ronald P. Kaplan, J.D.
- ☐ State Legislation on Abortion after *Roe v. Wade:* Selected Constitutional Issues

M. David Bryant, Jr., J.D.

### **ASLM Annual Rattigan Essay**

☐ Clinical Approaches to Teaching Legal Medicine to Physicians: Medicolegal Emergencies and Consultations

Park Elliott Dietz, M.D., M.P.H.

### **Medicolegal Reference Materials**

☐ The Medicolegal Reference Library

Elliot L. Sagall, M.D.

□ Topical Index to Selected Medicolegal Information

Harvey E. Pies, J.D., M.P.H.;

John A. Norris, J.D., M.B.A.;

and Pamela J. Anderson, J.D. Candidate

### AIMS OF THE JOURNAL

The American Journal of Law & Medicine is published in the interest of members of the American Society of Law & Medicine, and of those in the legal, insurance and health care professions who seek to further interdisciplinary discussion and knowledge in the areas where law, medicine, government, and insurance interrelate. Publication of any article or advertisement should not be deemed an endorsement of the opinions expressed or products advertised.

### REPRINTS AND/OR PERMISSION TO REPRODUCE

Reprints and/or permission to reproduce material herein should be requested by writing to the Editor-in-Chief, American Journal of Law & Medicine, Editorial Offices, 454 Brookline Avenue, Boston, Massachusetts 02215.

### SUBMISSION OF ARTICLES

The Editors encourage the submission of manuscripts which pertain to legal and insurance medicine and health law for publication in the *Journal*. Submission of book reviews, abstracts of recent cases of interest and importance, proceedings of symposia, and digests of important articles in the relevant literature also is welcomed. All materials should be sent in triplicate to the Editor-in-Chief, *American Journal of Law & Medicine*, Editorial Offices, 454 Brookline Avenue, Boston, Massachusetts 02215.

### STYLE OF MANUSCRIPT

General Form: Manuscripts should be typewritten on one side of the paper only, with double spacing and liberal margins. Manuscripts should be submitted in triplicate, i.e., an original and two carbon or Xerox copies. The title of the paper and the author's name and address should be given on a covering sheet.

Abstract: A short abstract (normally not exceeding 200 words) succinctly summarizing the content of the manuscript should accompany the manuscript on a separate sheet.

References: Footnotes to sources should appear in the text, numbered consecutively, and placed at the bottom of each page in numerical sequence or on separate pages at the end of the text. Footnotes should include the author's name, initials, title of article in the original language, name of publication with volume, page and year. All footnotes containing references to legal sources should conform to the Uniform System of Citation.

Illustrations: Illustrations and tables accompanying manuscripts should be numbered, provided with suitable legends, and marked lightly on the back with the author's name. Authors should indicate on the manuscript the appropriate positions of tables and text figures. Special arrangements must be made with the Editor-in-Chief for color plates, elaborate tables, half-tone illustrations or extra illustrations, drawings, and photographs.

Publication Language: English.

### PROOFS AND AUTHOR REPRINTS

Because of time pressures, galley proofs of articles accepted for publication will *not* be made available to authors. Fifty reprints of each article will be distributed to the author or divided among the authors if there are more than one.



## American Journal of

Volume 2 Number 1 Summer 1976

### Law & Medicine

### **EDITOR-IN-CHIEF**

John A. Norris, J.D., M.B.A. Attorney & Consultant In Health Law Tufts University School of Dental Medicine

### EXECUTIVE EDITOR

Elliot L. Sagall, M.D. Harvard Medical School Boston College Law School

### **EDITORS**

Clark C. Havighurst, J.D. Duke Law School

Bernard D. Hirsh, J. D. General Counsel, American Medical Association

Harold L. Hirsh, M.D., J.D.
Howard Medical School
George Washington University
National Law Center

Richard G. Huber, J.D. Dean, Boston College Law School

Alan K. Kaplan, J.D., M.Sc.
Editor, PSRO Letter
Attorney & Consultant in Health Law
Georgetown University Medical School

John F. Lombard, J.D. Attorney & Medicolegal Consultant Suffolk University Law School

Kevin M. McIntyre, M.D., J.D. Harvard Medical School

Paul J. Matte, M.D., J.D.
Attorney & Medicolegal Consultant
University of Arizona

BUSINESS MANAGER
James F. Holzer, J.D.
ADMINISTRATIVE MANAGER
Intercon Advisory Services, Inc.
RESEARCH ASSOCIATES
John James McMahon, J.D.
Monti N. Scribner, J.D.
Pamela J. Anderson, J.D. Candidate
Winfield Swanson, B.A.
Serena Domalky, J.D.

Aubrey Milunsky, M.B.B.Ch.,

M.R.C.P., D.C.H. Harvard Medical School Director, Genetics Division,

Eunice Kennedy Shriver Center for Mental Retardation

Irwin N. Perr, M.D., J.D.
Rutgers University

Harvey E. Pies, J.D., M.P.H. Attorney & Consultant In Health Law

Honorable Max Rosenn
United States Court of Appeals

Sydney C. Schweitzer, LL.B.
Editor, Lawyers' Medical Journal
Attorney & Consultant in Health Law

E. Donald Shapiro, J.D., LL.D. Dean. New York Law School

Robert B. Shira, D.D.S.
Dean, Tufts University School of
Dental Medicine
President, American Dental Association

Cyril H. Wecht, M.D., J.D.
Director, Pittsburgh Institute of
Legal Medicine
Coroner, Allegheny County, Pennsylvania

### Mark D. Altschule, M.D. Harvard University

Donald B. Barkan, M.D., F.A.C.P.

> Medical Director, Lynn Hospital Employee Service Health Director, Lynn Hospital School of Nursing

Patrick Carroll, J.D.
Senior Vice President & Legal Counsel
Massachusetts Hospital Association

Neil L. Chayet, J.D. Attorney & Consultant In Health Law Harvard Medical School

Roger C. Cramton, J.D. Dean, Cornell Law School

William J. Curran, LL.M., S.M. Hyg. Harvard University

Douglas Danner, LL.B. Trial Attorney

Lee J. Dunn, Jr., J.D., LL.M. Legal Counsel, University of Kansas Medical Center

Richard F. Gibbs; M.D., J.D. Attorney & Consultant in Health Law Harvard Medical School

Selected for indexing in the Index to Legal Periodicals, the Social Sciences Citation Index, and Current Contents: Social and Behavioral Sciences. The editors welcome the submission of material to be considered for publication, including articles, book reviews, or other items of interest to health care providers, insurers, and attorneys. Receipt of manuscripts will be acknowledged. Manuscripts should be typewritten, double-spaced, and mailed with two Xerox or carbon copies per the instructions on the back of the front cover.

### OFFICERS OF THE AMERICAN SOCIETY OF LAW & MEDICINE

### **PRESIDENT**

Elliot L. Sagall, M.D. Boston College Law School Harvard Medical School

### FIRST VICE-PRESIDENT

Douglas Danner, LL.B. Trial Attorney

### VICE-PRESIDENT

Richard F. Gibbs, M.D., J.D.
Harvard Medical School
Chairman, Committee on Professional Liability,
Massachusetts Medical Society
Law & Medicine Committee, American Bar Association

### **SECRETARY**

Michael D. Jusell Senior Claims Supervisor Employers Insurance of Wausau

### **TREASURER**

Barry C. Reed, LL.B. Trial Attorney

The American Journal of Law & Medicine is published two times per year by the American Society of Law & Medicine, and is distributed without charge to members of the Society. Any person interested in the health care field may become a member of the Society by completing an application for either regular or student membership. Applications will be sent upon request of the Secretary of the Society.

Subscriptions, \$7.50 per annum (\$4 per issue) in the United States and United States possessions, \$10.00 per year elsewhere. Subscription rates are payable in advance. Copies are automatically sent without additional charge to duespaying members of the American Society of Law & Medicine. Back issues, if available, may be obtained from the Society at a price of \$5 per issue.

Copyright © 1976 by the American Society of Law & Medicine, Inc. All rights reserved. U. S. postage paid at Boston, Massachusetts in accordance with Permit No. 55855 (Non-Profit Org.).

All or any part of any materials appearing in the American Journal of Law & Medicine may not be republished without the express written consent of the Journal's Editor-in-Chief.

If a subscriber wishes to discontinue the *Journal* at the expiration of his subscription, notice to that effect should be sent to the *Journal's* Business Manager; otherwise, it is assumed that continuation of the subscription is desired.

Notifications of change of address should include old and new addresses, with Zip Code. Please inform us one month in advance to ensure prompt delivery. Send all correspondence to the Editorial Offices, American Journal of Law & Medicine, 454 Brookline Avenue, Boston, Massachusetts 02215.

### AMERICAN JOURNAL OF LAW & MEDICINE

VOLUME 2	SUMMER 1976	NUMBER I
CONTENTS		
Foreword	Reverend David	F. Noonan i
Articles		
Treatment: A Criti	omatose Patients Under Rec cal Review of the Harvard an Till—d'Aulnis de Bourous	d Report
Euthanasia Legislation:	A Survey and A Model A Ronald P. Ko	
State Legislation on Ab Constitutional Issue	portion after <i>Roe v. Wade</i> es	: Selected
	M. David Bryan	t, Jr., J.D. 101
ASLM Annual Rattigan	Essay	
	Teaching Legal Medicine Emergencies and Consulta Park Elliott Dietz, M.D.	itions
Medicolegal Reference	Materials	
The Medicolegal Refere	ence Library Elliot L. Sa	gall, M.D. 147
Topical Index to Selector	ed Medicolegal Information  Harvey E. Pies, J.D.  John A. Norris, J.I.	., M.P.H.;
an	nd Pamela J. Anderson, J.D.	