

# ASSIA Abstracts

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ASSIA Nos. 87-88 appeared in Hebrew in Sivan 5770 (June, 2010). The following articles are of special interest to readers of *Jewish Medical Ethics*.

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## **Vaccination in Israel: Epidemiology and Halacha**

by Dr. Chaya Greenberger

Vaccination saves lives; parents are obligated to vaccinate their children even when there is only a small threat of infection; Rabbis should be role models in vaccinating the public; parents should be informed of side-effects; in the absence of immediate threat, no one should be compelled to accept a vaccine.

## **Disclosing Medical Problems in Matchmaking**

by Rabbi Avraham Dori

Detailed analysis and survey of rabbinic sources regarding the obligation to disclose serious, pre-existing medical conditions in matchmaking; disclosing that a parent of a prospective spouse has gentile roots; disclosing that a woman is not a virgin.

## **Medical Micropigmentation**

by Dr. Uriel Lewinger

Some authorities permit micropigmentation (medical tattooing) which includes no letters

and is impermanent; others see in this a rabbinic prohibition that can be lifted in therapeutic situations.

Permanent micropigmentation, on the other hand, is prohibited even for reconstructive cosmetic purposes according to Rambam and the *Shulchan Aruch*. There is room for leniency if a non-Jew tattoos a patient under general anesthesia.

Superficial, impermanent marks indicating which limb of a patient requires surgery are permitted.

## **Medical Micropigmentation**

by Rabbis Eliezer Roth and Natan Gestetner

Correspondence with the author of the previous article.

## **Permanent Makeup**

by Rabbis Gavriel Toledano and Mordechai Halperin

Responsa detailing a possible leniency for permanent makeup in cases of emotional distress.

## **Permanent Makeup**

by Prof. Avraham Sofer Avraham

Excerpt from the author's *Nishmat Avraham* outlining the opinions of the great authorities regarding permanent makeup (tattooing).

## **The Torah Approach to Physician-Patient Relations**

by Rabbi Yitschak Menachem Weinberg Shlita

Torah sources explain the inner, therapeutic power of the physician-patient relationship.

## **The Israeli Law of Respiratory-Brain Death (2008)**

Full text of the Israeli Brain-death legislation (2008).

## **Rav Elyashiv's Opinion regarding Brain Death**

by Prof. Avraham Steinberg

As long as the heart is still beating, it is prohibited to switch off a ventilating machine in cases of brain death.

## **Rav Ovadya Yosef's Opinion regarding Brain Death**

by Prof. Avraham Steinberg

Brain death is *halachic* death.

## **Rabbi Shlomo Amar's Opinion regarding Brain Death**

Facsimile of R. Amar's letter agreeing with R. Yosef in permitting the transplantation of organs from a brain-dead donor as long as the family's consent is obtained and the *Beit Din* agreed to the organ donation.

### **Rabbi Moshe Sternbuch's Opinion regarding Brain Death**

by Prof. Avraham Steinberg and Rabbi Moshe Peleg

Complete cessation of respiration constitutes *halachic* death. Therefore brain death is a valid criterion of *halachic* death as long as the physicians attesting to brain death are reliable.

### **Responsa regarding the Decision of the Chief Rabbinate on Heart Transplantation**

Rabbi Dr. Mordechai Halperin

Further explanations regarding the reasoning and ramifications of the Chief Rabbinate in permitting heart transplantation from brain-dead donors.

### **The Decision of the Chief Rabbinate Council of 4 Tishrei 5770**

Full text of Protocol 7, section 4, regarding brain death and organ transplantation and the Rabbinate's approval of "the Israeli Law of Respiratory-Brain Death (2008)" with the condition that the wishes of those families objecting to transplantation be respected.

### **The Status of the Issue of a non-Jewish Surrogate Mother**

by Rabbi Shlomo Moshe Amar and Prof. Richard H. Grazi

Fascism of Rabbi Amar's letter to Prof. Grazi determining that the status of the issue depends on the status of the ovum donor. If the ovum donor is Jewish, then so is the offspring. Further, if the

child's father is a *kohen*, the child is likewise a *kohen*.

### **Artificial Insemination for Unmarried Women**

by Rabbi Yoezer Ariel

Detailed analysis of the *halachic*, spiritual, and psychological issues surrounding the offspring of unmarried women undergoing artificial insemination.

### **Birth Control Pills and Venous Thromboembolism**

by Dr. Meir Frankel

Medical and *halachic* consequences taking contraceptive pills. Survey of medical sources implying that there might be *halachic* reason to refrain from taking these pills due to the medical dangers associated with them.

### **Contraceptive Hormone Pills and Nidda**

by Rabbi Eliezer ben Porat and Prof. Pesach Kleiman

Careful analysis of the following questions: (1) What is the status of blood found on a colored cloth when the bleeding is due to hormone pills? (2) How can a woman taking hormone pills prevent bleeding? (3) What is the status of the onset of menstruation when such is determined by the cycle of hormone pills (*veset ha-gelula*)?

### **Vaginismus**

by Dr. Chana Catane and Rabbi Yoel Catane

Women suffering from vaginismus have difficulty in executing *bedikot* for family purity.

Such women should seek medical treatment prior to marriage.

### **Hefsek Tohara, Bedikot and Vaginismus**

by Rabbi Nachum L. Rabinovitch

Irrigating the vagina with warm water and wiping the area can fulfill the requirements of *hefsek tohara* and *bedika* for woman suffering from vaginismus.

### **Hefsek Tohara, Bedikot and Vaginismus**

by Rabbi Asher Weis

In cases of mild vaginismus which is expected to resolve soon, normal *bedikot* are required. But in cases of severe or long-term vaginismus minimal examination with a cloth is sufficient.

### **Hefsek Tohara, Bedikot and Vaginismus**

by Rabbi Yaakov Ariel

Response to the above article by R. Catane. A painless examination by a trained *bodeket* is preferable. But if such is impractical, the woman should check herself as well as she can.

### **Proper Vaginismus: Medical Background and Halachic Problems**

by Rabbi Dr. Mordechai Halperin

Survey of medical literature dealing with vaginismus, covering its incidence, etiology, and treatment. Rabbi Neuwirth said that minimal examination is sufficient as with virgins. But Chazon Ish was stricter, requiring repeated examinations.

Alternatively, R. Ovadya Yosef suggests delaying the examination for a few days to guarantee the cessation of bleeding.

### **Vaginismus: Approval of Treatment**

by Rabbis Sh.Z. Auerbach and Yissachar Meier

Facsimiles of letter of Rabbis Sh.Z. Auerbach and Yissachar Meier approving of medical therapy for vaginismus.

### **Bibliography of Medical-Halachic Literature**

by Rabbi M. Wunder

Annotated bibliography of 403 Hebrew books, articles, and responsa which appeared in 5766 (2005-2006), arranged by topics and indexed by the author.

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ASSIA Nos. 89-90 appeared in Hebrew in Av 5771 (August, 2011). The following articles are of special interest to readers of *Jewish Medical Ethics*.

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### **Injuring a Fetus to Save its Mother's Life**

by Rabbi Mordechai Halperin

Six reasons adduced from rabbinic literature to be lenient and permit treating a life-threatening malignancy in a pregnant woman even though the treatment might kill her fetus.

### **Compensation for Medical Malpractice**

Rabbi Gavriel Toledano

The physician has the status of a *shomer sachar* (paid watchman).

If he is negligent, he is obligated to compensate the patient. In addition, Rashba holds that the physician's acceptance of liability obligates him. According to Ramban, the obligation to compensate the patient derives from *minhag* (common practice).

### **Breach of a Contract to Donate Bone Marrow**

by Dr. Avraham Weinroth, Esq.

An original analysis of Israeli juristic sources and Rabbinic texts, leading to the conclusion that the state should enforce a contract to donate bone marrow.

### **Use of Creams on Shabbat**

by Rabbi Shlomo Glicksberg

*Memachek* (smoothing a surface) is prohibited on Shabbat. *Memareach* (spreading one substance over another) is a derivative (*toledah*) which is only prohibited when preparing an object for use, e.g., sealing a hole in a barrel.

There are three levels of viscosity in substances which can be spread: (1) wax, which the Torah prohibits spreading over another surface; (2) ointment, which is in general prohibited lest one come to use wax; and (3) clear oil, which in principle is permitted.

### **The NuvaRing and Family Purity**

by Rabbi Eliezer ben Porat and Prof. Pesach Kleiman

In general, a NovaRing should be removed prior to every *bedika*. If certain difficulties arise, it is sufficient to remove the NovaRing prior to *hefsek tohara* and the

*bedikot* on the first and seventh day. *Be'di'avad* there is room for leniency even if the NovaRing was in place for all the *bedikot* and the *tevila*.

### **Bleeding while Using a NovaRing**

by Rabbi Dr. Mordechai Halperin

A responsum from the International Responsa Project of the Schlesinger Institute requiring the removal of a NovaRing prior to *hefsek tohara* and *tevila*. It is proper to remove it before each *bedika* during the seven days as well.

Bleeding during the use of a NovaRing has the same status as any other bleeding.

### **Staining in a Woman Using Contraceptive Tablets**

by Rabbi Yaakov Sasson

Bleeding while taking contraceptive tablets has the same status as any other bleeding.

### **The Blessing "Dayyan ha-Emet" on a Stillbirth**

by Rabbi Avraham Stav

Survey of the differing opinions of contemporary authorities regarding the blessing "Dayyan ha-Emet" on a stillbirth.

### **Post-partum Depression: Symptoms and Halachic Aspects**

by Rabbi Baruch Finkelstein and Ms. Michal Finkelstein

Survey of the scientific literature regarding post-partum depression and Rabbinic sources regarding the importance of *simcha*; contraception to prevent

such depression; guidelines in identifying post-partum depression.

### **Leniencies for the Ill and for Prisoners**

by Rabbi Asher Shakani

Does the blessing "she'gemalani kol tuv" depend on actual salvation? When may non-Jews be asked to act for us on Shabbat? Non-Jewish cooks for prisoners.

### **Therapy: Double Life or Extended Life?**

by Rabbi Yitschak Hutner

A letter by the Rosh Yeshiva of Chaim Berlin about the spiritual value of a life devoted to therapy.

### **"Removing an Impediment" – Treating the Moribund Patient**

by Dr. Yisrael Katz

Survey of the primary sources and the views of contemporary authorities regarding the question of passive euthanasia for a moribund patient (*gosses*).

### **Pre-term Birth Following Marital Intimacy**

by Prof. Michael Shimmel and Drs. Geona Altarescu and Sorina Grisaru

Statistical study showing that marital intimacy precipitates pre-term labor in some women,

leading to the question of using a condom to avoid contact of the husband's prostaglandin D with the womb.

### **Bibliography of Medical-Halachic Literature**

by Rabbi M. Wunder

Annotated bibliography of 398 Hebrew books, articles, and responsa which appeared in 5767 (2006-2007), arranged by topics and indexed by the author.

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