

Virginia Board of Medicine

Guidelines on Performing Procedures on the Newly Deceased for Training Purposes

Section 54.1-2961 of the Code of Virginia requires the Board of Medicine to adopt guidelines concerning the ethical practice of physicians, interns, and residents. The Board is required to consider “the nonbinding ban developed by the American Medical Association in 2000 on using newly dead patients as training subjects without the consent of the next of kin or other legal representative to the extent practical under the circumstances in which medical care is being rendered.” Va. Code § 54.1-2961(E).

Therefore, as guidance to its licensees, the Board endorses the ethical guideline on performing procedures on the newly deceased for training purposes adopted by the American Medical Association in June, 2001:

Physicians should work to develop institutional policies that address the practice of performing procedures on the newly deceased for purposes of training. Any such policy should ensure that the interests of all the parties involved are respected under established and clear ethical guidelines. Such policies should consider rights of patients and their families, benefits to trainees and society, as well as potential harm to the ethical sensitivities of trainees, and risks to staff, the institution and the profession associated with performing procedures on the newly deceased without consent. The following considerations should be addressed before medical trainees perform procedures on the newly deceased:

(1) The teaching of life-saving skills should be the culmination of a structured training sequence, rather than relying on random opportunities. Training should be performed under close supervision, in a manner and environment that takes into account the wishes and values of all involved parties.

(2) Physicians should inquire whether the deceased individual had expressed preferences regarding handling of the body or procedures performed after death. In the absence of previously expressed preferences, physicians should obtain permission from the family before performing such procedures. When reasonable efforts to discover previously expressed preferences of the deceased or to find someone with authority to grant permission for the procedure have failed, physicians must

not perform procedures for training purposes on the newly deceased patient.

In the event post-mortem procedures are undertaken on the newly deceased, they must be recorded in the medical record.

American Medical Association, Council on Ethical and Judicial Affairs, Code of Medical Ethics, Opinion 8.181, “Performing Procedures on the Newly Deceased for Training Purposes,” adopted June 2001.