

International Responsa Project

When a medical procedure raises ethical, moral, or halachic questions, advice from a reliable source is needed. The International Responsa Project provides this service to people all over the world who send their questions – some of general and theoretical, some specific and technical – via e-mail (irp@medethics.org.il), website (www.medethics.org.il), telephone, fax, and post. The questions are answered as quickly as possible by one of the rabbi-doctors at the Institute. The following are samples of recent questions and their answers. Please note that these are answers to specific questions and no general halachic conclusions should be drawn. A competent halachic authority should always be consulted.

Subject: The Use of Curosurf®

Date: September 2008 (a similar question was asked in December 2004)

Answered by: Rabbi Mordechai Halperin, M.D.

Shalom,

Curosurf® (poractant alfa) is an intratracheal suspension used by healthcare professionals for the prevention and treatment of Respiratory Distress Syndrome (RDS) in premature infants. The active ingredient of this natural surfactant is the phospholipid fraction obtained from porcine lung.

- 1. Is it permitted, according to the Jewish Law (Halacha) to use Curosurf® for Jewish infants?*
- 2. Is it allowed, according to the Jewish Law to take a part in manufacturing of such medication?*

Thank you in advance,

1. The bans related to pigs: prohibition of eating pork; trade prohibition with forbidden animals; and the specific taboo against growing pigs, which has a special severity if it is done in the Land of Israel.

2. The halachic distinction between intratracheal infiltration and esophageal insertion (normal eating).

3. The well-established principle of Jewish halacha, that life-saving procedure takes precedence over the observance of most halachic rulings.

4. The fact that the natural surfactant originally developed at Italy is still manufactured there and shows no influence on the taboo against growing pigs in the Land of Israel.

The introduction of surfactant replacement therapy has contributed to the dramatic decrease of mortality in the premature: in the 1980s (prior to surfactant) a baby born around 28 week gestational age had a 50-70% survival rate whilst nowadays that same baby has a 90% chance of survival. Therefore it should be considered as a life-saving procedure.

Halachic conclusion

The use of Curosurf® as surfactant replacement therapy is clearly permitted according to the strict Jewish Halacha.

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Anyone interested in further sources can address me by email (irp@medethics.org.il). In addition, it is advisable to examine R. Moshe Aharonson's Resp. Yeshu'at Moshe 3:117 (pp. 254-256) and the sources cited there.

The position of Jewish Halacha towards Curosurf® (a porcine derived surfactant) - A summary document

Facts

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The fact that Curosurf is obtained from porcine lung, may raise some halachic questions related to its use for Jewish people, as the hog is one of the major symbols of forbidden animals in Jewish tradition.

Halachic topics

The halachic discussion is associated with 4 topics:

Subject: Fetal reduction: discussion in the Dutch parliament
Answered by: Rabbi Mordechai Halperin, M.D.

Date: July 2008

Shalom rav,

I live in Jerusalem and write in Dutch for Dutch publications.

In the past I wrote several times about medical halachic research in your institute where Bible believers, not only Jews can ask questions.

At the moment there is a discussion in the Dutch parliament re in vitro fertilization. When a fertilized (in vitro) ovum has a cancer gene such an embryo is not being used, it is being discarded. Only those embryo's that do not have this cancer gene are being implanted in the womb.

The question is what Jewish halacha says about this

Is it permissible to discard an embryo with this cancer gene or must it be implanted in the womb?

I thank you in anticipation for an answer to this halachic question.

1. According to the Jewish Law it is permissible perform a PGD test in order to prevent severe health problems from the offspring, and to use only the healthy embryos.

2. When an IVF of several eggs produces healthy and unhealthy embryos, the unhealthy in-vitro embryos may be discarded.

Further sources: Dr. Daniel Eisenberg, *Multifetal Pregnancy Reduction In Halacha*; Steinberg A, *Abortion for fetal CNS malformations: religious aspects*. Childs Nerv Syst 19:592-5, 2003.

Subject: Triage and treatment under limited resources and emergency
Answered by: Israel Belfer, IRP coordinator

Date: November 2007

Please, if you could, I am looking for information (articles, etc.) on the halachic perspective on triage and treatment of patients in times of national emergency or disaster. Specifically, the question is what guidance does halacha provide in choosing which patients get priority in a situation where resources are limited and taxed.

Thank you for your time.

Yours,

For publications on the subject within the Schlesinger Institute, please see:

1. A. Steinberg M.D., *Encyclopedia of Jewish Medical Ethics*; Feldheim Publishers (Jerusalem – New York, 2003) Vol. I pp. 40-50, and in the referred literature in the article.

Prof. Steinberg has published work relating to this subject in other academic platforms: *Medical ethics in an inter-religious comparison: Judaism*; in *Ethik in der Medizin*; Volume 10, Supplement 1 / September, 1998.

Also, Prof. Steinberg's application of the Halacha and Jewish ethical approach to triage, as nested in medical care in it's wider scope - paralleled to other renowned ethicists and doctors (100 contributors) - is shown in *Principles of Health Care Ethics*; Raanan Gillon ed.; London University, U.K.

2. *Lifesaving while Under Fire: Medical Halacha in Battle*; Shlomo Steve Jackson, M.D.; (Hebrew){ASSIA 16, 3-4 (63-64), pp. 101-120 (1998)}.

3. Adjacent subjects, Articles in Hebrew:

Rabbi Shabtai Rappaport writes {ASSIA 51-52 pp. 46-53, 1992} of the allocation of limited resources on a national scale (for example medical & pharmaceutical aid);

Rabbi Mordechai Halperin writes {ASSIA 65-66 pp.5-6, 1999} of the Israeli law of 'Lo Taamod Al Dam Reecha' (Good Samaritan Law) and its Halachic underpinnings.

Online versions of articles published by the Schlesinger Institute are available through the Schlesinger Institute's website (www.medethics.org.il/db).

For more Academic references outside the Schlesinger Institute:

The Allocation of Scarce Medical Resources: A Philosophical Analysis of the Halachic Sources; Moshe Sokol; AJS Review, Vol. 15, No. 1 (Spring, 1990), pp. 63-93.

In this article the basic sources of Halachic discourse are analysed, but care must be taken not to confuse the dynamic nature of Halachic considerations with a unilateral and/or dogmatic philosophy of treatment. For this and other reasons, the work done by Prof. Steinberg is more suited for practical application without losing analytic rigour.

Halachic discussions available online outside the Schlesinger Institute:

The YU (Yeshiva University) based "National Medical Halacha Society (also a Blog)", contains an article on the subject of *Triage in Halacha*

A Jewish study Netowrk (based in California) class by Rabbi Avi Lebowitz on Triage in Halacha.