LOUISIANA STATE UNIVERSITY HEALTH SCIENCES CENTER - SHREVEPORT

BRAIN DEATH EVALUATION AND DECLARATION

PURPOSE: The Louisiana Revised Statutes 9:111 Definition of Death states:

A person will be considered dead if in the announced opinion of a physician, duly licensed in the state of Louisiana based on ordinary standards of approved medical practice, the person has experienced an irreversible cessation of spontaneous respiratory and circulatory functions. In the event that artificial means of support preclude a determination that these functions have ceased, a person will be considered dead if in the announced opinion of a physician, duly licensed in the state of Louisiana based upon ordinary standards of approved medical practice, the person has experienced an irreversible total cessation of brain function. Death will have occurred at the time when the relevant functions ceased. In any case when organs are to be used in a transplant, then an additional physician, duly licensed in the state of Louisiana not a member of the transplant team, must make the pronouncement of death.

Added by Acts l976, No. 233 & 1.

POLICY:

1. The following criteria are set forth for making the diagnosis of brain death:

A. Diagnostic tests for confirmation of brain death.

All brainstem reflexes are absent.

1) The pupils are fixed in diameter and do not respond to direct bright light.
2) The corneal reflex is absent.
3) The vestibulo-ocular reflexes are absent.
4) The oculocephalic reflex is absent.
5) Primitive spinal reflexes may be present but motor responses from cranial motor reflexes (jaw jerk, snout) and brainstem reflex responses must be absent.
6) There is no gag reflex or reflex response to bronchial stimulation by a suction catheter passed down the trachea.
7) There is absence of spontaneous breathing when the patient is disconnected from the mechanical ventilator. Hypocapnia should be excluded and oxygen should be administered by airway when the ventilator is disconnected.
B. Qualifying statements:

The interval between tests must depend upon the primary pathology and the clinical course of the disease.

Body temperature should not be less than 35 degrees C (95 degrees F) when the diagnostic tests are carried out. Depressant drugs, neuromuscular blockers, hypothermia and metabolic disturbances should be excluded as being responsible for the comatose state. A diagnosis of brain death may be made by the primary attending physician or an upper level physician (PGY-4 or higher, duly licensed by the State of Louisiana) after consultation with a medical staff member. Brain Death declaration shall be recorded in the progress notes of the medical record.

2. Declaration of brain death of a minor.

If a minor has been certified (as per clinical criteria) as a qualified patient the following individuals may voluntarily make a declaration to document the decision relative to withholding or withdrawl of medical treatment or life-sustaining procedures on a minor’s behalf:

A. the spouse if he has reached the age of majority; or
B. if there is no spouse, or if the spouse is not available, or is a minor, or is otherwise unable to act, then either the parent or guardian of the minor

An individual listed above may not make a declaration:

A. if he has actual notice of contrary indications by the minor who is terminally ill; or
B. if as a parent or guardian, he has actual notice of opposition by either another parent, or guardian, or a spouse who has attained the age of majority.

Form SN 1290 shall be completed upon the decision to withhold or withdraw life sustaining procedures by a qualified individual. The attending physician shall be responsible for ensuring the form is completed, witnessed and made a part of the patient’s medical record.

References:

Wijdicks, EFM. Brain Death Worldwide; Accepted fact but no good global consensus in Diagnostic Criteria. Neurology 2002;58:20-25.

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Administrator

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Date

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