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## **Catholic Conference Welcomes Kentucky Supreme Court Decision Regarding End-of-Life Decisions**

The Kentucky Supreme Court ruled today, in a 5–2 decision, that it is constitutional for a health care surrogate to make health care decisions on behalf of patients who are incompetent and have not executed a valid living will or designated a health care surrogate.

The Court’s ruling also requires that clear and convincing evidence be the standard for proving that a patient is permanently unconscious or in a persistent vegetative state, or that death is imminent, and that it would be in the best interest of the patient to withhold or withdraw life-prolonging treatment.

The Court cited the teaching of both Pope Pius XII and Pope John Paul II, as well as making reference to the consistent ethic of life teaching of Cardinal Joseph Bernadin. “These authorities,” the Court noted, “are consistent with the Judeo-Christian-Muslim belief that there is an afterlife more desirable than the earthly one. To those who espouse that belief, it may seem more egregious to delay a natural death and the beginning of eternal life than to needlessly prolong an unnatural, artificially-maintained existence on earth.” The Court concluded, therefore, that the Kentucky law was in accord with modern moral ethical standards.

Following passage of the law in 1994, the Catholic Conference published a pastoral letter, *Kentucky’s Advanced Health Care Directives: A Catholic Perspective*. This document is available on the conference website:

[http://www.ckky.org/Pastoral%20Resources/advance\\_healthcare\\_directives.htm](http://www.ckky.org/Pastoral%20Resources/advance_healthcare_directives.htm).

Fr. Patrick Delahanty, associate director, stated, “We really hope people understand the importance of Advanced Directives and that families discuss their plans for end-of-life decisions. Ideally, people would appoint health care surrogates well before the time they are needed. Where there are developmentally disabled persons, it is especially urgent that their needs be looked after by having health care surrogates in place to speak on their behalf.”