

What Does to Mean to Die?

Audible article by Rachel Aviv

Summary¹

In 2014, 13-year-old Jahi McMath, an African American girl from Oakland, California, underwent tonsillectomy at the Oakland Children's Hospital. The surgery went according to plan, but during recovery, Jahi started coughing up blood. This continued for hours. Jahi's family and the nurses in the ICU communicated their concerns to the doctors, but Jahi's family felt they weren't being listened to. A few hours later, Jahi suffered cardiac arrest. She was resuscitated and put on a ventilator. Two days later, she was declared brain dead.

Jahi's family pleaded with the hospital to leave her on the ventilator for a few weeks to see if she would recover. The Oakland Children's Hospital denied their request, maintaining that Jahi was dead. The McMath family's lawyer arranged for Jahi to be transferred to St. Peter's University Hospital in New Jersey. The state of New Jersey is the only state in the U.S. that allows families to reject brain death on religious grounds. Her family moved to New Jersey to be with her.

The family maintained that Jahi wasn't brain dead. Dr. Shewmon, a retired chief of neurology, analysed Jahi's brain scans and her body's reactions when her mom asked her questions. Shewmon concluded that Jahi was extremely disabled, but alive. However, when the family sued Oakland Children's Hospital for malpractice, the hospital's response was that a deceased body cannot sue, and that the presented evidence for Jahi being alive was irrelevant to the criteria outlined in the 2011 guidelines for paediatric brain death. This argument was rejected by a judge in 2017, leaving it to a jury to decide if Jahi was dead or alive. Jahi remained on a ventilator until 2018, when she died in New Jersey. She currently has two death certificates, one from California from 2014 and one from New Jersey from 2018.

Duration: 1 hour

Author: Rachel Aviv

Published: January 29, 2018

Annals of Medicine, The New Yorker

Available here: [What Does It Mean to Die? | The New Yorker](#)

Ethical Issues

Trust
Brain death
Equity seeking communities
Trauma-informed care

Patient's best interest
End-of-life decision-making
Doctor-patient relationship

Questions for discussion:

- Jahi's family members gradually lost trust in the physicians involved in Jahi's care at Oakland Children's Hospital. What were the different circumstances that led to this breakdown in trust?
- What could the hospital administration and the surgeon have done to re-build a trust relationship with Jahi's family?
- What could a trauma-informed and culturally sensitive care approach have looked like in this case? (What specifics would you take into account when communicating with Jahi's family, for example).
- Do you think it should be possible for families to reject brain death on religious grounds? Why/why not?
- Do you think moving Jahi to New Jersey so she could remain on the ventilator was in her best interest? Why/why not?

¹ This is a short summary of Rachel Aviv's article. Not all case events in the article are included.